

the correctness of this statement. I am not, however, called on this occasion to examine into what is past. With respect to the future, I have to convey to you his Majesty's commands, that the most prompt attention should be paid to any Addresses which may be presented to you by the House of Assembly, for information on subjects connected with the receipt and expenditure of the Casual and Territorial Revenue. His Majesty has no desire to withhold from the Representatives of the people of New Brunswick any information on such points, which they may consider necessary for their guidance; but as some misapprehension appears to have hitherto existed on this subject, I must direct that in future there be annually laid on the table of the House of Assembly, within fourteen days from the commencement of their Session, a detailed account of the receipt and expenditure of the Casual and Territorial Revenue of the Province for the year last past. This return must be prepared with the utmost clearness and precision; and it might perhaps be possible for you to arrange beforehand with the Assembly, the form in which it could be most advantageously drawn up. It is scarcely possible to contemplate a case in which it might be necessary to refuse the call of the Assembly for any information on this subject, but should such a case occur, you will not fail immediately to report the circumstance to me.

3. The Assembly next allude to the composition of the Executive Council.

They recommend that the Members of the Council should be materially increased; and his Majesty will take the suggestion into consideration, although he is not yet prepared to declare whether it can be carried into effect, still less what should be the extent of the proposed increase.

The Assembly further express their cordial concurrence in the views of Mr. Spring Rice, relative to the summoning to that Board of some Members of the popular branch of the Legislature.

On this topic the Assembly have expressed themselves with a just delicacy; declaring their approbation of Mr. Spring Rice's Despatch, they yet disclaim any wish to offer an opinion to the King, as to the persons whom his Majesty may be pleased to call to fill seats in the Executive Council. It is obvious indeed that a peremptory rule on the subject would be inadmissible. At present it is open to the Crown, at its own discretion, to select Members for the Executive Council from all descriptions of His Majesty's subjects. The prerogative is unfettered, and it is, in the opinion of His Majesty's advisers, most advantageous for all parties that so it should remain. With respect to the manner in which it shall in this

branch of it be exercised, His Majesty can only give the general assurance, which he directs me to convey to the House of Assembly, that his selection of persons to sit in the Executive Council will be guided solely by a reference to the permanent interests of the Province, and to the qualifications of those whose names may be submitted to him for that distinction.

4. The composition of the Legislative Council is the next subject alluded to by the House; admitting that no great public evil has yet arisen from this source, they nevertheless express their apprehension, that according to the principles laid down in the instructions to the Canada Commissioners, those Members of the Council who hold office under the Crown could not be expected to exercise an unbiassed judgment on the questions which might come before them.

His Majesty's Ministers entirely agree in the importance of securing the independence of the Legislative Council. They are not indeed prepared, especially after the candid admission of the Assembly, as to the working of the present system, to recommend to His Majesty the supersession of any of the present Members of the Council, nor do they consider office as of itself a disqualification for a seat in the Council, but they freely admit that the introduction into it of too large a number of persons holding places of emolument under the Executive Government, would tend to detract from its weight as an independent branch of the Colonial Legislature. Lord Ripon, in a Despatch dated the 1st May, 1832, observes, that the Legislative Council 'should principally consist of Gentlemen independent of and unconnected with the Executive Government, and selected from the principal inhabitants of the Province, and those having the greatest stake in its welfare.' To this principle, although it would seem that accidental circumstances have hitherto prevented it from being carried into full effect, His Majesty's Government continue to adhere. Whenever, therefore, it may become your duty to recommend to me, for His Majesty's approbation, the name of any gentleman to be appointed a Member of the Legislative Council, you will bear in mind the rule laid down by Lord Ripon in the words I have just quoted.

It may be proper to advert in this place, to the impression which has been produced on the minds of the Assembly by those clauses of the Instructions to Sir Francis Head, which (to use their own language) 'might be supposed to affect the independence of Members of the Legislature holding any inferior office or appointment under the Government.' On this subject it is enough to point out to the observation of the Assembly, that the clauses in question, in so far as they concern persons