

and, even after a Representative Assembly was granted, the practice of choosing Members of Council almost exclusively from the Heads of Departments; and persons resident in the capital, was still pursued; and, with a single exception, has been continued for the last thirty years. The practical effects of this system have been in the highest degree injurious to the best interests of the country; inasmuch as one entire branch of the Legislature has generally been composed of men, who, from a deficiency of local knowledge, or from the natural bias incident to their official stations, were not qualified to decide upon the wants or just claims of the people; by which the efforts of the Representative Branch were, in many instances, neutralized, or rendered of no avail.

Among the many proofs that might be adduced of the evils arising from the imperfect structure of the Upper Branch, it is only necessary to refer to the unsuccessful efforts of the Assembly to extend to the outputs the advantages of Foreign Trade—to the enormous sum which it was compelled, after a long struggle, to resign, for the support of the Customs Establishment—to the difficulties thrown in the way of a just and liberal system of education—and to the recent abortive attempts to abolish the unconstitutional and obnoxious fees, taken by the Judges of the Supreme Court.

While the population of this Province is composed, as appears by the last Census, taken in 1827, of 28,639 Members of the Episcopal Church, and 115,195 Dissenters, which proportions may be assumed as fair at the present time, the appointments to the Council have secured to the Members of the Church, embracing but one fifth of the population, a clear and decided majority at the Board. They have now in that Body nine Members. The Presbyterians, who outnumber them by about nine thousand, have but two—the Catholics, who are nearly equal, but one—while the Baptists, amounting by the Census of the same year, to 19,700, and the Methodists to 8,498, and all other Sects and Denominations, are without any of their Members in a Body whose duty it is to legislate for all. The Catholic Bishop has no seat of the Council Board, and Clergymen of that and other Denominations are, as they ought to be, excluded; yet the Bishop of the Episcopal Church has been, since the year 1809, and still is a Member.

Your Majesty will readily perceive, that, whether designed or not, the mere circumstance of one body of christians having such an overwhelming influence in the Legislative and Executive Council, has a tendency to excite a suspicion that, in the distribution of patronage, the fair claims of the Dissenting population, founded upon their numbers, respectability, and intelligence, are frequently overlooked. This is not the only objection urged by the people of Nova Scotia, against the composition of the Council, and to which it is our duty to call Your Majesty's attention. Two family connexions comprehend five of its members; and until very recently, when two of them retired from the firm, five were Copartners in one Banking Establishment: to this latter circumstance has been attributed the failure of the efforts of this Assembly to fix a standard of value, and establish a legal currency.

The people of this Province have for years asserted, and still most respectfully assert, their right to control and distribute the Casual and Territorial Revenues of the Country, whether arising from the Fees of Office, the Sale of Lands, or the Royalty paid upon the produce of the Mines; as also the amount of the old Crown Duties. The Lands of the Province are in effect mortgaged to pay to the Commissioner a Salary out of all proportion to the duties he is called on to perform. Since his appointment in 1831, £5624 8s. 11d. have been received on account of 107,923 acres of Lands sold, and the whole amount, except £216 8s. 0d. 1-2 has been taken to pay the Commissioner, and defray the ex-

penses of the Department; while all the Mines and Minerals of the Province are held under a lease for sixty years by a wealthy English Company, without the consent of, and independent of all control by, the Representatives of the People.

Apart from the mere question of Judges' Fees, this Assembly is convinced that the presence of the Chief Justice at the Council Board has a tendency to lessen the respect which the People ought to feel for the Courts over which he presides; while the position occupied there by the Collectors of Customs and Excise is also unwise.

Though this Assembly might illustrate the evils arising from the structure of the Council by other examples, sad experience has taught them that it is not always safe to attempt to convey to the foot of the Throne representations that are disagreeable to its Members. A years' Revenue, and all the appropriations, were sacrificed in a protracted struggle with the Upper Branch in 1830; and, during the present Session, the Assembly found itself compelled, by a regard to the public interest, to rescind a series of Resolutions, passed after grave deliberation, and comprehending many of the topics touched on in this Address. The evils arising from the structure of the Council are heightened, and rendered more injurious, by the practice adhered to by that Body, of shutting out the People from their deliberations. This practice they still maintain, although it is opposed to that of the House of Lords in England—that of the Legislative Councils of Lower Canada, New Brunswick and Newfoundland; and notwithstanding the murmurs and complaints of the People, for a long series of years, and the representations and remonstrances of this Assembly.

While this House has a due reverence for British Institutions, and a desire to preserve to themselves and their Children the advantages of the Constitution, under which their brethren on the other side of the Atlantic have enjoyed so much prosperity and happiness; they cannot but feel that those they represent participate but slightly in these blessings. They know that the spirit of that Constitution—the genius of those Institutions, is complete responsibility to the People, by whose resources, and for whose benefit, they are maintained. But, in this Colony, the People and their Representatives are powerless, exercising upon the local Government very little influence, and possessing no effectual control. In England, the People, by one vote of their Representatives, can change the Ministry, and alter any course of policy injurious to their interests; here the Ministry are your Majesty's Council, combining Legislative, Judicial and Executive powers—holding their seats for life, though nominally at the pleasure of the Crown; and often treating with indifference the wishes of the People, and the Representations of the Commons. In England, the Representative Branch can compel a redress of grievances, by withholding the Supplies: here, they have no such remedy, because the Salaries of nearly all the Public Officers, being provided for by permanent Laws, or paid out of the Casual and Territorial Revenues, or from the produce of duties collected under Imperial Acts, a stoppage of Supplies, while it would inflict great injury upon the Community, by leaving Roads, Bridges, and other essential services unprovided for, would not touch the emoluments of the heads of Departments in the Council, or of any but a few subordinate Officers of the Government.

As a remedy for these grievances, we implore your Majesty to grant us an Elective Legislative Council; or, to separate the Executive from the Legislative Council, providing for a just Representation of all the great interest of the Province in both; and, by the introduction into the former of some Members of the popular Branch, and otherwise securing responsibility to the Commons, confer upon the People of this Province, what they value above all their possessions, the blessings of the British Constitution.