

UPPER
CANADA.

in the great practical question of the clergy reserves. Your Honourable House has so recently had this question under discussion, that your committee refrain from any commentary on his Lordship's statements regarding it; but your committee cannot avoid observing that, however unintentional, his Lordship's remarks are evidently calculated to cast odium on the Established Church of England, which, like every other respectable body throughout the colony, has been constantly assailed by the party misnamed reformers.

Adverting, now, to his Lordship's great panacea for all political disorders, "Responsible Government," your committee beg to observe, that a liberal-minded Englishman, sincerely admiring the great principles of the British constitution, would naturally be desirous of extending them, theoretically and practically, to all people living under the dominion of the Crown; and, at the first view, would be apt to ascribe any evils which were found to exist in any portion of the empire, to the absence of those political institutions, which he is bound to uphold in the administration of public affairs in the metropolitan and supreme government.

It is in this manner we must account for the adoption, at first sight, by many statesmen, of the principle that the officers administering the government should be under the same popular control in colonies as the like persons necessarily are in those societies where powers of supreme legislation, by means of popular administration, are found to exist; but it is to the practical impossibility of preserving colonial relations on such a plan, that we must attribute the fact, that notwithstanding all the changes produced by the struggles of party, or the alternations of conservative or liberal politics in England, no statesman, armed with the authority, has as yet attempted to introduce the principle of responsibility of government to the people into the colonial system.

After an attentive and disinterested consideration of this subject, your committee are led to the conclusion, that the adoption of the plan proposed by the Earl of Durham, in which this is the prominent feature, must lead to the overthrow of the great colonial empire of England.

The control exercised by the popular will over the administration of affairs in Great Britain, and over the choice of persons by whom the Government shall be conducted, is founded, not upon theory, but upon the practical necessity of carrying on a Government according to the will of that power in the constitution which, right or wrong, can most effectually control it. Simple responsibility of the executive functionaries, and their liability to answer for misdemeanors or mistakes, existed in England long before the popular branch of the Legislature assumed its present powers; and, in fact, the trial and punishment of ministers, or, in other words, their actual responsibility was much more frequently exhibited when the sovereign was independent of the people, than since the British constitution has been, by the necessities of the Crown, moulded into its present form.

This latter responsibility the colonists have; it is now proposed to bestow on them the former.

No one can be blind to the fact, that it is amongst those who advocate the doctrine that colonies are useless and burdensome, that responsibility of the Government to the people finds its warmest supporters. Lord Durham holds a contrary opinion, and yet he advocates popular government.

That the colonial possessions of England are of immense importance, and essential to the continuance of her greatness and prosperity, few, we believe, are prepared to deny. In support of that opinion, your committee will, however, quote a favourite expression of the Earl of Durham, after his Lordship had seen the Canadian possessions of the Crown, and become sensible of their value—"England, if she lose her North American colonies, must sink into a second-rate power."

According to the present system, the governor of a colony exercises most of the royal functions, under the general direction of the ministers of the Crown; he is strictly accountable for his conduct, and for the use he makes of the royal authority; he recommends for office persons in the colony, or appoints those selected by the minister; and he endeavours to conduct his government according to the policy of the imperial Cabinet, with a view to the present prosperity and future greatness of a country in which England has a deep interest; and above all things, with the intention of preserving, against all opposition, the unity of the empire.

To enable him to fulfil these great duties, it is obviously his interest, and that of his advisers, to keep on his side the popular voice of the colony, and to avoid giving occasion to discontent; redressing real, and dissipating, by temperate discussion, all imaginary grievances.

According to the system proposed by the Earl of Durham, the advisers of the Lieutenant-governor would not be officers who, in accordance with the policy of the Home Government, endeavour to aid the Lieutenant-governor in conciliating the affections of the people; but they must be the creatures of the prevailing faction or party in the Assembly; advising the governor altogether with the view to the wishes of the House for the moment, regardless of the opinions of the supreme Parliament or those of the imperial Cabinet, and having (though nominally subordinate) the power of forcing all their measures upon the governor.

The colonial governor must, in this case, be left without discretion or responsibility, and follow whatever changes may occur; in his colony he could take no directions from the minister of the Crown, nor, indeed, communicate with the supreme Government, unless in the terms dictated by his responsible advisers, to whose directions he must submit, far more completely than the sovereign to the advice of the Cabinet. The real sovereign and the supreme Cabinet are lost sight of and forgotten in the administration of public affairs in the colony;