

posed to authorize the future application by the ex- Legislative Council. The other Commissioners, on executive of any revenues beyond those which have, the supposition that no greater change will be made since 1831, been at its disposal. But in order to in the constitution of the Executive Council than do this, Sir Charles would rely principally on an the one they have recommended, think that the non-enforcement of some of the prerogatives of the nominations made by the Governor, of persons for the Crown not usually put in action; the stricter col- Legislative Council, should be submitted to the Executive Council before they are transmitted home, the exertion of some powers inherent, as he says, in and that either the Executive Council as a body, all courts of justice to exact fees sufficient to cover or the members of it individually, should make such their own expenses, and a strict interpretation of observations as they might choose on the nominations; but they think the plan of making such nominations to originate with the Council, would relieve the Governor from much of the responsibility for them. The other Commissioners, rather than which now seems properly to attach to him, without see the executive driven to support itself by such giving to the appointment of Legislative Council- means, would ask for a declaration from the Impe- rors any of the popularity derived from the principle of election.

principle of election.

On the next financial question, viz., the amount which ought to be provided for a civil list, after the immediate difficulties respecting the arrears of public officers shall have been removed, and some degree of harmony restored between the different branches of the Legislature. Sir Charles Grey is of opinion, that a larger civil list will be required than the one recommended in the First Report of the Commissioners; his colleagues, however, adhere to their former recommendation, and the more so as they think it to be in harmony with the measures which either already have been, or which are on the point of being recommended to some of the sister provinces in North America.

## 2. LEGISLATIVE COUNCIL.

The Commissioners all agree in not recommending a compliance with the demand for an elective council, though some would object to the measure absolutely, and others only under present circumstances.

They also agree in some minor recommendations, having for their object to enable Legislative Councilors to resign, or in certain cases to be removed by his Majesty. They further agree in thinking, that the Legislative Council, either in whole or in part, ought to be declared a court for the trial of impeachments.

With respect to the appointment of Legislative Councilors, Sir Charles Grey has proposed (apparently as a sort of substitute for popular election) that recommendations of persons fitted for the situation, should be made by the Executive Council; but he submits this proposal, if I understand him rightly, only in the event of the Executive Council being constituted on a new plan, also proposed by himself. The other Commissioners have not joined in the recommendation of the last-named plan, neither do they think it would prove advantageous to relieve the Governor from the principal responsibility for the appointment of proper persons to the

Sir Charles Grey is perhaps inclined to view, with more indulgence than his colleagues, what he nevertheless allows to have been the faults of the Legislative Council; and in the additions hereafter to be made to it, he would make, perhaps, his selection somewhat (though not essentially) different from what the other Commissioners would think proper.

For my own part, I do not hesitate to declare, that though I would not go the length of making the Legislative Council harmonize entirely with the present feelings of the Assembly, or proceed on the principle of making the Council and Assembly two bodies, in which the interests of the French Canadian party should entirely predominate, I do strongly feel the necessity of adding to it men of a popular as well as independent character.

The opinion I now express may perhaps be considered somewhat at variance with what I stated in the concluding part of the 13th paragraph of an entry made by me on our Minutes, on the 14th March 1836, and transmitted to England with our Second Report. Events, however, have occurred, both in this province and the neighbouring one, since last March, to make me look not only with less apprehension than I then did on the consequences of a vigorous measure, but also with more hope of support for any measures of Government from a considerable portion of the French Canadian party, provided only that such measures shall be adopted under the sanction of the British Parliament, and especially of the House of Commons. I expressed in March last, an apprehension that no good would result from an attempt to improve the constitution of the Legislative Council by the introduction of new members into it from the popular party; and I should be still of this opinion, if it were proposed as a single measure; but if adopted as part of a system of measures, and done under the sanction (any way expressed) of the Imperial Legislature, I should hope for a good result from it.

## 3. HOUSE OF ASSEMBLY AND STATE OF THE REPRESENTATION.

On this head, perhaps, a greater difference of opinion exists between Sir Charles and his colleagues, than on either of the two former ones; but even here we are all agreed, that though the English inhabitants may not have the share in the representation that their numbers would entitle them to, the means do not exist within the province of procuring