

therefore only govern the Canadas so long as she can do so with the Concurrence of the People. For the Purpose, therefore, of continuing the Connexion upon this Footing, it is absolutely necessary, first, that the political Machinery of the Provincial Government should be such as shall work harmoniously within itself, without Collision between any of its great Wheels; and, secondly, that it should be such as that the People may feel that they have an Influence upon it sufficiently powerful to secure Attention, not only to their abstract Rights, but to their Feelings and Prejudices; without regard to these, you can govern no People satisfactorily or successfully.

That the Constitution of Upper Canada, administered upon the Principles heretofore applied to it, has failed to accomplish either of these Objects, a very cursory View of the History of the Colony, without reference to the Admission contained in one of your Lordship's late Despatches, will sufficiently demonstrate. It may however be well to state, that the Differences alluded to are of a much earlier Date than appears to be generally known in this Country, or until lately to have been recollected even in the Department over which your Lordship presides. As early as in the Provincial Parliament of 1820 an Opposition, respectable, if not formidable, both in Talent and Numbers, existed; some of the leading Members of which not only expressed their entire Want of Confidence in the Provincial Executive, but adopted the Principle now contended for as a Part of their political Creed, and assumed it as necessarily pertaining as much to the Provincial Constitution as to that of the Mother Country. During the whole of that Parliament the Opposition were generally in a Minority. In the Parliament of 1824 and in that of 1828 the Executive were uniformly in an inconsiderable Minority. In that of 1830, owing to Circumstances to which it is not worth while now to allude, the Executive obtained a Majority; but in that of 1834 they were again in a Minority. So that, taking the Twelve Years from 1824 to 1836, the Provincial Executive have been in the Minority for Eight Years and Three Parliaments, and have had a Majority only for Four Years and One Parliament. During the whole of this Time also the House of Assembly were constantly passing Bills which the Legislative Council as uniformly threw out.

As, therefore, the present Constitution, administered upon the Principles heretofore applied to it, has failed in both Particulars, I mean in working smoothly itself or satisfying the People, it necessarily follows that something must be done to accomplish the Objects desired. To this end Four Remedies have been proposed:—First, to make the Legislative Council elective; secondly, to abolish it; thirdly, to concede certain isolated Points which have been earnestly called for by the Representatives of the People; and, fourthly, to put the Executive Council permanently upon the Footing of a local Provincial Cabinet, holding the same relative Position with reference to the Representative of the King and the Provincial Parliament, as that on which the King's Imperial Cabinet stands with respect to the King and the Parliament of the Empire, and applying to such Provincial Cabinet, both with respect to their Appointment to and Continuance in Office, the same Principles as those which are acted upon by His Majesty with respect to His Imperial Cabinet in this Country.

The Two first Remedies, if not inexpedient, I look upon as at least wholly insufficient of themselves to accomplish the Objects desired; the third as equally insufficient of itself to do so; and the last as the only Remedy by the Application of which those Objects can be attained, and Upper Canada preserved to the Mother Country.

First, The making the Legislative Council elective I look upon as inexpedient; among other Reasons, because I am of opinion that the Institutions of every Colony ought, as nearly as possible, to correspond with those of the Mother Country. The Upper House of the Imperial Parliament not being elective, I would therefore not have the Upper House of the Provincial Parliament elective, unless under the Pressure of an absolute Necessity. I moreover disapprove of the Adoption of such a Measure, at all events at present, because it is, as a general Principle, inexpedient to make an Alteration in the Form of the Constitution of any Country until the Necessity for such Change has been demonstrated by putting into full and efficient Operation the existing Constitution in all its Details, which cannot be said to have been done with that of Upper

No. 16
Lord Glenelg
to
Sir F. B. Head,
20th August 1836.

Enclosures.