

and more and more keenly was felt the need of bringing to an end the irresponsible and corrupt government of the Council. How long the remonstrances and petitions of the people would have passed unheeded by the Home Government it is impossible to say had not a new force in the Colony's life come into play.

The close of the American war brought into Canada, especially into that portion we now call Ontario, a large influx of hardy, intelligent and energetic settlers. These outcasts from the United States for their loyalty to the Mother Country, to the number of many thousands, found homes on the Bay of Quinte, in the Niagara District and other points of Ontario, where they carved out for themselves new homesteads in the virgin forests; with them came a love of political liberty and from them soon arose a demand for a Legislative Assembly, such an Assembly as they had been accustomed to in the American Colonies. It is also possible that the result of the contest with the American Colonies taught the Home Government an important and much-needed lesson. Henceforth the right of a Colony to at least a measure of self-government could not well be denied, especially if that Colony was in close proximity to a self-governing nation of kindred language, blood and institutions. The result of these various influences was the submission by Wm. Pitt, then Prime Minister, of a measure which gave the long demanded boon of representative government. *Representative* I say, for the word *responsible* could not rightly be applied to the form of government which, in 1791, was granted by the British Parliament, and to which George III. gave his assent. Time will not permit me to tell how the bill was opposed by C. J. Fox the great Whig leader: opposed not because it was too liberal a measure, but be-

cause it was not liberal enough. Fox pointed out with prescience of a statesman the defects in the measure and predicted the very evils which resulted from the refusal to remove these defects. We may now give the leading provisions of this famous Constitutional Act of 1791, under which Canada was governed until 1841.

The Act proposed to remedy the evils arising from the conflict of races, laws, customs and religions in Canada. To this end, two Provinces were formed, one in which the French greatly predominated to be called Lower Canada; the other with a much smaller population, and that British, to be known as Upper Canada. Each Province was to have a Governor appointed by the Crown, a nominated Legislative Council, and an elected Assembly. In addition there was to be a body of advisers for the Governor, known as the Executive Council, this Council to be chosen by the Crown, and entirely without responsibility to the people. In fact the only portion of the legislative machinery over which the people had any control was the Assembly, whereas those empowered to carry out the laws were free from popular control.

The Legislative Council of Upper Canada was not to consist of less than *seven* members, that of Lower Canada of not less than fifteen. In Upper Canada the Legislative Assembly was to have not less than 16 members, in Lower Canada not less than 50.

The territory assigned to each Province was determined by a dividing line which nearly coincides with the River Ottawa—all to the west being given to Upper Canada—to the east to Lower Canada. The Legislatures of the Provinces were given power to choose the laws under which they preferred to live. By this provision it was expected that the inhabitants of Upper Canada would choose British laws, modes of trial, freehold tenure,