

government. The abuse here pointed out is, as we humbly conceive, sufficiently exemplified in the present composition of the legislative council, the appointments made during the last few years have only in a small number, a relation with the mass of the people generally, whilst the majority has been such as we have supposed it would continue to be along with a pecuniary qualification.

There only remains, may it please your most gracious Majesty, the principle of election¹ to rest upon, as being capable in practice of presenting an analogy with the second branch of the legislature of the United Kingdom.

We entertain no doubt of the result of the adoption of this principle, if the election depended upon a numerous body of electors composed of the best ingredients and the best interests of the colony; and if the choice were confined to persons possessed of a certain easy degree of fortune, without, however, raising that qualification so high that such choice could only be made, in any case, but out of a small number of eligible persons. The best effects might be expected from a legislative body constituted upon those bases, if, whilst its principle of action was founded in the interests of your Majesty's subjects in this province, as a general and common motive, it found itself in its formation and its proceedings independent of the popular assembly. It would undoubtedly be thus with the above qualifications, and with a different mode of renewal, so as to give more permanence to the body that is now in question.

It is upon these several considerations that we most respectfully submit the following details:—

That an elective legislative council be established, chosen by landholders having a net annual income of ten pounds in the country, and twenty pounds in cities, and who have been residents for at least one year within the circle wherein the election takes place.

The eligibility to be restricted to the subjects of your Majesty, having attained the age of at least thirty years, residents of the province, and having resided therein at least fifteen years, and possessing an annual freehold income arising from property situated within the province, of at least one hundred pounds for those elected for the county, and of at least two hundred pounds for those of the cities at Quebec and Montreal.

The duration of the body to be limited to six years; the renewal to be made by one-sixth part every year, it being to be determined during the first five years by lot which of the members chosen at the general election shall have to retire. When there shall happen to be any vacancies, those who succeed to them to be members only for the period which would have remained to their predecessors.

The number of members to be equal to that of the counties, cities, and divisions thereof, or other circles sending members to the house of assembly, with the exception of boroughs whose population does not amount to two thousand souls, who would only have to vote in the counties of which they make part. So that the number of councillors would be nearly half of that of members of the assembly.

The speaker or chairman of the body to be chosen by the members, subject to the approbation of your Majesty.

The judges to be ineligible, as well as the clergy.

The members of the present legislative council not to belong to the new council, except they are elected; yet, nevertheless, should your Majesty in your most gracious royal intention think proper to retain them therein, they should only be considered as supernumerary members, and would have to justify their qualifications in landed property, and resign their places of profit.

The legislative council not to be subject to dissolution.

The members not to accept, otherwise than by bill, places of profit or honor during good pleasure, excepting those of justice of the peace, and in the militia, nor become accountable for public money, nor receive any from the executive government, under whatever denomination, without subjecting themselves to a re-election.

The individuals who offer themselves as candidates, to make oath as to their qualifications; if the candidates are not present, three electors may make affirmation as to that qualification, to the best of their knowledge. The members elected shall, before they take their seats, take the same oath, and shall be bound to renew it at all times upon order of the body.

¹ A motion against the legislative council as at present constituted was passed in the house of assembly, January, 1833, by 34 votes to 26.