

NEW BRUNSWICK.

*Message to the Legislative Council,**4th January, 1838.*

J. HARVEY, LT. GOVERNOR.

THE Lieutenant Governor transmits to the Honorable the Legislative Council, copy of a Despatch from the Right Honorable the Secretary of State for the Colonies, in answer to the Report of a Committee of the Assembly, on the subject of the Salaries enjoyed by various Officers, borne on the Civil List of this Province.

J. H.

Downing Street, 21st September, 1837.

SIR,

I have received your Despatch, No. 24, of the 29th July, enclosing a copy of the Report of a Committee of the House of Assembly of New Brunswick, on the subject of the Salaries enjoyed by various Officers, borne on the Civil List.

In answer, I have to acquaint you, that I am strongly impressed with the justice of the general principle on which the House of Assembly proceed in recommending that the Salaries of all public Officers below the Lieutenant Governor should be assessed on a moderate and frugal scale. The observance of simple and economical habits of domestic expenditure, everywhere desirable, is in no place more important than in new and rising Colonies; nor is it easy to suppose a more injurious exception to that rule, than that which would enable the official servants of the Crown to live in a style far exceeding that of the most wealthy members of the Agricultural, Commercial and Professional classes.

I further agree in the opinion, that the income of the Chief Justice should exceed that of every Public Officer, with the exception of that of the Lieutenant Governor, since there is no other whose duties are so important, or whose personal consideration it is so necessary to uphold.

In acting on these principles, Her Majesty's Government are encountered by that respect for vested interests, which they consider it indispensable to observe. In the case of the Commissioner of Crown Lands and Surveyor General that difficulty is, however, overcome by the considerations mentioned in my Despatch of this date, No. 34. In the case of the Provincial Secretary, I perceive no escape from the difficulty; I am, however, prepared on behalf of Her Majesty's Government, to acquiesce in the reduction of the Provincial Secretary's income, on the first vacancy, and am of opinion that it might be then properly fixed at the sum recommended by the House of Assembly.

With regard to the income of the Chief Justice, I concur with you in thinking that the sum of £1200 currency per annum, proposed by the Assembly, is less than enough to sustain an officer of such rank and charged with duties of such extreme importance, and that, if the Chief Justice is, as the Assembly propose, to act in the character of President of the Council, an additional remuneration of £300 currency per annum would not exceed the reasonable remuneration for the united offices. This, however, is a question on which Her Majesty's Executive Government would most anxiously decline any controversial discussion, because, in fact, there is no reason to doubt, that the Representatives of the people must be perfectly alive to the necessity of providing for the proper dignity of the Chief Justice, and of rendering him independent, not only in the tenure of his office, but in his domestic circumstances. There is no other public officer whose interests may be more safely confided to the Representatives of the people, because there is none whose functions are so intimately involved with the maintenance of every popular privilege and of all private rights. The just maintenance of so high an officer should not be the subject of any discussion, which would seem to imply, either on the part of the Executive Government or on that of the Assembly, the slightest shade of mistrust or jealousy. The question will be most likely to be brought to a satisfactory adjustment, by being disposed of in the spirit of unreserved mutual confidence.

I have the honor, &c. &c. &c.

(Signed)

GLENELG.

Major General Sir J. HARVEY, K. C. H.

&c.

&c.

&c.

C

The