

2. They were a Council of State, the Governor or Commander-in-Chief presiding in person, to whom they stood in the same relation as the Privy Council in Great Britain does to the Sovereign.

3. They were named in every commission of the peace as Justices throughout the Province.

4. They sat together with the Governor as Judges in the Court of Error or Court of Appeal in civil causes, from the Courts of Record, and constituted also a Court of Marriage and Divorce.

5. The Council was a constituent part of the Legislature, as their consent was necessary to the enacting of laws. In this capacity of Legislators, they sat as the Upper House, distinct from the Governor, and entered protests on their journals, after the manner of the House of Peers, and were attended by their chaplain, clerk, &c.

#### *House of Assembly.*

The Assembly resembled the Lower House of Parliament in its formation, mode of procedure, and power, within its jurisdiction, as far as the different circumstances of the country permitted. The freeholders were assembled in the several counties and towns entitled to representation by the King's writ, and their suffrages taken by the Sheriff. The members thus elected were required by the Governor to meet at Halifax, the capital of the Province, at a certain day, when the usual oaths being administered, and a Speaker chosen and approved, the session was opened by a speech from the person administering the Government, in imitation of that usually delivered from the throne, in which, after adverting to the general state of the Province, he called their attention to such local subjects as seemed to require their immediate consideration.

The qualifications for a vote or representation, were either a yearly income of forty shillings, derived from real estate within the particular county or town for which the election was held, or a title in fee-simple of a dwelling-house, or one hundred acres of land, five of which must be under cultivation. It was requisite that the title be registered six months before the test of the writ, unless it were by descent or devise.

The Assembly continued for the term of seven (now four years) from the return day of the writs, subject nevertheless to be dissolved in the mean time by the Governor, who had the power of proroguing the Legislature, and appointing the time and place of its session, with this constitutional injunction, that they should be called together once at least every year.