sembled, the prerogative of the Crown had been called in to dissolve. He (Mr. B.) objected that neither the old nor the new Parliament had been assembled. There was nothing in the British practice to justify such a course, it was contrary to the principles acknowledged at home, where a new ministry was found meeting Parliament instantly to count the expression of its opinion. But here it had not been so; the Government had been deprived of any means of ascertaining the feeling of the country; Parliament was prorogued without the formation of a Cabinet, with but one existing head of a department. Instead of being deferred to the last day, these things ought to have been met upon the first, and the House at once assembled. Independent of this, the position of the country, two previous Sessions having been brought to a close prematurely without the legislation being concluded, demanded an immediate assemblance of the House, putting on one side the constitutional necessity for such action. Another reason was one of duty as well as of necessity, the supplies voted with regard to 1842, 43, and 44, were for the first quarter only, therefore it was incumbent upon the late Ministry, and should have been also upon their successors to have called that house together within the time the country had been left without an administration, for he could not call such a shallow thing as existed an administration. At this time when the supplies were only voted for one quarter it was not justifiable to delay; so far from an English Minister who had acted in such a manner being subjected to a vote of want of confidence, he would have had to have borne the heaviest punishment of impeachment. The hon. gentleman who had seconded the motion for the address had entreated consideration for his youth and inexperience; he had also appealed for their consideration on account of the novelty of Responsible Government itself. He (Mr. B.) was perfectly willing to afford to all the members of the Government, and the mover and seconder, every consideration, so long as it did not militate against the rights of the country, and his duty to his Sovereign and her representative. For the reasons which he had stated he proposed the first amendment. In wording that amendment he claimed from the gentlemen on the other side the belief that it had been done with every respect and consideration for the head of the Government, and it was expressed in as gentle language as possible. It was intended to convey no condemnation further than regret that so long a period should have been allowed to elapse, and was necessary to avoid committing the honorable gentlemen on the opposition benches by a concurrence in the delay which had taken place. In respect to the civil list, he claimed to have gone no farther than was due to the Constitution and the country, to avoid unconstitutional administration. The proposed address went further than even the Speech from the Throne, it went out of the way to make unconstitutional admissions. In the latter he read, "Her Majesty has graciously received," &c., (see speech) in reply it was said "in the peculiar exigency," [see reply.] He [Mr. Baldwin] objected to any admission which sanctioned the right of the Home Government to take from the people of this Colony the revenue raised therein and appropriate it without the consent of those from whom it was levied. This was no new subject of discussion; a vast amount of misery had been entailed upon the Mother Country and her American Colonies by a similar course. The Home Government had no right to appropriate such monies; she had herself declared by Act of Parliament that they were to be reserved for Colonial uses. He (Mr. B.) would have combated such appropriation if no such Act had been passed; it was our privilege, a right belonging to us by birth, and depended on ourselves alone. The greatest statesmen had admitted the principle now advocated—it was part of the British Constitution itself. He was opposed to the admission of the interference of the Mother Country in this matter—it was not required; it was not for us to admit any power to appropriate our revenue, but ourselves. He need not refer to the dissatisfaction created throughout Upper Canada by that portion of the Union Act; Tories, Radicals, and those people called *Loose Fish*, had declared that appropriation to be a direct infringement of their rights; an invasion of their liberty; so strong was the feeling against it that many agitated to petition against the Act altogether. He [Mr. B.] had in Parliament and out of Parliament raised his voice against it, as a duty to his Sovereign and his country. If such a principle as this admission would establish, should allowed to go abroad, by those whose duty it was to guard against them—if principles inconsistent with the Constitution were admitted into loyal Replies to Addresses from the Throne they would lead to agitation and trouble; it was therefore better to take alarm at the first step, whatever might be its objects.—(Ironical Cheers from the Ministerial Benches.) He heard the ironical cheers of the gentlemen opposite, and dared say they referred to some sort of an assent which he had given to this matter in a previous Parliament; but those Gentlemen knew well under what circumstances it was done, and he denied that any cordial assent had been given. The Imperial Government had gone beyond the Resolutions of the Parliament of U. Canada and might have granted a permanent Civil List, but it could not depute its power,—by its own Act it could have done this, but it could not transfer its authority by a resolution.—(Cheers). With respect to Lower Canada, what character of legislation made this appropriation to the Crown? He would ask the Members of Lower Canada whether they would give away the money to a Government 3,000 miles away?—(Loud "Cries of Never! Never!") Did they not repudiate the Act? He was sure that the Hon. Members for Lower Canada on the other side would not justify such an Act.—He appealed to the Member for Sherbrooke whether he would assume that such an appropriation was proper? If he did, it would be a great disappointment to him (Mr. Baldwin), and still a most unconstitutional Act.—He (Mr. Baldwin) when he rose had paused for certain explanations from the Hon. Gentlemen opposite. These gentlemen had thought fit to insert in the Address "The Charge, &c., (see Address.) Having done so, he had presumed that they were prepared to answer that House. Now was the time when explanations should come. Could any one point out a precedent where a Ministry failed to avail itself of the first opportunity to make those explanations which the Parliament had a right to expect. He had looked more particularly towards the hon. member for Ottawa, that gentleman having divided with the last Administration in the vote of confidence, it doubly behoved him to take the first occasion to explain under what circumstances he sat there, and to free himself of the imputation of having sacrificed his principles. He [Mr. Baldwin] would read the Resolution moved on the occasion he had alluded to by the member for Ottawa, (see resolution, vote of confidence, Dec., 1843. He [Mr. Baldwin] wanted to know from him and others what were their present opinions? How was it having thus voted in the last Parliament, they now sate cheek by jowl with the honourable gentleman opposite, such good friends. But he was ungrateful to forget his old friend and colleague the member for Megantic [Mr. Daly] who was so unhappily prevented by indisposition from recording on that occasion from his seat in Parliament his approbation of those principles which he had shared with them [the late ministers] and so often advocated. Had it not been for that indisposition he would no doubt have voted with them, he had taken the stand with them, and he could not do him

ed the records of the English Legislature, and during a period of fifty years, found no instance of a Ministry not coming forward to define their position. Were the gentlemen on the Treasury Benches really a Ministry, or only heads of departments—mere chief clerks?—He wished to see them in a true position: they certainly seemed peculiarly situated. In the Speech from the Throne the mention of an Administration had been studiously avoided; in reply to it he fancied he perceived the same studious omission; there was therefore nothing to show the responsibility of those in office, which the people of Canada had a right to expect. In respect to the manner in which they performed their duty, he wished to know whether the hon. gentlemen were to be consulted on all local matters as in England; for the powers of a Canadian were co-extensive with those of an English Ministry as far as re ated to local affairs? He wanted those questions answered, and the House had a right to expect that they would be. The hon. Solicitor General for Canada West was wont to look upon Responsible Government as one of the greatest of evils, as a "trapset by knaves to catch fools," did he think so still?—and if so what were the stipulations which placed him by the side of the honorable Attorney General East. He trusted that they would be found earnest Ministers, and whatever opposition they might meet with from him would be only such as was absolutely necessary to preserve the rights and liberties of the country, rights which were dear to all, and as Britons should be doubly their pride to enjoy; which he hoped would be long continued to us as subjects of the British empire, which he trusted we should ever be. That House was called upon to say in reply to the Speech from the Throne, "That this House fully confides in the declaration of His Excellency, that he will continue to administer the charge entrusted to him by our most Gracious Sovereign according to the acknowledged principles of our Provincial Constitution, and with a view to the wants of the community." He [Mr. B.] would like to know how hon. Members could reconcile such an admission with the fact of the Government having been carried on for nearly twelve months by one head of a department, and two persons holding office as Executive Councillors. In the form of Government laid down by Lord Durham as necessary for the Province, it was said that the administration of Public Affairs should be carried on by heads of departments, in lieu of the rude machinery of an Executive Council. But in defiance of this recommendation, and the practice pursued at home, there had been for ten months but one head of a department appointed. In defiance of Lord Durham's Report, of the Resolutions of 1841, and the declaration of the Government poured in in showers, a course of practice had been pursued, utterly inconsistent with these principles.—He would ask of many members on the other side if they did not condemn the interregnum as inconsistent with all principles of Responsible Government? He would ask of them if they had not condemned it, and he believed some had declared their disapprobation of it; and how could they now by voting for this resolution set the seal of approbation upon the course pursued? ("Name! name!") He would name them; he understood that the hon members for Drummond and Niagara had condemned it from the hustings, and others had been named to him as having done likewise. He supposed that when called upon by their constituencies they had done so; but they had no intention of redeeming their pledges, now that they were returned.

Mr. Hale called the hon. gentleman to order; it was a breach of the regulation of debate, an imputation had been made towards the Member for Drummond, who was not in his place.

Mr. Baldwin endeavored to explain away the imputation, by an almost exact repetition of the charge; but he appealed to Mr. Hale whether he was in the habit of making imputations upon hon. members.

Mr. Hale.—Certainly not.

Mr. Baldwin continued: in the Speech from the Throne, it was said, "on the occurrence of vacancies in several of the most important offices of administration, I immediately endeavored to fill them by the appointment of gentlemen supposed to possess the confidence of the people.—Extraordinary obstacles produced a delay in the accomplishment of that purpose, notwithstanding my incessant exertions to effect it." He claimed that any such difficulties had existed; if there had been such difficulties as suspended the formation of an administration for nine or ten months, it was tantamount to a dissolution of the Government. It was a reflection upon public men and upon the Province at large, if none could be found willing to take office. But did not this excuse resolve itself into the fact that the head of the Government could not get men suited to his own wishes? whether he had not sought rather to select those possessed of his confidence than of the confidence of the people. If difficulties had been found it was because the Governor General had not taken the course which the constitution pointed, but gone directly against it; that House was the great Council of the land, and could have advised him, but instead of calling it together His Excellency had kept away from them altogether, and carried on the Government in a manner altogether unconstitutional. If such difficulties existed, and he denied that they had, why had not the hon. gentlemen on the Treasury Benches advised the Governor General to call upon that Parliament to assist him in surmounting them? One of two things have been the case—either the Head of the Government did not send for the honorable gentlemen, or being sent for, they did not choose to accept office. In either case they were between the horns of a dilemma; as public men, they were not justified in refusing office, although like many others, who had felt the members called upon to obey the summons, they might much rather have remained in private life than take upon themselves the responsibilities of office. Whether office had been offered to those the gentlemen cut the breaking up of the late Administration, or only at the period from which their commissions dated, there was equally reason for the withdrawal of the confidence of that House; no matter whether the fault lay with all or only one—whether with the hon. member for Megantic, or the rest of His Excellency's advisers. It was the duty to have been prepared with those explanations; and they might now, from all results, to blame, divide the risks attaching to them. He had already pointed out the impropriety in which the Speech from the Throne was worded, and if the opinions the Administration had been, he should consider it would constitute an unconstitutional course. He will remind the minister a precedent two years since when the last Session, one minister and another member of that Ministerial Body, and the unwitted system of exchanging which is adopted. He was not desirous of conducting the Head of the Government from Office, unless an immediate benefit could accrue to the country, in spite of the sneers of the hon. gentlemen opposite, he would do no duty. He would ask that House whether the Sovereign of England would accede for the sake of a majority, or what would be equivalent to 2?? or 100, to that court all parts of little throughout with the State, but would the act of the Queen not for some leader of a party, and select him to prepare a programme of an administration. He looked to vain among the ranks of the Government for one man who was the leader of a party. There were gentlemen who had always been as much opposed to Responsible Government, he alluded to the hon. member for Huron.

The member for Huron exclaimed—"And am so still!"

Mr. Baldwin, and was so still; such were the principles of those they found ranged on the side of an administration professing its desire to carry out Responsible Government in its amplest meaning. People were known by the company they kept: [Hear hear, and cheers, from the Ministerial Benches] and when he found among them gentlemen who he never been consistent opponents of Responsible Government, and who still continued to oppose it, he could not help fearing that their support was granted to a Ministry professing to serve it with another intention than of the ful

country which nothing could shake, it might indeed be retarded in its advance, but its principles would in time prevail; he knew not whether he should live to see it, but he was confident that one day the country would feel the benefit of it. When difficulties in the formation of a Ministry arose I should have liked to have seen you sent for, Mr. Speaker, as the leader of a party: I would rather, Sir, have supported such an administration than the one we have now, an administration without any character at all. The present Ministry has been called a Reform Ministry, he fancied he saw the hair of the honorable Member for Montreal, Mr. Moffat, stand on end at the idea of being connected with a Reform Cabinet. There was his [Mr. B's] old schoolfellow, the Member for Simcoe, the Constituency which sent him into that House would think he had lost his senses were he to support a Reform Ministry. And yet they had been told by the seconder of the Address, the hon. Member for Beauharnois, that the character of the Ministry was that of Reform: he warned the Members for Montreal and Simcoe to have nothing to do with Reform, not to support such a Cabinet—hear, hear.) But he was certainly afraid that although they had hung out the colours of Reform, they would be found in the end good staunch Tories!—Having thus considered those parts of the Speech on which they had consulted it necessary to propose an amendment, he would close by now moving it. And here he would beg to assure the honorable gentlemen on the Treasury Benches that although he desired to see the Government carried on constitutionally he would offer no factious opposition to them, but judge their measures by their intrinsic merits. He would not profess to have any confidence; but it was one thing not to have confidence, and another to offer factious opposition. He trusted the House would consider attentively the points in the Address which he had pointed out as being unable to support, not captiously, but on account of the constitutional principles involved; this was not a party question, but one in which the whole country was concerned, and it was imperative upon the new Parliament to show to the country at large that it was not regardless of the great principles of the Constitution. He would now proceed to read the amendments seriatim, with occasional comments:—

Moved by the Hon. Mr. Baldwin, seconded by Mr. Malcolm Cameron;

[The Amendments moved by the hon. gentleman will be found in the last number of the *British Whig*.]

Mr. Malcolm Cameron, expressed his gratification that he had been selected to second the motion protesting against the Speech from the Throne. In referring to the period of calling Parliament together, if there was one subject upon which the whole press and people of Canada were unanimous in expressing their dissatisfaction it was this; he believed that there was hardly a journal through out the Province that had not expressed itself—[cries of oh! oh!] and was not that House therefore justified in expressing its dissatisfaction at such a gross violation of the Constitution. The hon. member for Cornwall had expressed himself satisfied with every act of the government, but he [Mr. C.] believed that that gentleman did not represent the opinions of any portion of the people of the country.—[Oh! oh! question! question!] He [Mr. C.] felt compelled to revert to the whole proceedings of the last twelve months; but so fully had those been commented upon by the hon. gentleman who preceded him, that he felt he had but little room left. Put there was one subject upon [illegible] presented his delating, to which he must refer, he alluded to the legislation of the late ministry. When those gentlemen who were now in opposition, were at the head of public affairs, they commanded the largest majority ever conceded to a ministry in this Colony; universal peace prevailed in this country.—[Hear, hear, and laughter.] Yes! he repeated the country was in a state of peace; greater had not prevailed for fourteen years; there were no riots then; no bloodshed in the streets; they had not banded together secret societies, and pitted one man against another.—[Uproar]. They had given to the country a measure which had been dem nded in vain for twenty years, he alluded to the Bill for the protection of Canadian Agriculture—was it not the late Ministry who imposed a duty upon American produce?—[No, no.] Was it not the late Ministry who promoted the duty upon American Wheat, and secured the carrying trade to Canada.—[No, no.] But he said yes, the one measure had been introduced by Mr. Hincks, and the other by Mr. Harrison. Was it not the late Ministry who extended their support towards the Agricultural Societies of the Province by a grant of £200 to each; they had paid that attention to Agricultural interests which they demanded, and which had been taken to himself by the seconder of the Address, the member for Beauharnois, from some promises of legislation on points which the late Ministry had legislated upon. He wished to know why some alteration was not suggested in the jurors' law: it was notorious that in Upper Canada no man dared to go into Court, because the power of summoning the jury was in the hands of the Sheriff. The late Government had introduced Municipal Corporations and Townships' Corporations, which had been alluded to in the highest terms in loyal addresses to the Throne; and he [Mr. C.] believed that no Government would be sustained by the country without it brought forward some Municipal Law. The hon. gentlemen took credit to themselves for the increase in the Revenue; the peculiar credit was due to the levying of a duty upon tea passing through the United States, and other measures which the vigilance of the late Ministry had suggested, whereby the revenue of the City of Toronto was raised from £20,000 to £50,000, that is, as much as the whole revenue of the Province in 1841. That such was the case, considering it was had not been a head of the department appointed to the Receiver General's office, was not a little extraordinary; it was a matter of wonder to him that the whole revenue had not been lost, for while left to the management of two clerks, by playing into one another's hands they might have pocketed the whole. That House had reason to be thankful to Providence that had given them honest servants. [Loud laughter.] And the House was now called upon to express a vote of want while such large interests had been left to they knew not who in. Such had been a few of the measures of an Administration so liberal and so popular as the last. But the hon. gentleman now on the Treasury Benches seemed to think that they had only to come before the country with a profession of principles, without acting up to them; they had come forward under the banner of Reform, and having altered the name of certain measures claimed them for their own. He believed that they would not slily support the Bill for the opening of King's College, and place upon a perfectly equal footing all religious denominations. He objected to the long Ministerial Interregnum, and to the want of explanations concerning it. Upon the resignation of the Late Ministry, they had been sustained by the House in a division of 40 to 23. No party leader had been sent for to form an Administration; the President of the Council had told the House that it would be completed in a few days, the late Members for Beauharnois said not 24 hours would elapse, and yet with a ghost of an Administration, in defiance of all these promises, the House was dissolved, and nearly a year passed over without the formation of a Cabinet. Was it constitutional that twelve months should be spent in electioneering for the Government, to induce men to withdraw from their principles by the corrupting influence of office? Unless

The Governor General in his answer to the men of Gore, had defined it, according to his idea; he had acknowledged the right of the Crown: to be consulted on all *adequate* occasions; but was it to be left to his oriental ideas to decide what was an *adequate* occasion. But his advisers had counselled him to withdraw from this position, and in his reply to the county of Russell address he confessed the right of the Council to be consulted on all occasions. And yet they were told Responsible Government had been conceded. The interpretation of Responsible Government, as given by Lord Stanley in the House of Commons, was Party Government, and that was the definition put upon it by the late Ministry. Responsible Government had not been carried on without the head of a department, for the Secretary could not be called the head of a department. The money of the Province had been invested in Banks, without security, and might have been all lost; and now that House was call d upon to be thankful, and approve of all these things. He perfectly agreed with his hon. friend (Mr. Baldwin) in his remarks on the Civil List. With regard to the making of a road for compensation to Kings on for the removal of the Seat of Government, he must express his opposition to the principle, if such a precedent were allowed. Time to and Quebec would be claiming roads, railroads, and canals, and with more justice, for they had held the Seat of Government longer than Kingston. He called upon the Members from Upper Canada to say whether such a road as that proposed was required—whether it would pass through any country fit for settlement—or whether indeed there were any inhabitants within twenty miles of Kingston. He [Mr C.] had e used a survey of this line to be made, to ascertain the feasibility of constructing a road, and the report he received was the country was rocky and mountainous, and the undertaking impossible. And indeed were it not so, it is the farthest route between the St. Lawrence and the Ottawa. Were any road made it should be from Brockville to the Ottawa. The proposed road after an immense expense would be useless for all, but a few miles out of Kingston. He had seen [illegible] that House—[Hear, hear] and as such he would not support it.

Mr. Solicitor General [illegible] the objection taken to the Fourth Riding of York, in which the Address was carried in the House, an objection he utterly groundless, [illegible] followed the course on which had been pursued in 1835. At the opening of the present session, the reply to the Speech from the Throne was moved and seconded by members of the House, supporters of the Ministry, and it was not until Lord Morpeth's amendment for the opposition Peel rose in his place to the Speech which he had listened to, and to vindicate the conduct of the late Ministry. Having therefore British gentleman appealed to taken by the Government, he trusted that the House would at least with the [illegible] had made to the manner in which the address had been introduced, with all that peculiar [illegible] times indulged, had attempted to rule upon the position of the administration, and had justified in placing confidence in the present [illegible]

[illegible] Responsible Government [illegible] the determined opponents of that system. He confessed that he had been an opponent of Responsible Government—he feared that its introduction into this colony would be attended with disastrous results. When he opposed it, he acted honestly in his opinions; but when he found that the Home Government had introduced that system into our colonial constitution, when it had been fully conceded to the country, was it not their duty as honest men faithfully to carry it out?—(Hear, hear.) Let hon. gentlemen remember the opposition given in England to the Reform Bill by Sir R. Peel, and by the Great Captain of the age, the Duke of Wellington, and we would ask who were now so successfully carrying out the principles established by that bill—those distinguished statesmen? They hesitated not to declare in the very debate to which he had already alluded, that notwithstanding the opposition they had given to that bill while it was before the Legislature of the country, since it had become the law of the land they would carry it out in good faith, as honest men. But those who call themselves, par excellence, the reformers of the country, sought to place the issue upon the danger of entrusting its administration to such hands, and for a time succeeded; an appeal to the people, however, resulted in the return of a large majority supporting the views of those whose names he had mentioned.—Such was the position which he was placed. He had been opposed to the introduction of Responsible Government, but that system having been conceded and acted upon, he felt it his duty as a member of the Government, and a member of the Assembly, to take the constitution as given to the country, and to carry it out honestly.—(Hear) The hon. member for the Fourth Riding of York had pointed to this side of the House, and had made himself somewhat merry with the idea the hon. gentlemen here should claim to be supporters of Responsible Government. He might point to the hon. member for Lennox, who for the last several years been a firm and consistent supporter of that principle, and perhaps he was right. Perhaps his (Mr. Sherwood's) opponents were also right in the view which they took of that important question, and he wrong. Such might have been the case, and he would not hesitate to give them credit for pondering as it seemed to them conducive to the peace and prosperity of the country.—(Hear.) But if it should happen that the bright prospects made were to be realized—if unpalatable and factious opposition to the Government at the present crisis should prove to be a calamitous thing, he would have the satisfaction of knowing that the error was not his, but theirs. He had no intention to detain the gentlemen through the lengthened address he had to introduce. The hon. gentleman had [illegible] the Assembly, for [illegible] that he had stated in his speech [illegible] the present occasion. It was not the [illegible] time of the Tory gentleman had stood [illegible] with the arrangements Head of the Government [illegible] the late Executive Council, for purposes [illegible] and by a press party and by that Association.—(Hear.) The President of that Council, under the name of reform, had promulgated throughout the country, in a series of letters, that great a [illegible] description; and what had been the result? What was the state of the House?—a majority had been returned pledged to sustain the Head of Government. The hon. gentleman had spoken of Tories as the Ministerial side of the House. What, he would ask, was the hon. gentleman who filled the office of President of the Council immediately preceding the present? Had he not written some of the most eloquent and strongest arguments against Responsible Government which had ever been urged against that system, and was he not now the acknowledged champion of the hon. gentlemen opposite.—(Hear, hear.) If such was the case, he trusted he should hear no more from the Opposition Benches on that point, but that they would permit the Government to proceed in carrying out those principles which

faithfully. One remark he (Mr. Sherwood) would make regarding himself. The hon. gentleman who had introduced the amendment had been pleased to express his surprise that he (Mr. Sherwood) did not hold a seat in the Cabinet. The hon. gentleman knew perfectly well that the proposition to exclude the Solicitor General for the Province from the Cabinet was entertained before the resignation of the late Ministers, and his not occupying a seat in the Cabinet was but the carrying out of an arrangement which they had contemplated. Nevertheless he did not hesitate to say, that with the popularity of the government, with its late in that House, he was prepared to stand or fall. He was an officer of the Government, and although not in the Cabinet, he should feel it his duty when we it should cease to command the confidence of the House, to retire with it from the office which he held. (Hear.) With respect to the amendment in the copy of the Address read to the House, he would only remark that the first one or two were mere matters of form—supplying the omission in the first paragraph of returning thanks to His Excellency for the Speech from the Throne. Some others were those of the printer. Two or three words had been inserted in the second paragraph, after the words "so early a period," in reference to the assembling of Parliament, were added "after the completion of the recent general election." In the first mode of expression used, no reference had been made to th recent. He should now proceed to the consideration of the amendments which had been submitted to the House. Those gentlemen had challenged him to cite an instance in English history in which the government of the country had been carried on for twelve months in the absence of responsible advisers. He would ask those hon. gentlemen to point him out an instance in which, since the period of the revolution, a good-hearted Governor had been thwarted in every endeavour to form an administration in accordance with the Constitution of the Country?—(hear.) He would ask where in British history had it occurred that a responsible minister on retiring from the Council of his Sovereign become the chairman of an association having for its object the forcing back upon the Crown the men who had so resigned? That was the purpose of these gentlemen, and they had to some extent succeeded in embarrassing the government, but he was happy to say that the firmness of purpose and integrity of the head of the government had frustrated that attempt. But he had been asked to point out a particular case in British practice in which the country had been kept for any length of time without a responsible administration. We need not go further back than 1835 to find such a case. The Duke of Wellington in that year held for a period of two or three weeks several of the seals of office.—(Hear, hear.) Time was not the essence of the principle. If the seals could to have been held for three weeks they could for three months—(hear, hear)—and if for three months, for six months—He was free to admit that such a course was opposed to the spirit of the constitution, where it could be avoided, but when every effort had been accumulated against the head of the government—when every obstacle had been thrown in the way of his constitutional purpose, was it fair to hold him responsible for that which was the necessary result? When Sir Charles Metcalfe was prepared—and he begged hon. gentlemen to mark his words—His Excellency could have formed an administration, taking its members from Upper Canada, but he could not have done so without committing what in his opinion was an injustice to Lower Canada,—he could not therefore form a Ministry in which the people of Lower Canada were precluded prospectively and for a period to—(Hear, hear.) It therefore the hon. gentleman [illegible] honey's endeavors to that effect, it was no fault of his. When an hon gentleman had come to the assistance of the representative of his Sovereign in the difficulty with which that representative was surrounded in consequence of the course pursued by his late Ministers, to what manner had he been treated, notwithstanding that his loss had been great in the cause of his country. Every exertion which could be made was made to crush his public and his private character.—"Oh!"—yes, though the mouthpiece of the press under the control of the hon. gentlemen on the opposition benches, he had been denounced as a traitor to his country—every species of obloquy had been heaped upon him—and if that man who had earned the gratitude of his country by half a dozen years of public services had been thus treated when he felt it his duty to lend his assistance in carrying on the government, was it surprising that others should have been deterred from the acceptance of office—and in such a case should not a generous toleration be extended to the position in which the head of the government was placed?—Hear, hear. When His Excellency had been forced into that position, if an apparent violation of the constitutional practice was the consequence had he not a right to throw himself upon the indulgence of the house? What other course could he have pursued? Was His Excellency to seek to find a council men who had left him because he had refused to accede to an unconstitutional demand, especially when he was supported and upheld by the British Government and people?—(Hear.) Was he to have recalled men who had resigned of him the exercise of that which he dared not to exercise into any man's hand—the prerogative of the Crown? No. And the firmness, the gentleness, the forbearance and the equitable principles upon which he had carried on the government under such trying circumstances demanded from the impartiality of the people rather their praise than their censure. If such were the obstacles which His Excellency had encountered in endeavoring to form an administration, he did not think that House was in any way called upon to vote a want of confidence in the government. If the constitution had not been carried out in its practice, if the principles of the resolutions of 1841 had not been strictly acted upon, the responsibility rested, not upon the heads of the present advisers of the head of the government, but upon those who had retired. It was a well acknowledged principle of constitutional law that when a ministry is dismissed by the Sovereign, those who become their places become responsible for the act of their predecessors; it does not matter whether the resignation is active, the resignation or act of the act of dismissal—the responsibility attached to him is the same, but when ministers tender their resignations, and refer to an the Council of the Sovereign, in them should rest the responsibility—hear—and if that process is [illegible] were filled. That principle had been followed with much disinterestedness and honor by Lord Brougham on the case of the Duke of Wellington. Mr. Sherwood had been called upon to show an instance of a Cabinet having been [illegible] on a vacation. He would not go so far back [illegible] to the reign of George III. to point out a Cabinet that resigned, but which was subsequently [illegible] in consequence of a change in the Ministry. What had been said at that time with respect to the responsibility of such an act? That the minister who [illegible] was responsible for that subject, and that he was [illegible] to the Council, and advise Parliament to must take the consequences, but if successful, then it will be a great feather in their cap of his advisers. The same thing and more was proclaimed on the [illegible] ments to office, in consequence the Lower Canadians had no reason which were in accordance. He was the rights to the members and to the country, in the resolutions on which had been canvassed. [illegible] to carry the principles upon which they commenced should be carried on, to have most implicit confidence and the full no [illegible] in consequence. He appointments were made which they were not prepared to justify before Parliament and the country, they should have come down at once to the House and resigned. He was sorry that the matter of such appointments was too trifling to quarrel about, they were too trifling to talk about. These honorable gentlemen were not true to the trust which they had assumed, if they allowed week after week to pass away in which such appointments were made which they felt they could not defend—and according to the same admission they had done so for months. They should not have waited for some time, and then made a successful and an unconstitutional demand upon the head of the government. The entering into the signal [illegible] with the which was demanded of the Governor General would have been the same the exercise of a right to which no Branch Government would have

Stanley in the British House of Commons to bear him out in his interpretation of constitutional principles; but if the hon. gentleman was pleased to use Lord Stanley's speech to sustain his arguments, he should allow the observations of his Lordship their full weight upon the question before the House. Lord Stanley, while he had expressed himself in the language quoted by the honorable member, had also [illegible] the Government for the course they had pursued on the occasion to which he had alluded. That the resistance of the Ministers to the unconstitutional demand was upon [illegible] the late Council, met with his active approbation.—(hear.—and so said every constitutional lawyer in the British Parliament—(hear.) He would now proceed to make some observations with respect to that portion of the address which contained a censure upon the head of the Government for the position occupied by the Executive during the last eleven months.—(Mr Aylwin—Not the Governor, but his Ministers.) Why it is the subject of complaint that there were no Ministers, and therefore it must have been directed against the Governor General. (Mr Aylwin—so many as there were of them.) Well then, the humble gentleman should consider those Ministers as a Cabinet for all purposes which were—(hear.) A provisional Administration had been formed, and it had been the duty of that body to assume the responsibility of conducting the Government, and to render all the assistance in their power to His Excellency, the Governor General. His Excellency had endeavoured to form such an Administration as would meet with the support, and command the confidence of Parliament; and while pursuing that equitable and constitutional course the most extraordinary obstacles had been thrown in his way to prevent the accomplishment of his purpose. If such was the fact was the House prepared to pass the censure upon His Excellency which was embodied in that amendment? He hoped hon gentlemen would not be deceived—that they would not be carried by the cuckoo cry "Responsible Government is in danger," into a false position—to a position in unison to the best interests of the country. He sincerely hoped that the cry of Responsible Government" was not to be made the mere instrument for the accomplishment of party purposes, like that of "Reform" had been made in England. He knew well, however, that it had been used with effect in some sections of the Province, and particularly in Lower Canada. And when he adverted to this section of the Province he wished to say nothing which would be misconstrued as a reflection either upon hon. Members of that House, or of the constituencies which they represented; but he believed that many of the constituencies of Lower Canada understood no more about Responsible Government than—[hold reins of name!] name!—those who were so vociferous about it.—(Laughter and cheers.) He knew he would not be contradicted when he asserted that from the want of a dissemination of information on the principles of Government among the people of the Lower Province, many were not so well acquainted with the precise nature of the question at issue as where that information had been widely circulated. He was satisfied from conversations which he had held with persons intimately acquainted with the state of Lower Canada, as well as from his own observations, that he was not far from being correct in the assertion which he had made; and that had he not His Excellency in seeking to secure the services of men whom they had confidence in for the administration of Government. He believed too that had those gentlemen now occupying the opposite benches taken a different view of the matter to which allusion had been made, they would have been equally sustained by the people. [Laughter and loud cheers!] And he believed that an overwhelming section of the Province the city which had been cured that Responsible Government was in danger had led many to act contrary to their opinions on general matters, and to their interests and the interest of the country. The hon. gentleman for the Fourth Riding of York had not taken objection to the preamble of the Address which referred to the Civil List, and had placed his objections in a way to use the House [illegible] gentlemen had [illegible] in a [illegible] he could not [illegible] dered by the [illegible] people was moved, to report the amendment.—Now there was a member of that House who [illegible] gallant, and incessant in his for the protection of the past rights of that House than he Mr. Sherwood was, and most cheerfully would he unite even with the hon. gentleman in protesting against any violation other than that of the Civil List, appropriating one farthing of the public money.—Hear, hear. But if hon. gentlemen would pause for a moment to the circumstances of the country at the period when the act of the union passed the British Parliament and received the sanction of Her Majesty, he would ask them was it not surprising that in spite of a Representative Government in the country Her Majesty's advisers should have thought it necessary to make some alterations in the salaries of the chief officers of the administrative department of the Government? They knew as a matter of history that Lower Canada had not passed through a bed of roses—they knew as a matter of history that some portions of the country were under martial law, and as a necessary consequence that the civil tribunals were closed; they knew that the people were not on a state on which they could be compared together for legislative purposes. Under these circumstances, the British Government felt, from the Report made by Lord Durham, that there was only one constitutional course to be adopted—to unite the two Provinces of Lower and Upper Canada, and to endeavor to the future a Representative system of Government. Lord Sydenham, a distinguished British statesman, was sent out to this country, for the purpose of carrying out the views expressed in Lord Durham's Report, and Lord John Russell took the Colonial Department, to lend his assistance to the accomplishment of the design. The Representative body it ceased to exist in Lower Canada, as it had ceased to exist in Upper Canada, and it was considered the Government felt that it was necessary some provision should be made for carrying on the Executive Government. Accordingly a Bill was introduced into the British Parliament, in the preamble of which was fully stated the necessity of the measure, and a declaration that only such necessity would justify it—pay clause for the payment out of the public revenue of the Province, of the necessary expenditure of the Government. He would not say whether such a provision was proper; it was not the case for him to enter into the discussion of that point, but it was clear from the operation of necessity of the case, and in the effort to restore Constitutional form of Government to Canada. He sincerely regretted that any circumstances should have occurred to render such a departure from constitutional usage necessary. The measure, however, had received the sanction of the only legislative body then in Lower Canada—the "Special Council." [hear hear.] [illegible] and where members had scoffed much more for their constituents to dissent in the Government of the country, than those who were opposed to them constituents to submit it. (Hear, hear.) In Upper Canada that measure was made in the Representative and the people, and a large majority declared in favour of the union. In the provisions with respect to the Civil List in the Union Act [illegible] Lord Sydenham having then adopted the consent of the constitutional Assembly of Upper Canada, he would not say exceptional, but the legal Council of Lower Canada, and upon it the British Government felt entitled in granting that clause in the Act of Union as well as the appropriation of the Civil List was carried. He did not hesitate to express his opinion that it would have been better if the House of Assembly had made a permanent provision for some of the high officers in the administration of the Government—the Judges, for instance, who should be independent alike of the Crown and the people—and left the remainder to the control of Parliament. But, viewing all the circumstances of the case, the British Government had felt justified in taking the course which had been pursued—a course which he was not disposed to arraign. During the last Session of Parliament, the House had adopted an Address to Her Majesty, praying that the Civil List would again be placed under the control of Parliament. The Legislature properly felt that the portion of the Union Act which appropriated so large a sum of the public money without the consent was a violation of the Acted Geo. III. It was undoubtedly lawful, in the power of that Parliament by which that Act had been passed and a Constitution conferred upon the country—to repeal or virtually repeal its enactments. The necessity which existed for the exercise of that power at the period of the passing of the Union Act had been, in his opinion, fully admitted in the Address adopted by the House at the last Session, a portion of which read

been, under the peculiar circumstances of the Canadas at the period when the Act was framed, now that those circumstances have happily passed away which may have rendered it a measure of necessity," &c. Now, if hon. gentlemen would read with attention the words of that Address, which he had quoted, they could not fail to derive an admission that the then peculiar circumstances of the country had rendered expedient, and therefore justified the course taken by the Imperial Parliament. (Hear, hear—No, no.) That was the meaning of the passage, if the language employed had any meaning at all. If that interpretation is taken—and it fairly may be taken, and the House had received an intimation that her Majesty was prepared to comply with the wishes of her Canadian Parliament on that point, were they to insult her Majesty by saying in reply that their rights have been grossly violated? (Aylwin—those words have been taken out.) Yes, they have been taken out, because some of those gentlemen had felt that that language was rather too strong to be used even by them on such an occasion.—But the language of the amendment still conveyed an equally strong and unjust censure. When the hon. gentleman opposite (Mr. Baldwin) did not feel it necessary to use such language during the last Parliament, when he was in power, and when the subject was submitted by an address of the House to Her Majesty—when he then did not feel it necessary to hold such language to his Sovereign, why was that House now called upon to adopt that contained in the amendment, now that Her Majesty had assented to the wish of her Parliament? If the claim put forth in the address of the last Session had been resisted, hon. gentlemen might perhaps have used as strong language as they liked; but was it just, was it courteous, to introduce censure when returning thanks for a boon which has been granted [hear, hear]. All that the House asked had been surrendered it, and if the matter had stopped there, it might have been unnecessary to say another word. But it was usual in replying to a Speech from the Throne, to advert to the several topics embraced in it; it was therefore deemed necessary to insert the reference to the civil list in the address, but he hoped in asking or thanking the grant they would not use stronger language than had been used in applying for it. If hon. gentlemen thought that they were in a strong position—in such a position that they could afford to use such language to the Sovereign, he had no doubt they would find themselves mistaken. The next objection which had been made, and treated upon at some length, was what hon. gentlemen were pleased to term the interregnum. That subject he had already adverted of. But the hon gentlemen had referred to the offers of office which were made to parties with the view of forming an administration, and had made it a charge that His Excellency did not think proper to call Parliament together for its counsel and assistance. The hon. gentlemen, too, appears to think that the existing administration might have been formed at a much earlier period, having no doubt that the gentlemen on the treasury benches would as readily have accepted office at an earlier period as at the time when their Commissions were dated. Perhaps the hon gentleman is aware that those gentlemen had accepted office so soon as it was preferred to them; and perhaps he is aware that according to the principles of Responsible Government, which he is so desirous to see carried out, his Excellency could not have dissolved Parliament, or called it together without having ministers prepared to assume the responsibility of the Act—[hear, hear]. His Excellency's present advisers could not have advised him again to assemble Parliament. They knew how the majority in the Legislature had been obtained, especially in Upper Canada, and were not prepared to submit to the action of a body which they felt misrepresented the people. In that opinion they had been fully borne out by the result of the recent general election. The hon. gentleman opposite had referred to his friend, and he might say colleague