

"fied with the advice tendered to Her Majesty if either from the suggestions of her own mind, or from objections which may be suggested to Her (by the Prince Consort), Her Majesty is of opinion that she will not accept the advice of the responsible Minister of the Crown, the course of the Crown and the Minister is equally open. The course of the Crown is to refuse to accept that advice of the Minister, and the inevitable consequence to the Minister would be the tender of his resignation."

There is a long extract in Todd to the same effect from Lord Brougham's Historical Sketches, from which we shall only make a brief extract:

"It is not denied that George the Third sought to rule too much, it is not maintained that he had a right to be perpetually sacrificing all other considerations to the preservation or extension of his prerogative; but that he only discharged the duty of his station, by thinking for himself, acting according to his conscientious opinions, and using his influence for giving these opinions effect, cannot be denied."

We need not multiply authorities on a point on which there is no difference among English Statesmen. It seems clear to us that, owing to the entire concurrence of opinion between the Lieutenant-Governors of the Province of Quebec antecedent to Lieutenant-Governor Letellier, and the ministers with whom they had to act, the latter fell into the habit of ignoring the Lieutenant-Governor altogether. That there was an omission on the part of the ex-ministers to make a proper submission of the railway bill, with the reasons for its adoption, to the Lieutenant-Governor, we can have no doubt after reading Mr. Chapleau's speech. There is another part of Mr. Chapleau's speech, which in our judgment is fatal to the ex-ministers' position. It is as follows:—On the occasion of the interview on the 28th February, between the Lieutenant-Governor and the Premier, the latter said, "If I understand myself you are hesitating about giving your sanction to the Quebec, Montreal, Ottawa and Occidental Railway." The Lieutenant-Governor said, "That's it." On which Mr. Chapleau remarks, "Up to that time we thought that the only consequence of the misunderstanding which seemed to have arisen between the first minister and the head of the executive would be the demand by the latter for the reservation of the railway bill for the consideration of His Excellency the Governor-General." Elsewhere Mr. Chapleau states, "In reply

"I will simply say. 1st. That the DeBoucherville Government never advised His Excellency on the subject for the very simple reason that they were dismissed before they had the opportunity of doing so. 2nd. That if it had had the opportunity, the DeBoucherville Government would have advised His Excellency to refer the sanction of the law in question to the Governor-General as our Constitution empowered him to do." These are most extraordinary statements for one who professes to be a strict supporter of Responsible government. We should like to be furnished with a precedent within the last century and a half for the disallowance of a bill under similar circumstances. On what pretext could the Lieutenant-Governor have referred the bill for the sanction of the Governor-General? Sir John Macdonald who, as Minister of Justice, had first to deal with such cases, distinctly refused to assume the responsibility of disposing of questions with which the Local Governments and Legislatures were competent to deal. It has never been pretended that there was in the opinion of the ex-ministers any necessity for reserving this bill. Their recommendation to reserve it, would have been simply a device for escaping from a difficulty in which they became involved, owing to their original mistake in neglecting to obtain the sanction of the Lieutenant Governor to the introduction of the bill. We are apt to forget when discussing this question, that the consequence of the late rupture has been, that everything has become public, and we have had very full explanations of the views of both parties to the controversy. Had there been no rupture everything would have been shrouded in secrecy. Let us enquire what would have been the consequence had the ex-ministers consulted the Lieutenant-Governor on the railway bill, as they were in duty bound to do. It is clear that with his strong opinion that the bill was "contrary to the principles of law and justice," he would have refused his consent to its introduction, on which the ministers would have been bound constitutionally to have abandoned their bill or to have resigned, in which latter case the crisis would have taken place before the commencement of instead of at the end of the session. Judging from their readiness at the last moment to reserve or virtually abandon their bill, they would probably have consented never to introduce it. We will, however, for the sake of argument assume that they had persuaded the Lieutenant-Governor that his objections were unreasonable, and that they had obtained his consent to introduce

the bill, and had carried it through both houses, can it for a moment be imagined that they would themselves have proposed its reservation? Had the Lieutenant-Governor made such a proposition, could they with propriety have assumed the responsibility of advising such a course? Mr. Chapleau has laid down very precisely and very correctly the doctrine of ministerial responsibility and has shown that for the dismissal of the ex-ministers, and all subsequent acts, the new ministers must be held responsible. This is sound constitutional law, but if a bill introduced with the sanction of the Lieutenant-Governor, and carried through both houses had been suddenly reserved, we feel assured that the inference would have been that the advice of the ministers had not been taken. It is simply absurd to suppose that any ministry would introduce an important measure, like this railway bill, carry it through both houses, and then abandon it. It may be said that in advising the reservation of the bill they relied with confidence on its final passage. They were not entitled to form any such opinion. Reservation is a mere form of disallowance equivalent to the English form, the King or Queen "will consider" the bill. There are not many precedents in Canada for the rejection by the Representative of the Crown of bills which had passed both Houses, none we imagine since the introduction of Responsible government, unless the bill was of such a character that the governor felt bound by the Royal instructions to reserve it. As to the form, however, there is a case in point. In 1843 the Liberal administration had carried a bill affecting the members of secret societies, which was not only introduced with the concurrence of Lord Metcalfe, but was actually pressed upon the ministry by him as less objectionable than the original ministerial proposition which was to follow the English precedent of an address from the Commons to the Governor requesting him to discourage such societies. No intimation was given of the probable disallowance of the bill, but the Governor at the close of the session reserved it for Her Majesty's consideration, and this was clearly understood by every one to be equivalent to disallowance, and the bill was never again heard of, any more than the late railway bill will be, if the Lieutenant-Governor has any influence over its fate. It is in our judgment quite impossible that the ex-ministers can shelter themselves under the plea that they would have advised the reservation of the bill. The more carefully this untoward affair is examined the more clearly will it appear that all the irregularity which has attended