

The House of Assembly declined acceding to the proposition contained in the message of the Lieutenant-governor, principally in consequence of the stipulation in favour of the religious bodies, which the House did not think should have been made. Fresh negotiations were opened on the subject, which had not terminated when the House was invited to consider the propositions for a re-union of the Provinces.

The message of his Excellency the late Lord Sydenham, to the House of Assembly of Upper Canada, communicating the terms on which Her Majesty's Government were of opinion that a union of the Provinces of Upper and Lower Canada might be effected, stipulated for the permanent grant of a sufficient Civil List, "for securing the independence of the judges, and to the Executive Government that freedom of action which is necessary for the public good." Beyond a promise that the salaries and expenses would be calculated with a strict regard to economy and the state of the provincial finances, the Message contained little further information on this subject.

It appears evident that the House, in pledging itself to the grant of a sufficient Civil List, never contemplated a permanent provision for any officers but those for whom such provision had been required previously by Her Majesty's Government, when the offer of the surrender of the casual and territorial revenue had been made. The Resolution adopted by the House is as follows:—"That this House concur in the proposition that a Civil List be granted to Her Majesty for securing the independence of the judges, and to the Executive Government that freedom of action which is necessary for the public good; the grant for the person administering the Government, and for the judges of the several superior courts, to be permanent, and for the officers conducting the other departments of the public service, to be for the life of the Sovereign, and for a period of not less than 10 years."

It is manifest, from the tenor of the foregoing Resolution, that the House of Assembly never contemplated the grant of a Civil List embracing the services provided for in the schedules annexed to the Re-union Act. The permanent grant is expressly limited to the Governor and the judges, whereas provision is made in Schedule (A.) not only for the salaries of the Crown officers, but for all the contingent expenses of the administration of justice.

As the constitution of Lower Canada was suspended when the terms on which the union might be effected were submitted for consideration in that province, no expression of opinion was obtained from any parties claiming to represent public opinion.

But it will be found that negotiations had taken place on the subject of a Civil List, between Her Majesty's Imperial Government and the House of Assembly of that province, previous to the suspension of the constitution.

It is satisfactory to find recorded in the despatches, both of the Earl of Aberdeen and of Lord Glenelg, who successively held the seals of the Colonial Department, an admission that it was expedient that the hereditary and territorial, as well as all other branches of the provincial revenue, should be surrendered to the appropriation of the House of Assembly on the grant of a moderate Civil List. In none of the numerous propositions made during a series of years by Her Majesty's Government was there a demand for a Civil List to anything like the extent or amount granted by the Re-union Act. In the sister provinces of Nova Scotia and New Brunswick difficulties have been experienced very similar to those which have existed in Canada, owing to the Imperial Government having stipulated that a provision should be made for services which the Legislatures of those provinces were unwilling to sanction. The question of the Civil List is still unsettled in Nova Scotia; but the Imperial Government have never claimed from the Legislature of that province that provision should be made for the services provided for in the schedules annexed to the Re-union Act.

It is impossible for any Government to support a Civil List to which objections are raised, and with justice, by the people at large; first, on the ground that its establishment was a violation of their constitutional rights; second, that the services provided for are more than ought to be placed on the permanent Civil List, more than the Imperial Government ever asked previous to the union, and more than they now ask from the sister colony of Nova Scotia; third, on the ground that the salaries provided are higher than the province can afford to pay with a due regard to the public interests, and more especially to the maintenance of the public credit.

However strong may be the objections to the present arrangement of the Civil List, yet, with a view to preserve a good understanding between Her Majesty's Imperial Government and the Canadian Legislature and people, an effort should be made to avert the evils which must unavoidably arise, if this question be suffered to remain much longer in its present state.

It is right that the Governor-general should be informed of the anxious desire which is generally felt that the Civil List to be granted to Her Majesty out of the Consolidated Revenue Fund of Canada should, as far as possible, be analogous to that of the United Kingdom, and that the permanent grant should be limited to the Governor, the private secretary to the Governor, and the necessary contingencies of his office, and the judges of the superior courts, who hold their offices during good behaviour; and that the salaries of the principal officers of the Civil Government and of their clerks, together with their contingent expenses, should be voted annually, as in England.

Although this opinion is very strongly entertained, and although the members of the Provincial Government would experience great difficulty in advocating a Civil List of a greater extent than that which they have hitherto supported, it may be found expedient, in consideration of the strong feeling entertained by the Imperial Government on this subject, and in view of the interests of the people of Canada, that they should waive their objections and agree to propose to the Canadian Parliament the grant of such a permanent Civil List