

many of the questions which have more recently come under discussion. In order to avoid as far as possible the risk of any misconception on an occasion of so much importance, I shall disregard the minor inconvenience of repeating some of my former statements and explanations.

First. Sir A. Campbell did not consider himself as in possession of adequate authority, for assenting, on His Majesty's behalf, to the Civil List Bill. His objection to act upon the instructions which I conveyed to him may, as I now understand it, be stated as follows :

The fourteenth clause of those Instructions contained the following passage—" You are not to pass or give your assent to any bill or bills of an unusual and extraordinary nature and importance, until you shall have first transmitted to us, through one of our Principal Secretaries of State, and to the Committee of Privy Council for Trade and Plantations, for their information, the drafts of such bill or bills, and shall have received our pleasure thereupon, unless you take care that there be a clause inserted therein suspending and deferring the execution thereof until our pleasure shall be known concerning the same." But Sir A. Campbell argues that in the present case neither of these conditions had been fulfilled. The draft of the Civil List Bill had not been transmitted by him for the signification of His Majesty's pleasure, nor did it contain a suspending clause. It was indeed true that the draft had been transmitted to the Lieutenant Governor for his guidance, by the express command of His Majesty signified through me as one of His Principal Secretaries of State; but it was maintained that this was neither a formal nor a substantial fulfilment of the fourteenth article of the General Instructions. The difference between the form literally prescribed and that which was actually observed requires no explanation. The difference of substance is stated by Sir A. Campbell to be, that a draft transmitted from the Province to this country must be accompanied by a report from the Lieutenant Governor, which report must of course be wanting when that order of proceeding is reversed.

It is no longer necessary, with a view to any practical measure, to discuss the distinction which was thus drawn, because I have now had the advantage of receiving the draft from Sir A. Campbell, accompanied by the comments which it appeared to him to require; yet I cannot pass from this question without recording my opinion, that the draft of a bill transmitted by His Majesty's commands to the Lieutenant Governor, with instructions that if adopted by the other branches of the Legislature it should be assented to by him, is precisely of the same authority as if that draft had been drawn up and originally recommended to the King by the Officer administering the Government of the Province. It is true that in such a course of proceeding the benefit of the previous suggestions of that Officer is not obtained; but I cannot admit that it is not competent to His Majesty to dispense with that assistance on any occasion on which he may be so advised by the confidential Ministers of the Crown. The contrary supposition might, on occasions of the utmost urgency and importance, involve the necessity of a delay fatal to the success, not merely of measures founded on a local and particular policy, but of such as may have reference to the general interests of the Empire. The purpose of the fourteenth General Instruction was to place a check on the authority of the Governor—not to fetter the discretion of the King.

Secondly.