

## The Legal News.

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### REMOVAL OF LIEUTENANT-GOVERNORS.

The removal of the Hon. Mr. Letellier from the office of Lieutenant-Governor of the Province of Quebec, being the first instance of the removal of a Lieutenant-Governor under the B. N. A. Act, is deserving of mention, in its aspect as a constitutional precedent. Mr. Letellier in 1878 dismissed his Ministry while enjoying the confidence and support of a considerable majority of the Legislative Assembly. A new Government was formed, under Mr. Joly, a general election took place, and the new Government was sustained during the ensuing session, in some cases by the casting vote of the Speaker only, and sometimes by a majority of one or more. The Speaker had been elected as a member of the opposition.

These events were brought under the notice of the House of Commons of Canada in 1878, but the majority of that House refused to censure the conduct of Mr. Letellier. The Senate, however, passed a vote of condemnation. In September, 1878, a new Parliament was elected, and in the first session the House of Commons passed a vote condemning the course which had been pursued by Mr. Letellier. Thereupon the Government advised the Governor-General (the Marquis of Lorne) to remove the Lieutenant-Governor from office. The Governor-General did not act upon this advice, and at the suggestion of the Premier, Sir John A. Macdonald, the matter was referred to the Colonial Office. The following despatch, from the Secretary of State for the Colonies to the Governor-General, shows the result of this reference:—

“DOWNING STREET, July 3, 1879.

“MY LORD,—Her Majesty's Government have given their attentive consideration to your request, for their instructions with reference to the recommendation made by your Ministers, that Mr. Letellier, the Lieutenant-Governor of Quebec, should be removed from his office. It

will not have escaped your observation, in making this request, that the constitutional question to which it relates is one affecting the internal affairs of the Dominion, and belongs to a class of subjects with which the Government and Parliament of Canada are fully competent to deal. I notice with satisfaction that, owing to the ability and patience with which the new Constitution has been made by the Canadian people to fulfil the objects with which it was framed, it has very rarely been found necessary to resort to the Imperial authority for assistance in any of those complications which might have been expected to arise during the first years of the Dominion; and I need not point out to you that such reference should only be made in circumstances of a very exceptional nature. I readily admit, however, that the principles involved in the particular case now before me are of more than ordinary importance. The true effect and intent of those sections of the British North America Act, 1867, which apply to it have been much discussed, and as this is the first case which has occurred under those sections, there is no precedent for your guidance. For this reason, though regretting that any cause should have arisen for the reference now made to them, Her Majesty's Government approve the course which you have taken, on the responsibility and with the consent of your Ministers, and I will now proceed to convey to you the views which they have formed on the question submitted for their consideration. The several circumstances affecting the particular case of Mr. Letellier have been fully stated in Sir John A. Macdonald's memorandum of April 14, in Lieutenant-Governor Letellier's letter of April 18, and in communications which I have since received from Mr. Langevin, who, accompanied by Mr. Abbott, has come to this country for the purpose of supporting the advice given by the Government of which he is a member, and from Mr. Joly, who was similarly empowered to offer any explanations that might be required on the part of Mr. Letellier. If it had been the duty of Her Majesty's Government to decide whether Mr. Letellier ought or ought not to be removed, the reasons in favor of and against his removal would, I am confident, have been very ably and thoroughly put before them by Messrs. Langevin and Abbott, and by Mr. Joly. I have not, how-