

body. In all of them the administration of public affairs is habitually confided to those who do not co-operate harmoniously with the popular branch of the legislature; and the Government is constantly proposing measures which the majority of the Assembly reject, and refusing its assent to bills which that body has passed.

Such collisions show a deviation from sound constitutional principles.

A state of things, so different from the working of any successful experiment of representative government appears to indicate a deviation from sound constitutional principles or practice. Though occasional collisions between the Crown and the House of Commons have occurred in this country since the establishment of our constitution at the Revolution of 1688, they have been rare and transient. A state of frequent and lasting collisions appears almost identical with one of convulsion and anarchy; and its occurrence in any country is calculated to perplex us as to the mode in which any government can be carried on therein, without an entire evasion of popular control. But, when we examine into the system of government in these colonies, it would almost seem as if the object of those by whom it was established had been the combining of apparently popular institutions with an utter absence of all efficient control of the people over their rulers. Representative assemblies were established on the basis of a very wide, and, in some cases, almost universal suffrage; the annual meeting of these bodies was secured by positive enactment, and their apparent attributes were locally nearly as extensive as those of the English House of Commons. At the same time the Crown almost entirely relied on its territorial resources, and on duties imposed by Imperial Acts, prior to the introduction of the representative system, for carrying on the government, without securing the assent of the representative body either to its policy, or to the persons by whom that policy was to be administered.

Practical working of the Assembly in Lower Canada.

It was not until some years after the commencement of the present century that the population of Lower Canada began to understand the representative system which had been extended to them, and that the Assembly evinced any inclination to make use of its powers. Immediately, however, upon its so doing, it found how limited those powers were, and entered upon a struggle to obtain the authority which analogy pointed out as inherent in a representative assembly. Its freedom of speech immediately brought it into collision with the Governor; and the practical working of the Assembly commenced by its principal leaders being thrown into prison. In course of time, however, the Government was induced, by its necessities, to accept the Assembly's offer to raise an additional revenue by fresh taxes; and the Assembly thus acquired a certain control over the levying and appropriation of a portion of the public revenue. From that time, until the final abandonment in 1832 of every portion of the reserved revenue, excepting the casual and territorial funds, an unceasing contest was carried on, in which the Assembly, making use of every power which it gained, for the purpose of gaining more, acquired, step by step, an entire control over the whole revenue of the country.

Administration remained free from its influence.

I pass thus briefly over the events which have heretofore been considered the principal features of the Canadian controversy, because, as the contest has ended in the concession of the financial demands of the Assembly, and the admission by the Government of the impropriety of attempting to withhold any portion of the public revenues from its control, that contest can now be regarded as of no importance, except as accounting for the exasperation and suspicion which survived it. Nor am I inclined to think that the disputes which subsequently occurred are to be attributed entirely to the operation of mere angry feelings. A substantial cause of contest yet remained. The Assembly, after it had obtained entire control over the public revenues, still found itself deprived of all voice in the choice or even designation of the persons in whose administration of affairs it could feel confidence. All the administrative power of Government remained entirely free from its influence; and though Mr. Papineau appears by his own conduct to have deprived himself of that influence in the Government which he might have acquired, I must attribute the refusal of a civil list to the determination of the Assembly not to give up its only means of subjecting the functionaries of Government to any responsibility.

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