

concurrency of the Council is required to give effect to certain Executive Acts. But these exceptions prove the general rule, viz : that while the advice is to be given upon the affairs of the Province generally, it is only in the particular cases that it must harmonize with the pleasure of the Crown, to give that pleasure effect. Indeed, if the law could be construed to limit the advice to the particular cases, it would follow that the Council could not legally and constitutionally advise upon any others ; a proposition which, besides its manifest repugnance to the terms of the Act, is contrary to received opinion and usage.

But while the Constitution has assigned to the Council this duty, it is only to a very subordinate and limited extent that they have heretofore had opportunity afforded them to perform it. It is submitted that the exigency of the Statute can only be answered by allowing the affairs of the Province to pass under their review for such advice as their consciences may suggest, preparatory to the final and discretionary action of the King's Representative, upon those affairs.

The Council meeting once a week upon Land matters, while the affairs of the country are withheld from their consideration and advice, is as imperfect a fulfilment of the Constitutional Act, as if the Provincial Parliament were summoned once a year, to meet the letter of the law, and immediately prorogued upon answering the Speech from the Throne. In both cases the true meaning and spirit of the Constitutional Act require, that the Parliament should have a general and practicable opportunity to legislate, and the Executive Council to advise, upon the affairs of the country. In the former case, the Representative of the King can withhold the Royal Assent from bills, and in the latter, reject the advice offered ; but their respective proceedings cannot be constitutionally circumscribed or denied because they need the expression of the

Royal pleasure thereon for their consummation.

The extent and importance of the affairs of the Country have necessarily increased with its population, wealth and commerce, and the Constitution has anticipated the difficulty, by a division of labour and responsibility, from the active attention of the Executive Council to their duties.— With the exception of those matters of so weighty or general a character as not properly to fall under any particular department, and therefore fitted for the deliberation of the Council collectively, it is recommended, that the affairs of the Province be distributed into Departments, to the heads of which shall be referred such matters as obviously appertain to them respectively. Upon this principle (recognized by the existing Constitution of this Province and of the mother country) the people have long and anxiously sought for the administration of their Government, under the Representative of the King ; and the Council most respectfully, but at the same time earnestly represent, that public opinion upon the subject is so fixed, and becoming so impatient, as to preclude the possibility of denying or delaying the measure, without increasing public dissatisfaction, and leading to the final adoption of other views, as already too universally manifested, uncongenial to the genius of the Constitution, and most dangerous to the connection with the Parent State.

The remedy, it is feared, is now proposed too late for all the advantages desired ; but the longer it is withheld, the more alienated and irreconcilable will the public mind become. The present comparative calm and thankfulness arise from a belief that the Council will second this exigency, in establishing a system of Government, according to the principles recognized by the charter of the liberties of the country—an expectation which the Council are most anxious to realize.

Should such a course not be deemed