

the earlier part of his speech, discusses the question as if English precedents were in point, but in the concluding portion he affirms that "it was contrary to the Act of Confederation that such a power should be vested in the Lieutenant-Governors of Provinces." He has not deemed it expedient to explain the meaning of the clause in the British America Act which expressly empowers the Lieutenant-Governor to appoint "from time to time" an executive council. But indeed when Mr. Kerr has arrived at the conclusion that the Legislature of Quebec "is more in the nature of a municipal council with extended powers than a parliament," it is almost useless to discuss the subject further. We should like him to furnish a precedent for a municipal council with a responsible ministry. But, further while Mr. Kerr advances these positions he evidently relies mainly on the fact that the non-exercise of the power of dismissal in England in modern times affords proof of the unconstitutionality of the Act. We may state here that we accept Mr. Kerr's definition of the term "unconstitutional," and admit that a proceeding may be legal and still may be what would be considered unconstitutional. We deny, however, the application of the principle. What are termed ministerial crises invariably arise from a difference between the ministry of the day and the Crown, or one of the two Houses of Parliament, or from a difference among themselves. The differences with the Crown sometimes result in dismissal, sometimes in resignation, and Mr. Kerr only cites the cases of dismissal. Now, let us cite him a precedent, and one exactly in point: In 1801 Mr. Pitt submitted his advice to George III. that a Catholic Relief Bill should be introduced into Parliament. The king refused his consent, and Mr. Pitt resigned. Can any one have the least doubt that, if Mr. Pitt had done what no English minister would dream of doing, viz.: that if he had introduced such a bill without the Royal sanction he would have been dismissed? If Mr. DeBoucherville had submitted his bill in accordance with what Mr. Todd defines, and Mr. Kerr must know to be constitutional usage, the result would have been resignation in consequence of the Lieutenant-Governor's refusal, or, after full discussion, alterations in the bill, such as are of every-day occurrence, or its total abandonment. Dismissal could not have occurred, had the ex-ministers acted constitutionally. In fact, both as to the Railway bill and the Tax bill, the evidence is overwhelming against them, and their supporters actually complain of the Lieutenant-Governor, because they forced

him to a dismissal by their own unconstitutional act. We may observe here with reference to another point, that it is, comparatively speaking, of little importance whether the proclamation was what is termed the formal one, proroguing Parliament, or the one for the despatch of business. How can any one tell that the Lieutenant-Governor did not mean to press an earlier meeting? The point that must be kept in view is, that the Lieutenant-Governor ought, as a rule, to be consulted, and more especially when his signature or express authority is required. Mr. Kerr states that the authorities in the JOURNAL OF COMMERCE, are not applicable, and especially that the case of Lord Palmerston is not in point. We fear that Mr. Kerr has failed to comprehend our illustration. Every single quotation that we made was in point, but the object of referring to the Palmerston case was, as clearly stated, to prove *how rigidly* the Sovereign in England exacted submission to her of every despatch, and her approval of it before action was taken. Mr. Kerr dwells at considerable length on the question of prerogative, which, after all, is not much in point. No one has argued that the Governor-General is empowered to exercise all the prerogatives of the Crown, or that the Lieutenant-Governor can exercise the prerogatives entrusted to the Governor-General. The British America Act defines the respective powers of each with sufficient precision, and Lord Carnarvon's despatch to Lord Dufferin had special reference to the pardon prerogative, on which there had been a difference between the Imperial Government and the Canadian. Let not Mr. Kerr forget that Sir John Macdonald consented to that power being placed in the hands of the Lieutenant-Governor. Mr. Kerr's references to George III.'s arbitrary exercise of power are not in point. The King exercised that power because the ministers whom he appointed, and who defended his acts, had the support of the House of Commons and the nation. For many years prior to his accession to the throne, an oligarchy, composed of the heads of certain aristocratic families, had by borough and other influences (gross corruption under Walpole), governed the country, and George III. succeeded in breaking it down. The dismissal of 1834 was an attempt of the King to overthrow a ministry to which in the last two or three years of his reign he was bitterly hostile. He misjudged the state of public opinion, but, if we are not mistaken, Sir Robert Peel obtained a small majority in England, and was beaten by Scotch and Irish votes. Had some twenty or thirty constituencies

gone differently, the dismissal would have been justified by the result. With regard to our own crisis, be the result what it may, we believe that no future Ministry will treat a Lieutenant-Governor as Lieutenant-Governor Letellier was treated. Although we think it very unfortunate that any explanations beyond those expressly authorized have been made, yet we see nothing in any of the statements to lead us to doubt that if the ex-ministers had submitted their measures to the Lieutenant-Governor and discussed them frankly with him, the crisis might have been avoided.

— There were twenty-nine failures in this city in March, with liabilities of about \$700,000. As compared with the preceding month there is a marked improvement.

— The debt of Montreal is \$11,331,786. The treasurer's report for 1877 shows a surplus of \$65,000, every committee having spent less than its appropriation.

— The British America Insurance Company of Toronto has extended its maritime business to Nova Scotia.

— A first and final dividend of 1½ cents on the dollar has been declared in the estate of W. J. Neelin, dealer in gents' furnishings, Ottawa.

— The Halifax Gas Company has decided to reduce the price of gas from \$3 to \$2.80 per thousand feet.

— The Quebec and Gulf Ports Steamship Company have purchased another steamer for their line in New York, paying therefor \$22,000.

— The Bank of New Brunswick has declared a dividend of 4 per cent. for the current half year.

— Mr. Trow's bill to declare Life Insurance policies non-forfeitable has been withdrawn.

— J. Mussen & Co., druggists, Quebec, have obtained a composition at 40 cents on the dollar.

#### BUSINESS CHANGES.

Among the business changes which have recently occurred, we note the following:—

**Dissolutions.**—Dignan & Smith, general store, Brighton, continued by W. H. S. Dignan; Fingland & Draper, dry goods, Ottawa, continued by Benjamin Draper; Leavens, Parsons & Chevrier, oils lamps, etc., Ottawa, by retirement of Jos. A. Chevrier, continued by D. R. Leavens and C. E. Parsons; Phaneuf & Marcotte, general store, St. Césaire, continued by Mr. Phaneuf; Shuttleworth & Bro., Brantford, continued by J. R. Shuttleworth; Maxwell & Graham, general store, Chesley, continued by C. Maxwell; Short & Co., hardware, Woodstock, continued by John G. Short, under style of J. G. Short & Co.; R. Finlay & Co., general store, Menford, R. Finlay retires and Chas. Sheppard continues; Dettlor & Scott, drugs, Napanee, continued by Mr. Dettlor; Thompson & Freeborn, general store, West Corners, continued by Thos. Freeborn; S. & J. B. Dickson, lumber, Pembroke, continued by J. B. Dickson; Jackson & McTavish, grocers, Lindsay; and Muir, Scott & Annand, merchants, Halifax.

M. G. Mountain, grocer, Quebec, offers to compromise at 40 cents on the dollar. Frs. Morrow,