

renewing the discussions with the House of Assembly as to the right of the Crown to the appropriation under the statute of the 14 Geo. 3, c. 88.

In the peculiar situation in which I find myself placed, it is obviously my duty to endeavour, if possible, to carry on His Majesty's Government in the Province of Lower Canada, *without compromising the rights of the Crown*, until such settlement is effected of the points in controversy; and, after mature deliberation, and viewing the question in every possible way, I determined to adopt the course which I have taken, under a firm persuasion that, under existing circumstances, it is the most likely to lead to a favourable result, without abandoning the principle which has been so long asserted by His Majesty's Government.

I have the honour to be, Sir,

Your most obedient humble Servant,

James Kempt.

Message.

His Excellency the Administrator of the Government has received His Majesty's commands to acquaint the House of Assembly, that circumstances which could not be controlled rendered it impossible for His Majesty's Government to bring under the consideration of Parliament, in their last Session, the measures contemplated for the final adjustment of the financial question which has given rise to so much controversy in the Province.

His Excellency is further commanded to inform the House of Assembly that, without the authority of Parliament, it would not be in His Majesty's power to adopt those measures from which alone a permanent adjustment of those questions can be anticipated; the appropriation of the revenue arising from the statute of the 14 Geo. 3, c. 88, being not properly a right which may be maintained or waived at pleasure, but a duty, for the performance of which the Lords Commissioners of His Majesty's Treasury must remain responsible until the Act of Parliament has been either amended or repealed.

His Excellency is further instructed to lay before the House of Assembly an estimate of the expenses of the civil government for the year 1830, framed upon the same principle as that which was presented to the House last Session, and to include in it a provision for the arrears of salaries and other sums due to various public officers that remain unpaid.

And his Excellency has been finally commanded to express His Majesty's confident hope that the House of Assembly will grant such supplies in aid of the revenue of the Crown as are required for the support of His Majesty's Government, in reliance on His Majesty's gracious assurance that measures will be immediately taken to effect an amicable arrangement, under the authority of Parliament, of a controversy which has continued too long for the real interests and welfare of the Province.

No. 10.—COPY of a DESPATCH from Sir *James Kempt* to Sir *George Murray*, dated Castle of St. Louis, Quebec, 23 March 1830.

Sir,

HAVING in my Despatch, marked "separate," of the 13th instant, transmitted for your information a copy of certain resolutions that were adopted by the House of Assembly previous to entering upon the consideration of the estimate of the expenses of the civil government for the current year, I have now the honour to inform you that an Address has been presented to me by the House of Assembly, requesting that I put you in possession of these resolutions; and although, for the reasons stated in my Despatch of the 13th instant, I had anticipated their wishes in this respect, I deem it right now to transmit them in a more formal manner; and a copy is herewith enclosed, as also a copy of the Address presented to me by the House.

I have, &c.

(signed) *James Kempt.*

House of Assembly, Friday, 19 March 1830.

Resolved,—THAT an humble Address be presented to his Excellency the Administrator of the Government, with a copy of the Resolutions adopted by this House, before entering upon the consideration of the estimate of the expenses of the civil government for the current year, praying that his Excellency would be pleased to transmit the same to His Majesty's Secretary of State for the Colonial Department.

Ordered,—THAT Mr. Neilson, Mr. Bourdages, Mr. Borgia and Mr. Dessaulles do present the said Address to his Excellency the Administrator of the Government.

Attest.

(signed) *Wm. B. Lindsey,*

Clerk Assembly.

House of Assembly, Friday, 19 March 1830.

1st, *Resolved*,—THAT it is the opinion of this Committee, That before entering upon the consideration of the estimates submitted of the expenses of the civil government of the Province for the current year, it is expedient to declare, that this House proceeds thereon only in the confident hope that an adjustment of the financial question which has given rise to so much controversy in this Province will be speedily effected, in a manner satisfactory to this House, and that the inherent right of the people of this Province to control, by means of their

Frederick Elliot,
Esq.

25 April 1834.