

tributed to the event, a constitutionalist of liberal principles would at another general election have, I think, a fair chance of success, not only in the Upper, but also in the Lower Town of Quebec, and probably even in one of the wards of Montreal. It does not seem therefore at all unreasonable to suppose that if the population of British origin were firmly united, they could return even as many as 18 or 20 members, though this would be the very utmost that they could do, out of a House that will hereafter consist of 90.

With respect to the portion of the British population mixed with the French Canadians in the seigneuries, Sir Charles agrees with the Report in thinking that there is no way in which any influence can be given to them by the introduction of some novel principle, as for instance, by confining each elector to one vote, and by making the electoral districts larger than they are. Now the Report does not declare itself unfriendly to this principle, and I, for my own part, should be glad if, after fair discussion, an adaptation of it could be made to suit the province; but to ask that, as a first attempt, it should be forced by the Imperial Parliament on Lower Canada, would, I must confess, appear to me rather unreasonable.

A Table is appended, which I have prepared to show how the principle might be expected to act, of giving to each elector one vote only, or any number of votes less than the number of representatives to be returned.

Sir Charles Grey, after all, seems to conclude that not even the Imperial Parliament can effect any improvement in the representation of the province, without making an essential alteration in the constitution of it, and accordingly, Sir Charles suggests, as an ultimate remedy, the division of the province into five or more municipal districts. The proposal for making the electoral districts much smaller than they are at present, in imitation of what has been done in the neighbouring state of Vermont, and thereby greatly increasing the number of representatives, will, I apprehend, find little favour with any party.

4. EXECUTIVE COUNCIL.

On the subject of the Executive Council, a decided difference of opinion certainly does exist between Sir Charles and his colleagues; but as the different grounds on which we form our separate opinions have been sufficiently stated in our Third Report, and in the papers that were sent home with it, I shall make here only one additional remark, which is, that if all the Executive Councillors are to go out of office on the removal of a Governor, the first act of every Governor will be to appoint new ones, and that he will thus have to determine on the relative claims to his confidence of all the men of influence in the province before he can have had time to become acquainted with any of them.

5. WILD LANDS.

The only difference of any importance between Sir Charles and his colleagues respecting the management of the Crown lands is, that Sir Charles would entirely do away with the system of selling by auction, which the other Commissioners would retain. When Sir Charles says that we could not do better

than adopt the American system, he appears to have overlooked the fact that a sale by auction forms a part of their system. It is only what remains unsold at public auction that is afterwards sold at the fixed price of 1½ dollar per acre, in the United States.

This portion of the American system*, I confess, I should be disposed to recommend for adoption in Canada, were it not for the consideration, that in a country where accusations are so readily entertained against public officers, I think the only security in the disposal of the wild lands that can put the officers of the executive above the suspicion of a want of integrity, is the rigid observance of the rule of selling every thing by public auction.

6. COURT OF APPEALS, AND COURT OF ESCHEATS.

Upon these two points there does not appear to me any further difference of opinion than that his colleagues cannot concur with Sir Charles in recommending that there should be but one Court of Appeals for the two provinces. In matters growing out of the French Civil Law, or "Coutume de Paris," it does not seem to me probable that the French Canadians would look upon the English judges of Upper Canada as competent to decide. Inter-provincial jealousies might also arise from such an arrangement, which it would seem the duty of a prudent government to avoid.

7. SEMINARY OF ST. SULPICE.

Upon this point all the Commissioners are agreed in thinking that the effect of the conquest of the country was to leave the Seminary of St. Sulpice entirely dependent on the pleasure of the Crown for its continuance; and we are also agreed that though so placed at the discretion of the Crown, and without any legal claim to the continued enjoyment of the former possessions of the society of St. Sulpice, the branch of that society which was established at Montreal had an equitable claim on the Crown for the continued enjoyment of them. We are further agreed that the Crown has, by a long series of Acts, extending from the conquest to the present time, so far confirmed these possessions to the existing seminary of Montreal, that under existing circumstances, nothing but the most urgent necessity,—a necessity, that is say, stronger than any that has been yet shown to exist, could justify His Majesty's Government in seeking to re-establish the King's rights in a court of justice. One slight shade of difference only appears to me to exist amongst the Commissioners on all these points, which is that in estimating the various circumstances that combine to form an equitable title in favour of the seminary, Sir Charles would give somewhat more weight than his colleagues to the 34th article of the capitulation of Montreal.

There may be probably some more recondite points of difference between the statements in the Report, and the more elaborate one made by Sir Charles, but I must confess, that neither in conversation, nor in the perusal of his paper, have I been able to discover them.

The Commissioners are moreover of one opinion

* The practice, that is to say, of selling at a fixed price any land that remained unsold after having been exposed to public auction.