

stitution, as to return"(d). And Governor Simcoe, in closing the first session of the Legislature of Upper Canada declared that it was the desire of the Imperial Government to make the new constitutional system "an image and transcript of the British Constitution"(e). What Mr. Egerton seems to have overlooked is the fact that responsible government cannot be said to have been operative in England under George III. at the time when either of the two constitutions we are considering were instituted.

A great step towards that system was taken on the accession of George I., when the principle was adopted of admitting only members of a single party into the Cabinet(f). But when we are dealing with an unwritten constitution in a state of constant development, it is necessarily difficult to fix the precise moment when a change in form which has been gradual in its growth, can be said to have become complete; and it is not surprising that there is some discrepancy of opinion among historians as to when our modern system of Cabinet government can be first said to have established itself. Sir Henry Maine, in his work on Popular Government, says of George III. that Cabinet government was exactly the method to which he refused to submit. He carried on the struggle with the colonists of North America with servants of his own choosing, and when the Americans were framing their constitution he had established his right for the rest of his reign.

Mr. Hearn, in his Government of England(g), considers the second Rockingham Ministry, that of 1782, as the first of the modern ministries, and Mr. Traill(h) appears to agree with him, but the former adds(i) that if it were required to indicate the period at which our modern system of ministries may be re-

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(d) Parliamentary History, Vol. 20, p. 365.

(e) Cited Bourinot's Manual, p. 25.

(f) Lecky's History of England in XVIIIth Century, Vol. 3, p. 180.

(g) P. 213.

(h) Central Government, by H. D. Traill, D.C.L., p. 21.

(i) Hearn, *ibid.*, p. 227.