

means of dictating its own terms to the others; and to this end it was systematically converted by the Assembly. It adopted the custom of renewing all expiring laws, however heterogeneous in their character, in one and the same Bill. Having the first choice to exercise, it renewed, of course, only those Acts of which it approved, and left to the Legislative Council and the Governors only the alternative of rejecting such as had proved to be beneficial, or of passing such as, in their opinion, had proved to be mischievous. A singular instance of this occurred in 1836 with respect to the renewal of the Jury Law, to which the Assembly attached great importance, and to which the Legislative Council felt a strong repugnance, on account of its having in effect placed the juries entirely in the hands of the French portion of the population. In order to secure the renewal of this law, the Assembly coupled it in the same Bill, by which it renewed the tolls of the Lachine Canal, calculating on the Council not venturing to defeat a measure of so much importance to the revenue as the latter, by resisting the former. The Council, however, rejected the Bill; and thus the Canal remained toll-free for a whole season, because the two Houses differed about a jury law.

Nor was this custom of "tacking," confined to the case of the renewal of expiring laws. A Bill, for the independence of the Judges was coupled with the establishment of a new tribunal for trying impeachments, and with other provisions, to which it was known that the Crown was decidedly hostile; and thus, in the attempt to extort an objectionable concession, a most desirable guarantee for the pure administration of justice was sacrificed.

The system thus framed, was completed by the regulations with respect to a quorum, and the use which the majority made of them. A quorum of nearly half the whole House was required for the transaction of business. Towards the end of every recent session, the majority used to break up the quorum, and disperse to their respective homes, without waiting to be prorogued, immediately after sending up a number of Bills to the Council, thus leaving no means of considering or adopting any amendments which that body might make, and leaving it no option but that of rejecting or confirming by wholesale the measures of the Assembly.

But in describing the means by which the Assembly obtained, and attempted to consolidate, its power, I must not omit to direct particular attention to that which, after all, was the most effectual, and which originated in a defect common to the system of government in all the North American Colonies; it is, the practice of making Parliamentary grants for local works,—a system so vicious, and so productive of evil, that I believe that until it is entirely eradicated, representative government will be incapable of working well and smoothly in those Colonies.

Parliamentary grants for local works.

I know, indeed, of no difference in the machinery of government in the old and new world that strikes an European more forcibly than the apparently undue importance which the business of constructing public works appears to occupy in American legislation. In speaking of the character of a government, its merits appear to be estimated by the public works which it has carried into effect. If an individual is asked how his own legislature has acted, he will generally say what roads or bridges it has made, or neglected to make, in his own district; and if he is consulted about changes in a constitution, he seems to try their soundness by calculating whether his neighbourhood would get more and better roads and bridges under the existing, or the proposed system. On examining the proceedings of a legislature, we find that a great proportion of its discussions turns on such questions; and if we look to the budget, we find that a still greater proportion of the public money is applied to these purposes. Those who reflect on the circumstances of the New World, will not find it very difficult to account for the attention there paid to what is, necessarily, the first business of society, and is naturally made the first care of every responsible government. The provision which, in Europe, the State makes for the protection of its citizens against foreign enemies, is in America required for what a French writer has beautifully and accurately called, the "war with the wilderness." The defence of an important fortress, or the maintenance of a sufficient army or navy in exposed spots, is not more a matter of common concern to the European, than is the construction of the great communications to the American settler; and the State, very naturally, takes on itself the making of the works, which are matters of concern to all alike.

Importance of public works in American legislation.

Even the municipal institutions of the northern States of the American Union have not entirely superseded the necessity of some interference on the part of their

Height to which abuse of grants has been carried.