

and safe escape
To such parties
as general; and
inexceptionable.
counsellors who
Governor-General
have repeated
d exaggerations
Baldwin,

at the retirement
pected to be of
intimated that
a few days.—
realized, a feat
worthy of the
—a restoration
itself—and all
ays required by
nd Volsci and
e. However,
n accomplish-

the mind of
proceedings is,
ce themselves
country. Their
of defendants;
intiffs. They
Canadian public
and conduct;
he views and
ral! Now, a
tionally sit in
conduct of the
Resolutions of
t the head of
the Province,
overnment the
yn is respon-
alone." No
a tribunal
Cromwell had
nsion for ar-
even his
Counsellors
ions of 1841,
g the views
General before
the Imperial
efore may
ave nothing
a direct blow
of the Reso-
low against
a with Great
can be ar-
gislature for
ot be "res-
" at all, for
The very
aws and con-
fore the Co-
pendence of
all. It as-
y over the
struction of
For, as De
oted in the
himself can-

not be arraigned before judges; because if there were any that could pass sentence upon him, it would be *they* and not *he* who *must finally possess the Executive power.*" The arraignment of the views and conduct of the Governor General before the House of Assembly *assumes* that they are his "judges;" or in the words of De Lolme, that *they*, and not *he*, possess the Executive power." If, therefore, the late Counsellors did not desire to be supreme themselves, and make the Governor subordinate, their proceeding involves his subordination to the House of Assembly.

Such are the inferences which flow irresistably from their anamalous proceeding. Such is the first anomaly it presents. Another is the nature of the defence. It consists, as the House of Assembly seems to have understood from the resolution introduced by Mr. Price, which was adopted in their behalf, of a charge against the Governor General that he had denied "their right to be consulted on what the House unhesitatingly avows to be the prerogative of the Crown—appointments to office." They place themselves before the House and the country, not upon their policy of government, (which Sir Charles declares to have been the point of difference,) but upon "their right to be consulted," which his Excellency denies to have been the question at issue, and of which he says to them in his reply to them that he "is astonished at finding that the resignation is now ascribed to an alleged difference of opinion on the theory of Responsible Government." They keep out of sight of the House the new policy of Government which they had been urging upon the Governor General, and claim its vote in their behalf, by alleging that his Excellency had invaded its rights. A new mode, indeed, for a defendant to claim an acquittal and even approval of a jury, upon the ground of a general charge against the plaintiff, supported by the evidence of the defendant's own assertion. Who would not prefer the position of the defendant, to that of the plaintiff, according to this mode of proceeding?

But what appears more anamalous still, is the nature of the charges which they prefer against his Excellency. They are *general*.—They contain no *specifications* which can be met. They throw upon his Excellency the onus of not only proving a negative, but of proving a general negative. Mr. Baldwin, in his "*explanation*," ascribes to the Governor General certain anti-Responsible Government doctrines and alleges against his Excellency certain anti-Responsible Government acts as proof that he held these doctrines: but Mr. Baldwin specifies no acts—not even the names of the parties to whom they refer. Assuming that his Excellency, instead of Mr. Baldwin, was on his trial before the House of Assembly, and that Mr. Baldwin was a legitimate witness in his own case, and that his Excellency was permitted to come to the bar and answer for himself, how could he disprove the charges against him when the *specifications* included in those general charges

were not stated? If the reader were arraigned as an infidel and a robber—an infidel not in the doctrine of Responsible Government, but in that of the Divine Government, and a robber, not of another's property, but what is more valuable, another's rights—the rights of many others; and suppose the only testimony against him was the assertion of his accuser; and suppose that nothing was stated either in the indictment or in the evidence as to the specific nature of his scepticism, or the time, place, or even parties in relation to which his robberies were alleged to have been committed; but that it was stated in general terms that he had committed robberies, and that on certain occasions he had expressed sceptical sentiments; how could the reader rebut such charges? How could he prove an *alibi*? How could he prove that the facts alleged as robberies, were legal transactions, and not wrongs against any man! All this he might do, were specifications on each count of the indictment stated. But according to the procedure supposed, he could no more save himself from condemnation, however innocent he might be, than the selected victim could escape the Inquisition. How then could the Governor General defend himself, or be defended, against the general charges alleged by Mr. Baldwin? He could only do as he has done, deny them in general terms, by declaring that he "subscribes entirely to the resolutions of 1841," and that he has never deviated from them.

And under such circumstances, how could the Court of Parliament decide against him? If a man can be arraigned and condemned on general charges, and on the evidence of his accuser's assertion, what man's character, or liberty, or even life, is safe? And is the high Court of Parliament to condemn the Governor General on an indictment which would not be entertained by any Magistrates' Quarter Sessions against the humblest individual in the land? The Resolution of the Assembly expressing "the deep regret felt by the House at the retirement of certain members of the Provincial Administration on the question of their right to be consulted on what the house unhesitatingly avows to be the prerogative of the Crown, appointments to office; and further, that their *advocacy of this principle* entitles them to the confidence of the House," involves most unequivocally, that his Excellency had invaded that "right" and denied this "principle," against his own most positive and solemn declaration—and repeated declarations—to the contrary.

Had Mr. Baldwin come down to the house with what I have heretofore shone he should have done, a "case of facts," and had any one or more of those facts involved the fact or facts on which the resolution of the House of Assembly was predicated, then upon that evidence—the mutually admitted statement of the differing parties—could the resolution have been fairly and justly adopted. But as it was, the house had before them nothing but the *assertion* of one of the differing parties against the *assertion* of the other; and