

Earl of Aberdeen
to Earl Amherst.
2 April 1835.

In the accompanying Minutes your Lordship will find a complete statement of all the sources from which the hereditary and territorial revenues of the Crown in Lower Canada are derived, with the average annual produce of each, as far as the materials for such an account exist in this kingdom. After verifying, and, if necessary, correcting this statement, by the aid of the more exact information to be obtained in the Province itself, your Lordship will communicate the result to the House of Assembly, in order that they may have before them the most copious explanation of the effect which the intended arrangement will produce upon the financial interests of the Province.

The accounts thus to be produced will show that of the funds to be surrendered to the House of Assembly a very large proportion results from the proceeds of the Royal demesne: including under that term the wild land of the Province, as well as the settled and inhabited districts, of which His Majesty is possessed in right of the Crown. It cannot be too distinctly understood, or too clearly stated, that in transferring to the representatives of the people the appropriation of the annual income arising from this property, His Majesty does not abandon the right of managing and of disposing of the land itself, in such manner as he may be advised may be most conducive to the settlement and general welfare of that part of His Majesty's dominions. This is indeed the inherent right, or, as it might be more accurately expressed, the inalienable duty, of the Executive Government. There exist no public functionaries independent of His Majesty to whom such a trust could be properly confided. The abandonment of this branch of the Royal prerogative to the House of Assembly would destroy the whole balance of the Provincial Government. It is no failure of respect to that body to observe, that their virtual irresponsibility disqualifies them for the discharge of a duty, for the faithful and impartial performance of which the immediate agents ought to be held strictly accountable. The principle which excludes the popular branch of the Legislature from all administrative functions, rests on motives too obvious to require explanation, and too conclusive to be made the subject of debate. In fact, there is no country possessing free institutions in which this fundamental maxim does not obtain; nor can the King forego, in Lower Canada, the exercise of a power, which, for the benefit of his subjects at large, is vested in His Majesty throughout every other part of the British dominions, European as well as Foreign.

It will probably be objected, that past experience has shown the necessity of devising an effective control against the abuse of this power by officers invested with His Majesty's delegated authority. Exempt, as I am, from every desire to overstate the just claims of the Crown on this subject, and feeling that this is a discussion to the right conduct of which perfect frankness is indispensable, I have no scruple in subscribing to the accuracy of that statement. I very deeply regret the improvidence with which so many valuable districts in Lower Canada were in former times alienated in favour of persons who had no just claim to such favour. I must, however, on behalf of preceding Administrations, assert, that their error was the result, in great measure at least, of misconceptions, which very widely prevailed, respecting the principles on which the settlement of an uncleared territory could be most advantageously conducted. It is due to the Earl of Ripon to state, that to him is to be attributed the distinct perception of the fallacy which had led others to sanction gratuitous donations of land, in the hope of expediting the settlement and speedy occupation of the country. To him also is to be ascribed the effective practical measures adopted to prevent the continuance of that ill-judged practice. The rules which Lord Ripon laid down for preventing the alienation of any part of the wild lands of Lower Canada, except at a fair minimum price, and after an open and impartial competition at public auction, appear to myself perfectly well adapted to prevent the recurrence of any of those abuses which the House of Assembly will probably object to the past management of these lands by the Crown. His Lordship invited that House to assist him by any suggestions which they could offer for the improvement of his plan. Hitherto no such advice has been received from them. Your Lordship will renew the invitation, with the assurance that it will be weighed with the deference so justly due to the opinions of the representatives of the people of Lower Canada on such a subject: nor will you refuse your assent to any Bill which may be tendered to you, if otherwise unobjectionable, for preventing the deviation of the Governor himself, or of any other officer acting under His Majesty's authority, from the principles of Lord Ripon's regulations.

The management of the Crown lands will necessarily involve a considerable expenditure,