

## P A P E R S

RELATIVE TO THE

PROPOSED CHANGES IN THE LEGISLATIVE COUNCIL  
OF CANADA.

No. 1.

COPY of a DESPATCH from the Earl of ELGIN AND KINCARDINE to the  
Duke of NEWCASTLE.

CANADA.

No. 1.

No. 42.

Government House, Quebec, July 1, 1853.

(Received July 11, 1853.)

MY LORD DUKE,

(Answered No. 87, May 26, 1854, page 15.)

I HAVE the honour to transmit herewith the humble address to Her Majesty of Her Majesty's dutiful and loyal subjects the Legislative Council of Canada in Provincial Parliament assembled, on the subject of the Constitution of that House, in order that it may be laid at the foot of the throne.

I have, &amp;c.

(Signed) ELGIN &amp; KINCARDINE.

His Grace the Duke of Newcastle,

&amp;c. &amp;c. &amp;c.

Enclosure in No. 1.

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To the Queen's most Excellent Majesty.

MOST GRACIOUS SOVEREIGN,

WE, your Majesty's most dutiful and loyal subjects, the Legislative Council of Canada, in Provincial Parliament assembled, humbly approach your Majesty with sentiments of profound attachment to your Majesty's Person and Government;

We feel it to be a duty incumbent upon us earnestly to represent to your Majesty, that in our opinion there is nothing in the actual state of the province, or in the character and action of its legislature, which calls for alteration in the form of government granted by your Majesty in the Act 3 & 4 Vict. cap. 35, and modelled, as closely as the local circumstances of a colony would permit, after that Constitution which has long been the glory of the United Kingdom, and the great source of its prosperity.

We would respectfully represent to your Majesty, that to refer the selection of members of the Legislative Council to the popular vote, is to destroy that harmony of system upon which, in accordance with the theory of the British Constitution, the government of this country has hitherto been considered to rest; and by thus discarding the principle of appointment by the Crown, which has hitherto been deemed essential to the maintenance of a due balance in the state, to bring the Royal Authority into direct contact with two houses, both deriving power from and responsible to the people.

We crave permission, may it please your Majesty, to express our fears that should any scheme of the nature adverted to be unhappily adopted, safeguards, long held indispensable against hasty and inconsiderate legislation would become inoperative; jealousies would be fostered between bodies, each equally assuming to represent the people and the chances of collision between them increased; the balance of power in the state would become precarious and subject to frequent disturbance; and further elementary changes would soon be demanded of a democratic character, to an extent, perhaps, which this House is unwilling to contemplate.

EDWARD CARON, Speaker.

Legislative Council,

Saturday, 4th June, 1853.