

the usefulness, of that most respectable body in this country. But the warmest admirer of that institution must admit that its benefits result entirely from the peculiar character of the class from which our magistracy is selected; and that without the general education, the moral responsibility imposed by their high station in the eyes of their countrymen, the check exercised by the opinion of their own class, and of an intelligent and vigilant public, and the habits of public business, which almost every Englishman, more or less, acquires, even the country gentlemen of England could not wield their legally irresponsible power as Justices of the Peace to the satisfaction of their countrymen. What, then, must be conceived of the working of this institution in a colony, by a class over whom none of these checks exist, and whose station in life and education would alone almost universally exclude them from a similar office at home? When we transplant the institutions of England into our colonies, we ought at least to take care beforehand that the social state of the colony should possess those peculiar materials on which alone the excellence of those institutions depends in the mother country. The body of Justices of the Peace scattered over the whole of Lower Canada, are named by the Governor, on no very accurate local information, there being no lieutenants or similar officers of counties in this, as in the Upper Province. The real property qualification required for the magistracy is so low, that in the country parts almost every one possesses it; and it only excludes some of the most respectable persons in the cities. In the rural districts the magistrates have no clerks. The institution has become unpopular among the Canadians, owing to their general belief that the appointments have been made with a party and national bias. It cannot be denied that many most respectable Canadians were long left out of the commission of the peace, without any adequate cause; and it is still more undeniable, that most disreputable persons of both races have found their way into it, and still continue to abuse the power thus vested in them. Instances of indiscretion, of ignorance, and of party feeling, and accusations of venality, have been often adduced by each party. Whether these representations be exaggerated or not, or whether they apply to a small or to a large portion of the magistracy, it is undeniable that the greatest want of confidence in the practical working of the institution exists; and I am therefore of opinion, that whilst this state of society continues, and, above all, in the present exasperation of parties, a small stipendiary magistracy would be much better suited to both Upper and Lower Canada.

The police of the Province has always been lamentably defective. No city, from the lawless and vicious character of a great part of its population, requires a more vigilant police than Quebec. Until May 1836, the police of this city was regulated by an Act which then expired, and was not renewed, and it consisted of 48 watchmen, of whom half served every night for the whole town. The day police consisted of six constables, who were under no efficient control. On the expiration of this Act there was no night police at all; and murders occurring in the streets, the inhabitants formed a voluntary patrol for the upper town. Lord Gosford, in December 1837, appointed Mr. Young inspector of police, with eight policemen under him; a serjeant and eight men of the Volunteer Seamen's Company were placed under his order; and another magistrate had a corporal and twelve men of the same company for the police of the lower town. Finding their force wholly insufficient, receiving daily complaints, and witnessing daily instances of disorder and neglect, and, above all, being much pressed to increase the police by the owners of vessels who had no power of restraining the desertion of their crews, I ordered a regular police of 32 men to be organized on the plan of the London police in June last. This body was further augmented in October to 75; and this number is represented to me by the inspector as by no means more than sufficient.

Police of Quebec.

In Montreal, where no approach to a general system of police had been made, I directed Mr. Leclerc, who had been appointed a stipendiary magistrate by Lord Gosford, to organize a force similar to that of Quebec. The number of this is now carried, I think, as high as 100.

Of Montreal.

Throughout the rest of the Province, where the functions of a police used to be discharged by the militia, that body being now disorganized, there is, in fact

No rural police.