

*Changes which have taken place since 1837.*

An address to the Crown from the House of Assembly in the year 1837, complaining of the constitution of the then existing council, of its irresponsibility to the people, of the manner in which its Legislative proceedings were conducted, and of practical evils supposed to result from these causes, was soon afterwards followed by its disorganization and reconstruction, and by the separation of its executive from its legislative functions, which were assigned respectively to different bodies, designated as "The Executive Council," and "The Legislative Council." The Chief Justice and Judges of the superior courts were excluded from seats in either of the new Councils, and certain instructions were given to the Lieutenant-Governor, indicating the principles that were to govern him in provisional nominations of individuals to seats in the newly-constituted bodies, and suggesting, particularly, the necessity of a representation, as far as might be practicable, of all the leading classes and interests, especially of those connected with the agricultural districts, as also the avoidance of a preponderance of any religious persuasions.

An organic change was thus made in the constitution of the province: and although the principle contended for by the Assembly, *that it ought to exercise a control over the officers of Government and the Executive Council, analogous to that which the House of Commons possessed over the Ministers of State*, was, at first, sternly denied, the claim was reiterated in subsequent sessions, experiencing a gradually decreasing opposition, until, at a very recent period, it seems to have been conceded, to a greater extent perhaps than was anticipated by those with whom it originated.

The tenure of Colonial Offices, which under the old system was nominally during the pleasure of the Crown, but, practically, during the good behaviour of the incumbent, was, as respects most of the higher offices, except judicial and ministerial ones, declared by the despatch of a Colonial Minister, not to be equivalent to a tenure during good conduct, but to involve the necessity of retirement whenever a change in the person of the Governor, or expediency suggested by motives of public policy, should be thought to require it. The newly-constituted Executive and Legislative Councils were, in some measure, recast from the materials which composed the old Council, and some of those who had been members of the latter were retained with seats in both of the former; others, whom it was deemed inexpedient