

[Enclosure No. 2.]

Minute of the Executive Council in Committee.

To His Excellency the Honorable Arthur Hamilton Gordon, C. M. G., Lieutenant Governor of the Province of New Brunswick, &c. &c. &c.

The Executive Council in Committee, have had under consideration the Despatch of His Grace the Duke of Newcastle, dated 12th of December 1861, a copy of which was furnished to them by Your Excellency in May last, in answer to their Memorandum relative to the election of the President of the Legislative Council.

They observe with satisfaction, that His Grace concurs with them in opinion as to the desirability of accepting the change suggested by them in the mode of appointment of the President of that Body, and expresses his willingness to advise Her Majesty to give effect to their wishes in that respect.

His Grace, however, takes exception to the duration of the tenure named by them, which is identical with that established by law in Canada; the Council do not see the force of His Grace's objection; they are nevertheless willing to adopt in part his suggestion, namely, that the tenure should be for four years certain; and in the event of Parliament not being in Session at the time of the expiration of the term, that then the incumbent shall continue in office until the day preceding the opening of the next Session of Parliament.

With this modification, the Council are induced to hope that His Grace the Duke of Newcastle will take measures to give effect to their wishes.

The Council respectfully request Your Excellency to forward this Memorandum, with that which they send herewith, in answer to Your Excellency's Memorandum upon the same subject, submitted to them in December last.

(Signed)

S. L. TILLEY,

GEORGE L. HATHEWAY,

A. J. SMITH,

P. MITCHELL,

W. H. STEEVES,

W. E. PERLEY,

JOHN M. MILLAN,

JAS. STEADMAN.

CHARLES WATTERS,

No. 6.

The Secretary of State for the Colonies to the Lieutenant Governor.

Downing Street, 25th September, 1862.

SIR,—I have the honor to acknowledge the receipt of your Despatch of the 1st instant, enclosing Minutes of Your Executive Council, relative to the contemplated change in the mode of appointment and in the duration of office of the President of the Legislative Council.

I have to convey to you my authority for giving effect—provided the Legislative Council consent—to the proposition of your Government, viz: that its President should be elected by its Members, and that he should hold office for four years, and from the expiration of that period, if Parliament be not then sitting, to the eve of the ensuing Session.

I have, &c.

(Signed)

NEWCASTLE.

Lieutenant Governor, Honorable A. H. Gordon.

No. 7.

Minute of the Lieutenant Governor for the Executive Council.

The Lieutenant Governor lays before his Council a Despatch from His Grace the Secretary of State for the Colonies, dated 25th September, in reply to one from the Lieutenant Governor, transmitting two Memoranda of the Executive Council in Committee, without date, but handed to His Excellency on 19th August.

The Executive Council will perceive that the Secretary of State accedes to the recommendation of the Lieutenant Governor, that the wishes of the Council should, in this respect, be complied with, provided they are in consonance with those of the Legislative Council itself.