

PROVINCIAL LEGISLATURE.

THURSDAY, MARCH 29.

The Despatches—Structure of the new Councils.

Mr Howe rose and said, there was one subject which had not yet been brought to the attention of the House, and as there was half an hour to spare, he would throw out a suggestion relative thereto. The house was well aware that in answer to our address of last session, some despatches have been sent out to the local government and to the house of assembly; and certain changes have been made in the councils of the country. The other day, I said that these despatches and the subjects connected with them had not been taken up by the majority of the session, and either by resolution or otherwise a general answer submitted to the whole; but as they had been introduced partially by the hon. gentleman for Cape Breton, and by the hon. member for Yarmouth, in as far only as the civil list was concerned, I did not intrude more in my remarks than what related to that particular branch of the subject. But there are other parts which ought likewise be discussed; and one especially which excites deep interest in the country, is important in its results, and calls for an expression of opinion from us before we depart to our homes:—I mean that which adverts to the structure of the New Councils:—a subject which, as touched upon in various parts of the despatches, ought to be answered. I am not now prepared to submit any proposition—in fact, having taken so prominent a part, and occupied so much of your time last session on this subject, I felt disposed to leave it now in the hands of other gentlemen who were willing, and who were more talented to deal with it. But I feel it my duty to say, that if no member is prepared to say any thing on the structure of the present councils, or inclined to submit any resolutions on the subject, I at all events shall be prepared in the early part of the week to move either a few resolutions, or an address to the Throne, in order to draw forth an expression of the Assembly as to how far the instructions of the despatches have been carried out. I may advert to one or two points which I am satisfied our attention ought to be particularly called to. One of these had excited a good deal of dissatisfaction throughout the country, and unless it is fairly and finally settled will perpetuate ill feeling and discontent. This relates to the overwhelming majority of one class of christians which have held and do hold power at the Legislative Council board. I am glad to find that Lord Glenelg has approved of our observations on this head to the fullest extent, and the language and spirit of those despatches are worthy of a British minister of a British King. [Mr H. here read from the despatches the directions that the selections to the Council should be made without even the semblance of favour to any one denomination of christians.] There are other parts in the despatches—and the closing passage of that of the 31st. of October, reiterates and enforces on the local government, this principle. They are told even to avoid every ground of not only complaint, but even suspicion, that partial views have been acted upon.

Now it is our duty to turn our attention to this, because when we find that while the proportion of population, as to that particular denomination, remains the same—embracing but one-fifth; and that in the new council there are ten members of the church out of nineteen who sit there, including the Bishop—and forming an overpowering and distinct majority, we are stuck fast with the fact, that the appointments do not coincide with the instructions received from the home government.

I would not be disposed to cavil about the seat of his lordship at the board, was he not left there with a decided majority. I admitted that the custom which bestows on the church the right of having bishops sitting in the House of Lords, tends to embarrass this question; but when we see that care has been taken—I do not mean to blame his Excellency, for I know he is anxious and careful to do what is right—but I do say that some unseen influence has been at work, and great care taken to preserve the invidious distinction which we have repudiated. It may be said that this arises from a desire to preserve a number of the members of the old body in the new, and if I was satisfied that was the true reason for the disproportion complained of, I would hold my peace.—But when I see that some few appear to be placed there seemingly for no other purpose than resolutely to keep up the distinction,—(and, God knows, gentlemen will give me credit for using my endeavours to settle this question;) when I see this apparent determination, I cannot—I will not—as a Novascotian, cease from raising my voice against it. I am most anxious to get rid of the troublesome question, to have it driven out from the legislature; but I am satisfied that it will only be driven out by the determined voice of the representatives and the action of the local government on the principles which those despatches contain. I say this country will never be satisfied till those principles and directions are fully carried out, and all religious distinctions cast out from the government; and, as one member, I will never desist from demanding the full accomplishment of those measures we recommended, until they are carried out, or we are forced to give them up as hopeless. In order to keep down this monopoly, for monopoly it is, we should be decided, and without reference to names, I may speak of one or two members of the Legislative Council; and I shall do so as freely and fairly and boldly, as though they were in the assembly and before me.—If, I say, it was not for a determination to support these influences, how did it happen that in the selection which was made, honble. members of this assembly who did enjoy the confidence of the country and the agriculturists in particular, were passed over, and a learned gentleman who avowedly maintained principles against the large body of the people of the country—who distinctly opposed almost every proposition brought forward here, having a liberal or reforming tendency—and who finally voted in a majority of three besides himself against the very address for which the sovereign thanked us:—how is it that he was taken and placed there to swell the already too numerous body of learned gentlemen at that board. I say, sir, apart from other things obvious in the system, the appointment of that learned gentleman, of itself, sufficiently shows what influences are brought to bear on the Executive of the country. I say, sir, as one, I will openly, manfully, and broadly, state my views on these abuses, in order that in future we may have better selections.

I need but advert to the strong feeling in the country when the old council was in existence, and ask gentlemen if the new appointments are such as really remove the grounds of dissatisfaction; and I tell them if they do not feel convinced in their minds that the boards are well organised, they should express their opinions; for members of this House ought not to shut their eyes to the fact: and while the grounds of discontent are not cleared away, I, at least, will exclaim against them, though I stand alone. These are the points which press upon my mind; and tell me that as the representatives of the country we should express our opinions—and go forward, steadily, calmly, and properly, to endeavor to have

the work completed, upon those principles with which it was begun.

Hon. Mr Uniacke would not occupy the time of the house now. If religion was to be made the test of capability, why did not the despatches say so at once. Lord Glenelg says that religion does not constitute the test or the criterion for eligibility, but advises against undue favour to any particular church, and it appears to me his Excellency has made a most equitable selection. Whatever the religious qualifications of those gentlemen in the councils are, I do not think they trouble themselves much about it; and as to having new selections why there will soon be an opportunity to make them; for many of them do not purpose to retain their seats. The gentleman from Cape Breton has said he would not return again, and no doubt many more will follow his example. But as to giving an expression of opinion on the qualifications of the Councillors, I think it would be better to let his Excellency try first whether his selections are good. Why, they have not yet had an opportunity of expressing their opinions on any question of moment—you don't know yet who is Whig or Radical, Tory or Conservative! Gentlemen of course have different opinions; and I should suppose his Excellency is the best judge of the proper political sentiments that ought to be chosen—unless any member here can say: "please your Excellency, there is a man in this or that council with political views differing from mine; ergo, turn him out!" But his Excellency has the option, and because he has chosen according to his discretion; we are to be asked to go to our Sovereign with the futile petition—"Please your majesty there is a quarter of a churchman in our new councils more than there ought to be, and therefore your Majesty's instructions, through your Secretary for the Colonies have not been carried out!"—I do not know what proposition the hon. gentleman is going to bring forward, but I should like to have notice, that it may be the order of the day when he intends to move it, in order that we may be prepared.

Mr Howe.—The learned gentleman was not in the house when I stated my views. Mr H. again detailed his reasons for determining, if he was not suspended, to submit an answer to the despatches, and to obtain the opinion of the house as to the new appointments.

Hon Mr Uniacke.—Well, I shall move that the House is perfectly satisfied, and appreciates the judgement of his Excellency.

Mr Howe.—Very well—you can move that in amendment to my resolution.

Mr McDougal said he perceived that his lordship's views were that members for the council board should be selected without the least semblance of undue favor to any particular church. And after such strong language as that, it did appear, as the hon. gentleman for Halifax had stated, that, out of nineteen members, ten belonging to the particular church was rather more than there ought to be. He had no resolution on the subject; but he would say with the hon. gentleman for Halifax that the subject ought to be brought before the House. One thing he was certain of was, that there was not a fair selection from the eastward portion of the province.

Mr Forrester confessed that he was not altogether satisfied with the selection to the councils; but he was not disposed to commence wrangling with the legislative council on religious grounds. He voted for the address, under the idea that better selections would be made; but would not make a collision between the branches.

Mr Foudge and Mr Holmes spoke; but not sufficiently distinct to be clearly understood in the gallery.