

Majesty possesses the power of extending such indulgence to Roman Catholics if he thinks proper.*

The case which had been cited by the learned gentleman from Annapolis was not applicable to that which was before the house. He had asserted that when His Majesty gave authority to his governors to convene a legislature, he parted with the power of making laws for the colony; and so far he was correct. When Grenada was captured, the king had a right to govern that island as he thought proper; but having once given it a constitution, he had no right subsequently to levy duties. He would ask, whether, in this instance, there was any attempt to take away the rights or to abridge the liberties and privileges of the legislature of the country. Such was not the case; but so far from its being an invasion, it was a relaxation of the restrictions and disabilities of former times—it was not an invasion, but an enlargement, of their privileges that was intended. He could give it no other construction, and had he been called upon to have stated his opinion at the beginning of the debate, he should have had no objection to an application to the lieutenant governor such as had been proposed; there was nothing in the enquiry that was improper. But the debate had taken a different turn; and no person could now wish to see such a proceeding adopted.

He had only heard one objection against the admission of the gentleman from Cape Breton which had any weight; and it was for the purpose of removing that objection, that, during the debate, he had framed the resolution that had now been moved by Mr. Uniacke. It was—that as this was a particular case, in

** If, at a former period, the king by subsequent instructions, removed the disabilities of one set of his subjects for sitting in the house of assembly, and that that alteration was not made with the previous consent of the provincial legislature, which, under the view I take of the case, I contend it ought of right to have been, yet their not objecting to it, and admitting dissenters to take seats in the house, was a tacit consent, and would not invalidate their right to object to similar alterations in future, and in fact the House of Assembly, as well as the speaker, notwithstanding his assertion that the disabilities in question were removable by the king alone, must have entertained the opinion that the consent of the house was necessary, or he would not have proposed, or they have agreed to, a resolution "to admit a Roman Catholic representative to take his seat" and "to permit in future, Roman Catholics who may be elected to take their seats," which, obviously and necessarily, implies they might, if they had chosen, have refused to admit the one now returned, and have declared that they would not permit future members of that persuasion to take their seats.*