

only. The Government were therefore taken by surprise and consequently unprepared for attack and defence. In regard to the question of the Judges and Sir Edmund Head, this was all settled before *he* took office, and therefore he could not be held accountable. It had been made a grave charge that His Excellency had compelled his Council to crouch at his feet. Now what did His Excellency do? How did his Council quail before him and lie prostrate at his feet? The Governor had sent a Message to the Council, which they disapproved of, and upon their remonstrance it was withdrawn. The hon. member's conduct (Mr. Fisher) upon this point had been exceedingly disingenuous, and he (Hon. Attorney General) would say that although not then a member of the Government, or in any way connected with it, and therefore not called upon to justify their measures at that period, yet from the hon. member's own statement, and from the despatches and documents appearing in the Journals of the House, he could not find that His Excellency Sir Edmund Head had, under the peculiar circumstances in which he was then placed, acted wrong, or unconstitutionally, according to Responsible Government; nor did he believe the course Sir Edmund then took was the cause of the hon. member's boasted resignation, which, if the hon. member had been sincere, should have been sent in immediately that he was rejected by the people at the general election of 1850, or failed to secure his return, instead of waiting till nearly six months after that period. On the 25th October, 1850, the Council, after two or three days deliberation, handed the Governor the following Minute:—

“The Committee of Council having had under consideration the resignation of his Honor the Chief Justice, and His Excellency's Memorandum accompanying the same, and having duly deliberated thereon, are of opinion that it is not advisable to appoint any person to the vacant office, and that such a revision of the Judiciary should be made by the Legislature as will secure the efficient discharge of the judicial duties by three Judges of the Supreme Court, together with the Master of the Rolls, and that the necessary measures should be made to carry out the above arrangement at the next Session of the Legislature.”