

g, and that such present course, the House was deprived of the valuable legal opinions of the hon. Speaker on so important a subject. But to him (the Sol. Gen.) it appeared perfectly clear that as the Speaker was the intimate friend of the late Councillors, and had been consulted by them at every stage of the proceedings which led to their taking office, he must have been, by direct information, or otherwise, aware of the incorrectness of that letter, if it were incorrect; and therefore, if it were so, he would not have permitted himself to be the medium of communicating it to the House. Hence, he (the Sol. Gen.) was bound to believe that that letter contained the real principles under which those gentlemen became Councillors. Now, he would ask, if they accepted office with an understanding that their advice was to be limited to those affairs on which His Excellency might feel it necessary to consult them, how could they have understood the Instructions in that unlimited sense in which they have construed them in their address to His Excellency? [Hear, hear.] There was a something of mysteriousness hanging over the whole affair which he could not comprehend.

It had been stated, that after His Excellency received the address from his Council, it was wrong for him to require them to renounce their principles or retire from office. But how could His Excellency do otherwise? He replied to them in a document in which he gave his exposition of the Constitutional powers of the Council, and then he in substance said—"Your views and mine are directly at variance on a vital principle of Constitutional law—it is impossible that we can act harmoniously under such circumstances—you must therefore calmly weigh the views which I have laid before you, and if you cannot conscientiously accede to them, I cannot conscientiously give them up, and therefore we must part on good terms." Had His Excellency done otherwise, he would have been justly condemned.

It had been stated by the hon. member for Lenox and Addington that the Executive Council were willing to withdraw the paper they had addressed to His Excellency when they discovered the difficulties it was likely to lead to: and that it was proposed to erase it from the Council books, and that the Clerks of the Executive Council had been sworn to secrecy on the subject. All that he could say was, that if this statement was true, it involved very serious charges against these gentlemen—in the first place, he knew of no author-

ity under which the Councillors could administer such an oath to the Clerks, and if no such authority existed, then the oath administered was an illegal, and a profane oath; and in the second instance, the proposal to erase from the records of the Council the document they had so deliberately signed, if made as asserted by the hon. member, (which he was bound to discredit) was most reprehensible: and he must say that if such a proposal was made to His Excellency, and he had not forthwith dismissed those who made it from office, he would not have performed his duty; unless indeed they had been convinced of their error of judgment, and on that account wished to retract their opinions.

To continue them as Councillors, they retaining the opinions they had expressed in opposition to the Governor would have been objectionable indeed. Suppose, by way of illustration, that two or three Clergymen should write an elaborate document to their Bishop, declaring their disbelief of the great truths of Christianity, and stating their reasons, thereby to convert him to their views, and that the Bishop should reply at length to their objections, and inform them if they persisted in their opinions, they must be suspended, as he could not labor in connexion with persons holding such sentiments;—suppose that when they see they are in consequence likely to lose their livings and be expelled the church, they should request permission to recall their declaration, at the same time retaining their opinions. What would be the duty of their Bishop? Evidently to say "No, gentlemen, it will not be sufficient that you withdraw the testimony of your guilt, you must retract your opinions, you must declare that they were wrong, and that you no longer retain them, before I can consent to continue you in your sacred office." Now, the affair with the Council was precisely similar. If the gentlemen were not convinced by the able, plain and kind reply of His Excellency, they were bound in honor to retire, even if not requested to do so. He had too high an opinion of the honorable feelings of those gentlemen to believe that they had proposed to withdraw their paper and continue in office, retaining the opinions they had avowed, and he was astonished that such an assertion should be made. If true, nothing, in his opinion, could more fully prove their unfitness for the confidential and honorable situation of Executive Councillors than that they were capable of making such a pro-