

From the Novascotian.

# PROVINCIAL PARLIAMENT. THE COUNCIL'S MESSAGE.

TUESDAY, March 7.

In the afternoon the following Message was sent down from the Council, and read by their Clerk at the bar of the House:—

IN COUNCIL, 7th March, 1837.

His Majesty's Council, perceive by the Journals of the House of Assembly, which the Council have this day received—that the House have passed several Resolutions, conveying accusations against His Majesty's Council, and among others, one declaring some of the "Members of His Majesty's Council have evinced a disposition to protect their own interests and emoluments at the expense of the public."

His Majesty's Council admit, that it is not only the right, but the duty, of the House of Assembly to propose any alteration in the Institutions of the Country, which they think would prove beneficial to the people; but they cannot admit the House of Assembly to have any right to pronounce the Members of the Council to be guilty of acting from corrupt motives; and, if they have evinced a disposition to protect their own interests and emoluments at the expense of the Public, their motives must be corrupt.

That decorum which regulates the intercourse of Society, could not long be preserved in private life, if, in the transactions of the Legislature, where a more ceremonious observance of it ought to prevail, one branch should be permitted to commit so great a violation of it upon the other, without expostulation or resistance.

His Majesty's Council trust that the House of Assembly will, upon further consideration, perceive that a Resolution containing such accusations against a co-ordinate branch of the Legislature is inconsistent with these rules of decorum.

His Majesty's Council would deeply deplore the evils the Country would sustain from an interruption of the public business; they trust that the House of Assembly would equally deprecate such an event; and they therefore earnestly hope, that the House will feel the propriety of rescinding this Resolution, as His Majesty's Council feel, that if they were to continue to hold communication with the House while that Resolution remains unrescinded, they would justly forfeit their self-respect, as well as the respect and confidence of the public.

It therefore now remains for the House of Assembly to prevent any interruption of the public business; and the Council repeat their earnest hope, that the House of Assembly, by an act of justice, will enable the Council to co-operate honorably with the House of Assembly, in carrying forth the business of the Session, and bringing it to a harmonious and happy issue, with all possible benefit to the people, and to the Province.

Resolved unanimously, That the foregoing Message be sent to the House of Assembly.

The Message was laid on the table to be afterwards considered.

WEDNESDAY, March 8.

The Message delivered at the Bar on the preceding evening, in which the Council declared their intention to do no business with the House, until the obnoxious Resolution was rescinded, had naturally enough created some sensation in the House and throughout the Town; a thousand rumours were in circulation, and various conjectures were afloat, as to the probable result. At an early hour the lobby was filled to overflowing, and the doorways leading from the Committee Rooms, were crowded with eager listeners—among

whom were to be seen not a few of the staunch upholders of the Upper Branch, prepared of course for the triumph to be obtained over the friends and the cause of Reform. How far their expectations were realised, the Country can judge by the perusal of the following debate. The Message having been read:

Mr Howe rose and addressed the Chair. He felt that they had now arrived at a point, which he had to a certain extent anticipated, from the moment he sat down to prepare the Resolutions. He had presumed, judging from what had occurred in times past, that by the time those Resolutions and the debates upon them had gone abroad, some such message as that which had just been read would be presented at the Bar. Whether any portion of the Resolutions, or the indignant expression of members, against the corruption of the local Government, would be seized upon as the subject, he would not of course divine; but the position in which they were now placed did not take him at all by surprise. In England the rights and powers of the different Branches of the Government were so beautifully balanced—and the control of the popular Branch was so supreme over all the others, that the Commons could afford to be respectful—and, as no such dangerous combination of powers existed in the Lords, they naturally chastened the language in which the character and acts of that Body were spoken of in the Lower House; and the consequence was that such collisions as these, arising out of mere expressions, rarely if ever occurred. Here the case was different—of such a Body as our second Branch it was difficult to speak in terms that would not be offensive; and the Commons, in endeavoring to represent to the Crown the reasons which rendered a reform of the Council indispensable, were compelled, in order to state the truth, to depart from the measured tone of parliamentary language. But, it was of little consequence upon what point His Majesty's Council had seized, he had felt assured they would not lose an opportunity of again exercising the coercive power they possessed over the Assembly, nor of embarrassing, if possible, the onward march of Reform. On a former occasion they had thought proper to take offence at a humorous speech made by Mr Halliburton, in which he compared them to 12 old ladies—and, by the power they possessed over the Revenue and Supplies, had compelled the House to bring him to the Bar for censure. On that occasion the house was forced to do an act, which the learned member from Cumberland declared, the other day, he would cut his hand off rather than do again. Bearing this in mind and well knowing that there were many points in these Resolutions which would touch them home—and they did not like the spirit of reform that was abroad—that the language of the debates would startle and annoy them—he anticipated some such step, though of course he could not calculate on the manner or the time. Their power to coerce the House into almost any thing was undoubted. In England the Commons could influence the other Branches, from the power it possessed over the Revenue and Supplies. Here the Council could and did often coerce the other two—nearly all our Salaries being provided for by permanent Acts, and the only service that could suffer being those upon which the people themselves relied. It was the deep conviction of this fact, that had made him so anxious to press the real state of the Colony on the Government at home; that they should, while asking for changes, state the reasons which rendered them necessary. Sir, those reasons have gone forth in the resolutions and discussions of this Assembly; and, if I can trust the opinions expressed in the interior, they have found an echo from one end of the Province to the

other. But now, that we have stated facts which our records prove—which the country sanctions—which a majority of this Assembly believe—now, that we have expressed a determination to explain to the Sovereign the real character of the abuses under which we labor, His Majesty's Council turn round and tell us, you shall do no such thing, or if you do, we will do no business—the Revenue shall go down—and the Roads, Bridges, and other essential services, be left without any provision. The loss of £40,000 is to be the penalty, for telling our King the truth. Can any man doubt their power or their inclination to protect themselves at this cost to the country? Whatever others may think, I believe them mad enough to do any thing, to keep up the system which they feel is tumbling about their ears. For a ludicrous speech they would have sacrificed the Revenue, and plunged the country into confusion. On that occasion the House succumbed. But, at a subsequent period, when they made a daring attempt upon the most sacred privilege of the Commons—the right to regulate the supplies—the House resisted; and you know well, Sir, what was the consequence. They persisted, though every principle of parliamentary usage and common sense was against them; some £40,000 were sacrificed—and when the new House met they found an empty treasury. I regret that it did not then follow up the attack which we are conducting now; but, it sunk back into the same state of passive obedience, and the consequence is, that you are now as much at the Council's mercy as you were then.

With a knowledge of these facts—being aware that whether you made attacks upon them, or they upon you, they could insult and coerce this House whenever they pleased, I was quite prepared for this demonstration of their disposition and their power. The question is now, whether you will comply with the Council's demand, or lose 30 or £30,000, together with all your appropriations. It will be remembered that we have already stated, in one of our Resolutions, the powerless condition of this Assembly; we now give to the country a practical illustration. I have said throughout this debate, that while pressing reformation by every means in my power, I was determined to preserve the revenues of the Country. I say so still—I will not sacrifice them to gratify His Majesty's Council. But, it may be said, what is to be done? And I answer sacrifice neither the revenue, nor the cause of reform. In dealing with an enemy who is disposed to take us at disadvantage, like politic Soldiers, let us fight with his own weapons. Early in the session we sent a respectful remonstrance to the Council, on a subject deeply interesting to our Constituents—an answer was returned, which I believe all felt to be an insult, but we had no means of redress. They then denied our right to advise them—they now forbid us to advise the Sovereign—to tell him what a large majority of this House believe. I shall advise the House to no course which shall impeach the truth or justice of these Resolutions; but I will remove the difficulty in point of form, in order to save our revenue. The Country will understand, at a glance, the position in which we are placed, and the motives by which we are actuated, and I wish the Council joy of the triumph they are likely to obtain.

Whether we advance or recede for a moment is of little consequence, the people all have confidence in those who are struggling for their rights, and appreciate their motives. I have no fears that even if we were to take the extreme steps now sought to be forced upon us, we should be sustained; when, on a former day, you Sir stood forth to resist the encroachments of that Body, they had you at great dis-