

**REPORT**

OF THE

**SPECIAL COMMITTEE**

APPOINTED TO REPORT THE ALTERATIONS TO BE MADE IN  
THE CONSTITUTION OF THE

**LEGISLATIVE COUNCIL,**

AND THE

MEANS OF EFFECTING THE SAME, IN CONFORMITY TO THE  
RESOLUTIONS OF THE 15th JANUARY, 1833.

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IN conformity with the order of Your Honorable House, Your Committee have occupied themselves with the consideration of the means of putting in practice, in such a mode as shall promote the good government of this Province, and the welfare of His Majesty's Subjects therein, the principle laid down by Your Honorable House in your Resolutions relative to the second Branch of the Provincial Legislature, as constituted by the Act of the Parliament of Great Britain, of the 31st Geo. III, Cap. 31.

It has been generally admitted, that the Legislative Council of this Province, has not, at any period of its existence, given proofs of that spirit of independence, and community of interests, with the Inhabitants of the Country, which could alone ensure that harmony in the proceedings of the Government, and give, in particular to each of its Branches, that degree of confidence of public opinion, which is requisite to produce that effect.

It could, however, not be otherwise, when it is considered that the original constitution of that body, and its renovation in proportion as vacancies occurred, has been at the disposal of the Crown, at the recommendation of the Provincial Administrations, most frequently interested in surrounding themselves, in that second Branch, by Public Functionaries, or by other individuals known to be advocates of the measures of the Executive, and who became thus clothed with a legislative inviolability. No bounds were given to those appointments, and they were thus made, in great majority, from amongst those who were the least connected with the Country, either in point of permanent interest, of services rendered to their fellow citizens, or of the esteem in which they were held. Hence the whole body became isolated from the people, none of the great interests of whom it represents,

The existence of this evil, although it has for a long time formed the subject of remonstrances on the part of the Inhabitants of the Country, is not sufficient however to enable a remedy for it to be pointed out, so that the Provincial Government might be reconstituted upon basis which may at the same time coincide with those imitations of the Metropolitan Government, which it was evidently the intention of the Legislators of 1791 to introduce in the Canadas, and at the same time present that practical analogy, the results of which were, no doubt, not less their desire to introduce, and without which an apparent imitation in forms alone, would only produce a still greater anomaly.

Without the express orders of Your Honorable House, your Committee would have felt hesitation in reporting their own opinions as to means of providing a remedy for this constitutional defect in our Government, as the basis of representations to be made on the part of Your Honorable House. Although all the interests of the Country are therein fully and equally