

the Bankers of the Council, we would not now have been left without any standard of value in the Country, and with one Currency for the rich and another for the poor. Three of those Co-partners are still members in the Council—they compose one fourth of the whole body; and Members, to satisfy their minds of the magnitude of this grievance, need only enquire whether the people would have been mad enough to choose one fourth of this Assembly—12 out of 49—from one Monied Institution, and if they had done so, would we not view with jealousy and suspicion all that those partners said and did in this Assembly? When they were wrong we would attribute to them selfish motives, and give them no credit when they were right. To this fate are the Bankers in the Council condemned, and their continuance there is a practical and notorious evil. If I am not reasoning justly from admitted facts, let the older members of this Assembly correct me. Upon this theme I have often listened to the indignant eloquence of some of them. The present Judge Bliss, than whom no man was more capable of forming an opinion—who is now an ornament to the Bench, as he was then of this Assembly, said in 1833, "that the combination of Bankers in the Council would be fair ground of suspicion, even if nothing could be charged against them; but, in the face of acts so daring and injurious, who could reflect upon the matter without the most serious apprehension." If, upon these matters, I came here merely to excite suspicions, and create useless agitation, I should be ashamed to occupy the attention of this Assembly—but, Sir, I give you as proofs that this is not the case, the public declarations of Senators and Judges—some of the ablest men in your country—and, if I am laboring to deceive you, they have taken great pains to deceive us all.

In support of the 8th Resolution, which relates to the Casual and Territorial Revenues, I scarcely need to produce any argument; the claims which are embodied in it have been matters of discussion for years—the main facts, and the reasoning arising out of them, are familiar to all our minds. Gentlemen will observe that I do not touch the utility of the Mining Association to this Province, or the expediency of interfering with their operations, I merely state the manner in which our Mines and Minerals have been transferred. My own opinion has always been, that they should have a chance to get back a fair profit on their outlay—but, if the principle be sanctioned that the Mines and Minerals of Nova Scotia can be given away to a needy Duke, and seized by his creditors in England, without any consent of the Provincial Legislature, and that all the wild lands of the Province can be given to another individual for an inheritance, there is no security for prosperity and peace in the land in which we live. As respects the Commissioner for Crown Lands, I believe there is scarcely a dissembling voice, either in this House, or throughout the Country.

The next Resolution (the 9th) referred to the presence of the Chief Justice at the Council Board—the influence he exercised—and the tendencies of his position. He wished to make no improper charge against the Chief Justice—he respected his talents and integrity, he had been tried before him once, and should be happy to be tried before him again, (a laugh) he meant that if he were selecting a person to do impartial justice between one man and another—a Judge, into whose Court he would go satisfied that the law would be impartially administered, the Chief Justice would perhaps be the man—but he would not permit the head of the Judiciary to sit in the Legislative Council, or mingle in the heats and contentions of politics. He referred to the effects of the jostling on the Brandy question, to

the fate of the Bills abolishing the Judges' fees.

Had Judge Haliburton not been in the Council, would that unfortunate dispute ever have occurred? or would not the Bills, abolishing the fees, have passed with but little opposition? In nine cases out of ten, if the views and wishes of the Colonial Assemblies were understood by the Government at home, and if their decisions were not swayed by the intrigues and representations of interested parties on this side the Atlantic, His Majesty and his Ministers would be disposed to do us justice. The people of England have no interests opposed to ours. Mr H. then referred to the influence which the Chief Justice wielded over the hopes and fears and prospects of some seventy or eighty Lawyers, and several hundred students, spread over the country, who naturally imbibed his political opinions, and were apt to support him against the views and interests of the people. Such as the learned Member from Cape Breton or Juste-au-Corps, might from the possession of wealth, or the force of talent, brave this influence—or his hon. and learned friend from the Isle Madame, who always thought of his own interest last, might disregard and defy it, but nevertheless over a large class of the less able and independent it was all powerful. For this reason, and many others equally sound, he was anxious to remove the Chief Justice from the Council. Let us, said he, act decisively on that truly British idea that Judges should be kept from the heats and contentions of politics. While we battle with each other in the open fields of political strife—while the conflicts of opinion rage without and within these walls—while we struggle and contend for the mastery; let us have some sacred tribunal to which, when blinded and agitated by passion or interest, we can all with confidence appeal. I implore the Members of this Assembly—of every party and of every creed—to set apart some sacred and holy place, untroubled with the storms without, and untainted by the faintest breath of suspicion—to which, when society is convulsed, and the imperfections of our nature have kindled into strife, we can all repair for justice, the surest foundation of peace.

The 10th Resolution, which related to the closed doors of the Council, he would not occupy time in discussing—he felt that it would commend itself to the mind of every man who heard him. But, said Mr H. as much has been said, and some misconception may have got abroad, as to what fell from me on this subject on a former day; I wish His Majesty's Council to understand the peculiarly ridiculous position in which they are placed. Though suspected of urging violence, I have invariably pressed reformers to keep the boundaries of the Constitution and the law; and I am prepared to maintain, that without transgressing these, the People may whenever they find the door unlocked walk into the Council Chamber.—Suppose 100 persons approach the door of our lobby and find that it is not locked, they walk in as a matter of course. But suppose they chose to visit the other end of the building—if the doors are not locked, and they walk in and take their stand without the Bar, how are they to be displaced? How will the Council get them out? Will they send and borrow our Sergeant at Arms to displace them, or will they order Joe Skallish to arrest the Ringleaders. No, Sir, they can do neither—and the only way in which they can remove the People, is by some Member rising in this place and requesting that the Lobby may be cleared. If the People then peacefully retire, I contend that there has been no outrage—they have but used their undoubted right, and yielded to the exercise of the Council's privilege. But if this were done five or six days in a week, the Council would be compelled to yield—and I

only make this statement, to shew the members of that Body in what a miserably helpless plight they are, even with all the protection of the Constitution and the Law; and I think it must satisfy Gentlemen who were so loud in their exclamations, that they had not examined the question in all its bearings.

But, Sir, I am approaching now the root of all our evils. These points which we have yet discussed are comparatively insignificant—when we come to survey that gross and palpable defect in our local Government, I mean the total absence of all responsibility to the Commons. Compared with the British Parliament, this House has absolutely no power. We meet like a Grand Jury—examine a few accounts—but we cannot expend a shilling without the consent of the Council—and, in fact, have no constitutional influence over the Branches of the Government. [Here he rose and read the 11th Resolution.] I ask, Sir, in this Resolution, for nothing more than British Subjects ought to have. If the statements in it are true, I appeal to any Gentleman who hears me to say whether we have any thing but a mockery of the British Constitution. An Englishman would consider himself no better than a Russian or a Turk if he had no other guards for liberty than these, Had it been necessary I could have turned back to the proceedings and debates of this Assembly, and accumulated abundant evidence of the correctness of the views I take—but I have already been compelled to occupy too much time. You, Sir, once declared "that this House formerly possessed a salutary control over the officers of the Government, who had seats in His Majesty's Council; because their Salaries depended on the Revenue Bills, and anxious were they indeed to have those Bills sent them from the Assembly. But now, I will ask, what control has this House over the Council? By permanent Bills we have provided permanent Salaries,—and hence the destruction of the constitutional control." Though you take no part in this debate, I know you feel the insult recently offered to this Assembly; and when your own language is recalled, must acknowledge that no improvement has taken place; and however such a state of things may have suited the early condition of this country, it is incompatible with our present advancement, and ought not to be tolerated for a single year.

[We are sorry indeed, that our limits do not suffer us to finish the patriotic and spirit stirring Speech of Mr Howe, which deserves to be read in every House and Hamlet in Nova Scotia. Never were the grievances of the Province so forcibly depicted. Our sincere wish is, that he may be rewarded by seeing them redressed. Mr H. was followed by several other gentlemen; and it was finally decided that the resolutions should be taken up in detail. The House again resumed the debate on the 24th, and the following paragraph from the *Nova Scotia* will show what progress had been made at that date. When the discussion is finished, we shall publish the Resolutions as amended.—Ed. Bee.]

THE LEGISLATURE.—The Members of Assembly are still busily employed, but their time is, during all the forenoons, and sometimes the evenings of each week, occupied with the Committees for trying the contested Elections. As several persons have been drawn upon each of these, they cannot all sit at the same time, and there is every prospect of some of them at least, lasting till the end of the Session. The House have been chiefly occupied during the last four days in discussing the Resolutions submitted on the 11th. The first four have passed, with some modifications. The fifth, which refers to the system of favoritism, pursued in the distribution of patronage, was lost on Tuesday, by a majority of nine.—*Nova Scotia*, March 1.