

wisely and constitutionally in bringing to the notice of Her Majesty the extraordinary degree to which the constitution had been violated, and its fundamental principles disregarded by the Government. It was urged by Hon. Messrs. Coles, Whelan, and others, that the Council had as much right to complain of the conduct of the Government, as the latter had to complain of them. Although it were desirable that the Council should co-operate with the House in giving effect to the wishes of the people, they were certainly entitled to have their own opinions as to the nature of those wishes. The present Government, by refusing to take departmental offices, had not treated their opponents fairly, for their predecessors had resigned when they found themselves in a minority, and were willing that the majority should receive the offices on the same terms as they had them, viz: by virtue of the approval of the constituencies, indicated by their re-elections to their seats, after their acceptance of official situations. As to the assumed opposition of the Council to the majority of the House, it was competent for that body to adopt such line of action as they thought most in accordance with the principles of the constitution, and the requirements of the country. The British House of Lords had never been considered a mere echo of the Commons; they had deferred, indeed, to the determined wishes of the people, but their opposition to any measure emanating from the popular branch had not been made a pretence for abolishing or swamping them, as was threatened here, because the Council thought the Government had infringed the constitution. If our constitution was supposed to bear any analogy to the British, we must have the system of Government by responsible heads of departments, as was the case in the mother country. Members of Government taking office, and being re-elected by their constituencies, would necessarily occupy positions of more independence than at present, when no opportunity was afforded the people of expressing their opinions as to the manner in which the public offices were filled. In the year 1850, preparatory to the adoption of Responsible Government, it was considered necessary to provide pensions for the then Attorney General and Colonial Secretary, because, under the system about to be inaugurated, their successors would be required to have seats in the Legislature; and the gentlemen to be displaced had taken and held their offices under no such obligation. The Government had used the cry of exclusion of office-holders from the Assembly to gain support at the elections, under the plea, that by such means the independence of the Legislature would be increased; they had not, however, said anything about the presence of members of Government on the floors of the House, of whom they now had the unprecedented number of seven, representing more executive influence than had ever been there. As to the charge that the late Government had appointed to offices rejected candidates, it came with a bad grace from the men who put into office those who would not dare to seek a constituency. A man might be rejected, although he possessed the confidence of a large portion of the constituency to which he appealed, and of the population generally; but we now had men in office who could not obtain any appreciable number of votes. Notwithstanding what had been said to the contrary, the dissolution of 1854 was caused by the Bill relative to the partial exclusion of officials from the House, introduced by the Government, and the passage of the new Franchise Bill was a co-operating cause.

The Post Office Bill, concerning the rejection of which by the Council so much capital had been made by the Government, was by no means identical in its nature or provisions with that which the late Government would have been willing to have carried. The one merely provided for the ultimate payment of double postage in case of non-pre-payment of the single rate; while the late measure prohibited entirely the transmission of any letter to Britain, unless the postage were prepaid—in other words, the letter, the postage of which might not be paid in advance, was not to be forwarded at all to its destination.

The absence of Catholics from the Government was an undoubted, and, indeed, an admitted fact, and the Government

would in vain attempt to give it over. The census returns showed that the members of that communion comprised nearly one-half of the gross population of the Colony; and the declaration in the Address before the House, that they had sent no supporters of the Government to the House, was a significant admission that they did not possess the confidence of that large and influential section of the people. The late Government had left a vacant seat in the Legislative Council, which the present might have filled up with a Catholic, of which denomination many vote for members of the majority. As a branch of the Legislature, co-ordinate with the House, the Council were entitled to courteous and respectful treatment; their Address to the Queen only stated matters of fact, which could not be controverted, such as the exclusion of officials from the Legislature, the absence of Catholics from the Government, and of members of the Executive from the Legislative Council. The late elections did not prove the popular desire for excluding office-holders to the extent which the majority asserted. The late Col. Secretary, and the late Queen's Printer, were triumphantly returned, and the late Registrar of Deeds had withdrawn from the contest, and his place was supplied by a person of similar principles; the late Postmaster General had lost his seat by a minority of only 8, and nearly 50 votes of parties non-resident in the district were recorded against him. True, the late Treasurer was defeated, but he had left his former district. The assertion of unqualified and factious opposition of the Council to measures of the House, was unfounded and unjust. They had passed every measure sent up, but one—the Post Office Bill—and it was better that the Government and the House should adopt a conciliatory course, than one which could have but the effect of producing discord and bad feeling. It would be found, on reference to the Journals, that the Council had thrown out many bills of the late Government, which did not argue the blind subserviency which had been attributed to them.

After a very protracted debate, of which the foregoing summary contains the substance of the arguments on both sides, the Address was agreed to, on the following division:

YEAS—Hon. Messrs. Gray, Palmer, Laird, Longworth, James Yeo, Haviland, Pope, McAulay, the Speaker, Messrs. Davies, Douse, McNeill, Montgomery, Holm, Howat, Ramsay, Owen.—17.

NAYS—Hon. Messrs. Coles, Kelly, Wightman, Thoratou, Whelan, Messrs. Cooper and Sutherland.—7

W. M. Hows, Reporter.

#### DEBATE ON THE ADDRESS IN ANSWER TO THE GOVERNOR'S SPEECH.

*Concluded.*

Hon. Mr. HAVILAND—The hon. member's own government afforded a pretty good illustration of a family compact. There were himself, the Surveyor General, father-in-law to his daughter, the Road Correspondent, his son-in-law, and the Sergeant at Arms, his brother-in-law,—quite a snug family party. As to the majority of votes given for the Government and the opposition respectively, it will be found, that the 16 Government members had some 1564 votes more than their opponents had received; and before the prorogation that majority may be increased to 2000. The Government cannot be charged with having gone to the hustings with fraud and misrepresentation; their principles were boldly avowed, and the true reason of their being in power now is the fact, that the people had become thoroughly disgusted with the mockery of Responsible Government to which they had so long submitted. The late Government so far ignored Responsible Government, that the best claim to office was, that the appointee should have been rejected by the people; the defeated candidate then