

between different classes of the population which before obstructed the working of that Act, it could, without very material alterations, be brought again into beneficial operation.

Lord Glenelg to the
Earl of Durham,
20 January 1838.

The necessity which has thus arisen of looking to more important amendments of the Act of 1791 than were originally contemplated is a sufficient reason for not at once recommending these amendments to Parliament, with a view to their immediate adoption, since the authority of the Imperial Legislature could not with advantage be employed in carrying into effect changes of this description before the wishes and opinions of those whom they would more immediately affect could be ascertained, especially as the interests of Upper Canada must of necessity be influenced in a greater or less degree by whatever may be done with respect to the Lower province.

In looking back to the history of the now long-continued dissensions of Lower Canada, it may be remarked that one prominent topic of complaint from the party opposed to the majority of the Assembly has been the anti-commercial spirit of legislation attributed to that body, and their alleged indifference to measures calculated to promote the industry of the colony, and the development of its natural resources. This disposition of the representatives of the French population of Lower Canada has been also urged as a most serious grievance by the inhabitants of the Upper province, which by its situation is rendered in great measure dependent, in all that relates to its foreign trade, on the legislation of the former colony. To meet these complaints it has, as you are aware, been frequently proposed, that the two provinces should be united under a common legislature, and some years ago a Bill for effecting that object was actually introduced into Parliament, where, however, upon discussion, it was abandoned. So recently as the beginning of last year, both branches of the legislature of Upper Canada concurred in representing, by a joint address to the Crown, the grievance which they suffered in being denied a freer access to the ocean, and the House of Assembly in another address prayed that the evil might be remedied by the annexation of the island of Montreal to the Upper province.

In order to lay the ground for the permanent settlement of the questions which agitate Lower Canada, and also of those which create divisions between Upper and Lower Canada, it will probably be found necessary to resort to some legislative measures of a comprehensive nature; but before such measures can be framed and submitted to Parliament, it would be highly desirable to ascertain the wishes and opinions of the people of both provinces regarding them.

This object could best be attained by a personal communication on your part with such persons selected from each province as may be presumed, from their station, character and influence, to represent the feelings of their fellow-countrymen in general. It seems advisable, therefore, to authorize your Lordship, if you should so think fit, to call around you a certain number of such persons, with whom you might take counsel on the most important affairs of the two provinces, the time of meeting of such a committee of advice being left entirely to your discretion.

You are therefore empowered to select three members from the legislative council of Upper Canada to attend such meeting, and to invite the House of Assembly of Upper Canada to nominate ten of its members for the same purpose. Under ordinary circumstances the same course would be pursued with respect to the legislature of Lower Canada. But if the Bill now before Parliament should be passed into a law, recourse must be had, during the suspension of that legislature, to another mode of supplying the deficiency.

You will accordingly, during such suspension, select three members of the body at present composing the legislative council, and will take measures for calling on the electors in each of the five districts into which Lower Canada is now divided to elect two persons to sit in the committee. Your Lordship can obviate any difficulty which may stand in the way of holding such elections by an ordinance for this purpose to be passed by the authority of the Governor in council.

The committee will thus consist of twenty-six members, over whose deliberations you will of course preside.

The committee being thus formed, you will bring before them the subjects on which you desire to receive their opinion and advice. Among the most important of these are the questions in debate between the two Canadian provinces.