

## 4 THE CANADAS.—PAPERS RESPECTING DISCUSSIONS

To abolish pluralities.

“To abolish pluralities, or the cumulation in one person of several or incompatible offices.

To procure the repeal of certain Acts of the Imperial Parliament.

“To procure the repeal of certain statutes passed by the Imperial Parliament, in which the people of this province are not and cannot be represented, which Acts are an infringement of the rights and privileges of the Legislature of this colony, and are injurious to the interests of the people thereof.

To obtain wholesome and necessary control over the internal affairs of this province.

“To obtain over the internal affairs of this province, and over the management and settlement of the wild lands thereof, (for the advantage and benefit of all classes of His Majesty's subjects therein without distinction,) that wholesome and necessary control which springs from the principles of the constitution itself, and of right belongs to the Legislature, and more particularly to this House as the representatives of the people.

Benefits of these reforms.

“Which reforms are specially calculated to promote the happiness of His Majesty's subjects in this province, to draw more close the ties which attach the colony to the British empire, and can in no way prejudice or injure the interests of any of the sister provinces.”

Committee confine their remarks to the leading topics of the Executive and Legislative Councils.

To examine into every one of these “reforms” would extend this Report to a most inconvenient length, and your committee have therefore judged it better to confine their attention to the two leading topics of the Executive and Legislative Councils, because in them is to be found ample reason why, in the opinion of your committee, the people of this province ought not, through their representatives, and would not in their individual capacity co-operate in furthering the views expressed in this resolution.

The late general election decisive of public opinion, with respect to the Executive Council.

The question regarding the Executive Council it is perhaps unnecessary to discuss. Never was the public opinion more clearly, more emphatically expressed, than on that very subject at the late general election. A large majority of your honourable House was, as your committee firmly believe, returned as advocating principles and opinions diametrically opposed to those contained in this second resolution. Your committee, however, cannot let pass the opportunity of expressing their opinion, that the Governor, Lieutenant-governor, or person administering the government of this province, is entrusted with the exercise of the royal prerogative within the same, and that he (and not the Executive Council) is constitutionally responsible, as well to the Sovereign as to the people of this province, for the impartial and upright performance of the duties of his office; a responsibility essential to the preservation of the rights and liberties of His Majesty's subjects in Upper Canada, and which it is the imperative duty of their representatives to maintain and enforce, and not to suffer that responsibility, so far as depends on them, to be weakened or destroyed, by transferring the whole or any portion of it to other parties; and that any attempt to transfer to the Executive Council this responsibility, and as a necessary consequence the power and patronage vested by law in the person administering the government, is in derogation of the Constitutional Charter, and would be dangerous to the liberties of the people, injurious to the stability of our social and political institutions, and utterly destructive of the ties which attach this colony to the British empire.

Opinion of the committee on that subject. His Majesty's representative alone responsible to His Majesty and the people;

and cannot transfer that responsibility without violation of the Constitutional Charter.

Composition of the Legislative Council considered. Union of the three estates the best feature of the British Constitution.

On the subject of the extension of the elective principle to the Legislative Council, your committee have equally decided and they trust well-founded views. The union of the three estates, monarch, aristocracy and democracy, in the government, has been always considered the characteristic and most valuable feature of the British constitution; and with a view of securing a free and well-balanced system of government, with the kingly power for its head, the intervention of a third estate, independent of the people, though possessing the same common interests with them and of the Crown, though deriving rank from it, has been found productive of the happiest results; and so far from the creation of legislative councils nominated by the Crown being a new theory or experiment in colonial government, the constitution of other colonies, the date of which is long antecedent to that of our own, abundantly proves, alike, their existence and utility; and your committee find it difficult to conceive how a change, which would make the Legislative Council elective, and so give the people a double representation, each branch being in every respect independent of the Crown, could have any other effect than to render the whole system democratic, and, as your committee believe, inevitably to lead to a separation from the parent state. Where the chief magistrate is elective, there can be no reason why all the remaining branches of the legislature should not be so likewise; but such a state of things would, in the opinion of your committee, be incompatible with monarchical institutions, and, as a necessary consequence, must, if adopted, be destructive of our existence as an integral portion of the British empire.

Nomination of the Legislative Council by the Crown, no new theory.

An elective Legislative Council would give to the people a double representation, and the balanced system of government be destroyed.

Such an experiment would, in the opinion of the committee, lead to a dissolution of our connexion with the British empire.

For reasons already expressed, your committee pass by the other “reforms” suggested, and take up the third resolution, which is in the following words:—

The third resolution.

“Resolved, that it has long been the aim of the enemies of these colonies, by deliberate and unfounded misrepresentations, to engender dissensions and bad feelings between the people thereof, in the hope of preventing all union of purpose among the people, and of thereby preventing the reform of those abuses and evils of which the people have so frequently complained, and which are connived at or upheld for the advantage of a minority hitherto unjustly possessing, and still endeavouring to maintain a political ascendancy in this province, contrary to the principles of all good government.”

Committee trusts that the aim of those who have made misrepresentations

Upon this your committee will offer only one remark. They do not pretend to judge how far the statements therein contained may be true as regards Lower Canada; but with regard