

neral of the Province upon the question, and transmitted it to England for the review of the Crown Officers there. His Grace the Duke of Newcastle obtained the opinion of Sir Richard Bethell and Sir Henry Keating, and sent it to the Lieutenant Governor for his guidance.

The Crown Officers of both this Colony and the Parent State concurred in the opinion that the office-holders in question "were not legally capable of sitting and voting in the Assembly," and instructed Lord Mulgrave, that if they persisted in thus setting the law at defiance, it would become his duty to exercise the prerogative, and appeal to the people, as otherwise it would bring the Legislature into contempt, "and deprive the acts of the House of the consideration to which they would otherwise be entitled."

When the House met, the disqualified members assumed their seats; and having voted down a resolution which required their disqualification to be investigated, passed, by a majority of *two*, a vote of no confidence in the Government. Lord Mulgrave accepted that vote,—declared by the highest law authority in the Empire to be illegal and unconstitutional,—and refused his Council an appeal to the people. This palpable disregard exhibited by his Lordship to the instructions from the Crown, unfortunately followed the defiant declaration of one of the leaders of the Opposition on the floors of Parliament, that "any man who would, under those circumstances, dissolve, was unfit to govern the country," and the insolent assertion in the organ of that party that if the Governor did dissolve, and they gained a majority, their first act would be to move for his recall. The Government resigned; and for the first time in the history of this Colony an Administration was formed on the avowed principle of the exclusion of Roman Catholics from the Executive Council.

The career of the Government thus illegally formed has been marked from its inception to the present time by the most flagrant violations of law and constitutional usage.

The Constitution of the country was violated, and all precedent ignored, when Lord Mulgrave, in forming the Administration, created the office of President of the Council for Mr. Young, and allowed him to assume the leadership of the Government without re-election, because it was well known that he could not go back to his constituents without losing his seat, and thus destroying the entire majority he had in the Assembly. It may here be remarked that when Mr. Young's seat was afterwards vacated by his elevation to the Bench, it