

which relates to the point in question, and which is as follows:

"Whereas the Members of several Assemblies in the plantations have frequently assumed to themselves privileges no ways belonging to them, especially of being protected from suits at Law during the Term they remain of the Assembly, to the great prejudice of their creditors, and the obstruction of Justice; and some Assemblies have presumed to adjourn themselves at pleasure, without leave from our Governor first allowed, and others have taken upon them the sole framing of money bills, refusing to let the Council alter or amend the same; all which practices are very detrimental to our prerogative; if upon your calling an Assembly in our Province of Nova Scotia, you find them insist upon any of the said privileges, you are to signify to them that it is our express will and pleasure that you do not allow any protection to any member of the Council or Assembly, further than in their persons, and that only during the sitting of the Assembly, and that you are not to allow them to adjourn themselves, otherwise than *de die in diem*, except Sundays and Holidays, without leave from you, or the Commander in Chief for the time being, first obtained. It is also our further pleasure that the Council have the like power of framing money bills as the Assembly."

His Majesty's Council also find, that in the neighbouring Colonies the uniform practice of the Assembly is, to submit to His Majesty's Council each subject to be provided for by a grant of monies, in a separate resolution, and that only such resolutions as are agreed to by both branches, are inserted in the appropriation bill, a practice which his Majesty's Council consider not only in accordance with the Royal Instructions, but one which allows to each branch of the Legislature, the free exercise of their opinion upon every subject to be provided for from the revenue of the country, to which practice the resolution of his Majesty's Council is limited, and claims for the Council here, no other or greater power than is exercised by the Councils of the adjoining Provinces.

His Majesty's Council have deemed it proper, thus to call the attention of the House of Assembly not only to the Royal Instructions by which their powers and privileges are limited and defined, but also to the practice of the other Colonies under the same Instructions, with a sincere desire on the part of his Majesty's Council to establish and protect, upon correct principles, the separate rights of the Council and Assembly; as the Council consider, that the interest of his Majesty's subjects in this Island will be best promoted, by allowing to each branch the free exercise of their opinion upon every subject which may come under the consideration of the Legislature.

His Majesty's Council consider, that the rules and practice of Parliament, so far as may be consistent with our situation, should be pursued by the Legislature here, but the Council do not admit that the House of Assembly can derive any of the powers assumed by them in their resolution, from the practice or usage of the House of Commons, but that the powers and privileges of the Assembly must depend upon the Royal Instructions under which the Colonial Legislature has been formed.

His Majesty's Council likewise consider it their duty to guard against any appropriations, however desirable, which may exceed the disposable funds of the Island, and thereby lead to public embarrassments; and they deem the exercise of this right of greater importance, when it is considered that the House of Assembly originate money votes without recommendation from the King's Representative, and therefore exercise a greater power, in this particular, than the House of Commons possess.

His Majesty's Council have been thus explicit on the subject of those resolutions, and they also wish the House of Assembly to understand, that they entirely disapprove of the novel course pursued by the House of Assembly in the present Session of annexing to the revenue bills numerous clauses of appropriation of monies, to separate and distinct subjects not mentioned in the revenue bills, nor having any connexion with them, or with each other, as the Council are thereby prevented from exercising the privilege belonging to them as one branch of the Legislature of dissenting to a proposition of which they disapprove, without at the same time being obliged to reject the revenue which the public services may demand and which otherwise they may be desirous of granting. J. E. CARMICHAEL, C. C.

A message from his Excellency the Lieut. Governor, by J. L. Hurdie, Esq. Private Secretary.

"J. READY, Lieut. Governor.

"The Lieut. Governor informs the Assembly, that the "act relating to Marriages and Baptisms, and for making Polygamy felony," passed by the Legislature of this Colony, in the year 1825, has been disallowed by his Majesty in Council.

On motion, resolved, that the following message be sent up to his Majesty's Council, on the subject of their message of the 3d May instant, relative to the granting and appropriating of monies.

The House of Assembly has taken into consideration the Message of his Majesty's Council on the subject of its resolution of the 27th of October, 1825, and the resolution of this House of the 23d of March last, relative to the granting and appropriating of aids and supplies of money to his Majesty for the uses of the Government.

His Majesty's Council cannot be more desirous than the House of Assembly is of promoting a good understanding between both branches of the Legislature, of which disposition, the House deems that it has given evident proofs from the commencement of the present General Assembly, and of its earnest wish to raise the requisite aids and supplies for the exigencies of his Majesty's Government; and it is willing to hope, that no contest between it and his Majesty's Council upon points of privilege may be the means of preventing such supplies reaching his Majesty for the use and benefit of this Island, where they are so very much required; and the House of Assembly trusts, that it may never be found deficient in originating, as well as appropriating, such supplies beneficially for the Crown and the Colony.

His Majesty's Council assented to two bills of supply, and also to a bill of appropriation, during the first Session of 1825.

In the second Session of the same year, two bills of supply were assented to without any communication or conference with his Majesty's Council, or without any objection or difficulty regarding them being ever suggested to the House of Assembly.

The same day that the assent of his Majesty's Council was given to the bill of appropriation, its resolution of the 27th of October, 1825, was sent to the Assembly, only a few minutes prior to the prorogation, and appears to the House of Assembly, to have been ill calculated for the beneficial purpose of obtaining his Majesty's supplies.

That resolution informed the House of Assembly, that several of its articles of appropriation were objectionable, but that his Majesty's Council had as-