

The second assertion to which we call the attention of our readers, namely, that no member of the House of Assembly holds a seat in the Executive Council—is no less remarkable for its modesty and veracity. Where are Mr. Coles and Mr. Warburton? But perhaps they imagine they can, contrary to the law, as cited by the Crown Law Officers—cozen these gentlemen out of their seats. 'Tis not, however, the first time the Delegates have imagined and attempted, not only an impossibility, but an absurdity. If Messrs. Coles and Warburton are not entitled to their seats in the Assembly, Messrs. Pope and Palmer must be looked upon as having usurped places in that Body on a former occasion, when they were called to that Council from which they have been so properly ousted, under the very law with which they would now endeavour to invalidate the seats of the first named gentlemen. Oh but, say the Delegates, the House of Assembly passed a Resolution which declared that any member of the House accepting a seat in the Council should return to his constituents! We admit that such a Resolution passed. The House of Assembly might, if they chose, have passed fifty resolutions of the sort, but the whole of them combined would be insufficient to set aside an Act passed through both Branches of the Legislature, sanctioned by the Governor and confirmed by the Queen. The party who contend for the novel principle—novel to the British Constitution—that no member of the House should hold a seat at the Executive Board, without yielding up his representative trust and be re-elected, ought not to have contented themselves with a simple Resolution. An act of the Parliament only can repeal an act of the Parliament. But the boasted sticklers for Constitutional practice would destroy or set aside some of the most essential elements of the governing power to serve a paltry party purpose. We have said the principle involving the re-election of an Executive Councillor is novel to the Constitution of England. A member of the House of Commons, on the acceptance of an office of emolument, is certainly required to vacate his seat, as generally happens when a member of the Lower House is called to the Privy Council, because an adviser of the Sovereign is honoured with some post of trust and profit in connection with the situation of adviser. A Cabinet Councillor, as such, receives no emolument. An Executive Council of a Colony is analogous to the Imperial Cabinet, and its members receive no emoluments. In 1841 the Legislature of New Brunswick passed a Bill, which enacted, that any member of the Assembly of that Province accepting a seat in its Executive Council, vacate his place in the Popular Branch. The Home Government refused its assent to the Bill, because the principle it laid down was unconstitutional. An extract from the Despatch transmitted on this subject by the then Secretary of State for the Colonies, may be found on the Journal of the New Brunswick Assembly. The following is a transcript of it:

“Extract of a Despatch from Lord Stanley relative to the act to vacate the seats of Members of the Assembly in certain cases.”

“DOWNING STREET, 11th AUGUST, 1842.

“We are entirely prepared to admit the propriety of seats in the Assembly being vacated, for the same reasons which would vacate seats in the House of Commons. There is therefore no difference of opinion as to the objection in view; but it seems very doubtful whether the framers of this law have accurately expressed the intentions of the Legislature.

“The Act vacates the seat of any Member of the House of Assembly who shall accept the office of Executive Councillor; but the office of Executive Councillor is not a place of profit or emolument. It is analogous to the office of a Privy Councillor or rather of a member of the Cabinet Council, in this Country, and the acceptance of a place in the Privy Council, or the Cabinet, does not vacate a seat in the House of Commons. This act, as actually drawn, would therefore seem to establish a principle of great importance, as well as novelty—the principle, namely—that the Crown may not select its own confidential Advisers from amongst the Representatives of the people, unless the persons, so chosen, shall be willing to hazard a new election. How far it is wise to erect such a barrier between the Executive Government and the popular branch of the Legislature, would seem to be a question well meriting serious consideration.”

One might think that the Delegates would have relieved the monotony of their “otium cum dignitate” in Jermyn Street, by now and then studying the practice of the Mother Country in the affairs of Government. But the lore to be found in the archives of St. Stephen's evidently had no charms for our Island Statesmen. Their

souls big with a contemplation of the enormities of Sir Henry Huntley's administration, narrowed their mental vision to one only point—the removal or expulsion of the Governor. Physically, they were three thousand miles distant from the Straits of Northumberland, but spiritually ever present to them. The practice of Imperial Parliaments—the wisdom of Cabinet Ministers—the achievements and fame of the Russells, the Sydneys, the Pym, the Hampdens, the Chathams, the Pitts, the Burkes, and the Cannings, were mere secondary topics for consideration, to be indulged for a moment whilst idling through Westminster Abbey, on a pleasant afternoon, but to be immediately dismissed from their reflections when they had centred their thoughts upon the important task of shaking from their purses a few shillings as a compensation for the services of the keeper. The practice of the once all powerful Compact of this renowned Dependency of the Crown—(those paragons of statesmanship—those shining examples of public virtue, to whom the resplendent names in the annals of the British Senate were as rushlights to the gorgeous blaze of the chandeleer, or the quick sparkle of meteors in a frosty sky to the coruscant glories of the Borealis on a summer's eve)—this was the ever-present, the all-absorbing topic of their contemplations. To impress the mind of Earl Grey with a due, a deferential sense of the puissance of this Compact Party, was the chief object of their Mission. As men of true mettle should, they set about the performance of their task, never despising that laudable principle of political philosophy, which hallows the means for the attainment of an end, and believing that a cause may be just, which requires falsehood and duplicity for its foundation.

“'Tis not in mortals to command success,
But we'll do more, Sempronius, we'll deserve it.”

So said or thought each Delegate on the voyage hence. Alas! that Earl Grey could not, or would not, recognize in their case the truth of the poet's line.

They imparted to the Colonial Secretary some ‘valuable information’ respecting our Island Currency!!

“So spake the apostate angel.”

(We hope Mr. Pope has not forgotten his Milton. The ‘apostate angel’ here mentioned is described in the ‘Paradise Lost’ as having been hurled from his high estate for giving bad advice.) Valuable, indeed, must have been the information bestowed upon Earl Grey by those astonishing financiers, Joseph Pope and Edward Palmer, Esquires. They may, however, have changed their views upon this question since the last Session of the last Parliament, for they then proposed to borrow £10,000, without security; and knew so little of Cocker, that they thought they should be paying six per cent. only, when in fact they would have been paying ten. If Messrs. Palmer and Pope still entertain the opinions advanced by them on the floor of the House, respecting the Currency, in Lord Grey, we think, they could not have failed to discover an adversary. We have neither leisure nor inclination now, however, to discuss the subject of the Currency. The Legislature will do that if they see fit; of the manifestations of Messrs. Pope and Palmer, we confess, we should like to be particularly informed. In their late speeches they have adverted with commendable brevity to the subject; but could the Reporter's portfolio be exhibited to public view, we should probably find, that their eloquence on this point, flowed free and unrestrained, and that the members of the Executive and Legislative Councils, and all others who would not echo the favourite cry of “Down with the stock-jobbers!” were completely overwhelmed in the torrent.

Last week we hinted our objection to the right which the Delegates assumed of bringing any question of Provincial policy before the Colonial Secretary, without the authority or sanction of the Legislature. But they have asserted that they represent the views of a majority of the Legislature. Even were the assertion true, which it is not, their assuming the right is presumptuous in the highest degree—nay more, a palpable insult to the Assembly, which, we trust, will be properly met by that Body, and one which no other men, perhaps, could be found to offer. As to their assertion of being in a majority, the facts recorded in the Journal of the House are of infinitely more value than all the declarations they can ever make to the contrary. Not only do the divisions on party questions put them in a minority; but they were defeated in the far greater number of in-

stances on matters of a minor and transitory nature. There are between twenty and thirty divisions, in which the Liberal Party held a majority—there are between six and ten divisions in which their opponents triumphed. There are no divisions in the Journals which, perhaps, more clearly indicate the relative strength of parties than those which occurred through all the stages of the Responsible Government debate. In all these divisions, Mr. Palmer stood in the minority—Mr. Pope was likewise in the minority whenever the House would be in Committee. And one resolution on this subject, particularly, of which the public cannot have forgotten the result, demonstrated the weakness of the party to which the Delegates belong. We mean the Resolution brought in by Mr. Palmer on the 19th of March, immediately after the return of Messrs. Douse and Maclean, who manifested the most indecent haste to strangle the Responsible Government Address carried in the House by the influence of the Liberal Party—calling for a reconsideration of that question. When this Resolution was moved, the Liberal Party was weakened by the temporary absence of Mr. Warburton, and the opposite side was strengthened by the accession of Messrs. Douse and A. McLean. Still Mr. Palmer was beaten on a division of 12 to 10. We feel, however, there is no necessity for citing facts from the Journals to disprove the vaunting assertion of the Delegates. We give the names of the gentlemen who have been known to vote generally with Messrs. Palmer and Pope, and who must on that account be considered as advocating the principles which have distinguished the public career of these men. They are—Messrs. Haviland, H. McDonald, A. McLean, Douse, J. Longworth, F. Longworth, J. H. Conroy, Thornton, Montgomery (?), Palmer,—10. The names of those gentlemen opposed to their policy are—D. McDonald, McIntosh, Clark, Fraser, Whelan, Le Lacheur, N. Conroy, Coles, Rae, Jardine, Warburton, Mooney, and D. McLean—13. Of these thirteen gentlemen, opposed to the views of the Delegates on general principles, twelve have not been opposed to the late Lieutenant Governor up to the time of his departure, which disproves another assertion made at the Meeting at Pippy's, if we are justified, as we think we are, in considering twelve a majority.

We are sorry that our space will not allow us to comment on other passages of the Pippyanic eloquence, but, from the quotations we have given, and the facts with which they have been met, our readers can have no difficulty in arriving at the conclusion, that it has been most woefully deficient of that essential attribute of genuine oratory—TRUTH. It has been said, that he who would convince his hearers, must himself be convinced of the truth of that which he utters. That Messrs. Pope and Palmer were not convinced of the truth of all their declarations, we conscientiously believe; and if the minds of their auditors yielded to the impressions sought to be made upon them, candidly we say, we commiserate the community who would recognize in that auditory the representatives of its “intelligence and respectability.”

EXAMINATION IN THE CENTRAL ACADEMY.

On Wednesday last the half-yearly Examination of the pupils in the Central Academy, took place in presence of the Lieutenant Governor and some of the Trustees of the Institution. The state of instruction was deemed highly satisfactory. The proceedings were not conducted on the plan which, for some time past, had prevailed, the scholars being without preparation, required to give proof of their progress in such studies as they have been exercised in during the Term, which method, it is thought, is far preferable to the more recent practice. The result was highly creditable to the Scholars, as well as the Head Master and his able coadjutors, Messrs. Kenny and Arbuckle.

MECHANICS' INSTITUTE.

Last Wednesday evening the Hon. Charles Young read a very interesting and eloquent Lecture on “Patriotism.” After some prefatory remarks on the diffusion of knowledge, the benefits it confers, &c., the learned Lecturer defined and entered into the philosophy of his subject, illustrating the several positions advanced by appropriate extracts from ancient and modern history. At the close of the Lecture, a well-sustained discussion ensued on the various topics it embraced. Next Monday evening at 7 o'clock, the Members of the Institute will meet to elect Office-bearers for the ensuing year.