

a faction steps in, takes the alarm,* and would deprive them of their rights, and break the public faith, merely to gratify private ambition.

(*To be continued.*)

POST-OFFICE-DEPARTMENT.

(*Subject continued from last No.*)

In order to enquire into the right which the General-post-office in London assume to derive a revenue from the post-offices in the British colonies, we must look at the acts under which the revenue is collected. The act 9 Ann. Cap. 10 is the groundwork, and the additional acts on the subject, down to the period when the Quebec act was passed, of which the principal are 3 Geo. I. c. 7, which makes it perpetual and part of the general fund, and 4 Geo. III. c. 34, which enacts various regulations to prevent frauds and abuses, form the superstructure. The first thing that strikes the attention is in the preamble of the act of Ann, where it is avowed to be a revenue-act, one for raising a tax upon Her Majesty's subjects, "with little burthen to them" "to enable Her Majesty to carry on and finish the present war;" and, having subsequently been made perpetual, the surplus-revenue derived from the post-office, after paying "the necessary charges of managing the said post-office, and the duties thereof," has always been appropriated to the general public service of the country. It being therefore, not virtually, but avowedly, a tax, or in the words of the act, a duty, collected from the inhabitants of the colonies, and certainly not one that can come under the denomination of "regulations or provisions, or for imposing, levying, or collecting duties for the regulation of navigation, or for the regulation of commerce," which are the only *revenue-acts* that, according to sect. 46 of the constitutional act, the provincial parliament have "no power to vary or repeal," it is, in my opinion, competent for the provincial parliament to enact laws restraining, regulating, varying, and even *repealing*, with respect to this country, such parts of it as may be injurious, or inapplicable. And I take this to be the conclusive construction on this subject both of the Quebec and the constitutional acts, without reference even to the declaratory act of the British parliament, by which they renounced for ever all right of *imposing* any internal tax upon any colony that had a legislature, and by which declaratory act all antecedent ones that had that effect, were tacitly repealed as regarded the colonies: which forms therefore of itself also

**That is the Scotch faction are alarmed at the Canadians becoming too English in their feelings, and sentiments; feelings and sentiments which are diametrically opposite to the despotic and slavish notions which they possess,*

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