

at Halifax, which most likely will not be the residence of the landed people, but of the Merchants, the former whose well being is much more connected with the security of the Province, will be mostly excluded and the Assembly chiefly composed of the latter, who are not so nearly concerned in its welfare, and who may sometimes have views & interests incompatible with the measures it may be necessary to take in a Province so contiguous both by land and water, to the whole force of the French in North America.

I have now laid before you fully my thought upon this subject, which I flatter myself, your Lordships will receive with your usual candour, and excuse any error that may be found therein, upon reflecting how seldom it has fallen in my way to consider things of this nature.

If it is thought necessary to put this Plan or any other to the same purpose in execution, I beg of your Lordships that I may have full instructions upon the subject, which I will take care most punctually to execute. It would be necessary, in this case, to provide for the expense of a House for the Assembly to sit in, and for a Clerk and such salaried Officers as may be thought necessary for their attendance, for I can venture to assure your Lordships that the people here in general, are not in a condition of contributing any sum of money to defray such an expense.

I am, &c.

CHAS. LAWRENCE.

The Lords Commrs. for Trade & Plantations.

*Extract from Letter of Lords of Trade to Governor Lawrence.*

Whitehall, March 25th, 1756.

We have taken into Our Consideration your Letter to us dated the 8th of December last, inclosing the Proposals of the Chief Justice for convening an Assembly in Nova Scotia, and although We are fully sensible of the numberless Difficulties which will arise in carrying this or any other plan for an Assembly into Execution in the present state of the province and that many of the Inconveniences pointed out in your Letter must necessarily attend it, yet We cannot but be of Opinion, that the want of a proper authority in the Governor and Council to enact such Laws as must be absolutely necessary in the Administration of Civil Government, is an Inconvenience and Evil still greater than all these; and altho' His Majesty's subjects may have hitherto acquiesced in and submitted to the Ordinances of the Governor and Council, yet we can by no means think, that that or any other reason can justify the continuance of the Exercise of an illegal authority; what you say with regard to the Council of Virginia's passing laws in the first Infancy of that Colony is very true; but then they derived the Power of doing it from their Commission, which was also the case of many other of the Colonies at their first settlement, tho' it was a Power of very short Duration, and in later times since the Constitution of this Country has been restored to its true principles has never been thought advisable to be executed.

Whether the measure proposed by the Chief Justice is or is not a proper one depends upon a precise knowledge of a variety of Facts which we at this distance cannot be competent Judges of; but whether that or any other plan is followed it will only be a temporary Plan and in no degree a precedent for future Assemblies when the circumstances of the Province will admit of other Regulations.

The first Assembly Convened be it in what form it will, must necessarily consist of Persons of Property in Trade, because there is no Person who can be truly said to have any considerable landed Interest, until the Country is cleared and the Lands laid out, yet it may be proper and it will be necessary to take care, that a certain landed property, be it ever so small, be the Qualification as well of the Electors as the Elected, because the Commission directs that the Assembly shall be chosen by the majority of the Freeholders.

The Election of twelve Persons or of any greater or lesser number to represent the whole Province considered as one County, may be a proper method as far as appears to us, but this must be left to your Discretion, who, by being upon the spot will be better able to determine upon this point, perhaps a Division of the Province into Districts or Townships may be the more eligible method, for altho' Halifax is at present the only Town in which there are any Inhabitants qualified to be Electors or Elected, yet as it is not proposed that actual Residence should