

MENTS," served the purpose of party better than the specification of cases, and the general and startling phrase "without an opportunity of tendering advice," would be more effective than an unsophisticated statement of facts. On the former, a *party vote* could be carried; on the latter only an honest verdict could be expected; and thus the character of the Governor General, no less than his prerogative, must be *secondary to party*.

I have not, however, done with this charge. I have shewn its indefiniteness, its unfairness, its injustice, its destitution of proof, its suspicious character; yet it has been the rallying cry and the watchword of the party that invented it. I will, therefore proceed to prove the impossibility of its truth. Mr. Hincks, in his pamphlet in reply to Mr. Viger, p. 13, says—"Every member of the late council was as well aware as the Governor can be that it is 'physically impossible to make formal references to the council of every matter that comes up for decision;' " (quoting Sir Charles' reply to the Gore District Council) nor did any of them desire that such a system should be practised. Every act of the Governor, however, must be communicated by his *Secretary*, and that Secretary, should be a *responsible minister*, thoroughly acquainted with the policy of the administration of which he is a member, and capable of advising the Governor on every subject not of sufficient importance to be referred to the council. If the Secretary recommends any step prejudicial to the administration, which, for his own sake he would not do, his colleagues of course hold him responsible to them."

Such then is the exposition of the practical working in detail of Responsible Government, by the party of the late Counsellors themselves. Now, can an appointment be officially made by the Governor General except through the Secretary of the Province—a member of the Legislature, a responsible adviser of the Crown? They know it cannot—any more than the Governor General can talk without a tongue, or see without eyes. The Provincial Secretary is the keeper of the *Provincial Seal*, with which every commission must be stamped—the same as the Lord Chancellor is the keeper of the Great Seal of State in England. The Secretary's office is the *medium* through which every official appointment must be made; and the Secretary is, (to use De Lolme's words) "the necessary instrument" by whom it must be made.

Now, suppose the Governor-General were to send an order to the Secretary directing him to affix the Provincial Seal to a commission for an appointment respecting which the Council had never been consulted, and on which they had no opportunity of tendering their advice, the Secretary would have four courses before him. He could not possibly disobey orders: but he could tender his own resignation, and request the Governor to appoint some other person to perform that act; or he could go to His Excellency and advise and remonstrate against it; or he

could affix the official seal to it forthwith, for which he would be responsible to his colleagues; or he could inform them, and they could either consent to it, or go in a body, or send one or more of their number to the Governor, and tender their advice against it. Taking, therefore, the extreme and least favorable view of the Governor-General's mode of making an appointment, it is *impossible* for him to do it without giving his Council an opportunity of tendering their advice according to the very working of the system of Responsible Government, as above explained by one of the late Counsellors. What is impossible cannot be true. Their charge, therefore, against the Governor-General—their great charge—their charge repeated ten thousand times—is shown to be not only undefined and unproved, but utterly groundless and false.

But it has been alleged by Mr. Hincks and others, that his Excellency has carried on correspondence with individuals in the Colony, even on public affairs, through his *Private Secretary*, and not through his responsible official Provincial Secretary. To give the adversaries every advantage they can ask, let this charge be admitted in its full extent; and will the *legitimate* conclusion from their charge be but a proof of what Sir Charles has complained of, that the late advisers made demands incompatible with the invincibility of the prerogative, and calculated to reduce it to the office of a party tool. Had not each of the late advisers a *private* as well as an *official* correspondence? Did they not carry on their private correspondence, either in their own handwriting or by means of a private secretary? Did not that private correspondence often relate to public affairs—to offices, colleges, &c? Did not that private correspondence sometimes contain declarations, or, in common parlance, pledges of what they would do in relation to particular appointments or measures, to the utmost of their power? Had they not a *right* to this private correspondence—and that on any subject, public or private, they choose to write about! They might exercise that right indiscreetly—as a man might eat and drink indiscreetly—but the *right* was there, and the exercise of it was a matter of their own concern, although it might sometimes prove inconvenient both to the writer and his colleagues. And has not the Governor-General a right equal to one of his advisers? Is he the only member of the Government who has no right to express his personal views and feelings on any subject? If any member of the Council can even pledge himself to a particular act or measure to the utmost of his power, cannot the Governor-General do the same—although the power of the latter, as well as the former, may be limited by constitutional restrictions? Can any Counsellor write to whom and through whom *he pleases*, without the sanction or knowledge of the Governor-General? and has his Excellency no right to correspond with any body on any matter relating to