

— No. 2. —

(No. 145.)

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Right Hon. Sir
C. T. Metcalfe to
Lord Stanley,
11 Dec. 1843.

EXTRACT of a DESPATCH from the Right Hon. Sir *C. T. Metcalfe*, Bart. G. C. B. to Lord *Stanley*, dated Government House, Kingston, 11 December 1843.

I HAVE the honour to submit an Address from the Legislative Assembly of Canada to Her Majesty, relating to the Civil List.

TO the QUEEN'S Most Excellent Majesty.

Most Gracious Sovereign,

WE, your Majesty's dutiful and loyal subjects, the Commons of Canada in Provincial Parliament assembled, actuated by a consideration of the heavy and increasing liabilities of the Province, the decrease of the revenue, and a just regard for economy, humbly beg leave to approach Your Majesty, and to lay at the foot of the Throne certain resolutions we have at the present Session deemed it our duty to adopt in reference to the expenses of Your Majesty's Civil Government in this Province, and other matters in connexion therewith.

We are humbly of opinion, that no appropriation of any monies levied upon Your Majesty's subjects in this Province ought to be made without the free consent of their representatives in the Legislative Assembly thereof.

That the appropriation by the Act of the Imperial Parliament, commonly called in this Province "The Union Act," of 75,000*l.* annually of the monies levied upon Your Majesty's subjects in Canada, towards defraying the administration of justice and support of Your Majesty's Civil Government therein; that is to say, the annual sum of 45,000*l.* permanently for salaries and pensions to the Judges, Attornies-general, and Solicitors-general, and other expenses of the judicial establishment; and 30,000*l.* annually during the reign of Your Majesty (whom God long preserve), and for five years next thereafter, to defray a Civil List, and certain expenses of the Civil Government, however expedient such appropriation by Act of the Imperial Legislature may have been, under the peculiar circumstances of the Canadas at the period when the Act was passed, now that those circumstances happily have passed away, which may have rendered it a measure of necessity, is unsatisfactory to Your Majesty's loyal subjects in this Province, inasmuch as it withdraws from the control of their representatives a large proportion of the public revenue raised upon them, and is of a tendency to create, foster, and perpetuate abuses in the misapplication of the public monies, and also is in contravention of the declaratory Act of Parliament of Great Britain in 1778, by which it is declared, that "the King and Parliament of Great Britain will not impose any duty, tax, or assessment whatever, payable in any of His Majesty's Colonies, Provinces, and Plantations in North America, or the West Indies, except only such duties as it may be expedient to impose for the regulation of commerce; the net produce of such duties to be always paid and applied to and for the use of the Colony, Province, or Plantation in which the same shall be respectively levied, in such manner as other duties collected by the authority of the respective general courts or general assemblies of such Colonies, Provinces, or Plantations, are ordinarily paid and applied."

That the repeal of the aforesaid appropriation would be conducive to the general contentment of Your Majesty's loyal subjects in this Province, and to the peace, welfare, and good government thereof, and tend to strengthen and perpetuate the bonds which happily unite it with the parent state.

That Your Majesty's faithful subjects, the Commons of Canada in Provincial Parliament assembled, not less mindful of their duty towards Your Majesty, our Most Gracious Sovereign, than of the trust reposed in them by Your Majesty's dutiful and loyal subjects in this Province, are of opinion that the necessary provision for the support of Your Majesty's civil government and administration of justice therein, in a manner suited to the honour and dignity of Your Majesty's Crown, ought to proceed solely from the free and voluntary vote of Your Majesty's faithful subjects, the Commons aforesaid, to whom also the right of controlling the outlay and application of all monies levied in the Province, and of defining and fixing the Civil List thereof, and of setting limits to the same, constitutionally belongs.

That the existing salaries, those of the Judges excepted, upon the Civil List of the Province, and generally the expenses of the Civil Government, in all departments thereof, are exorbitant, and ought to be reduced, on a scale corresponding to the resources and liabilities of the Province.

That