

and as the British rule has been introduced into our local affairs, it does seem strange and indefensible to assert, that it can be reducing a Governor, if we are willing to yield to him precisely the same rights and prerogatives with which the Queen herself is content at home.

To talk about the third condition of any party in the Assembly, insisting that they had a right to be represented in Council, in any numerical proportion, is one difficult to treat with becoming gravity. I never even heard such a right asserted; but in the structure of a Coalition, surely any Party has a right to say, we will give our support to the Government if such and such Members of our Party are put in, to balance and control the influence of such and such names from the other; surely they have a right to say, we will repose our confidence in these men, and no others—admit them, and we will support your Government; but if not, form your Government as you please—and we will stand in Opposition. It was a bargain; and to have acceded to these conditions, would have been tantamount to admitting that in making that bargain, the Ex-Councillors and their friends were to exercise no judgment of their own—that the Governor was to dictate, and they were to yield. Where is the limit in this to absolute power?

But the last condition imposed a written stipulation, a token under hand and seal—that which had created such confusion in Canada, that, before admission, they were to subscribe to “a frank recognition of the right of the Lieutenant Governor to select from each of the various interests composing that body those who are to advise him, in the proportions which expediency, the efficient conduct of public officers, and the exigencies of the times seem to him to demand.” This is clearly a demand which no Colonial Assembly could sanction, and would be an open surrender of all the benefit which responsibility has conferred. If the Governor is to select when he pleases, who he pleases, and what number he pleases, and this right is not to be questioned—where is the limit given to His Excellency's power? were the Councillors not to judge of the act? were they to have no right of retiring? were the three Ex-Councillors to admit they had done wrong in retiring because Mr Almon had been appointed? It asks the Ex-Councillors, and through them the Opposition, to give a *carte blanche* to the Governor to act just as he wills—to concede unlimited and absolute power, because they are to recognize his right unconditionally; and if a right—if they entered in on these terms, it would be a violation of their pledges ever after to question it. This was a sort of responsibility, so undefined and cramped that it cannot be defended as either British or Constitutional. I can fancy, Sir, the astonishment with which a British Statesman of the high and distinguished ability—the searching and profound sagacity, which my Lord Stanley possesses, would read such an exposition of Constitutional doctrine as this—if put to a British Minister (but why fancy an impossibility) it would be treated with scorn, and even here cannot pass without ridicule.

These conditions were further objectionable, because they abandoned that cardinal principle, the right of the Executive Council being consulted by the Governor before he performed any act or adopted any policy which they, as his advisers, were required to defend. This has now been broadly admitted by Sir Charles Metcalfe, and is recognized as the rule in the Assembly of Canada. No one could trace the progress of that antagonism or collision which had unfortunately arisen between Sir Charles Metcalfe and his late Councillors, without being satisfied that His Excellency, in its latter stages, had modified the positions regarding the prerogative which he had at first assumed. In the celebrated memorandum published by Mr Lafontaine, and in which he detailed the conversation held between himself and Captain Higginson, the private Secretary of His Excellency, it was obvious that His Excellency had at first desired to manage the local affairs by a Council reflecting the different interests and opinions in

the Assembly, and bound together by no common faith in their public policy. The right of previous consultation was then denied. In the answer to the Gore Address, as public opinion pressed upon His Excellency, he admitted that in following out the resolutions of 1841, it was his duty to consult his Council on “adequate occasions.” We had incorporated that expression in our own Resolutions of last Session, although both the hon. Member for Yarmouth and I felt great doubts at the time on the propriety of adopting it. “Adequate occasions” leaves the right open, vague, and subject to inquiry, if not to disagreement, on each particular case. In a subsequent reply to the Address from the County of Russell, His Excellency the Governor General had admitted this right in distinct constitutional language; and had said that when surrounded by a friendly and united Council—for that is a Party Government, it was his duty to consult them “on all occasions.” I will not enter here into the disputed point of fact; but it is clear that Sir Charles Metcalfe aided, as he unquestionably has been, by the prestige and influence of his high personal character, is principally indebted, or his late majority and triumph, to his more open and unreserved declarations in favor of that very principle of constitutional responsibility for the preservation of which the Ex-Councillors retired. A Governor, however good or wise, can neither be omniscient nor omnipresent,—he must get advice from some quarter. Take it privately, say the old party—take it from us. No, say the friends of the new system, aw, with this secrecy—this dark and often malignant system of slander, for which the man who gives it will not hold himself accountable—we desire that the Governor should be guided, but not bound, by advice from his advisers, who are responsible for it to the Assembly and the people. The one is open and manly—the other is dastardly and unconstitutional. This, Sir, is one of the points of difference between the Government and the Opposition—and yet, they say they are Statesmen—we, demagogues!

This condition strikes also at the principle of Party Government, and would entail, for all times to come, the evils, I will almost say, the curse, of a Coalition. Under the new system, the Council were intended to represent “the well understood wishes of the people.” These can only be ascertained by a majority in Parliament; but if the Governor was surrounded by a Council, *monstrous*, as has been styled, reflecting all interests and shades of opinion on public questions, his Council would not reflect the “well understood wishes,” but the conflicting opinions of the Assembly. We consented last Session, Mr Chairman, to support a Coalition, because, from the state of public opinion, and the balance of parties in the House, neither party then appeared to be sufficiently strong of itself to conduct an efficient Government. We have since advanced a step further, and it is now admitted on both sides that a party Government has become inevitable; and, as predicted at the time, the error committed by the advisers of Lord Falkland, in advising him to denounce party Government, has only hastened its introduction, I pause for a moment to lay before the Committee, frankly and without reserve, the principles of a party Government, as I comprehend, and am prepared to defend them.

But, Sir, I cannot refrain from turning the attention of the House to the very extraordinary course pursued by one of the hon. and learned members of the Government in his speech made in the Legislative Council last year, relative to the Constitution of the Province. In the course of our discussion here, we carefully observing the established courtesy maintained by the Members of one branch of the Legislature to those of the other, preserved a delicate and gentlemanlike forbearance in touching the opinions of those Members of Govt. who were not here to defend themselves. Scarcely, however, had our discussion been closed, before

* Mr. Y. referred to the Hon. Alexr. Stewart.—His speech, reported by himself, of course, appeared in the Morning Post of April 6th, last.—Ed.

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