

in the assembly; and almost the first duty which devolved on your Excellency, was to work out this principle, sanctioned by the Parent State, and approved by a majority of the Assembly, to accomplish which, you formed a council, composed of persons entertaining various political views, announced your approbation of a mixed Government, and so long as the members selected by your Excellency continued to cooperate harmoniously, confidence was reposed in that body, and measures submitted to the assembly generally carried.

I was, as your Excellency is aware, opposed to the dissolution of the assembly. I could not perceive the urgent necessity of the measure, especially as that branch of the legislature had invariably sustained your Excellency's Government, and signified by a vote, their confidence. I certainly was unconscious of the council being openly divided on the question of party government—that never having been discussed to my knowledge, in the assembly or either council; and I cannot believe that opinions have been elicited from the people on that subject, by the recent elections. I admit that individuals, differing publicly, and openly addressing the people on those differences, have endeavored to gain influence with particular constituencies, by espousing or denouncing such measure; but the general wish of the people is for a government, created by a union of persons in whom they rely, and who repose mutual confidence in each other.

When I understood from your Excellency, that differences between members of your executive were reconciled, that they had consented to act together, and that you intended to meet the convened, with the same council that surrounded you at the dissolution of the late assembly, of course, as I had kept aloof from the dissensions which existed, and had avowed myself free from the influence of any individual, I could have no objection to continue a member of that body, and lend my aid to support your Excellency's administration; but the change of your Excellency's determination influenced mine, and the appointment of a gentleman, for whom personally I entertain great regard, evinced a line of policy so destructive to the vigour of your Excellency's government in the assembly, that I felt unable to defend it to the satisfaction of myself or that body.

A council formed on the principle of representing different political sentiments and interests, existing in the Legislature, with a view of producing concord between its branches, can only be useful, so long as those interested, have confidence in the justice of those who create it; and even the appearance of depressing one interest or elevating another, will unsettle the equilibrium so essential to its preservation, and produce discord instead of harmony. The party forming a majority in the assembly, during Sir Colin Campbell's administration, and an equality, if not majority, in the late House, although they complained that they were not numerically represented at your Excellency's council, yielded cordial support to your Government, which, upon the principle adverted to, it would have been prudent to retain; yet the advisers of your Excellency, notwithstanding the public manifestations of differences of opinion, on various subjects, between leading members of your Government, and the reluctance evinced by Mr Howe, in renewing his adhesion to it, recommended the appointment of a gentleman to the Council, who, it is said, was conspicuous at the late election, in opposition to members of your Excellency's Council.

I do not think any Government can remain powerful, unless it possesses the confidence of the majority of the people, and their political sentiments I believe are liberal, giving so numerous a party cause for withdrawing support I deem unadvised, and the course pursued I apprehend will produce that effect, and diminish the influence of those who approve of it; therefore I ought not to hold offices, the tenure of which I have always understood from your Excellency, rested on political support.

I feel that your Excellency is under the impression that a large majority of the Assembly will sustain the views of your Excellency's advisers; if so, the removal from your Council of myself and others will materially increase the power of your Government, and the mere circumstance of our withdrawal does not imply opposition to your Excellency's administration, unless the measures of it are considered objectionable.

The experiment of wresting the prerogative of the Crown from the Queen's Representative, will not be attempted by any public men responsible to the people of Nova Scotia, who entertain a wise estimate of Constitutional Government, and prize that prerogative as highly as their more immediate privileges. I never wish to see it attached, and will be found foremost in its defence if invaded, and I regret that the conscious discharge of a public duty should have occasioned such an idea, or that reluctance to sustain and defend an appointment of a gentleman who has never sought the suffrages of the people, when others were compelled to ask renewed assurances of their confidence, which seemed to disregard the claims of many whose political support for years has been given to Government, and to some of whom such marks of distinction have been almost profliged, should subject me to such an imputation; but I must notwithstanding, repeat what heretofore has been unquestioned, the constitutional right of retiring from a Government, when unprepared, and unwilling to defend its acts, the judicious exercise of which privilege will be tested by the increased or diminished confidence of the people.

I have the honor to be  
Your Excellency's Obedt. Servt.  
JAMES B. UELACKER.

Halifax, December 26, 1843.

MY LORD,—Having, at very heavy personal sacrifices, deemed it my duty to resign into your Lordship's hands the offices I held, I was prepared to defend the course I had taken, on the floor of the Assembly, and to meet the objections which might there be urged by your Excellency's advisers, in the presence of those who must ultimately decide on the wisdom and propriety of my conduct. This, I believe, is the constitutional mode of adjusting such points as are now at issue between us—a departure from it, has elsewhere produced embarrassment, and may here complicate what seems to be a very simple question. Further correspondence, I fear can now do no good, but I am reluctant to appear to treat with disrespect a formal communication from your Lordship, and must therefore offer a few observations upon the letter of the 25th inst. with which I have just been honored.

When I consented to take a seat in the Executive Council, the party with whom I acted formed a considerable majority in the Assembly which majority was not weakened by the Elections of 1840. These gentlemen, during the three years I sat in the Council, were represented at the board but by two, and for a short time, by three members who enjoyed their confidence. Their opponents, a minority in the House, had, during all this time, six Representatives in Council. The inequality, as your Lordship knows, produced much dissatisfaction among the Liberal party, notwithstanding which by great exertions, a majority of them were rallied to give a steady support of the Government. This was done, because their leaders were anxious to give to her Majesty's Government their best assistance in carrying out a new and advantageous system of administration in British America, and because they relied on the pledge, given by Lord Sydenham, and subsequently by your Excellency, that as opportunities offered, the inequality should be redressed. In the new House, as I judge of the returns, this party, without taking Mr. Uniacke and his friends into consideration, will constitute at least one half the members—they would have had, even if Mr. Almon had not been appointed, but two out of eight at the Board. This, your Excellency must acknowledge, would have been a slender "representation" of the "political sentiments and interests" of one large party "in the legislature," yet I was willing to have met the House, rather in deference to your wishes, and the advice of friends, than with any very confident hope, that, without an increase of influence in council, the party, to whom I have reference would have been satisfied. My argument to them, had always been, "have patience—as opportunities offer justice will be done." While a disposition was shown to do justice, as vacancies occurred, force was given to this argument. When, however, your Excellency announced your intention to appoint Mr. Almon, thereby giving one half the House a representation of two, while the other was to have seven, I felt that the "policy" was "changed"—that justice was not to be done—that the only ground upon which I had induced my friends to support the Government, or could hope to induce them, was to be struck away, and I left in the position of sanctioning a policy by which a fair representation of their political sentiments and interests was to be indefinitely postponed.

It was no wish, therefore, to "wrest the prerogative from the Queen's Representative," which induced me to resign, but a desire to guard myself from a total loss of confidence and influence in the Assembly, by which I would be deprived of all power either to serve Her Majesty or benefit the Province. I respect the Queen's prerogative as much as I do the privileges of the people, and your Excellency knows that, during the three years I served you I never counselled its surrender, or attempted to tamper with it in the slightest degree; but it would be a hard case, if the prerogative could be so stained, as to compel public men to serve the Crown, at the price of their consistency, and the wreck of their reputation.

Assuming that Mr. Uniacke and his friends were to act with mine, then the case would be but little better, because we, who had good reason to count upon a majority of the Assembly, were to have but three seats in the council, while the minority, led by Mr. Johnson, were to have five, even without Mr. Almon, and with him they were to have six. Under those circumstances, it was a proof of our desire to avoid all embarrassment, that we consented to meet the House with a Council thus constituted, and it is not surprising that we should have opposed an appointment, which we believed could not, even upon your Lordship's own principles, be depended.

With respect to "party Government," your Lordship is well aware, that for many years prior to your arrival, party Government existed here in its most offensive form—the minority having all the Executive influence, and the entire distribution of patronage, while the great body of the people had nothing but a representation of two to one in the Assembly. Your Lordship found the Executive and Legislative Councils, and almost all the public offices, filled from the minority, under this vigorous party government, to which your present advisers cling as long as it could be sustained. They now profess to dislike a party government, merely because Her Majesty has declared that the interests and opinions of the minority are hereafter to be respected, and yet, being a minority, they seek to preserve, in the Executive Council, an unvarying and clear ascendancy.

It is true that your Excellency has done a good deal, as opportunities offered, to win confidence and support by a fairer distribution of patronage: a few satisfactory appointments have been made to the Executive and Legislative Councils, but at both boards, and in pub-

lic commissions and departments, the preponderance is still largely in favour of that party who support your present advisers. It is, perhaps, your Lordship's misfortune rather than your fault, that more could not be done in a short administration, to redress this state of things, but you will at once perceive, that the only guarantee the people had, that it would ever be improved, was founded on the assurance that the party who have equal, if not superior claims with those who have so long profited by this patronage, would fairly participate in those counsels which were to influence its distribution.

The desire for what is called "party Government" has arisen in this Province out of circumstances over which neither your Excellency nor myself have had much controul. For several years your Lordship was called upon, almost weekly, by the friends and supporters of your present advisers, to dismiss from your Council the few Representatives which the majority of the Assembly had there—and latterly others have claimed a party government, for two reasons, first, because they believed that those who gave your lordship but hollow support, feared equally well with those who sustained the administration cheerfully—and secondly, because circumstances, to which I need not refer, had created the impression that the Council was not only divided upon important public questions, but that some of its members entertained for each other no very friendly feelings.

I have never asked, and do not now desire, a party government, formed of but one interest, to the exclusion of all others; but it does appear to me that it would be better to form a strong government, of gentlemen representing different interests and different sections of the country, but agreeing upon common principles and common measures, and secure a good working majority in the Assembly, rather than to attempt, by any exercise of the prerogative, to bind men together who have but few private or public ties, and who cannot fail to weaken any government by the absence of that united personal influence upon society and public opinion, which the members of council should steadily exert, and without which they cannot exact support either in Parliament or throughout the country.

To Mr. Almon, personally, I have no objections—his elevation to the Legislative council I should not have opposed; but your Lordship's opinion of his political position differs widely from mine. Mr. Almon supported the last administration, which was of a decided exclusive party character, and whatever he may have said in the few brief public observations he made from the hustings, he voted and acted with the minority in this township, against Mr. McNab, a member of the government, and with those who have incessantly demanded a party government, based on a Representative minority. Mr. Almon's party connexions and opinions, were then sufficiently decided; but I had other objections, I did not think it wise, in making an appointment to the Executive council, under the present system, to pass over the members of both branches of the Legislature, of all parties, in favor of a gentleman, who had never represented any constituency, and upon no graver public necessity than his relationship to Mr. Johnston.

That I did consider that these members of council who had opposed the dissolution, with their friends in the Assembly, were "in a position" to enable you to carry on your government without Mr. Johnston, your Lordship may remember—that I did not "insist on his dismissal" is proved by the fact of my consenting to serve with him, although I never attempted to conceal from your Excellency that some change or modification of the council might be forced upon the Executive by the Assembly. What might have been Mr. Johnston's opinion as to the propriety of retaining my services had been confident of a majority, I cannot determine, but I would not much like to hold a seat by so frail a tenure as the moderation of those by whom he is sustained. My belief is, that an erroneous impression has been made upon your lordship's mind, both as to the composition of the new house, and the construction which will be placed upon the policy of the new appointment. Those who differ with my friends and myself will soon have an opportunity of testing the sobriety of our judgment and the accuracy of their own calculations. I thought and still think, it would have been better to have tried the temper of the new house, without making any appointment, or to have made one that would have brought to the government some parliamentary support.

"The claim" which we "assert" in our "resignations," your Lordship will permit me to observe is simply this:—that we not only have the right, but are bound, to retire from the council, when a course is adopted which we believe will damage our public characters, and shake the confidence of the assembly in the Executive Government. I should be unworthy to advise your Excellency, if I did not back the sincerity of my opinions by the cheerful surrender of office, and your Excellency might reasonably complain, if I clung to what was only given to me as a guarantee for sincerity, and ought to be yielded up as a pledge of grave and deliberate conviction.

Retirement from the council does not necessarily involve "opposition" to the government. Personal or factious opposition to your Lordship I am incapable of. Whether or not, your advisers are to meet with hostility in the assembly, will depend upon the wisdom of future arrangements, the soundness of their principles, and the value of the measures they bring down. I fear, from the course pursued, that a large body of the leading men in the Legislature will be driven into opposition; and it is more than probable that, unless those who have advised it, materially change the views by which they paralyzed the last administration that they almost

exclusively influenced, I shall be compelled, however reluctantly, to press upon them, at times, what may appear to be the opinions and interests of the country.

I have the honor to be, with great respect,  
your Lordship's most obedient, very humble  
servant,

JOSEPH HOWE.

To his Excellency the Lieutenant Governor.

## New-Brunswick.

Saint John Chronicle, January 12.

We have much pleasure in stating that an Address to Sir Charles Metcalfe, as suggested by us a short time since, has been got up in this city, and it is now in the course of signature. We have seen it and signed it, and can speak from view that it is headed by all the respectable inhabitants of this community. The address is spiritedly written, and will be numerously signed. This document, while it will show to Sir Charles "the temper of our blades," will also form for the curious in such matters, a pretty correct index of the faithful.

In addition to the above, our common council by a unanimous vote have passed a Resolution to prepare and forward to the Governor General a similar document, expressive of their loyalty to the Crown, and determination to uphold him in his faithful and unflinching support of the prerogatives of that Crown of which he is so worthy a Representative.

## Editor's Department.

MIRAMICHI:

WEDNESDAY MORNING, JANUARY 17, 1844.

ARRIVAL OF THE SOUTHERN MAIL.—The Southern mail reached the Post Office, on Monday night, at 11 o'clock. We went to press to-day at two o'clock.

EUROPEAN NEWS.—The New York papers obtained by the mail, furnish European news to December 8, received at that city, per packet ship Burgandy, from Havre, being a few days later than that brought by the last mail steamer, at Halifax. We have extracted from this source the principal news of interest, which will be found under our European head.

SIR CHARLES METCALFE.—The following paragraph we take from the *Fredericton Loyalist*, of January 11, and concur fully in the sentiment that it is the bounden duty of all true and loyal Colonists to cherish and support the principles, with regard to the Government of these Colonies, lately explained by that candid and liberal minded British Statesman:—

"Address to Sir Charles Metcalfe.—We have been favored with a perusal of a loyal and patriotic address to Sir Charles Metcalfe, in the City of the course of receiving signatures in the City of St. John. The address thanks his Excellency for refusing to yield up the prerogative of the Crown into the hands of the late Council, and is such as should be signed by every loyalist in the North American Colonies. Will not some of the leading men of Fredericton exert themselves to get up a similar address? We are confident that very few in this vicinity would have any hesitation about signing the same."

CANADA.—The long pending question, with regard to the proper, or most central place for the seat of Government in Canada, seems to have been decided upon at last. The Montreal Transcript, of December 28, has the following:

"Letters received from Kingston, yesterday, on which implicit reliance may be placed, bring us the important intelligence that the British Government have decided on removing the seat of Government to Montreal; and that the next session of Parliament will be held in this city. This information was received in a despatch brought by the late mail, and manifests a promptitude on the part of the Home Government which was not looked for."

"It is stated that no time will be lost in removing the different offices, &c. to Montreal, and we may confidently rely on having the Government here, before a very long time has elapsed."

"As the question is thus definitively settled, we trust that our friends in the Upper Province will bear their loss with philosophy, trusting on the natural advantages they otherwise enjoy, and of which, no Government, Home or Provincial, can deprive them."

The Upper Country papers state that delegates are to go to London in February, to lay Petitions at the foot of the Throne, praying that the Seat of Government may be continued at Kingston.

POLITICAL CHANGES IN CANADA AND NOVA SCOTIA.—On this important subject, which engrosses so much of the attention of the people in these Provinces, at present, the Montreal Transcript, has the following remarks:—

"It is a very remarkable circumstance that