

You will not, I am persuaded, suppose that in adopting this course, the Ministers of the Crown are seeking to shrink from the responsibility which justly attaches to them, or to impose on you an undue share of it. You will, with your wonted candour, feel that we are actuated by no other motives than the apprehension of impending measures which it is scarcely possible that we should safely direct, and you will undertake the duty thus committed to you with that fearless and single-minded determination to promote the welfare of the important province under your government, by which your administration of its affairs has hitherto been characterized.

In order that you may be able to act with the requisite freedom, it is however necessary that I should shortly explain the motives which have induced the Government to decline a compliance with the recommendation made in the Report of the 13th March, of your Lordship and your colleagues in the Canada Commission.

That Report proceeds upon a supposition, that a crisis had arrived requiring an extreme remedy; and if His Majesty's Government were satisfied that this is really the case, they would be ready to consider what would be the proper measures to be adopted in such an emergency. At present, however, they do not feel themselves called upon to give any opinion on that subject, because it does not appear to them that the extremity assumed in the Report actually exists. It is true that the House of Assembly have refused the supplies for more than six months, and have presented complaints to the Throne, calling at the same time for an early reply. But on a review of all that has passed, the conclusion seems to be warranted that the House have so acted under a misconception of the instructions issued to your Lordship and your colleagues, as Commissioners of inquiry.

I have already signified to your Lordship His Majesty's approbation of the speech with which you opened the last Session of the Assembly. The peculiar circumstances under which you assumed the Government of Lower Canada required a full exposition of the views and policy of His Majesty's Government, with reference to that country, and such an exposition was given by that speech. At the same time, in communicating to the Assembly of the Province, the substance and not the copies of your instructions, you adopted a course which was in conformity with that usually followed by the representatives of His Majesty on opening the session of Provincial Legislatures. Feeling himself called on to adopt a different course, Sir F. Head unconsciously conveyed to the public in both provinces an impression of the nature of the instructions under which your Lordship and your colleagues were acting, not merely imperfect, but materially inaccurate. The portions of those instructions quoted in my despatch to Sir F. Head, were detached from the context by which they were explained and illustrated, the object with which I wrote to Sir F. Head not demanding such illustration and explanation. When the comparatively brief epitome of them contained in your speech at the commencement of the session, came to be collated with those detached passages from the original, I do not think it a just matter of surprise that the comparison should have occasioned considerable perplexity. Unworthy and incredible as were the suspicions thus originating, it is yet a subject rather of regret than of astonishment, that in the excited state of the public mind, and in the strife of contending parties, means should have been found to propagate distrust, and to have induced a belief that the real intentions of his Majesty's Government were less just and liberal than the Assembly, judging from your Lordship's speech, had inferred them to be.

In my despatch of the 7th instant, I have pointed out what I conceive to have been the misapprehension under which the House of Assembly laboured, as to the terms and meaning of the instructions respecting the constitution of the Legislative Council. If the view taken in that despatch be correct, it is clearly just that the House should not be held to be committed to a course adopted under a misconception, but should have an opportunity of reconsidering the subject with the full information as to the views and intentions of his Majesty's Government, which they will have derived from the perusal of the whole of the instructions addressed to your Lordship and your colleagues.

The most obvious course of proceeding is, therefore, that of convening an immediate Session of the Legislature of Lower Canada, to afford them the opportunity for such re-consideration, and, with that view, I have addressed to your Lordship my accompanying despatch, of the 7th instant. In pursuance

of the principle already mentioned, His Majesty's Government, however, refer exclusively to your Lordship's decision the propriety of holding such a session, and the time at which it should be convened. If you should decide on taking that step, it would be premature, until the result of it should be known, to consider any other expedients, whatever might be their character.

If your Lordship should see fit to hold a session for the purpose I have mentioned, you will act according to your own judgment upon the various questions which will then arise, such, for example, as the granting or withholding any funds which the Assembly may require to meet their contingent expenses, the prorogation of the session, and even the dissolution of the Assembly, if, on mature reflection, that course should seem to you expedient. In the same manner it will be for your Lordship to decide whether sound policy will require the dissolution of the House before another meeting shall take place.

It is in the same manner referred to your own judgment to consider what may be the most judicious mode of applying to the public service in Lower Canada the future receipt from the hereditary and territorial revenue.

So long as you shall adhere to the general principles of the instructions which you have already received, it is his Majesty's pleasure and command that you should act according to your own judgment in whatever manner you may think best adapted to meet the exigencies, not of Lower Canada only but generally of His Majesty's British North American Provinces.

An attempt has indeed been recently made to urge His Majesty to an instant decision upon some of the most important subjects committed to your Lordship and your colleagues for your and their investigation and report; the attempt has been resisted, and for the best reasons.

When in the summer of 1835, His Majesty's Ministers advised the King to institute the inquiries with which your Lordship and your colleagues are charged, and declared the Report of the Commissioners must precede any decision on the main question in debate, they acted under the influence of reasons, in the force and justice of which they then placed and still continue to place, confidence. Unexpected occurrences, indeed, have subsequently affected the grounds of their anticipations as to the probable results of that mission. But although obliged to shape their course in some degree according to the pressure of circumstances, yet His Majesty's Ministers will not be diverted by the events to which I refer, from a prosecution of the general plan of conduct which they had prescribed to themselves. Adhering to the opinion that on the main questions in debate, they require for their assistance the information and suggestions to be supplied by the Reports of the Commissioners, they intend still to await the arrival of those reports, and will not consent to be hurried into premature and precipitate conclusions.

I must here observe, that the Report of the Commissioners of the 13th March cannot be taken as conveying a final and deliberate judgment formed in reference to general and permanent considerations, rather than to passing circumstances and agitations. It has, on the contrary, a direct relation to the immediate condition of the province at that moment. The Commissioners expressly state, that under other circumstances they would probably have thought it proper to defer their Report on one important subject until they had made more detailed inquiries; but that if their opinion be now required, at once and without further consideration, they must give it as there recorded.

On the topic which is immediately referred to in the foregoing remarks, and on the other main subjects of your inquiries, His Majesty's Government will expect the Report of the Commissioners, after the fullest research and deliberation, by the close of the present summer. Twelve months will then have elapsed from your arrival in Canada, a period sufficiently long for coming to a mature judgment on all the principal questions in debate; to delay your final reports to a later period might occasion, and perhaps justify, complaint.

In my despatch of the 17th July, 1835, I have stated that your Lordship would be at liberty to apprise the public officers of the province that the Ministers of the Crown unreservedly acknowledge it to be their duty to employ all constitutional means for the protection of the public servants against the loss of emoluments earned in his Majesty's service. This communication, therefore, has probably been made to them; you will now state to them that although circumstances prevent the immediate liquidation of their demands in full, yet His Ma-

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