

As a further reason that such could not have been the intention of your Majesty's Government, we would humbly refer your Majesty to an Act of the General Assembly of the Province of Nova Scotia, passed in the year of our Lord one thousand eight hundred and twenty-nine, and entitled "An Act for the further increase of the Revenue, by imposing duties on articles imported from foreign countries" (a copy of which is hereto annexed) whereby certain duties are imposed on various articles of foreign growth and production, expressly in addition to, and over and above the duties payable upon the same articles, by the said Act of the Imperial Parliament for the regulation of the trade of the British Possessions abroad. This Act of the Legislature of Nova Scotia, we find, was afterwards, on the first day of November, one thousand eight hundred and thirty, approved of by your Majesty in Council.

That the Imperial Parliament has itself recognized the power of a Colonial Legislature to impose additional duties upon articles already chargeable with duty by the said Act of the Imperial Parliament for the regulation of the trade of the British Possessions abroad, we would humbly crave the attention of your Majesty to a statute of the Imperial Parliament, passed in the seventh year of the reign of His late Majesty King George the Fourth, entitled: "An Act to alter and amend the several laws relating to the Customs;" the forty-fourth section of which recognizes and sanctions a duty imposed by the Legislature of Canada on spirits, in addition to the duty payable thereon under the said first-mentioned Act of Parliament.

But we deem it unnecessary to adduce further arguments in support of an argument which admits of so little doubt; for, indeed, if the construction put upon the Acts of the Imperial Parliament by the Legislative Council could by any means be correct, the Legislature of this Colony would be deprived of the power of raising a Revenue by imposing duties upon articles of import, as no other means, adequate to that purpose, are within its power, and the numerous advantages which the Colony would have derived from the constitution which your Majesty has been graciously pleased to confer upon it, would be thereby in a great measure lost.

It is to us matter of deep and serious regret, that the Legislative Council should have felt itself called upon to reject a Bill by which we contemplated raising funds at the least sufficient to provide for the support of the civil establishment for the current year. We would here also humbly bring to the notice of your Majesty, the limited number of the Legislative Council, and the fact that, during the whole of the discussion on this important Bill, only four of the members of that body were present, who, being equally divided upon the question, the Bill was consequently lost. Under the circumstances of embarrassment in which we were placed by the loss of the Bill, we made immediate application to His Excellency the Governor, and prayed that he would use such means as might be in his power to relieve us from our difficulties; but, although mani-

festing every disposition to facilitate the advancement of the public business, His Excellency did not consider that he possessed any power of removing the obstacle which had been opposed to the progress of our Legislative labours.

Under these circumstances, which we deeply deplore, and convinced of the paternal care and solicitude of your Majesty for the happiness and welfare of your subjects, in all parts of your dominions, we feel that there is no other course left us than that of making our situation known to your Majesty, assured that it will receive your Majesty's earliest consideration, and that your Majesty will grant us such relief as the nature of our case may require; and since we have been prevented from availing ourselves of the only means by which we deem it prudent or practicable to raise a revenue, we have most humbly to claim the favourable consideration of your Majesty's Government in making provision for the support of the Government of the Colony for the present year.

Mr. THOMAS reported from the Committee appointed to prepare the Address to His Majesty, that the Committee had also drawn up an Address to His Excellency the Governor on the subject of the said Address to His Majesty; and he delivered the same in at the Clerk's Table, where it was read, and is as follows:—

*To His Excellency Sir THOMAS JOHN COCHRANE, Knight, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. &c.*

May it please your Excellency,

The House of Assembly, having passed an Address to His Majesty on the subject of the existing state of the Colony, owing to the rejection of the Revenue Bill by the Legislative Council, respectfully request that your Excellency will be pleased to forward the same to England with all convenient speed, to be laid at the foot of the throne.

*Resolved*,—That the said Address be adopted, and be presented to His Excellency by the whole House.

*Ordered*,—That Mr. HOYLES and Mr. PACK be a Committee to wait on His Excellency the Governor, to know His Excellency's pleasure when he will be attended by the House with the said Address.

Mr. HOYLES reported from the Committee appointed to wait on His Excellency the Governor on the subject of the above Address, that His Excellency was pleased to say he would receive the House this day at two o'clock.

The hour appointed for waiting on his Excellency being arrived, Mr. Speaker and the House attended His Excellency with the Address, and accordingly, being returned, Mr. Speaker reported that His Excellency was pleased to make this answer to the Address of the House:—

*Mr. Speaker and Gentlemen of the House of Assembly,*

I shall take care to transmit to His Majesty's Principal Secretary of State for the Colonies, by the earliest