

is (or ought to be) the perfection of human reason," may probably, at no very distant period, embolden me to apply what powers of "human reason" I possess to, that important and interesting enquiry. With this intention, I shall feel gratified by the communication of the ideas of any gentleman, either professionally or otherwise, versed in the matter; especially such as can give a thorough insight into the comparative principles and practice of the debtor and creditor laws of Old France, and New France.

L. L. M.

## ABSTRACT OF DEBATES IN UPPER CANADA,

CONTINUED.

In delivering his sentiments, Mr. John Wilson took occasion to say, that, "if he were instructed by his constituents to support an union, he would do so, although his own feelings were opposed to it." As the opinion that the representatives in a general council, are bound to follow the instructions of their constituents,\* seems to have gained much ground in Upper Canada, and as a gentleman of such otherwise correct constitutional and parliamentary notions as Mr. Wilson is, has adopted it, I believe it may not be amiss to expose, in a few words, its fallacy, and evil tendency. A representative is elected as a person best adapted by his knowledge, acuteness of discernment, and strength of judgement, to watch over, and promote; first, the individual and local interests of his immediate constituents, and secondly those of the whole state or community of which his constituents form a part: they, of course, confined within their own district, and without the means of hearing what may be urged against any measure that may be a favourite one with them, by those who either view it in a different light, or suppose it to be inimical to their particular interests, commit to their representative not only the power of delivering their sentiments, but also the faculty of hearing those of others, and judging between them, if they are conflicting opinions. The representative is not only the mouthpiece of his constituents, but is likewise their ear, and their brain; and hearing, and judging of, all that occurs in the assembly to which he has been sent, he ought to act according to the conviction of his mind as to what is right, whether it be consistent with what he knew to be the opinion and wishes of his constituents at the time they elected him, or contrary to them; for, putting himself into their shoes, as their representative, he ought to reason thus; if my constituents were here, like me, to see, hear, and judge, of all things, as I do, they

*\* I believe that in some of the new Western states in America, this most erroneous political maxim, has even been inserted in their constitutions. It is, I know, to be found in that of the state of Illinois.*