

patronage, of the Lieutenant Governor ought henceforward to be transferred from him to them,—had they even in the unusual form of a written petition, recommended to my attention, as a new theory, that the Council, instead of the Governor, was to be responsible to the people, I should have raised no objection whatever to the proceeding, however in opinion I might have opposed it; but, when they simultaneously declared, not that such *ought* to be, but that such actually *was* the law of the land, and concluded their statement, by praying that a Council, sworn in secrecy to assist me, might be permitted, in case I disapproved of their opinion, to communicate with the public; I felt it my duty, calmly and with due courtesy to inform them, that they could not retain such principles together with my confidence—and to this opinion I continue stedfastly to adhere.

I feel confident that the House of Assembly will be sensible, that the power entrusted to me by our Gracious Sovereign, is a subject of painful anxiety—that from the patronage of this Province I can derive no advantage—and that I can have no object in retaining undivided responsibility, except that which proceeds from a just desire to be constitutionally answerable to His Majesty, in case I should neglect the interests of his subjects in this Province.

With these sentiments I transmit to the House of Assembly the documents they have requested, feeling confident that I can give them no surer proof of my desire to preserve *their* privileges inviolate, than by proving to them that I am equally determined to maintain the rights and prerogatives of the *Crown*, one of the most prominent of which is, that which I have just assumed, of naming those Councillors in whom I conscientiously believe I can confide.

For *their* acts I deliberately declare myself to be responsible, but they are not responsible for mine, and cannot be,

because being sworn to silence, they are deprived by this fact, as well as by the Constitution, of all power to defend themselves.

EXECUTIVE COUNCIL CHAMBER AT TORONTO.

Friday, 4th March, 1836.

To His Excellency SIR FRANCIS BOND HEAD,  
K. C. H. &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY:

The Executive Council, impressed with the oath they have taken to discharge the duties necessarily resulting from their appointment “to advise the King and his Representative in the Government of this Province,” in the terms of the Constitutional Act, “upon the affairs of the Province,” deem it incumbent upon them most respectfully to submit the following representation:—

The Executive Council recognize the truth of the opinion expressed by LORD GLENELG, that “the present is an era of more difficulty and importance than any which has hitherto occurred in the history of this part of His Majesty’s dominions.” This unhappy condition they ascribe, in a very great degree, to the hitherto unconstitutional abridgment of the duties of the Executive Council. It appears from the proceedings of the House of Assembly, and from the reiteration of established opinion in the country, that neither will public expectation be satisfied, nor contentment be restored, until the system of Local Government is altered and conducted according to the true spirit and meaning of the Constitutional Act. The delay of this just and indispensable course has already excited in the great mass of the people, a lamentable jealousy and distrust, and has also induced the discussion of constitutional changes, the desire for which, unless speedily arrested, by affording the unrestricted operation of the 31st George 3rd. chap. 31, will not only become more fixed, but rapidly increase to a greater and irretrievable extent.