

land be asked, whether the Crown, without the authority of Parliament, can constitute the ecclesiastics of the seminary a community for the purposes of education, confirm to them their possessions, and at the same time and in such a manner that it may be easily enforced, impose a legal obligation that they will, on stated terms, release the inhabitants of the seignery from the obligations of the tenure *en roture*. In Canada, of late years, more than one Roman catholic college has been incorporated, either by Letters Patent under the seal of the Province or by the Provincial Legislature; and if no insuperable objection exists against this being done, for the Seminary, with the condition which I have specified, I would recommend that, after the official correspondence which has taken place, the Crown should forego not only its claims to the seignery, but any claim which might arise out of the *droit d'indemnité*, or subsequently out of the *droit de quint* or *de relief*.

CONCLUSION.

The foregoing notes will have shown that there are a great many intricate and troublesome affairs, which must in some degree be settled, or at least put in train, before a wholesome and efficient state of government can be re-established in Canada, or the Home Government can be relieved from the vexation and pain of perpetual remonstrances. But they will not have expressed the conviction under which they were written, unless they shall have also shown that it would be best if now, but that at all events ere long, there must be a reconstruction of the constitution of the Province. All the facts and circumstances which in 1791 recommended the policy of dividing the Province of Quebec, have grown up again, as it might have been fore seen that they would; and they are now in greater force than ever in Lower Canada. An immense tract of unoccupied country having been included within the boundary line of the Province, it is difficult to conceive in what manner, unless by some very rapid assimilation of the French and English races, which has not in any degree taken place, a recurrence could have been avoided of the inconveniences which characterized the era of 1791. The minister of that day, in the debate of the 11th of May, on the Quebec Government Bill, stated to the House of Commons that "there was no probability of reconciling the jarring interests and opposite views of the inhabitants, but by giving them two Legislatures. It was conceived that this form of government was best adapted to put an end to all difficulties of a legal sort, and to render the regulations more useful to the subjects of that country. He believed that there was such a rooted opposition of interests, that if there was a constitution consisting of a House of Assembly, in which the parties might be nearly balanced, the consequence, at least for a long series of years, would be a great degree of animosity and confusion. If one of the parties had a great ascendancy over the other, the party having the superiority was very unlikely to give satisfaction to the other party. It seemed to His Majesty's servants the most desirable thing, if they could not give satisfaction to all descriptions of men, to divide the Province, and to contrive that one division should consist as much as possible of those who were well inclined towards the English laws, and the other, of those who were attached to the French laws. It was perfectly true, that in Lower Canada there still remained a number of English subjects, but these would hold a much smaller portion than if there was one form of government for every part of the Province. It was in Upper Canada particularly that they were to expect a great addition of English inhabitants. The consequence was, that if it was not divided from the rest the Canadians forming a majority of five to one, the grievance would be every year increasing in proportion as the population increased. The division of the Province might be liable to some objections, but on the whole it was subject to fewer than any other measure.*" There is scarcely a sentence of this passage which, if the occasion on which it was spoken was not known, might not be supposed, by any one resident in Lower Canada, to have been a statement of some British Minister, in relation to the difficulties of the day that is passing over our heads. It seems, indeed, to have been expected at that time by Mr. Pitt, that the French population would increase as fast as that of British origin: whereas it has happened that the British in the two Provinces have increased more than tenfold, or from the number of 30,000 or 40,000 to nearly half a million, whilst the French Canadians are less than four times their number at that date; and whereas they are said to have been as five to one in the whole of the old province of Quebec, they now are not supposed to be more than three to one in even Lower Canada. But this is so far from invalidating the Minister's prediction, that "if the Province was not divided, the grievance would be every year increasing," as to have shown that the birth of it did not depend on the accident of the greater or less increase of the one population or the other. If no division had taken place, the present day would have exhibited the whole inhabitants of the old province of Quebec arranged in two parties of nearly equal numbers, and perilously opposed to each other. The division has, up to this time, prevented so extreme a danger; but from the old roots a similar state of circumstances to that which was alleviated in 1791 in the old province of Quebec, has been reproduced in Lower Canada; and instead of weakening the French Canadian party by an advance to a balance to a balance of numbers, the more rapid increase of the British seems to have the effect of compacting them into a harder mass, as if to resist the dissolution with which they are threatened. The jealousy with which they watch over the preservation of their laws, customs, manners and language, is the same as ever, and the same remedies are required for the state of repulsion and antipathy towards each other (no gentler terms will convey the truth) in which, as far as all questions of internal policy are concerned, the two parties exist; nor would the change be a difficult one to effect. It is not without a due sense of the grave and momentous considerations which are connected with the task of altering a constitution that I say this; but if the Act of the 31st Geo. 3, c. 31, be divested of its ecclesiastical provisions, it will be perceived that it is not a very difficult or complex structure, yet might serve as a precedent for what would be now wanted. To discern the occasion for bringing forward such a mea-