

added, that 19 of the majority were persons holding offices or places at the pleasure of the Crown. Upon what grounds Mr. M'Kenzie makes this assertion, I am at a loss to conjecture. I have before me a list of the majority who voted upon the occasion referred to, and on comparing it with the annual return of the civil establishment of the colony for 1830, I cannot discover that it includes more than six gentlemen holding any public employment; of these six, one fills a situation of which the emolument is little more than nominal, being only 9 *l.* a year; of the remaining five, two are the law officers of the Crown, whom I presume Mr. M'Kenzie can scarcely hold it to be desirable to exclude from the Assembly. If it could be shown that the Crown really possessed an undue influence in the provincial legislature, His Majesty would not hesitate to assent to any law which might be passed for the purpose of limiting the number of persons holding offices at pleasure who should be permitted at one time to sit there. I cannot, however, believe that any such undue influence could possibly be exercised; the popular system of election which exists in Upper Canada would enable the inhabitants speedily to dismiss from the Assembly any representative who might be capable of betraying his duty to his constituents by supporting a line of policy injurious to their interests, for so paltry a consideration as 50 *l.* or 60 *l.* a year, which seems to be the amount received by some of the persons to whose presence in the Assembly Mr. M'Kenzie objects. If the majority of the electors of any town or county think fit to return as their representative a gentleman who is in the public service, this only proves that the general policy of the government by which he is employed is in their opinion entitled to approbation; nor if so, can I see the slightest objection to such a choice; on the contrary, I think the presence in the Assembly of a certain number of gentlemen holding official situations, and able to explain the views and objects of the government on the different subjects which come under discussion, is calculated very much to promote the public interest.

Mr. M'Kenzie further contends, that the petitions of which he is the bearer should be credited as expressive of the general opinion of the province, because they accord with the votes of the House of Assembly of Lower Canada; because they are in harmony with the views of the last Assembly of Upper Canada; because this present Assembly has vacillated in some of its measures; because the present House have sanctioned resolutions, bills, and addresses negatived by the Council, or rendered ineffectual by yourself; because they correspond with the petitions presented to the House; because they are in co-incidence with certain petitions approved by the Assembly in 1828, with others presented in the House of Commons in 1831, and with another address to yourself in December last; and, finally, because they are supported by a mass of facts and testimony. These statements do not, as far as I perceive, invalidate the inference which I am bound to draw from the fact, that Mr. M'Kenzie and his constituents are opposed by a body of petitioners who very greatly outnumber themselves. Desirous to attribute to popular opinion, when deliberately formed and calmly expressed, the weight which it is indeed impossible to deny it, I am, by that very consideration compelled to believe, that in acceding to the prayer for a dissolution of the House, His Majesty would be acting, not in countenance with the judgment of the people, but in opposition to it. I must believe myself better informed than Mr. M'Kenzie respecting the affairs of Lower Canada, as I have much more ample sources of information, and I therefore deny that the cases of the two provinces are so parallel or alike that the resolutions adopted in the one could with any propriety be transferred to the circumstances of the other. I cannot assume that the ninth provincial Assembly, were it now sitting, would retain the opinions it held in a former and different period. The changes of opinion in the present House of Assembly rather prove that that body are attentive to the wishes of their constituents than the reverse, and certainly afford no argument to show that they have lost the public confidence. The "facts" and the "testimonies" to which reference is made, I have considered in the former part of this despatch.

The dissolution of the House is again urged upon His Majesty, because the same principle of extending the representation to meet the increase of the population was recognized in the Lower Canada Bill of 1829; because His Majesty assented to a reformed representation in this country; because it is desirable to conciliate the people of Upper Canada; because the Canada Committee of 1828 advised a conciliatory and constitutional system of government to be observed in the Canadas; and because Mr. Hume had, on some occasion which is not explained