

UPPER
CANADA.

absurd and extravagant measures, is, and must be, gratified, from time to time, *non obstante* the consistency of politicians.

The same course of politics is found in the United States, where the President, the Senate, and the House of Representatives, constantly find their measures negatived by each other, and where members are constantly instructed by their constituents according to the popular whim of the hour. We, therefore, do not find what is strictly called executive responsibility, or necessity of continual accordance of Government with the popular voice; and measures have, even between the short intervals of the presidential elections, time to be popular and unpopular, two or three times over. The French Canadian party form, perhaps, the only political combination in America with consistency of principle; and this is because they have leaders who direct the general opinion. They are, consequently, the only party whose representatives could by any possibility lay down any tangible principles upon which they would conduct a government. In this Province, as in the United States, popular will must influence the conduct of Government in all things, not essentially wrong or chimerical; and in these the Government must be strong enough to resist, and be known to have the power of resistance for a sufficient time, to permit more cool and quiet consideration on the part of the constituency.

A curious example of this species of legislation is found in a discussion which has occupied a great part of the present session, on the absorbing topic of the clergy reserves. It has been taken up and discussed upon principles of liberality and concession on all sides; the parties, unable to agree upon any mode of appropriation, have, as a final measure, referred the issue to the imperial Parliament.

It would be almost impossible to enumerate the various modes of distribution proposed, with and without the approbation of Government, on this question, which would undoubtedly, in English politics, be considered one upon which the existence of a ministry must depend. Suffice it to say, that almost every member had a plan of his own; some had two or three plans fresh from their constituents; yet, strange to say, the House could not agree; that is to say, there was a number sufficient to negative every plan proposed, and to prevent the reference of the matter to England, up to the last day of the session.

In this paradoxical state of affairs, which of the contending parties should form the colonial cabinet?

This, or something approaching to it, not being an unusual condition of politics, it may easily be supposed that few, if any, persons possess sufficient influence to conduct affairs; and from this state of things, it is to be presumed, has arisen the practice in all colonial governments with legislatures, of the governors standing as mediators between parties, yielding and leaning to the popular voice, but resisting it with the authority of their office when it was manifestly in error.

It must be supposed that had the system proposed by the Earl of Durham been long since adopted, the popular will would have prevailed to a far greater extent than heretofore, and yet most of the practical evils found in the colonies have arisen from measures popular at the time of their enactment.

The preservation of the French language, laws, and institutions, and the consequent perpetuation of the contest between the races, so strongly deprecated by the Earl of Durham, was a popular measure, and must have prevailed even more injuriously, and even destructively, under a responsible government.

The concessions of public lands to U. E. loyalists and their children, to militia, and other grantees not resident upon the lands, which now form an acknowledged public grievance, were popular measures; the persons who benefited by them being the population of the country, and those who complain of them not being yet arrived.

The parliamentary grants for local works, and the disposal of funds by commissioners named by the Legislature, and the abuse of this patronage, are evidently founded upon, and rising out of, the parliamentary influence sought to be made supreme, and are evils which might have been greatly exaggerated, but could not have been lessened by responsible government. In fact, they prove that governors should oftener take the responsibility of resisting the popular voice than they have been hitherto accustomed.

The very change in political sentiments, produced by the constant introduction of new population from Great Britain, shows that legislation in these colonies ought to be conducted with some view to the interests of those not represented in the Legislature, but who may soon form the great mass of the subjects of the Crown in America. A responsible cabinet must, however, look exclusively to the party of the day, and in its favour neglect the great future interests of the Province.

In short, local and sectional interests are felt too strongly and directly in elective bodies, in small communities, to permit of consistent legislation on general principles; and the objects to be gained during the short period for which the majority hold their influence are of too much consequence, compared with distinct general results, to permit of the perfectly unchecked course which would result from responsible government.

Although the points are few in which it is the interest of England directly to interfere with local and internal affairs in the colonies, your committee are at a loss to conceive how, in a government so independent as this is proposed to be made of England, these few points can by any means be excluded from the control of the local parliament; a disagreement with the cabinet and Legislature on the subject of foreign trade, immigration, disposal of lands, or any of the excluded topics, will just as readily induce a stoppage of the supplies, with all the consequences, as any of the questions within the range of local legislature; and if we can suppose cases in which the interests of the empire and that of the colony should

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