Mr. Attorney General Draper said he was very happy to have the opportunity which was now afforded him for the first time,) of entering into an exposition of the views which would guide the conduct of himself and those whose duty it is to advise His Excellency. And in the first place he would declare for the information both of those who act with him and those who act against him, that so long only as he could give a conscientious support to those measures which the head of the government might deem it his duty to submit to that House, so long only would he continue to hold office under the government, (hear, hear.) And he desired to be understood as explaining the views in which every one of his colleagues entirely concurred. They were such as had been discussed and determined on among themselves without reference to any other parties whatever, for they had felt it to be due to themselves and the country, in the first place, to understand each other. He would now state the views which he entertained respecting the duties of His Excellency. He looked upon the Governor as having a mixed character—firstly, as being the representative of Royalty, and secondly, as being one of the ministers of Her Majesty's government, and responsible to the Mother Country for the faithful discharge of the duties of his station; a responsibility which he cannot avoid by saying that he took the advice of this man or of that man. He looked upon it as a necessary consequence of the doctrine that where there is responsibility there shall power be also, for he could not admit the idea that one man should possess the power and another be liable to the responsibility. In a matter of this importance he trusted that hon. members would indulge him in referring to notes, that he might speak with the greater correctness. [Here the learned Attorney General read from a despatch of Lord Glenelg, dated 5th December, 1835.

Extract from Lord Glenelg's Despatch, dated Dec. 1835.

Without ent'ring on the one hand unnecessarily into a discussion of those general principles to which my attention is thus invited or pressing on the other hand into personal topics, it is enough for me to observe on the present occasion, that experience would seem to prove that the administration of public affairs in Canada is by no means exempt from the control of a sufficient practical responsibility. To his Majesty and to Parliament the Governor of U. Canada is at all times most fully responsible for his official acts. That this responsibility is not merely nominal but that his Majesty feels the most lively interest in the welfare of his Canadian subjects, and is even anxious to devote a patient and laborious attention to any representations which they may address to him, either through their representatives or as individuals, is proved not only by the whole tenor of the correspondence of my predecessors in this office but by the despatch which I am now addressing you. That the Imperial Parliament is not disposed to receive with inattention the representations of our Canadian fellow subjects is attested by the labors of the Committees which have been appointed by the House of Commons during the last few years, to enquire into matters relating to those Provinces. It is the duty of the Lieutenant Governor of Upper Canada, to vindicate to the King and to the Parliament every act of his administration. In the event of any representations being addressed to his Majesty upon the subject of your official conduct, you will have the fullest possible claim to a favorable construction; but the presumptions which may be reasonably formed in your behalf will never supersede a close examination how far they coincide with the real facts of each particular case which may be brought under discussion. This responsibility to his Majesty and to Parliament is second to none which can be imposed upon a man, and it is one which it is in the power of the House of Assembly by address or petition, to bring into immediate operation.

The learned Attorney General also read the following extracts from Lord John Russell's despatches:

"If we seek to apply such a practice to a Colony, we shall at once find ourselves at fault. The power for which a minister is responsible to England, is not his own power, but the power of the Crown, of which he is, for the time, the organ. It is obvious that the Executive Councillor of a Colony is in a situation totally different. The Governor under whom he serves, receives his orders from the Crown of England; but can the Colonial Council be the advisers of the Crown of England? Evidently not; for the Crown has other advisers for the same functions, and with superior authority."

"It may happen, therefore, that the Governor receives, at one and the same time, instructions from the Queen, and advice from his Executive Council, totally at variance with each other. If he is to obey his instructions from England, the parallel of constitutional responsibility entirely fails. If, on the other hand, he is to follow the advice of his Council, HE IS NO LONGER A SUBORDINATE OFFICER, BUT AN INDEPENDENT SOVEREIGN."

"It is now said, th[illegible] internal government is alone intended. But there are some cases of internal government, in which the honor of the Crown, or the faith of Parliament, or the safety of the State, are so seriously involved, that it would not be POSSIBLE for Her Majesty TO DELEGATE HER AUTHORITY TO A MINISTER IN A COLONY."

"While I thus see insuperable objections to the adoption of the principle as it has been stated, I see little or none to the practical views of Colonial Government recommended by Lord Durham, AS I UNDERSTAND THEM. The Queen's Government have no wish to thwart the representative Assembly of British North America in their measures of reform and improvement. They have no wish to make those Provinces the resource of patronage at Home. They are earnestly intent on giving to the talent and character of leading persons in the Colonies advantages similar to those which talent and character employed in the public service obtain in the United Kingdom. Her Majesty has no desire to maintain any system of policy among her North American subjects which opinion condemns. It is necessary for this purpose that no official misconduct should be screened by Her Majesty's Representative in the Colonies; and that no private interests should be allowed to compete with the general good."

Now, sir, these were the principles held with regard to the responsibility of the Governor, as laid down in England. Here we have a proof that the same principle has been adopted in this country. Mr. Draper here referred to a proceeding of the House of Assembly of Nova Scotia.

The next question that naturally arises in my division of the subject, is that which relates more particularly to those who are the Ministers of the Crown. Hon. gentlemen will do me the favor to bear in mind that the principle which I have laid down that responsibility and power must go hand in hand, is one which cannot be contravened, and that when a man is called upon to answer for the exercise of the power which has been entrusted to him, in a particular manner, he cannot and dare not transfer the responsibility into other hands. When I consented to become an Executive Councillor, I took upon myself the responsibility of advocating those opinions and those measures which the head of the government might think it his duty to recommend to the country; and so long as I continue a member of the government and of the House, I shall consider it my bounden duty to follow the same course; and whenever I find the head of the Government and the Minister of the Crown desirous of propounding measures which I cannot conscientiously support, honor and duty point out but one path, and that is resignation, (hear, hear.)

[Mr. Draper quoted here a second extract from Lord Glenelg's despatch, as follows:]

2nd Extract from Lord Glenelg's dispatch continuing from the passage last quoted.

I farther unreservedly acknowledge that the principle of effective responsibility should pervade every department of your Government, and for this reason if for no other I should hold that every public officer should depend on his majesty's pleasure for the tenure of his office. If the head of any department should place himself in decided opposition to your policy, whether that opposition be avowed or latent it will be his duty to resign his office into your hands, because the system of government cannot proceed with safety in any other principle than that of the cordial co-operation of its various members in the same general plans of promoting the public good.

The inferior members of the different offices should consider neutrality on this great litigated question of provincial policy as at once their duty and their privilege.

Diligently obeying all the lawful commands of their superiors they will be exempted from censure of the course which they have been directed to pursue should it issue in any unfortunate [illegible] cal government. Some of the members of the local [illegible] sentatives of the people in the assembly [illegible] hold seats in the legislative council. As members of the local legislature they will of course act with fidelity to the public advocating and supporting no measures which upon a large view of the general interest they shall not think it incumbent on them to advance. But if any such person shall find himself compelled by his sense of duty to counteract the policy pursued by you as the head of the government, it must be distinctly understood that the immediate resignation of his office is expected of him and that failing such a resignation he must as a general rule be suspended from it.

Unless this course be pursued it would be impossible to rescue the head of the government from the imputation of insincerity, or to conduct the administration of public affairs with the necessary firmness and decision.

There are few men (continued the learned Att'y Gen.) who have long acted in a public capacity who have escaped animadversion and censure, but a man must indeed be hardened in sentiment and feeling who does not acknowledge a degree of responsibility to public opinion. The man who disregards this responsibility must be devoid of those feelings which, as a man of honor, he ought to cultivate, and has little respect for that higher tribunal which every one must reverence. But there is another important principle to be considered. The government should take on itself the preparing and bringing forward such measures as the wants of the country seem to require. It is to be desired, above all things, that between the government and the people there should be the greatest possible harmony and mutual good understanding. There can be no good government where the government is at war with the people, (hear, hear,) and in this view I will submit in a few words the conclusions to which I have arrived. It is the duty of the head of the government to preserve that harmony by all the means in its power, because it is for that officer to account to the home government. If he find that he has been led astray by incapable or dishonest advisers, he may relieve himself of them by their dismissal. This is one mode by which harmony may be restored. But it might happen that difficulties may arise which are unavoidable. It not unfrequently happens that the government has been unable to carry out