

Connected with this subject, is the lapse of time which, it is stated, has on various occasions, occurred in conveying to the Legislature His Majesty's answers to their addresses. It is very possible that delays which all would regret, may have taken place; in some instances, perhaps, occasioned or prolonged by circumstances, which no activity or zeal in His Majesty's service could have obviated; but His Majesty takes so deep, and if I may use the expression, so personal an interest in the affairs of this country, that his Ministers have received the most unqualified commands to lay before His Majesty, immediately on its arrival in England, every communication which either branch of the Legislature may address to the Throne, and to see that His Majesty's answer be conveyed to the Province with the utmost possible dispatch.

There have been several complaints of other matters; such as of the undue preference of the English to the French language; of improperly calling on the Judges for extra-judicial opinions on matters which might subsequently come before them for decision; of an interference in the elections of the representatives of the people, and of other matters on which I should scarcely have thought it necessary to make any specific observations, because I can assure you, generally, and without any specific reservation, that any course of Government liable to such imputation would be marked by the displeasure of His Majesty, and because I rely upon your giving me so much of your confidence as not to suppose beforehand that I should subject myself in these respects to any just reproach.

With respect, however, to any undue partiality to the English language, it may not be superfluous to apprise you more explicitly that His Majesty disapproves and is desirous to discourage and prevent the adoption of any practice which would deprive either class of his subjects of the use, in their official acts, of that tongue with which early habits and education may have rendered them most familiar; and that if you should deem it requisite to pass a law, for securing both the English and French inhabitants of this Province against any disadvantage arising from an undue preference to either language, I should be prepared willingly to assent to the measure.

It has been represented as another grievance that exorbitant fees have been charged in some of the Public Offices. I have not yet been sufficiently long in the Province to have obtained accurate information on this subject; but I am willing to enquire with you in a revision of the fees of every office in the Province, and in the appointment, should you think it expedient, of a commission of enquiry for that purpose. His Majesty has no wish on the subject, but that the remuneration of all public officers, from the highest to the lowest, should be so regulated as to provide for the efficient discharge of the public service—an object which cannot be effectually secured without a fair remuneration to the persons employed by the public.

I will readily co-operate, if it be desired, with a committee of both Houses, or of either House, in an enquiry, not only into certain rules of practice made by the Courts of Law, which it has been stated in addresses to the Throne, have exceeded the just authority of the Judges, but also in all the practice and proceedings of the superior Tribunals, with a view to rendering them more prompt and methodical, and less expensive. I apprehend, however, that after such an enquiry, it might not be in the power of the Governor alone to apply any effectual remedy; and that I should require the concurrence of both branches of the Provincial Legislature in passing an Act for the purpose.

The Clergy Reserves are among the most extensive of the subjects adverted to in the complaints from the Province. The whole question, with the draft of a bill for the adjustment of the claims of all parties, has been already submitted to the decision of the Legislature, but was lost, apparently by some misapprehension of the intention of His Majesty's Government. As the best means of removing this misapprehension, I shall cause to be communicated without delay, copies of the Earl of Ripon's despatches on this subject; and I invite you to resume the consideration of the proposals which they contain.

*Gentlemen of the House of Assembly:*

To both branches of the Legislature I am authorised to offer my warrants for the payment of their contingent expenses. I have received the commands of our most Gracious Sovereign to acquaint you that His Majesty is disposed to place under the control of the Representatives of the people all public monies payable to His Majesty or to His Officers, in this Province, whether arising from taxes or from any other Canadian source, but that this cession cannot be made except on conditions which must be most maturely weighed, and that to arrange such conditions for your consideration, is one of the principal objects of the Commission with which it hath pleased His Majesty to charge myself and my colleagues.

Our enquiries into this subject shall be pursued with unceasing diligence, and the result shall be submitted with all practicable speed to His Majesty's Government, and I hope, in a session to be holden the ensuing year, I shall be able to lay before you proposals for a satisfactory and conclusive arrangement.

I have desired that the accounts which are necessary to shew the financial state of the Province, with an estimate for the current year, should be submitted to you as soon as possible, and every explanation respecting them, which it may be in my power to afford, shall be furnished without reserve. The accounts shew the large arrears that are now due for salaries to public officers, and for the other ordinary expenditures of the government, and I earnestly request of you to pass such votes as may effect liquidation of these arrears, and provide for the maintenance of Public Servants, pending the enquiry by the Commissioners to which I have alluded.

Should you place the government in this position, I am authorised to engage that no part of the surplus proceeds of the Crown Revenues which may accrue beyond the charges to which they are at present permanently liable, shall, in the interval of the Commissioners' enquiry, be applied to any purpose whatever, unless with your assent.

As connected with the subject of Arrears, I am further commanded to ask of you the repayment to the Military Chest, of the sum advanced under the sanction of His Majesty's Government, to meet the pressing exigencies of the Public Service. This advance was exclusively from British Funds for the purpose of avoiding any undue interference with the Revenues falling under the control of the Assembly, and with a strong persuasion that it would not prejudice the satisfactory adjustment of any of the questions at issue between His Majesty's Government and the House of Assembly. However the measure may have been subsequently understood, such were the feelings with which it was adopted. It is obvious that this application does not call on you to grant the smallest amount more than would have been required if there had been no advance.—His Majesty therefore hopes, that an issue made in reliance on the just and liberal feelings of the House of Assembly, and designed for no other purpose than to prevent a

highly inconvenient interruption of the general business of the Province, will be cheerfully repaid.

In the absence of any legal provision for the purpose, I took on myself the responsibility of continuing the Quarantine Establishment at Gross Isle, on the same footing as I found it, relying on your liberality to make good an expenditure thus incurred solely for the public advantage.

I am happy to state that the Establishment was closed at an earlier period than usual, in consequence of there having been, for several weeks previously, no sick of any description in the Hospital. I avail myself of this opportunity to suggest to you the expediency of indemnifying the Proprietor of the Island for its past occupation in the public service, and of enabling the Government to obtain possession of it, should the continuance, there, of a Quarantine Establishment be deemed advisable.

I have to announce that the suit instituted by the Crown against the late Receiver General for repayment of the debt due to the Province has been brought to a termination, which makes the Estate of the Defendant applicable to the demands of the Province. I may also announce to you that the party against whom the judgment has been given, has come to the determination to relinquish his seat in the Legislature of the Province, and to abstain from the exercise of all rights and privileges attached to it.

*Gentlemen of the Legislative Council,*

*Gentlemen of the House of Assembly,*

In requesting your attention to such useful statutes as may have recently expired, I beg to recommend to your more immediate notice, one, the expiration of which has affected the system of strict reciprocity requisite to be maintained in our commercial intercourse with the United States; I allude to the act passed in the 4th year of His present Majesty, entitled, "An Act to continue for a limited time, and to amend certain Acts therein mentioned, relating to the collection of the Revenue at the several Inland Ports of the Province." I would also recommend to your consideration the whole question of Prisons, and Prison discipline, and the expediency of adopting some more effectual methods than at present exist, for repressing crime, which, I regret to say, appears to be on the increase in the Province.

Of the Commission of which I have spoken to you, it will be the first and most urgent duty to prepare with deliberation and the utmost care, and yet without delay, the heads of a bill for giving up to the appropriation of the House of Assembly the net proceeds of the hereditary revenue, and to prepare it in such a form that it may be acceptable to the authorities, whose sanction it may require, or under whose cognizance it may come. In what form precisely this important concession may be finally made, it would now be out of place to discuss; but it will be necessary that two points should be secured. First, that the management of the sources of that revenue of which the proceeds are to be appropriated by the House of Assembly, should be reserved to Officers of the Crown, whose accounts will be open to the inspection of the Legislature of the Province. Secondly, that provision should be made for the support of the Executive Government and for the salaries of the Judges by an adequate Civil List.

The much agitated questions respecting the tenures of land and registry of titles, and all the complicated considerations connected therewith, will also form a subject for the review of the Commissioners; and they are directed to make a complete investigation of the conflicting claims of the Crown and of the