

the existence of such a Council to advise on all affairs of the Province. He had often admired that principle in the British Constitution which allows that the King can do no wrong. The meaning of this was, that he was not subject to trial by law; because, being one branch of the legislature, he is and ought to be free in the discharge of his duties. But still there was responsibility in the Government; because the King is surrounded by a responsible cabinet and Privy Council. The necessity for such a body as the Privy Council arose out of the very nature of the Government, although there was neither statute nor common law which provided for its existence, any more than for that of the Executive Council here. In order to avoid despotism, there must be a cabinet ministry liable to impeachment for the advice they give; and as the Lieutenant Governor here is the representative of the King by royal commission, the same principle should hold good, that he can do no wrong, and therefore he should be surrounded by responsible advisers, liable to punishment as in England. Without some such responsibility the Government must be the height of despotism, and the most ardent admirers of the British constitution would most strongly deprecate its existence. If unlimited power being vested in the King would constitute a despotism, is it not equally so if vested in the Governor? He would ask, if the day had arrived when the people would tamely submit to be deprived of those blessings which had cost the blood of patriots? No, he hoped the time had come when they would contend for good government. It would be as reasonable for judges to dispense with juries, whose business it is to inform the conscience of the court, as for a governor to rule without responsible and intelligent advisers. It might as well be said that the Parliament is only to legislate on some affairs, as that the Executive Council is only to advise on some affairs. The very term Executive Council implied that it was to give counsel or advice on all Executive matters. But how does the doctrine laid down by His Excellency accord with this, when he declares that he alone is responsible, and that he will ask advice only when he pleases? To advise was the very essence of their office; and they had as much right to exercise their privilege, as the Governor had to exercise his constitutional powers. It had always hitherto been supposed that the Council was consulted on all the affairs of the Province. That belief had been inculcated in all the public records,—in the Journals of the Assembly, and in speeches from the Throne, and had never before been questioned. Was it to be admitted that Sir Francis Head, an entire stranger in the Province, was to come and upset opinions that had been entertained for fifty years? He (Dr. M.) would appeal to the people whether they would submit to this from an individual whom nobody knew. The long existence of the practice, if nothing else, had made it the constitutional law of the land. (Hear, hear!)