

APPENDIX.

the past session was a mere transcript of the original Bill, in which that House omitted all our amendments, though they had formerly adopted them. On this Bill the Council made precisely the same amendments as they had made on the former one ; but on this occasion, however, the House of Assembly rejected the whole of them.

The Council do not desire to make any observation on the remarks of the House of Assembly with reference to the appointment of some of its members to emolumentary offices ; to the punishment inflicted on the Printer and Reporter of that House for a libel ; nor to the Bill for taking the votes at elections by ballot ;—neither do we desire, here, to enter into any defence of the amendments made by us on the Election Bill of the past session. We would respectfully refer your Excellency to those amendments themselves, believing, as we do, that they carry on the face of them our entire justification.

Finally, the House of Assembly again imputes to the Council the rejection of the Contingency Bills of the sessions 1839 and '40, and charges us with having rejected the Supply Bill of the past session. The Contingency Bills above alluded to, we must reiterate, were amended, not rejected, by us. In the Bill for 1839, your Excellency is aware that the House of Assembly avowedly attempted to obtain money for one purpose under cover of another—a proceeding unparalleled, we believe, in Colonial legislation ; and that that House further endeavoured, in each of those Bills, to divert a large portion of the public revenue from its proper and legitimate objects to minister to the cupidity of certain of its own members and servants. In the past session, also, as your Excellency is aware, the House of Assembly made various attempts to coerce the Council into the adoption of these most unwarrantable appropriations, and failing in these endeavours, that House, as a last resource, and in despite of Lord Glenelg's despatches of the 1st January and 10th December, 1838, (Nos. 169 & 234) tacked the objectionable items of these Contingency Bills to the Bill of Supply, with the obvious intention of compelling, not the Council alone, but your Excellency likewise, to the adoption of them. Under these circumstances it became imperative on us, either to amend this Bill or to surrender our independence as a co-ordinate branch of the Legislature. We therefore, without hesitation, expunged those objectionable items, and returned the Bill, thus amended, to the Assembly, in the firm expectation and belief that that House would not, for a personal object, incur the serious responsibility of refusing to Her Majesty the usual annual supplies, and thereby derange and disorganize the whole interior economy of Her Majesty's Government. In this expectation, we lament to say, we have been disappointed ; and, therefore, with that House, and not with us, must rest all the consequences of this violent and, as we conceive, most unconstitutional proceeding.

(Signed)

W. SALL, *President.*

Council Chamber, 17th May, 1841.