

manency of judges, without by the same act creating a tribunal competent to punish them in proved cases of misconduct, deprived the country of the last feeble, insufficient protection left to it by right of the Executive to displace them when the excess of their wrongs should have been sufficiently established by the representatives!

An Elective Senate.

In the election of the second chamber, which would have constituted this tribunal, a principle of harmony with the representative branch would have been found which would have caused to cease the perpetual scandal which has constantly existed between that which was named by and for the country, and that which was named by and for England, to which alone belongs the honor or the disgrace of what Legislative Councils have been.

Elective Sheriffs.

That these advantages, and many others which are indispensable to the well-being of society—such as the independence of sheriffs to assure that of juries—have not been more easily obtained after than before the Union and the pretended concession of Responsible Government, causes me no surprise, and I reproach no one on that account. England does not yet wish to give them to us, and the country is garrisoned so that it cannot take them.—But if they are never asked for, they never will be offered. We must conquer by one, two refusals, until those at a distance shall blush for refusing justice to us so long. Bodies are only respected inasmuch as they are consistent and persevering. A people, or its representatives, cannot be too calm or too cautious in their deliberations, nor too inflexible in their determinations. Hesitate before resolving—after having done so, persist.

The Union must be Repealed.

The repeal of the Act of Union must be demanded, because it is the wish of the people, declared in their petitions of 1822 and 1836—because, apart from the injustice of its provisions, its principle is stupidly vicious in placing under one Legislature a territory so vast, that it cannot be sufficiently well known for the representatives to decide advisedly as to the relative importance of local improvements demanded on all hands, and the contradictory allegations of the people on a great variety of measures. And yet in new countries, whose wants spread and vary with the rapid increase of the population and of the clearances, the mass of parliamentary labours relate to measures of detail which require a profound knowledge of the wants and of the resources of all their localities. Besides, since the Union, men the most enlightened, the most worthy of the title and of the functions of legislators, have almost invariably abstained from voting with those of Lower Canada on questions relative to Upper Canada, and vice versa. This is just, and proves the folly of the Legislative Union. But what is just to honest and enlightened minds does not always appear so to narrow and egotistical men: and it will too often be found that men of inferior capacity, passionate and presumptuous, will pass laws for the sections of the United Province of which they know neither the anterior jurisprudence nor the social condition, nor the actual wants. Moreover, the crude and precipitate legislation of late years is a chaos without connection, without stability, varying from one session to another in such a degree, that if this evil continues with that of the slow distribution of the statutes, contempt of the law will become general, owing to the impossibility of reading it, before it shall be changed. Since the Union, the representation is diminished nearly a half, while the taxes are more than doubled. Those who demanded it foretold a different result, saying that it would give more strength and

authority to the representation—would materially diminish the expenditure—and would thus relieve commerce from the weight of taxation which pressed on it. Have these prophets, whether deceivers or deceived, to applaud themselves for their sagacity? Is their commerce better encouraged? Is it much more brilliant under the protection of a tariff of tax to twenty per cent. than it was when under one two to ten per cent.?

The Union Universally Reprobated.

How is it then that an act [Uniting the Canadas in 1840] which has done evil to all the world—to those who asked it, and those who repelled it—against which there is in Lower Canada a universal reprobation and dislike—how is it that it does not find on the floor of the legislature, one voice, one single voice to echo the incessant complaints which are heard without? It is because some men, in all other respects, of great merit—the liberal of Upper Canada, with whom those of Lower Canada must act in concert, reduced to despair by the injustice of the Tory faction, and of the family compact, were deceived, and demanded the intervention of the English Parliament in favor of this fatal Union; imagining that they might obtain it on equitable conditions, and that united to the patriots of Lower Canada, they would assure to the united Province a just and liberal government, such as the divided Province had never known.

In the anguish of their sufferings they forgot the strict principle of morality—that of not doing to others what we would not wish done to ourselves. Contrary to our wishes, of which they were not ignorant, they demanded from a power whose intervention has never taken effect, except to diminish colonial liberties, that she would augment theirs. They have been deceived in their attempt. Their demands were taken as the authority for the intervention; but the prejudices of the English aristocracy were alone consulted on the narrow measure of restricted liberty which should be accorded. The old societies of Europe, harnessed by political monopolies in favor of a small number of privileged persons, surrounded by a large number of paupers, have, no doubt, prejudices, have, perhaps, necessities for absolute or strongly aristocratic governments.

Democratic Institutions for Canada.

In young America, where entire populations may be proprietors, where entails have not established hereditary fortunes, but where each man begins his own, and can with moderate labour secure a decent competence, there are the instincts and necessities of democratic institutions. From thence comes the warning, that we ought always to dread and never to demand the interference of the metropolitan power. The history of the thirteen revolted colonies afforded them the clearest monitions on the danger of their conduct. Nevertheless these [Upper Canadian] persons, only, (never the Tories) will be able and desirous of aiding us to put an end to our common miseries when they shall have become aware of the deception practised against them. They believed in good faith that Responsible Government would afford all the advantages of two elective Chambers.

Elective Governors for Canada.

For this demand we had the example of some of the ancient colonies, of which the free and happy citizens never received a Governor from England, but always elected him, as well as the members of the two houses, the sheriffs, and the magistrates of every grade.—In demanding an order of things which had once been, we knew what we asked.