

No. 1.

Sir F. B. Head to
Lord Glenelg.

it to the House of Assembly (by whom it was ordered to be printed), with the following deliberate opinion (see Grievance Report, p. 303):

"It appears that it is the duty of the Lieutenant-governor to take the opinion of the Executive Council only in such cases as he shall be required to do so by his instructions from the Imperial Government, and in such cases as he may think fit.

"It appears by the following transaction that the Lieutenant-governors only communicate to their councils so much of the private despatches they receive from the Colonial Office as they think fit, unless in cases where they are otherwise especially instructed."

The House of Assembly having thus, in the session of 1835, complained to His Majesty's Government of the non-responsibility of the Executive Council in this Province, suddenly veer round in 1836, stop the supplies, and petition His Majesty and the House of Commons against me as follows:

In their petition to the King, which I herewith transmit, they state,—

"We have now to pray your Majesty's patient and impartial attention to the history of our complaint against a sudden, abrupt, and most ungracious denial by his Excellency of those indispensable constitutional principles in our local government, the just preservation of which is above all things calculated to endear your Majesty to your Canadian people, and to strengthen the bond of union between this loyal and valuable portion of your empire and the parent state."

In their petition against me to the House of Commons, they thus state their meaning more explicitly:

"The country had already supposed that the Executive Council of the Province from time to time appointed by His Majesty, under the 31st Geo. 3, c. 31, to advise His Majesty and his representatives upon the affairs of the Province, actually discharged the important duties assigned to them by the constitution; in consequence whereof all public odium of the mismanagement of our affairs has been heretofore vested in the Executive Council, while every Lieutenant-governor has been acquitted, upon the presumption of his being, as pleaded to us by Sir F. B. Head, a stranger lately arrived among us, and therefore unintentionally misled by corrupt advisers; but it has now come to light that the Executive Council has been almost limited in their duties to a land board and board of audit, while the affairs of the Province, so unsatisfactorily managed, seldom passed under their review, or were submitted for their advice."

The petition of the House of Assembly to His Majesty and the House of Commons against me, respecting the Executive Council, are, I conceive, so completely refuted by the evidence of their own Grievance Report, that I will merely conclude this subject by the following observation, written many years ago by an American:

"A council to a magistrate, who is himself responsible for what he does, are generally nothing better than a clog upon his good intentions, are often the instrument and accomplices of his bad, and are almost always a cloak to his faults."

The Assembly, in their petition to the House of Commons, make their second complaint against me, as follows: "2. Upon the formation of this council, although R. B. Sullivan, Esq. was sworn in, and appeared to the public as senior councillor, upon whom, in the event of the death or absence of his Excellency, might devolve the administration of the Government, yet a secret agreement was entered into, written in the council-chamber by his Excellency himself, by which was to be defeated the apparent succession of the senior councillor to the administration of the Government. This arrangement was denied by his Excellency to us, in his answer to our address on the subject: while, on the other hand, the facts so denied are proved by the testimony of R. B. Sullivan, Esq., and the Hon. Captain Baldwin, both of whom are still retained by his Excellency in the council. For other instances of his deviation from candour and truth, as well as of his utter unacquaintance with the nature of our constitution, and the