

12. "That it may be assembled by the Governor, by special summons, as often, and at such places, as he may think fit.

13. "That at each meeting of the council every member shall be entitled to attend; and that in the issuing of summonses no limitation shall be established, save that rendered necessary by distance or difficulty of communication.

14. "That five shall be a quorum.

15. "That upon the internal affairs of the Province each member of the council shall have the right of suggesting measures, or tendering advice, whether or not upon subjects introduced by the Governor; but that no measures affecting the relations of the Province with the Empire shall be discussed, unless they are brought forward by the Governor.

16. "That the Governor have the power of adjourning any question or subject of discussion, the fact of his doing so being noted on the proceedings.

17. "That the Governor have the power of acting in opposition to the majority of the council; but that when he adopts that determination, he shall enter it on the minutes, assigning his reasons or not, as he may prefer.

18. "That the members of the council have the privilege of recording their dissent on the council books, with or without their reasons, as they may prefer.

19. "That no meeting of council shall be competent to act as such, without the presence of the Governor; but that he shall have the power, as now, to refer business to it as to a committee in his absence, nothing done in that mode taking the form of a proceeding of council, until ratified when the Governor is present.

20. "That the foregoing rule shall be so far qualified in the Governor's absence from the seat of government as to authorize him to ratify, by letter or by any other mode that may be appointed for the purpose, any proceedings of council which could not without injury to the public service be delayed.

21. "That whatever number of members of either branch of the legislature may be included in the executive council, all communications to the Provincial Parliament shall continue to be made, as now, by message.

22. "That no oath of secrecy shall be taken, and that the members of the executive council shall not be considered solemnly bound to secrecy, except on occasions when the Governor may summon them expressly to form a council of secrecy, or resolve any meeting into such a council.

23. "That before any recommendation of an appointment to the legislative council be sent to the Secretary of State, the Governor shall acquaint the executive council with it, and receive any observations they may make upon it; which observations, whether made collectively by the council, or individually by any member or members of it, shall be transmitted to England at the same time with the recommendation of the Governor.

24. "We apprehend that the council must for the present remain charged with the duty of auditing accounts, as the erection of any other board of audit, or the creation of an auditor-general, is properly a subject for the consideration of the legislature.

25. "There can be no hesitation in pronouncing the appellate jurisdiction entirely unsuited to the executive council, and full of objection. We think it far preferable that his Majesty should be empowered to assent to any Act which may hereafter be passed in the province, than that the British Parliament should itself enact a new law on the mode of determining appeals in Canada."

Subscribing, in general, to the justice of each of the preceding recommendations, Her Majesty's Government are of course aware that, of the changes which are thus recommended, there are some which it is not within the limits of the Royal prerogative to introduce and establish. For some of them the sanction of Parliament may be required, and there are others which it must rest with the council itself to adopt, to qualify or to reject; and even with regard to such of the suggestions as are within the constitutional authority of the Crown, there may be questions of some difficulty as to the instruments and forms by which that authority should be exercised.