

Report of Com-
mittee to Commons
House of Assembly.

Your Committee feel surprised at the public answer of his Excellency to the address of the city corporation. Your Committee have procured a certified copy of this address and answer from his Excellency's private secretary, which they hereunto annex, marked (D.), in which he expresses "*astonishment*" that those principles "suddenly appear from a '*quarter from which he certainly least expected it*,' from the Executive Council itself." It is but just to the late Council to remark, that the announcement of such principles from a Council into which his Excellency had himself knowingly introduced them with Mr. Baldwin and his coadjutors, could not, in "*candour*," be a matter of "*astonishment*;" nor can your Committee consider it done "*suddenly*," after an amicable verbal discussion with him in Council ten days before, or that it could be "*certainly least expected*" from sworn advisers known to him to entertain these principles, and bound by his Excellency's invitation to the frank interchange of opinions, as well as by every obligation of honour and duty, to express them to him. It is therefore plain, that the principles are regarded with "*astonishment*" by his Excellency, when there was no reason to feel it; are denounced as obtruded by the late Council "*suddenly*," after they had been debated for *weeks*; are condemned as emanating from a "*quarter*" into which he had *himself* knowingly introduced them; and are said to have been "*least expected*" from men whom he had *himself* in Council sworn *fearlessly* to advise him according to their honest convictions.

The late Council are charged by his Excellency, in the last-mentioned document, with resting their claims in the appended representation, very nearly on the following grounds: "1st. That the responsibility they assume being a popular one, daily increasing, is consequently the law of the land. And, 2dly. That though the powers they require are nowhere expressed in the Constitutional Act, they were evidently intended to have been inserted."

Your Committee have compared the above professed epitome of the grounds taken by the late Council with the representation itself, from which it is avowedly deduced; and the grounds, thus charged by his Excellency against the Council as assumed by them, are so utterly and so obviously at variance with *candour* as to defy any courteous commentary without injustice to the constitutional question at issue.

In the answer of his Excellency, accompanying the documents between himself and the Council, he states, that "with every desire to consult my Council, I was preparing for their consideration important remedial measures, which I conceived it would be advisable to adopt, and had they but afforded me those few moments for reflection, which from my sudden arrival among you, I fancied I might fairly claim as my due, the question which so unnecessarily they have agitated, would have proved practically to be useless."

It is singular that this latent intention of his Excellency is not even hinted in his reply to the Council, but is reserved for disclosure as a means of criminating them after their resignation was effected by the alternative of "abandoning their principles or their place." Considering the relation which ought to exist between a Governor and the Executive Council of the province, it was not, in the opinion of your Committee, dealing ingenuously with them, to take most important steps without their advice or even knowledge; and it must have been a humiliating position for gentlemen, distinguished, as his Excellency admits, for "their talents and integrity," to imagine that his Excellency was "preparing important remedial measures," not in dignified and constitutional co-operation with his highly gifted Council, but by the aid of unsworn and irresponsible persons unentitled to confidence. Such conduct did not redeem the pledge to the late Council, upon accepting office, of his "implicit confidence;" and when, after three weeks' merely nominal councillorship, they resign, it is alleged, "had they afforded him a *few moments* for reflection, the question which so unnecessarily they have agitated, would have proved practically to be useless." If such is the truth; if it was intended (after a *few moments* for reflection) to consult the late Council to such an extent as to render their representation "practically useless," why did his Excellency require them to "abandon their principles or their place"? Why did he, in his own language, "drag the question into daylight, in order that it might be openly, fairly and constitutionally discussed," when it was his avowed intention shortly to render the agitation of it "practically useless"? Under such a prospect it was inexorable *misrule* to fill the country with consternation and dismay, upon a matter respecting which he had the *power*, and *professes* to have had the *intention*, to satisfy public expectation: and after importuning the Honourable J. H. Dunn, and R. Baldwin, esq., under an overwhelming pressure of recent domestic affliction, and Dr. Rolph amidst professional avocations, in voluntary retirement from public life, to join the Council, in order to aid the King's Government, it was most *ungenerous* to almost expel them his Council, merely for offering a suggestion which, after a few moments more reflection, he intended so far to follow as to render their representation "practically useless."

It should be particularly observed that the representation of the late Council was signed by all the Councillors, was the deliberate, unanimous, conscientious opinion of gentlemen of different political parties, of those who had long been in office, and of those who had just been appointed; not as to a mere theoretical question, but as to a question practically affecting their own duties under the constitution of the country; was not a movement to serve any political party, but was calculated to meet the views and wishes of all parties, and that being in writing, his Excellency could take his own time to consider it. Finally, as this was a matter of no ordinary importance, and as the Councillors had delivered their views in writing signed by all, (a proper and constitutional proceeding on such great questions in the judgment of the Committee, and certainly the most respectful to his Excellency,) it would have been