

Province, amounting to no less a sum than £140,000 without the consent of the Representatives of the People, under whose control the appropriation of these sums is placed by the Constitution.

Your Committee cannot but express their deep regret that such a state of things should have been allowed to exist for so many years in a British Colony, without any communication or reference having been made to Parliament on the subject.

Upon the several points referred to your Committee, connected with the Office of Receiver General, of the Sheriffs, and of the Jesuits' Estate, your Committee proceeded to examine evidence upon each. The facts of the cases as regards the Receiver General, Mr. Caldwell, are detailed in Mr. Neilson's evidence. Mr. Caldwell was a defaulter in 1823 for £96,000 of the public money of the Province. Upon an examination of his accounts by the House of Assembly, no acquittal could be traced from the Treasury of a later date than 1814, though some balances were stated up to 1819; and it appeared by documents then produced, that the fact of his deficiency was known for a considerable time before he was suspended.

Your Committee recommend for the future, that steps should be taken, by efficient securities and by a regular audit of the accounts, to prevent the recurrence of similar losses and inconveniences to the Province.

As connected with this branch of the inquiry, your Committee recommend, that precautions of the same nature should be adopted with regard to the Sheriffs; as it appears that within a few years two instances of the insolvency of these officers have occurred while possessed, in virtue of their office, of large sums of money deposited in their hands.

With respect to the Estates which formerly belonged to the Jesuits, your Committee lament that they have not more full information; but it appears to them to be desirable that the proceeds should be applied to the purposes of general education.

One of the most important subjects to which their inquiries have been directed; has been the state of the Legislative Councils in both the Canadas, and the manner in which these Assemblies have answered the purposes for which they were instituted. Your Committee strongly recommend, that a more independent character should be given to these bodies; that the majority of their Members should not consist of persons holding offices at the pleasure of the Crown; and that any other measures that may tend to connect more intimately this branch of the Constitution with the interest of the Colonies, would be attended with the greatest advantage. With respect to the Judges, with the exception only of the Chief Justice, whose presence, on particular occasions, might be necessary, your Committee entertain no doubt that they had better not be involved in the political business of the House. Upon similar grounds it appears to your Committee, that it is not desirable that Judges should hold seats in the Executive Council.

Your Committee are desirous of recording the principle which, in their judgment, should be applied to any alterations in the Constitution of the Canadas, which were imparted to them under the formal Act of the British Legislature of 1791. That principle is to limit the alterations which it may be desirable to make by any future British Act, as far as possible, to such points as, from the relation between the Mother Country and the Canadas, can only be disposed of by the paramount authority of the British Legislature; and they are of opinion that all other changes should, if possible, be carried into effect by the local Legislatures themselves, in amicable communication with the local Government.

Upon the great question of the Union of the two Canadas, your Committee have received much evidence, to which they desire to call the attention of the House. With reference to the state of public feeling that appears to prevail in these Colonies on this momentous subject, your Committee are not prepared, under present circumstances, to recommend that measure.

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