

No. 1.  
 Lord Glenelg  
 to  
 Sir F. B. Head.  
 5th Dec 1835.

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It is noticed in the Report, as an Aggravation of the Evils of the Government Patronage, that almost every public Officer holds his Place at the Pleasure of the Crown. I cannot disguise my Opinion, that the public Good would be little advanced if the subordinate Functionaries held their Places upon a more certain Tenure. In Practice, indeed, though subject to certain Exceptions to be hereafter noticed, no public Officer is in Danger of losing his Employment, except for Misconduct or Incompetency; but there are many Kinds of Misconduct and Incompetency which could never be made the Subject of judicial Investigation, but which yet would be destructive of the Usefulness of a public Officer, and ought therefore to be followed by a Dismissal from the public Service. Nor is it necessary to insist at any Length on the Evils which would arise in the Transaction of Business, if the subordinate Officers were aware that they were entirely independent of the good Opinion of their Superiors for Continuance in their Employments.

It is not difficult to show, in reference to any conceivable Arrangement on the Subject of Patronage, that there will be Dangers against which it is impossible to take an absolute and perfect Security. I know not, however, that any less exceptionable Scheme could be devised than that which at present prevails, of giving to the Head of the local Government the Choice of the subordinate Officers, and of making their Places dependent on His Majesty's Pleasure. To prevent, however, as far as may be possible, the Continuance of any well-founded Ground of Complaint on this Head, His Majesty, disclaiming for himself and for his Representative in the Province all Desire to exercise, with the view merely to Patronage, the Power of appointing public Officers, is pleased to prescribe for your Guidance the following Rules:—

First. You will, at the earliest Opportunity, enter into a diligent Review of the Offices in the Appointment of the Crown and of the local Government, as detailed in the Report of the Committee and the Appendix, with a view to ascertain to what Extent they may, without impairing the Efficiency of the public Service, be reduced immediately and prospectively. You will report to me the Result of your Investigation, with such particular Information as will enable His Majesty's Government to decide in each Case on the Expediency of adopting your Recommendation.

Secondly. If, during the Reference of that Report to me, any Occasion occur for the Reduction of Offices, either by Abolition or by Consolidation, you will exercise your own Discretion as to waiting for fresh Instructions, or proceeding at once to the Reduction. Any Appointment, however, made under such Circumstances will be merely provisional. In case of the immediate Abolition of any Office not required for the efficient Discharge of the public Service, you will stipulate for such a Compensation to the present Holders as the Disappointment of their reasonable Expectations may entitle them to receive.

Thirdly. In the prescribed Revision of these Offices you will make it one of your Objects to form a Judgment, what Share of the Patronage of the Crown or the local Government may safely and wisely be transferred to other Hands. You will report to me on this Subject, but will refrain from taking any Steps regarding it without further Instructions from me.

Fourthly, In the Selection of Persons to execute public Trusts, you will be guided exclusively by the Comparison of the Claims which the different Candidates may derive from past Services or from personal Qualifications.

Fifthly. In general, you will not select for any public Employment in Upper Canada any Person who is not either a Native or a settled Inhabitant of the Province. To this general Rule occasional Exceptions may be admitted; as in Cases where some peculiar Art or Science is demanded which no provincial Candidate may be found to possess in the requisite Degree. An Exception must also be made in reference to those Officers who are immediately attached to your own Person, in the Choice of whom His Majesty does not think it right to subject you to any such Restriction.

Sixthly. As often as any Office shall be vacant which is not to be suppressed, and of which the annual Emolument shall exceed 200*l.*, you will make the Appointment provisional only, and with the distinct Intimation to the Party  
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