

Representative Assembly. In the next place, it would be a disturbance of a custom to which the inhabitants of New Brunswick are familiarized and attached. It would engender continued strife between the Executive Government and the Assembly. In the third place, even the rules of the House of Commons in this respect, unless sustained by the judgment of that House and by the opinion of the public at large, would afford no effectual security for reserving to the Crown that initiative of Money Grants which the Crown habitually exercises. There are forms of proceeding in Parliament by which an expenditure may be suggested to the Crown by the Representatives of the people. The establishment of the proposed rule in New Brunswick, in the present state of public opinion on the subject, could have no other effect than that of leaving the Assembly to exercise circuitously that power of originating Money Grants which at present they exercise directly. I therefore have to instruct you not to insist upon this condition.

Sixthly. Mr. Street has objected that any surplus funds which at the expiration of the term of ten years may remain in the Public Treasury, may at that period be claimed by the Assembly, although they would have placed at their disposal all the surplus which has been at present accumulated. I do not perceive the force of this objection. The existing accumulations are surrendered to the House cheerfully; not merely with contentment, but with satisfaction. His Majesty can have no other interest in the matter, than that the funds should be expended in whatever manner may best advance the welfare of the Province; and on that question His Majesty conceives that reliance may, with far greater safety, be placed on the judgment of the Representatives of the people than on any other advice. The cession of the existing fund is, therefore, not regarded by the King in the light of a sacrifice, but rather in that of a direct advantage. If during the next ten years (supposing the Civil List limited to that time) any new accumulation should take place, it will constitute a saving effected by the frugality of the House of Assembly, to the benefit of which they will have the clearest title.

Seventhly. Mr. Street objects, that if the gross proceeds of the Crown Revenue should be paid not as heretofore to the Receiver General, but to the public Treasurer, the law would render it impossible for the Lieutenant Governor in Council to withdraw from the hands of the Treasurer, except in pursuance of an Act of appropriation, that part of the money which would be indispensable for defraying the expenses of collection and management. It does not appear to me that this objection is well founded. The first section of the Bill directs the payment to the Treasury of the proceeds of the Revenues except the monies which shall be expended in the collection and the protection thereof, as specially authorized and provided for by the fourth section. It is then by the fourth section enacted, "that the Lieutenant Governor, with the advice of the Executive Council, may expend out of the gross proceeds such sums of money as they may deem requisite for the prudent management, protection and collection of the said Revenues." Therefore although it be true that the Treasurer can issue no money except under an Act of appropriation, yet it is also true that he will receive not the gross but the net income. Besides the unequivocal intention of the whole arrangement, the spirit in which it has been conducted on behalf of the Assembly, and the manifest interest of the Province