

Governor could have lent his independent sanction. No Lieutenant Governor possessed of a spark of independence, had he not surrendered his authority, could have sanctioned such an act as the exclusion of 100 Justices of the Peace, without a charge and without a hearing—nor could he have ventured, as he did in this case, to violate the Queen's Instructions. Is it not better, then, that he should be authorized as an Imperial Commissioner only, (as in Scotland,) without retaining a nominal authority, which only subjects him to obloquy or contempt. But, sir, it has been repeatedly and fully admitted—nay, urged, that on the principle of responsibility the council *only* can act—the Governor's name merely being used. I have not been able to lay my hand on a little pamphlet issued some years ago by the hon. Provincial Secretary in which this view of the subject is put forth. The Governor was to be a gentleman at large, with nothing to do. His duty would be to distribute the spoils of office to the successful combatants in the political arena—the dispenser of the honors at a tournament:—these were his familiar illustrations. Why then retain the shadow, at the risk of making the office either contemptible or obstructive?

Sir, the consequences of this alternative do not rest here. The want of respect to the Lt. Governor is unhappily reflected back, and will tend to weaken the veneration due to the Sovereign herself.

The danger to the permanency of the existing constitution demands serious consideration.—Let me imagine that the present Lieutenant Governor were removed, and another to take his place who entertained prejudices which placed him in opposition to the present administration. Might he not present many obstructions?—and take advantage of some crisis when it would be exceedingly difficult to resist him, or to render his opposition to the wishes of the people nugatory and ineffectual, without endangering their position? This, so long as they had a majority here would be unfair, and inconsistent with your system. Reverse the case, and suppose that the changing tide of politics should change the party in power, and an assembly should be returned inimical to those now in office, but the Lieutenant Governor be in their favor. Can we not readily imagine how much he might thwart and obstruct the new administration, and exercise his power unfairly to the Assembly, and in opposition to the voice and interests of the people.

As regards, therefore, the permanency of the principles established in Nova Scotia, it is of importance that the people of this country should be free from this danger. For, sir, without professing a prophetic spirit, let me say that if the principles I am now contending for be not distinctly acknowledged, the time will come when Governors will attempt to exercise the power they now nominally possess, and place themselves in opposition to the wishes of the people. I may be told that the Executive have the right to retire. I admit it; but is it fair, after having won the confidence of the people, they should be factiously and unconstitutionally driven to this necessity? Perhaps they may not have the virtue. I do not allude to any class of men—I am speaking of man, surrounded by the various trials and temptations to which he is subject, and I say they may not have the virtue; and yielding to encroachments rather than endanger their places, things may so retrograde, that renewed struggles, more

aggravated than the past, may endanger the country.

This, then, has brought me to the next step in my argument. Having proved that the English Government—the English Parliament—and the Lieutenant Governor, have, under the present system, surrendered their authority in the local affairs of the Colony, it may be asked—what more is needed? I answer that that surrender be made *irrevocable*. While a member of the Executive Council from 1844 to 1847, I endeavored under Lord Falkland, to unite with the responsibility of the Executive Council to the Legislature, the independence of the Lieutenant Governor, and some measure of controul to the Imperial Parliament. The principle of responsibility was as much acknowledged then as now; and my colleagues and myself were always ready to resign our seats on a vote of this house. What we did want was, that while the voice of the people through their representatives, should govern their own affairs, some check should be opposed to the designs of interested demagogues, and the oppression of parliamentary oligarchies—always injurious to the freedom and welfare of the people. It was difficult; in theory it seemed impossible. Yet I think it might have been effected. It required some forbearance in parties—discretion and integrity in the Lieutenant Governor, and wisdom and discrimination in the Imperial government,—and thus we hoped there would result as little oppressive and injurious change as possible in the incumbents of office, on a change of parties. Here lay the only real difference between those who succeeded us and ourselves. Earl Grey's despatch of 31st of March, 1847, contained all I wished. Nothing could be much more satisfactory, on the points of difference, and in itself it was one which I have ever esteemed worthy of admiration. That despatch contained the most honorable sentiments, and urged the most beneficial checks; but, alas! it only proves how much more easy it is to write wisely and well, than to act wisely and well. That, sir, is a state paper containing sentiments of which every Englishman may be proud, unless one—its titled author. For whilst expatiating on the right, he has been content to pursue the expedient, and that, too, at the expense of honor and justice, and his own recorded sentiments. He has thus abandoned every controul worth speaking of.—But, sir, the thing is done, and done irrevocably, for the controul of the Lieutenant Governor, and the Imperial Government can never again be looked upon as *LEGITIMATE* elements in our colonial constitution. As regards our local affairs, all we can desire now is that what that constitution is may be perfectly understood and definitely confirmed. To attempt to reverse what has been established, would introduce confusion, uncertainty, agitation, and endless mischief. Whatever improvement our circumstances may demand must be sought *onward and forward*, not backward.

It may be urged that there is no danger. Why excite needless discussion? There is every danger. I have already shown the risk that may occur, in case of a change in the person of the Lieutenant Governor; and these would be increased, should there be individuals in opposition in such a case who held the same estimate of the obligations of those in opposition as some did when Sir John Harvey arrived. Suppose the one party or the other at the next election to be returned in a small majority, and