

Council from such their situation," I might say, that I had hoped the House would have refrained from any such decided expression of its opinion on the subject, until it had received the report of the Committee to whom the subject was referred, and for whom the Government Office is now occupied in furnishing the documentary evidence they desire; but I am unwilling to discuss that question.

With respect to the "present excited state of public feeling in this Colony, occasioned by the recent proceedings," I feel guiltless of being its cause, inasmuch as to the House of Assembly, as well as to people of all classes who have addressed me on the subject, I have done every thing in my power to assure them of my desire that the question should be calmly settled, according to the spirit of the Constitution, and, consequently, according to the interests of the people.

I can assure the House, that far from entertaining any determination to maintain my opinion, merely because I have uttered it, I should be at this moment happy to abandon it, if the duty I owed to my Sovereign and to the people could permit me. My mind invites rather than repels conviction; and hoping that the House will, on a subject which must surely occupy the attention of the whole country, meet me with a desire to be governed by reason and truth, I will concisely, once again, submit to it my view of the case.

From the time of General Simcoe to the departure of Sir John Colborne, the practice of every Lieutenant Governor of this Province has been, to consider their Executive Councilors as advisers, sworn not to respond, or in other words, not to be responsible to the people.

On my arrival here, finding this had been the practice, I also pursued it; but on preparing to add three popular members to the Council, one of them, Mr. R. Baldwin, with the sincerity which forms his character, tells me he thinks my Council, in spite of their oath, should respond to the people.

To this project I refuse to accede—a long

argument ensues—and at last I write to Mr. R. Baldwin a note, of which the following is an extract:—

"I shall rely on your giving me your un-biassed opinion on all subjects respecting which I may feel it advisable to require it."

After receiving this distinct statement of my intention *not* to alter the old practice, Mr. R. Baldwin sends a copy of the same to Dr. Rolph and to Mr. Dunn, and they then, knowing my sentiments, all three join my Council.

After sitting in the Council three weeks, Mr. Baldwin's conscientious opinion again appears; convinces the other members, old as well as new; and the subject, in a more formal manner, is officially brought before me, with a request, that, if I disapprove of the opinion, the Council may be allowed to address the people. On referring to the Constitutional Act, I am unable to comprehend their reasoning, and we consequently part on the same good terms on which we met,—I retaining my unaltered opinion, while at least four of the Council have (since my arrival) changed theirs.

The whole correspondence I forward to the House of Assembly, with an earnest desire, that, regardless of my opinion, the question may be fairly discussed.

In the station I hold, I form one branch, out of three, of the Legislature, and I claim for myself freedom of thought as firmly as I wish that the other two branches should retain the same privilege.

If I should see myself in the wrong, I will at once acknowledge my error; but, if I should feel it my duty to maintain my opinion, the House must know that there exists a constitutional tribunal competent to award its decision: and to that tribunal I am ever ready most respectfully to bow.

To appeal to the people is unconstitutional as well as unwise—to appeal to their passions is wrong;—but on the good sense of the House of Assembly I have ever shown a disposition to rely, and to their good sense I still confidently appeal.