

advised to comply with the request of the Executive Council, and on the 4th May 1855, in a Despatch addressed to the Honorable J. H. T. Manners-Sutton, Lord John Russell, as Secretary of State for the Colonies, conveyed Her Majesty's sanction to the proposal.

No appointment has yet taken place under the new system. The gentleman who held the office of President in 1855 still continues to hold it, though the state of his health renders it probable that he may shortly desire to relinquish the duties of his office.

Meanwhile the Canadian Government has again altered the rule by which the Speaker of the Upper House is chosen in that Province, and my present Councillors appear to have become alive to the objections that may be urged against the proposal of 1855.

My present Council are now of opinion that it would be undesirable to act upon the permission contained in Lord John Russell's Despatch of May 4, 1855, and they have requested the Secretary of State to consider a fresh proposal, to the effect that the President of the Legislative Council should be chosen by the Legislative Council itself; and that, like the Speaker of the House of Assembly, he should, at the commencement of every new Parliament, be elected by the members of the body over which he is to preside. The plan thus recommended is identical with that now pursued in Canada.

This suggestion appears to me to be free from many of the objections applying to that of 1855, nor am I inclined to offer any opposition to the principle of allowing the appointment to be made by the Legislative Council, subject, of course, to Her Majesty's gracious approval. In the recommendation that the office should be held only during a single Parliament, I am not, however, disposed to concur.

In such a country as this, a tendency to frequent changes is naturally strong. It could hardly be otherwise in a state where there are no institutions which, from their antiquity and their inherent dignity, claim an involuntary respect; and where, consequently, the most material alterations may be effected without shocking traditional prejudice, or doing violence to long established habits. Under such circumstances, it appears to me to be unwise, without urgent necessity, to weaken any of those elements of stability which are to be found in the shifting materials of which Colonial society is composed. One of the most essential distinctions of the Legislative Council, if I understand it aright, is its permanent character as opposed to the changing nature of the House of Assembly. It is obvious that a frequent change in the person of its President is a diminution of this—as it appears to me—valuable element in its composition.

It is true—and it does credit to their moderation and public spirit—that, in the event of the adoption of the plan now suggested, my Executive Council propose in the first instance to abstain from the introduction of political considerations into the election which must follow. It is also true that some influential members of the Government have assured me that they have no desire to see frequent changes in the Chair of the Legislative Council, and indeed would deplore such a result of the present proposal. But, my Lord Duke, unless I am very much mistaken, the pressure of claimants for what would be looked upon as a fair share of office, would, in a short time, whatever were the views and wishes of the Government, be too strong to be resisted, and compel a change with every Parliament, in order that all the supporters of the Government in the Legislative Council might, in their turn, enjoy the emoluments and rank attaching to the office of President.

I need not point out how greatly such a result would tend to lower the character of an office which at present is one of considerable dignity, and commands for its occupant considerable respect; nor need I pause to remark, what Your Grace will not have failed to notice, that the parallel between New Brunswick and Canada is in many respects imperfect. In that country, with its great population and numerous Legislature, a choice may always be made from a large body of men of ability and education. In this Province the selection is far more limited; and though I most readily admit how considerable a number of gentlemen are to be found well qualified for the post, I must avow my fear that, were the President of the Legislative Council to be frequently changed, the office could not always be expected to fall into the hands of those most competent to exercise its functions, or preside with dignity and decorum over the Upper Chamber of the Provincial Legislature.

It is for Your Grace to decide upon the application now submitted to you; but Your Grace has a right to know my opinion on the subject, and I therefore venture shortly to give it.

I think the plan sanctioned in 1855 an unwise and mischievous one, and recommended on grounds which are no longer applicable. It is now abandoned by its authors, and may be allowed to drop to the ground unnoticed.