

true, though it has often been stated. The Governor General offered that office to a friend and defender of the late Councillors; but not to an opponent. The gentleman with whom the Governor General first conversed respecting that office, having declined being a nominee for it, his Excellency intended to have conferred with a gentleman whom the late Councillors have represented as their opponent—a gentleman who had not only been a member but a speaker of the House of Assembly—who had long been a Judge of the Supreme Court of the land—who had been elevated to the Legislative Council during the incumbency of the late Councillors themselves—who had only differed with them on one question—the Seat of Government—and who had made a far less elaborate and less vehement speech against them on that question than the Chairman of the Toronto Association himself. But the Honorable Judge Sherwood had left Kingston, and his Excellency's intended conversation with him never took place.—But will the reader believe it?—and I state it advisedly, upon the best authority—the Governor General himself, in the interviews on the memorable Friday and Saturday, stated this fact to his late Councillors, in all the frankness of an upright and ingenuous man; and they now lay hold of what his Excellency himself informed them he had intended to do, as a charge against him that he has violated the constitution of Canada!

Let it also be borne in mind, that the Speakership of the Legislative Council has never yet been determined or even held to be a political office; that it was determined otherwise in the appointment which Lord Sydenham had made; that it is a very grave, as well as undefined question, whether the Speaker and Members of the Legislative Council are to be the mere nominees of the House of Assembly, through its responsible representatives in the Executive Council; whether in that case the Legislative Council would be a third estate of the Canadian realm, or the mere echo of the House of Assembly; whether under such circumstances, it would not be more honourable to be a member of the House of Assembly than to be a member of the Legislative Council; whether in such a case, the Legislative Council would be worth having; whether the Legislative Council ought not to be as independent of the House of Assembly, as the House of Assembly is of the Legislative Council; whether, in all the appointments relating to the Legislative Council, the principle of its own independence of the Assembly ought not to be recognized and acted upon; whether this grasping after patronage indicated in those declamations about the appointment of a Speaker to the Legislative Council, is not another proof of the desire and effort of the late Councillors to get every branch of the Constitution under their own feet; whether it would not have appeared more dignified, and constitutional, and liberal for them to have avowed, that they desire to interfere as little as possible with the exercise of the Prerogative

in regard to the Legislative Council; that as they had brought in a bill with a professed view to secure the independence of one branch of the Legislature, they wished to act upon the same principles in regard to the other co-ordinate branch.

There is, however, an important and exclusive fact, relative to the appointment of Speaker of the Legislative Council, which has not yet been adverted to. The appointment having been referred to in the Legislative Council after it took place, Mr. Sullivan informed that Honourable body, in explanation and justification of the proceeding, that his Excellency's advisers had laid before him the names of several gentlemen, as acceptable to them for that office, and amongst those names was that of the Honourable gentleman whom his Excellency had been pleased to appoint.—This proceeding took place more than a fortnight before the resignation, during which time no dissatisfaction was expressed to his Excellency or the Legislature on the subject. After having thus continued in office; thus by silence (at least to his Excellency and to the Legislature) concurred in what he had done; after having explained it to the Council and to the country in satisfactory and approving terms, the late advisers, as soon as they are out of office, arraign his Excellency before the country, for a proceeding to which themselves had thus been acquiescing and approving parties. This is another example of political repudiation unparalleled in constitutional history, and only equalled by those similar acts of the late Councillors, that I pointed out in the fourth number of this argument.

There is still another act of the Governor General which has been reiterated times without number as damaging to the influence of the late Councillors. It is the appointment of Mr. Powell, as Clerk of the Peace in Dalhousie District. This is their great case, which determined them to go to his Excellency with their demands. Now, although the merits of this or any other appointment has nothing to do with the great question at issue, yet as the late Councillors have selected it as their strongest example against the conduct of his Excellency, I have no objection to join issue with them on this single case, and leave the country to judge between them and the Governor General. What I shall now state respecting this case is derived from a supporter of the late ministry, and from a gentleman of the Johnstown District of the highest respectability—a free church Presbyterian, a man of most liberal sentiments, who accompanied the widowed mother of Mr. Powell, from Brockville to Kingston, on her journey there to apply for the vacant office in question, to be given to her only surviving son, on whom she and two daughters were entirely depending for the necessities of life. It should be observed that the rival applicant for office, who was recommended by the late Councillors, was not in necessitous circumstances that the father of Mr. Powell had come from Ireland into the Bathurst District with

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