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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 expedient to reappoint, retiring, by desire of the Crown, but with the rank attached to the station which they had relinquished.

Soon after the reconstruction of these bodies, the principle, if not formally announced, was at least generally understood to be that, with the single exception of the late Provincial Secretary, who retained a seat in the new Executive Council without being a member of either of the Houses of Legislation, a seat in one or the other of the latter was to be an indispensable condition to the privilege of sitting in the former, though a community of sentiment on questions of public policy was not deemed necessary. The retirement, however, from the Council Board of some of its members, during the administration of Lord Falkland, immediately after a general election, induced a struggle in the House of Assembly, between those who had retired and their Parliamentary supporters, on the one hand, and those who adhered to the Governor, with their upholders in the House, on the other. As the constituency, after the termination of that Parliament, returned a majority favorable to the opposition, a practical result was, the relinquishment of all the seats in the Executive Council to the majority in the new House, and the transfer of the Crown offices, together with the removal from office of the Provincial Secretary, upon his resignation of his seat as an Executive Councillor.

An attempt made by the present Lieutenant-Governor, soon after he assumed the government, to effect an arrangement between the leaders of the

two contending parties, with a view to the formation of a Council that would give the country the benefit of the ability that both could furnish, was unsuccessful, but the failure was thought to render necessary an appeal to Downing Street, whence a dispatch soon afterwards emanated of sufficient importance to exercise a considerable influence upon the future destinies of the colony.

It recommended that in Nova Scotia, as in England, tenure of office during good behavior, in the ordinarily received meaning of the phrase, should practically be, thenceforth, the general rule of the public service, whilst the exception should consist of the case of a limited number of the higher public servants who might be supposed to influence and direct the policy of the Government, the tenure of place by whom should depend upon their commanding a Parliamentary majority, and upon their holding seats in either one or other branch of the Legislature. Seats in the Executive Council were also invested with a political character, which was to be imparted to any other office that might be held concurrently therewith.

Subject to these modifications, and with certain guards and restrictions which the dispatch particularly mentioned, the Colonial Secretary instructed the Lieutenant-Governor that no obstacle existed, in his opinion, in the peculiar circumstances of Nova Scotia, to the immediate application to it of the system of Parliamentary Government that prevailed in England.

Lord Durham's Commission.

The Legislative Council, which previously consisted of twelve members, was increased to fifteen, and the number of the Executive (to which all judicial authority was transferred) was limited to nine, but subsequent despatches have authorized the increase of the latter, under special circumstances, and the former was composed of twenty at the close of the last session.

The departmental system of Canada, introduced into this country has been twice keenly contested