

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.

The Lieutenant Governor 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 can the Lieutenant Governor fail to observe, 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 the Lieutenant Governor most readily admits how considerable a number of gentlemen are to be found well qualified for the post, he must avow his 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.

The Lieutenant Governor therefore, while cordially concurring in the recommendation that the President of the Legislative Council should be chosen by the election of that body, would have received with greater satisfaction a proposal which should have given to the President, so elected, a longer tenure of office than the duration of a single Parliament.

The Lieutenant Governor has, in compliance with the request of his Executive Council, transmitted to the Secretary of State, a copy of their Minute of 28th October. The decision upon the application it contains, rests of course with the Home Government; but the Lieutenant Governor conceives that the Council may desire to become acquainted with his own opinion upon the subject, and therefore transmits the present Memorandum for their information.

(Signed)

ARTHUR H. GORDON.

Government House, 3rd December, 1861.

No. 3.

The Lieutenant Governor to the Secretary of State for the Colonies.

Fredericton, 11th November, 1861.

MY LORD DUKE,—At the request of my Executive Council, I have the honor to transmit for Your Grace's consideration, a Minute signed by the members of that body, dated October 28, 1861, requesting an alteration of the mode in which it was in 1855 settled, that the President of the Legislative Council should for the future be elected.

The Despatches enumerated in the margin contain a record of what has already passed on the subject to which this Minute refers, but as more than six years have elapsed since the settlement which it is now sought to reverse was made, it may not be unnecessary that I should briefly recapitulate to Your Grace the past proceedings in this matter.

In 1855 the Executive Council of this Province requested my predecessor to transmit to the Secretary of State a Minute, in which they recommended that upon the death or resignation of the then President of the Legislative Council, the office should no longer be held as heretofore by the senior member of that body, but that his successor should be appointed directly by the Crown, and that he should be a member of the Executive Council, holding his office upon the same shifting tenure as other members of the Government.

The recommendation thus made was enforced by the argument that such a change had already been made in Canada, and in the adjoining Province of Nova Scotia.

It is true, that in Canada such a system was adopted upon paper; but it was, I believe, never carried into practice, and has now been abandoned in favor of another mode of selection.

As regards the practice of Nova Scotia, I believe that some misconception must have arisen. It is, no doubt, the case, that in that Colony the President of the Legislative Council is appointed by the Crown: but he holds his office for life, and is in no way affected by changes of a political nature.

Naturally desirous to assimilate the system pursued in New Brunswick with that of the adjoining Provinces, the late Lieutenant Governor recommended that the Queen should be