

bility. An ignorant reader of his papers might be left with the impression that the question was altogether new, and that the existing constitution had never been vindicated on the principles and on the example of the most free and independent governments. How utterly remote this is from the fact, is clear to every man whose attention has been given to the affairs of Upper Canada for the last few years. Mr. M'Kenzie has therefore imposed on me the necessity of drawing a general outline of that defence of the law of 1820, which he has passed over in silence, but which is far too important to be disregarded by any fair and impartial inquirer.

It is a fact familiar to all who are conversant with the legislative history of North America, either in the United States or in the British Possessions, that a problem of no light difficulty has continually arisen respecting the distribution of the elective franchise amongst the inhabitants resident in different parts of the same state or province. The surface of the country is generally divided, for political purposes, into sections of nearly equal areas; but those counties or townships which are in the immediate vicinity of the capital, or which are intersected by great navigable streams, or bounded by lakes, are peopled with far greater rapidity than the more remote districts. Hence it has repeatedly happened that a single metropolitan or trading county has contained a population exceeding in wealth and number many newly-settled counties of similar dimensions. Accordingly when capital and numbers have been made the exclusive basis of the representation, one portion of the state or province has acquired an influence in the Legislature which has reduced to comparative insignificance the weight of all the other divisions of the country. The favoured district has thus been able, through its representatives, to throw upon the less fortunate sections a most unequal weight of taxation, and to refuse to them a fair participation in the benefits of the judicial and other institutions, to the support of which the revenue was applied; local interests have predominated over the general interest, and discontents have been engendered, threatening the stability of the government, and tending to an abrupt severance of one part of the state or province from the rest.

In the state of Maine, as I am informed, this difficulty was so sensibly felt, as to have led to the introduction of the system adopted in Upper Canada in the year 1820. In apportioning the elective franchise amongst the inhabitants, the Legislature did not confine its attention exclusively to the question of property and of numbers, but introduced a new element into the calculation; they considered that a small number of persons occupying one county might reasonably claim as large a share in the representation as a much larger and wealthier body occupying another county of equal dimensions; by this method members were drawn from every part of the province, the local wants of every part were explained, and the interests of each vindicated. In a densely-peopled country, like Great Britain, possessing such internal communication as to secure the immediate diffusion of intelligence from one end of the kingdom to the other, this precaution might be the less necessary, since no part is so remote or inaccessible as not to be rapidly reached by information of every projected law, or as to be destitute of the means of making an early protest against any measure injurious to its welfare. Yet even in this kingdom, where the subject has within the last two years undergone the most public and rigid scrutiny, no one, so far as I am aware, has seriously advanced the opinion, that the representation of the metropolis should bear to that of the country at large, the proportion which the wealth or population of London bears to that of England collectively. Such a principle would have given to the metropolitan districts between 40 or 50 members, a scheme which, I need scarcely say, would have been rejected by the entire body of the people as altogether unequal, though resting upon a foundation of the most perfect nominal equality.

It appears, however, to have been perceived by the Upper Canadian Assembly, in the year 1820, that by simply adopting the rule to which I have referred, they might extricate the province from one difficulty at the expense of another yet more considerable. A county might contain a very inconsiderable body of persons for some time after it was first redeemed from the wilderness, and thus a choice of members might virtually be committed to a very few electors, who might themselves be subject to some unworthy influence. It was, therefore, required that no county should be represented in the Assembly by a distinct member until the inhabitants numbered 1,000 at least. But with the foresight which is perceptible in every part of this law, it seems to have been perceived, that there was considerable danger in leaving any body of new settlers wholly unrepresented;