

dient to reappoint, retiring, by desire of the Crown, but with the rank attached to the station which they had relinquished.

Soon after the reconstruction of these bodies, the principle, if not formally announced, was at least generally understood to be, *that, with the single exception of the late Provincial Secretary, who retained a seat in the new Executive Council without being a member of either of the Houses of Legislation, a seat in one or the other of the latter was to be an indispensable condition to the privilege of sitting in the former*, though a community of sentiment on questions of public policy was not deemed necessary. The retirement, however, from the Council Board of some of its members, during the administration of Lord Falkland, immediately after a general election, induced a struggle in the House of Assembly, between those who had retired and their Parliamentary supporters, on the one hand, and those who had adhered to the Governor, with their upholders in the House, on the other. As the constituency, after the termination of that Parliament, returned a majority favourable to the opposition, a practical result was, the relinquishment of all the seats in the Executive Council to the majority in the new House, and the transfer of the Crown offices, together with the removal from office of the Provincial Secretary, upon his resignation of his seat as an Executive Councillor.

An attempt made by the present Lieutenant-Governor, soon after he assumed the government, to effect an arrangement between the leaders of the two contending parties, with a view to the formation of a Council that would give the country the benefit of the ability that both could furnish, was unsuccessful, but the failure was thought to render necessary an appeal to Downing Street, whence a despatch soon afterwards emanated of sufficient importance to exercise a considerable influence upon the future destinies of the colony.

It recommended that in Nova Scotia, as in England, tenure of office during good behaviour, in the ordinarily received meaning of the phrase, should practically be, thenceforth, the *general rule* of the public service, whilst the *exception* should consist of the case of *a limited number of the higher public servants who might be supposed to influence and direct the policy of the Government*, the tenure of place by whom should depend upon their commanding a parliamentary majority, and upon their holding seats in either one or other branch of the Legislature. Seats in the Executive Council were also invested with a political character, which was to be imparted to any other office that might be held concurrently therewith.

Subject to these modifications, and with certain guards and