

of forming the electoral divisions and determining the number of members to be returned, on the principle of giving representation, as near as may be, in proportion to population. I am averse to every plan that has been proposed for giving an equal number of members to the two Provinces, in order to attain the temporary end of outnumbering the French, because I think the same object will be obtained without any violation of the principles of representation, and without any such appearance of injustice in the scheme as would set public opinion, both in England and America, strongly against it; and because, when emigration shall have increased the English population in the Upper Province, the adoption of such a principle would operate to defeat the very purpose it is intended to serve. It appears to me that any such electoral arrangement, founded on the present provincial divisions, would tend to defeat the purposes of union, and perpetuate the idea of disunion.

At the same time, in order to prevent the confusion and danger likely to ensue from attempting to have popular elections in districts recently the seats of open rebellion, it will be advisable to give the Governor a temporary power of suspending by proclamation, stating specifically the grounds of his determination, the writs of electoral districts in which he may be of opinion that elections could not safely take place.

The same commission should form a plan of local Government by elective bodies subordinate to the General Legislature, and exercising a complete control over such local affairs as do not come within the province of General Legislation. The plan so framed should be made an Act of the Imperial Parliament; so as to prevent the General Legislature from encroaching on the powers of the local bodies.

A general executive on an improved principle should be established, together with a supreme court of appeal, for all the North American Colonies. The other establishments and laws of the two colonies should be left unaltered, until the Legislature of the union should think fit to change them; and the security of the existing endowments of the Catholic Church in Lower Canada should be guaranteed by the Act.

The constitution of a second Legislative body for the united Legislature involves questions of very great difficulty. The present constitution of the Legislative Councils of these Provinces has always appeared to me inconsistent with sound principles, and little calculated to answer the purpose of placing the effective check which I consider necessary on the popular branch of the Legislature. The analogy which some persons have attempted to draw between the House of Lords and the Legislative Councils, seems to me erroneous. The constitution of the House of Lords is consonant with the frame of English society; and as the creation of a precisely similar body in such a state of society as that of these colonies is impossible, it has always appeared to me most unwise to attempt to supply its place by one which has no point of resemblance to it, except that of being a non-elective check on the elective branch of the Legislature. The attempt to invest a few persons distinguished from their fellow colonists neither by birth nor hereditary property, and often only transiently connected with the country, with such a power, seems only calculated to ensure jealousy and bad feeling in the first instance, and collision at last. I believe that when the necessity of relying in Lower Canada on the English character of the Legislative Council as a check on the national prejudices of a French Assembly, shall be removed by the union, few persons in the colonies will be found disposed in favour of its present constitution. Indeed the very fact of union will complicate the difficulties which have hitherto existed, because a satisfactory choice of councillors would have to be made with reference to the varied interests of a much more numerous and extended community.

It will be necessary, therefore, for the completion of any stable scheme of Government, that Parliament should revise the constitution of the Legislative Council, and by adopting every practicable means to give that institution such a character, as would enable it, by its tranquil and safe, but effective working, to act as a useful check on the popular branch of