

indisputable evidence, that there is not the slightest foundation for the statement made by the Assembly, at their last conference on the subject, viz. that he holds the sinecure office of gaoler and lives in the gaol.

At Bonavista there are two stipendiary constables receiving £2*l.* 10*s.* each; the salary to one of these is withheld, and the amount conferred on the other without any apparent reason. And it is a fact worthy of observation, that while salaries are voted by the Legislature to the constables residing at three small harbours near Ferryland, before referred to, with a population, in all, of 530 souls, the salaries heretofore payable to three out of five constables at Bonavista, Trinity and Torbay, containing together a population of 3,564 souls, have been withheld.

There is also the same appearance of personal feeling manifested in the arrangements attempted to be made in this Bill, relative to the gaol and district surgeon; Dr. Kielley, who is known to be decidedly opposed to the political conduct of the present members of the Assembly, happens to fill both these situations, and with a view to deprive him of one, a proviso is attached to the grant for paying the gaol surgeon, that he shall not hold the situation of medical attendant upon the poor of the district. If the salaries, instead of being 40*l.* for the gaol and 120*l.* for the district, were such as a professional man could be expected to devote his whole time for, there might be some reason for saying that the two were incompatible, since he could not devote his whole attention to two different employments; but this is not the case; and the situations are not in the least incompatible; therefore he ought not to be removed by Legislative exclusion, without complaint and without hearing. The plan for dividing the district into four wards, the Committee are of opinion might be beneficial to the public, and therefore, however it might interfere, in a certain degree, with the present emolument of Dr. Kielley, they would not recommend any opposition to such an arrangement; but they are decidedly of opinion that the interests of the poor would not be consulted by his entire exclusion.

The injustice of withholding any part of the year's stipend to persons fulfilling public situations at fixed salaries, will be still more apparent, when it is recollected that during the present session, the first quarter's salaries have been granted upon the estimate laid before the Legislature by the Governor, and that the officers have continued up to this time (a further period of four months), to discharge their duties under the expectation of being paid as usual; and therefore, whatever may be the decision of the Legislature as to future years, the honour and faith of the Government is pledged to see these persons paid for the present year, if not for a longer period; but the Committee are decidedly of opinion that the reduction, in any branch of the public service, ought to be in the aggregate amount, and not in the detail, which should be regulated upon the responsibility of the Government, and not made the subject of personal favouritism.

After a patient investigation of the whole matter, and after hearing the testimony of the witnesses called before them upon the several points to which they have been examined, the Committee are of opinion that considerations of a personal nature, growing out of political hostility, have had much more influence in dictating the appropriation of public money to the objects referred to by the Committee, than are consistent with a just and impartial administration of those branches of the public service to which the Committee have thought it material, particularly to draw the attention of the Council; and they are fully convinced that nothing can have a more direct tendency to sap the integrity of subordinate public servants, than the constant dread of having their stipends reduced or withheld, or the perpetual prospect being held out to them of their being increased at the mere motion of a popular body; and therefore they do urge upon the consideration of the Council the necessity of using all proper means to prevent the belief gaining ground that the only road to preferment is through the agency of the members of the Assembly, and more especially in matters connected with the administration of justice. During the progress of this investigation the message sent up to the Council on Monday last, upon the subject of this Bill, has been referred to the committee, wherein the Assembly declare that "they are at a loss to conceive how it would be more calculated to advance the business of the Legislature to a close, to have five new Supply Bills originated in the Assembly," in accordance with the resolutions of the Council therein referred to.

The Committee are of opinion that nothing can be more obvious than that by these means the most important grants would thus be at once concurred in, and that others upon which there might be a difference of opinion, would be brought under the consideration of both branches in such a shape that mutual explanations might conveniently be had upon them, and if, ultimately, the Council and Assembly could not agree upon them, they would be rejected without detriment to other matters. In this message, the Assembly endeavoured to throw the responsibility of not granting the ordinary supplies; of withholding the money for the relief of the poor, whom they represent to be upon the verge of starvation; and of refusing to pay the contingencies of the Legislature, upon the Council; but the most superficial view of the subject will be sufficient to correct an error so obvious, and to place the responsibility where the Committee are convinced it will ultimately rest, if the Assembly persevere in their present course; and especially when the determination of the Council upon this subject was made known to the Assembly so long ago as the 19th day of October last.

The Council in their resolutions have expressed their readiness to concur in passing the ordinary Supply Bill, for discharging those expenses of the Civil Government for which the public faith is pledged; that they will concur in paying the usual contingencies, although far exceeding the amount granted for that purpose in former years, together with the vote