

in direct violation of the constitutional rights and privileges of the legislative council. In illustration of this, we respectfully advert to the persevering endeavours of that house to obtain the entire controul and disposal of all the provincial revenue and income, refusing, at the same time, to make any adequate permanent provision for the expenses of the civil government, and to provide for the independence of the judiciary,—to the conditions and instructions annexed to the votes of certain sums contained in the bill of supply, sent up during the present session, which strike at the existence of your Majesty's prerogative to appoint to all offices of honor or profit in the colony,—to the claim advanced by the assembly to preserve this extensive and important part of your Majesty's dominions, (in which there is room for millions of inhabitants) as a colony to be settled only by Canadians of French origin and descent, contrary to the just and manifest rights of your Majesty's native born subjects,—and lastly, in the attempt to induce your Majesty to adopt a measure which would destroy the equilibrium of the constitution, by substituting an elective council for the intermediate branch established by law. In reference to the pretension last noticed, we humbly entreat your Majesty's attention to the undeniable fact, that in proportion as your Majesty has graciously been pleased to increase the constitutional weight and efficiency of the legislative council, by the addition of members, unconnected with the local administration, and largely taken from the assembly itself, the efforts of that house for its entire abolition have become more and more violent and daring.

That the constitution of government established in this province, under the act passed in the 31st year of the reign of his Majesty king George the third, chapter 31, has been efficacious in promoting the welfare and happiness of the inhabitants thereof, and in confirming their attachment to the British throne, are facts powerfully attested by the peaceable submission of the people to the laws, and the readiness with which they have on all occasions defended the province against foreign aggression, as well as by the petitions laid at the foot of the throne in the years 1814 and 1828, and the addresses, at those periods, of the assembly itself, in which they entreated his late Majesty and the Imperial parliament "to maintain the inhabitants of Canada in the full enjoyment of the constitution as established by law, without any change whatever."

It was in the year 1831, after the general election for the assembly, now in session, and when some grounds of complaint against the local administration were in course of being redressed by the interposition of the Imperial government, that a desire for a change in the constitution was first openly avowed in that body, and it is a matter of astonishment that a violent and reckless party in that house, should be able to induce a majority of its members into an attempt to destroy a form of government, under which your Majesty's Canadian people have enjoyed a state of peace, security and contentment, scarcely exceeded by any part of the world, and against which no considerable portion of the people have yet formally complained.¹

While, therefore, the legislative council desire not to conceal from your Majesty, the actual state of the province, they are far from believing that the great body of the people yet participate in the views and wishes of the majority of the assembly, but in a community in which education has made so little progress, even the well-disposed, the happy, and contented, are too liable to be misled by the factious and designing.

The constitution enables your Majesty to uphold an independent branch of the legislature, by a judicious selection of the members chosen to compose it, and we venture, with all humility, to state to your Majesty, that a branch so chosen is essential to sustain your royal prerogative, to maintain the connection, which happily subsists between this colony and the mother country, and to give security to a numerous class of your Majesty's subjects of British origin, now numbering about one hundred and fifty thousand souls, scattered over this province, whose interests cannot be adequately represented in an assembly, seven-eighths of the members whereof are of French origin, and speak the French language.

It is under the circumstances above described that the assembly have proposed to your Majesty to abolish this house, and to substitute in its place a council to be elected² by proprietors of estates of ten pounds annual value; a measure well conceived to further the desired object of obtaining a legislative body, in

¹ See Christie, iii, pp. 363 ff.

² See No. LXXX.