

No. 4.

(No. 25.)

COPY of a DESPATCH from Major General Sir JOHN HARVEY K.C.B. and K.C.H. to Lord JOHN RUSSELL.

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No. 4.
Sir John Harvey
to
Lord John Russell,
6th April 1840.

My Lord,

Government House, Fredericton,
New Brunswick, 6th April 1840.

IN order to possess your Lordship of the Feeling of the popular Branch of the Legislature of this Province upon the Subject of the ill-understood Question of "responsible Government," as well as with the Object of showing your Lordship and Her Majesty's Government the entire Satisfaction felt by that Body, and, I will add, by the Province at large, in regard to "its present happy political State," I have the Honour to place before your Lordship Copies of Five Resolutions moved, of which Three were adopted by the House of Assembly during the late Session.

I have thought that these Resolutions, and the Divisions upon them, may possess Interest for your Lordship, as exhibiting a Criterion, not equivocal, of the State of Public Feeling in this Province.

I have, &c.
(Signed) J. HARVEY.

First Enclosure in No. 4.

House of Assembly, 29th February 1840.

Enclosure No. 1.

Resolved, as the Opinion of this Committee, That the Despatch from the Right Honourable Lord John Russell, dated 16th October 1839, regarding the Rules hereafter to be observed with respect to the Tenure of Public Offices, should be highly satisfactory to this House, affording, as it does, a most gratifying Proof of a sincere Desire on the Part of our most Gracious Queen and Her Government to infuse Principles into the Administration of Colonial Affairs strictly analogous to the Principles of the British Constitution.

To which it was moved, as an Amendment, to expunge the whole of the said Resolution, and substitute the following:—

Resolved, as the Opinion of this Committee, That there is nothing in the Despatch of the Right Honourable Lord John Russell, now under Consideration, to call forth any Expression from the House on the Subject of Colonial Government; and that in the Event of any Occurrence taking place to disturb the present happy political State of the Province, the House cannot but entertain the Opinion that any loyal and dutiful Representations which they may have Occasion to lay at the Foot of the Throne, will receive, as they have always done, the Royal Consideration.

When the following Amendment was moved to the said proposed Amendment, to expunge the Whole thereof, and substitute the following:—

Whereas the avowed Object of convening this Branch of the Legislature is to make Statutes and Ordinances for, and to advise the Executive Government in all Questions affecting the Peace, Welfare, and good Government of the Inhabitants of this Province: And whereas the Exercise of all Executive Functions should be controlled and directed by a special View to the Attainment of the same Objects: And whereas this Committee cannot waive or forego the inherent Right of this Branch of the Government to advise and assist in such Control and Direction, and to remonstrate against the abusive Exercise of those Functions; therefore,

Resolved, as the Opinion of this Committee, That the House should view the Despatch in question as distinctly recognizing an efficient Responsibility on the Part of Executive Officers to the Representative Branch of the Provincial Government.

Second Enclosure in No. 4.

House of Assembly, 9th March 1840.

Enclosure No. 2.

Resolved, That the late Message from the Right Honourable C. Poulett Thomson, Governor General, to the House of Assembly of Upper Canada, in answer