

To His Excellency the Right Honourable Lord *Aylmer*, K.C.B. Captain-General and Governor-in-Chief of the Province of *Lower Canada*, &c.

REPORT of a Committee of the whole Council: Present, the Honourable Mr. Smith, Mr. Deléry, Mr. Stewart and Mr. Cochran, on Your Excellency's reference in Council of Mr. Secretary Spring Rice's Despatch of 27th September last.

May it please Your Excellency,

THE Committee proceeding upon your Excellency's reference in Council of Mr. Spring Rice's Despatch of 27th September last, have deliberated upon it with all the care and attention which the importance and urgency of the subject demand; and with the view to carry the directions of the Secretary of State into effect, according to their spirit and intention, and in such a manner as to afford to the Government and its Officers that relief which the Secretary of State authorizes to be granted;

Your Excellency is instructed to make an advance from the Extraordinary Funds of the Mother Country, to meet such extreme cases of pressure as may require your interposition, and may not admit of delay until the entire question is disposed of. So far as this part of the instruction may appear to restrain your Excellency in the application of the intended relief to those cases only where the pressure will not admit of delay, the Committee do not hesitate to submit to your Excellency their unanimous opinion, that the limitation cannot be acted upon without instituting an inquiry into the circumstances of individual cases, which would not be practicable, if it were fitting.

It is sufficient for the Committee to observe that the salaries and contingent expenses of 1833, have been in arrear for more than twelve months; that all the officers of Government had performed, during that year, the duties for which their salaries were assigned to them; that those salaries were necessary for their subsistence; that general distress, and in some cases severe sacrifice of property, attended with circumstances derogatory to the proper respectability of Government, have resulted from these salaries having been withheld; and that the contingent expenditures for the public departments for the indispensable services of Government, and for actual advances made by public officers for those services, upon their own credit, have been due for the same time, and remain now to be paid.

Under these circumstances, the Committee do not think that the relief which your Excellency is instructed to give, can be limited by a distinction of cases. They feel that His Majesty's Provincial Government have cause to be deeply grateful to the Secretary of State for granting that relief, at a moment of difficulty which could not longer have been borne by the Public Officers, and when no further advances or sacrifices could be expected from them for carrying on the services of their several departments.

But at the same time, seeing that the relief thus afforded is but temporary, and drawn from an extraordinary source; that the public salaries and contingencies of another year are due since the 1st October last; that the pressure now alleviated for a time must speedily return; and that no reasonable security or ground of expectation exists, that it will not again from time to time recur; the Committee would fain hope that His Majesty's Government may see fit to avert the necessity of again resorting to an extraordinary application of the funds of the Parent State, by adopting some permanent measure to secure the King's service in this province from the probable danger of yearly interruption, which, while it exposes the officers of Government to destitution, introduces general confusion into public affairs, and brings His Majesty's Government itself into contempt in the eyes of the people.

The Committee now recommend that the various heads of expense, both salaries and contingencies, borne upon the estimate of 1833, excepting new items of expense, or such as had not been provided for under the Appropriation Act of 1832, should be paid out of the sum of 31,000*l.* now placed at your Excellency's disposal.

They have accordingly caused two Schedules to be prepared and annexed to this Report:

No. 1. Showing the Balances of Salaries unpaid for the year 1833.

No. 2. Showing the Balances due for Contingent Expenses of public Departments for the same year;—and

They recommend that warrants do issue for the several balances stated in those Schedules.

The Committee have to observe, that in forming the Schedule of Unpaid Contingencies they have been guided by the accounts actually rendered and audited, or of which the amount has been sufficiently ascertained by the Inspector-General of Accounts; they have therefore been compelled to omit the sum of 1,350*l.*, the balance of the sum of 7,200*l.* estimated in 1833 for the contingencies of the Assembly, inasmuch as neither this Committee nor the Inspector-General have before them, or have access to, any accounts or documents whatsoever to ascertain the balance of expenditure for 1833 actually incurred on this head, and remaining undischarged.

The Committee have also left out of the Schedule No. 1. the salary of the Receiver-General and the salary and fixed allowances of the Commissioner of the Jesuits' Estates, as these several accounts are authorized to be deducted by those officers from the gross amount of the revenues collected by them, before they are brought to account with the public.

The Committee have only further to add, that in including in Schedule No. 1. the full amount of pensions borne upon the Estimate, they have been influenced by the entire conviction, that in almost all cases to be found upon this list the pensions hitherto enjoyed by the parties have been relied upon, and is now required, as a necessary portion of their ordinary means of subsistence.

All which is respectfully submitted to Your Excellency's wisdom.

Council Chambers, }
22 November 1834. }

By Order,

(signed) *Wm Smith*, Chairman.