

It was scarcely, therefore, to be anticipated that the Assembly, so near the period which had been notified for the close of the session, many members having already returned to their homes, would, without any previous communication made to me, be led to take the course which they adopted, a course so likely to be, as it actually was, attended with very general reprobation.

Sir George Murray remarks, that the chief reason adduced by me for not allowing the officers to attend the Committee is stated to have been that I did not know the nature of Forsyth's complaint, nor the facts in regard to which the evidence of those officers was required.

I stated this as a reason (not the chief reason), for it was calculated, if submitted to the Committee, to remind them that it had been usual, in similar cases, to apply to the Lieutenant-governor, and, in doing so, to furnish him with information on certain points.

Before I acquiesced in the course which had been taken by the Committee, it doubtless became incumbent on me to consider well what might be the effect of my acquiescence at any future period. In doing so, it appeared to me that the security of the colony, in the strongest sense of the term, would be affected, and that objections against the measure might be adduced as important as undeniable; but they were not, for obvious reasons, such as I could properly submit to the Assembly, or state in a Despatch which would probably be submitted to that body. I am always ready to state them, if called upon by His Majesty's Government to do so.

It has of late years grown into a practice to submit the official correspondence had with the Colonial Office to the legislature of the colonies, if called for by them, unreservedly.

The Lieutenant-governor of a colony must therefore necessarily exercise a greater degree of restraint than formerly, in addressing the Secretary of State. And, if he cannot rely upon being met by so much consideration as will ensure to him the opportunity of offering explanation before his measures are condemned, he may justly despair of being able to render justice to the office he is intrusted with.

I regret that it should have been made necessary for me to trouble you with this lengthy detail of transactions, which had long ceased to occupy my attention, and respecting which many circumstances have possibly escaped my recollection.

I have, &c.

(signed) *P. Maitland.*

*P. S.*—The Attorney-general of Upper Canada being in London, I requested him to give any information he could supply, respecting the lease granted to Messrs. Clarke & Street, a matter alluded to in the Report of the Select Committee. My recollection of the circumstances accord with the statement made by Mr. Boulton, and I request that his Letter may be considered as annexed to this communication.

*P. M.*

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A Select Committee of the House of Assembly was appointed in Upper Canada, in the Session of 1821 or 1822, to revise the Militia Laws of the Province, who were desirous of obtaining information on some points from the Adjutant-general of militia. This officer was consequently requested to attend the Committee without any previous application for leave to the Lieutenant-governor. This, upon a suggestion to the chairman of the Committee (the late Colonel Nichol, of the Provincial Militia) was ascertained to be irregular, and consequently a formal request for leave to this officer to attend was transmitted to the Lieutenant-governor, and, of course, promptly complied with; and this has been the constant practice in cases of this description (except that of Colonels Givens and Coffin), so far as my parliamentary experience extends.

21 June 1833.

(signed)

*Chr A. Hagerman,*

M. P. P. for Kingston, U. C.

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LETTER from *H. J. Boulton, Esq.* to Lieut.-general Sir *P. Maitland, K.C.B.*

SIR,

Morley's Hotel, London, 24 June 1833.

IN reply to your inquiry respecting my recollection of the circumstances under which Messrs. Clarke and Street obtained a lease of part of the Military Reserve near the Falls of Niagara in 1827, I beg to acquaint you that the instrument under which these gentlemen hold the premises in question was drawn by me as Solicitor-general of Upper Canada. Previous to their obtaining the lease, Messrs. Clarke and Street had become lessees of the

King's