

No. 10.
 Lord Glenelg
 to
 Sir F. B. Head
 25th July 1836

them was unavoidable. Mr. Dunn having offered to recede from it, a Distinction, as it seems to me, might have been made in his Favour.

You took, indeed, an Objection to the Address of the 4th March, which, if well founded, certainly left no Possibility of separating the Case of any One Member from that of his Associates. Your Answer represents that Address as asserting the Principle that the Members of the Executive Council are to be responsible, not to the King, or to His Majesty's Representative in the Province, but to the People, or to the popular Branch of the Legislature. Whether a latent Meaning of this Kind may really have been entertained in any Quarter it is not for me to decide; no such Pretension, however, appears to have been distinctly avowed by the Members of the Council themselves. When I advert to the State of public Affairs in the Province, at the Period in question, I cannot but admit that you had probable Grounds for assuming that the Construction which you placed on the Address of the 4th of March, was not in fact, at variance with the Meaning and Purpose of the Authors of that Document. Still I am not satisfied that it was judicious to ascribe to their Language an offensive Sense of which it is not necessarily or properly susceptible; it strikes me, on the contrary, that a needless Disadvantage was incurred by thus preferring a Charge to which the accused Parties might assert that they had not rendered themselves liable.

3. From a Consideration of your Proceedings regarding the Executive Council, I naturally advance to a still more important Subject.

After reviewing the Conduct of the House of Assembly from the Time of the Resignation of the Six Members of the Council, to the Close of the Session, and after considering the Language of the House and of its Committee on the Topics at Issue, between you and the Councillors, I must own myself at a Loss to determine what is the precise Principle on which, as to the Question of Responsibility, the Majority of the House were finally prepared to take their Stand. The Language of the House, indeed, in its Addresses and Resolutions, would embrace that Principle in its utmost Latitude; so also in the Report of the Committee, there are some Passages which appear to maintain that Doctrine in the largest Sense in which it has ever been put forward in any of the Colonies, namely, that as in this Kingdom the King acts on the Advice of responsible Ministers, so in the Canadas the Governor is to act on the Advice of a responsible Council. There are again other Passages in the Report which present the Principle in a more modified Character, limiting it to the Obligation imposed on the Lieutenant Governor to consult the Executive Council on all public Questions, although at the same Time admitting his Freedom to act in opposition to their Advice. But, in order to judge of the Propriety of your Proceedings, it is quite unnecessary to inquire what may have been precisely the Views of the House of Assembly. Whatever may have been their Meaning, the Course of Conduct which they adopted and the Position which they assumed seem to me to have made a Rupture with that Body unavoidable. Let it be assumed that the Principle for which they desired to contend, was by them taken in the more moderate of the Two Senses already stated, and let it be admitted further, which certainly I am by no means prepared to admit, that this Principle is calculated to advance the Well-being of the Province, still, as no such Principle can be recognized either as incorporated in the Text or exemplified in the Practice of the Provincial Constitution, the House was surely not entitled to adopt the extreme Measure of stopping the Supplies on this Occasion. Much indeed is it to be regretted that this great Constitutional Resource was resorted to for the Purpose of attempting to enforce Changes in the System of Government itself, Changes more especially which neither His Majesty's Representative in the Province nor his subordinate Officers have Power to introduce. Under these Circumstances, and with the strong Conviction which you entertained as to the general Dissatisfaction of the Inhabitants with the Conduct of their Representatives, I approve your Prorogation and subsequent Dissolution of the Assembly.

4. The House has ascribed to you, a wilful Departure from Truth, on the Subject of Mr. Sullivan's contingent Accession to the Government of Upper Canada. On this Point I have already expressed to you my Opinion that your Defence is satisfactory and conclusive.

5. With respect to the Reservation of the Money Bills for the Signification of His Majesty's Pleasure, and the Refusal of the Contingencies of the House,
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