

" The fact asserted by this motion is, that your
 " Majesty's then Governor was pleased, by order
 " of the 8th day of August, 1776, to appoint a
 " Council (calling the same a Privy Council) to
 " consist only of five particular persons in the said
 " order named, and of such others as the Lieu-
 " tenant Governor should think proper to send
 " for; and the motion goes on to say, that the
 " five persons so named, have proceeded to act,
 " to the exclusion of your Majesty's Council le-
 " gally constituted in the Act of Parliament
 " above-mentioned.

" The numbers of your Majesty's Council as-
 " certained by this Act of Parliament, to which
 " the motion refers, are to consist of not less than
 " seventeen, nor more than twenty-three mem-
 " bers; and of this Council, not less than a ma-
 " jority are to co-operate with the Governor in all
 " acts of legislation. Thus the regulation stood
 " under the Act of Parliament, when your Ma-
 " jesty judging it probable, that occasions might
 " arise, when the advice and consent of the Coun-
 " cil might be wanted in other matters, besides
 " acts of legislation, when a majority of the
 " whole could not conveniently be assembled,
 " was pleased to direct (and it stands as the second
 " article of your Majesty's royal instructions to
 " your late Governor) that any five of the said
 " Council should constitute a board of Council
 " for