

prevailing party in the House : a leaven from each party has entered into each succeeding House, but has been more conspicuous in the last session, where a more than ordinary part of the whole batch was thrown into a state of violent fermentation.

The Governor at that time, very properly dissolved the house, seeing the danger that must necessarily result from so daring a precedent, as an assumption of power, which in its consequences would lead, if unresisted, to the *Lower House* establishing by its fiat, the right of qualification to a seat in that House, instead of being governed by the *Constitutional Act*, which expressly declares who are capable of election, and wherein, after excluding certain descriptions of persons from being elected, it is added in the 23d clause thereof, "or who shall be with-
"in any description of persons disqualified by any act of the *Legislative Council and Assembly of the Province*, assented to by his Majesty, his Heirs and Successors."

Thus it is manifest, that the Assembly possessing such power, and that the constitutional act conveys the right of making further disqualifications than were therein expressed, *only to the Provincial Legislature at large.*

The new House which succeeded to the one dissolved as above said persisting in their usurpation of the right of disqualification, was also dissolved, when the Governor unfortunately was instructed to signify that he would in the King's name assent to the disqualification of Judges from sitting in the *Assembly*, if a Bill for the same, should
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