

SESSIONAL PAPER No. 29c

force, with inconsiderable modifications, until the union of the provinces. Unfortunately it was not long before dissensions broke out in both provinces, particularly in Lower Canada. In that province there was trouble within the Executive body itself, the subject of dispute being the proper interpretation of the regulations respecting the disposition of waste lands, the members of the Council being almost unanimously opposed to Governor Prescott. It was not long, however, before difference of political sentiment and aim founded all too visibly on difference of race and temperament began to manifest themselves in the Assembly. The friction thus arising between the majority of the Assembly and the Executive is amply illustrated in the documents.

In Lower Canada, owing to the complete absence of local municipal institutions, the situation was aggravated by the concentration of practically the whole administrative work of the province in the hands of the Government, subject to the criticisms and demands of the Assembly. In Upper Canada municipal institutions were for a long time very rudimentary; but such as they were, they relieved to some extent the provincial government of a certain amount of detail. In Lower Canada, the Executive Council was on the whole more influential than the corresponding body in Upper Canada, where the Lieutenant Governor was always clearly predominant.

The subsequent history of the Constitutional development of Lower Canada to the time of the suspension of the Constitution in February 1837 is concerned chiefly with the efforts of the popular party in the House of Assembly to bring the administration to terms through its control of supply. The government had to 1831 an independent source of revenue through the operation of the Imperial Act 14 Geo. III, cap. 83. That revenue it had yielded to the Assembly in the hope of obtaining in return a vote of a permanent Civil list, a hope which was disappointed. At an earlier date articles of impeachment had been proposed against Chief Justice Sewell and Chief Justice Monk for the purpose of establishing their responsibility to the House of Assembly as Executive and Administrative Officers. After the Government had parted with the larger part of its independent resources the conflict resolved itself into a question of financial endurance.

While the wheels of government were thus clogged in Lower Canada, the Province of Upper Canada was deprived of one of its main sources of revenue. The ports of entry for Upper Canada as regards sea-borne merchandise, were located within the lower province, and the government of Upper Canada had therefore been under the necessity of making terms with its sister province for the payment at various times of certain portions of the revenue collected at Montreal and Quebec. During the heat of the struggle between the Legislature and the Executive in Lower Canada the agreement for the division of the revenue between the provinces had been allowed to lapse and the Province of Upper Canada found itself faced with the prospect of financial starvation. In these circumstances it became necessary in the year 1822 to request the intervention of the British government. The immediate problem to be solved was the proper division of the revenue, but, from the point of view of the Home authorities, the whole situation had grown so difficult, that the idea was entertained of attempting a larger remedy by a re-union of the two provinces. This, however, was found at the time to be impossible.