

LOWER CANADA.

RETURN to an ADDRESS of the Honourable The House of Commons,  
dated 16 March 1837;—for,

COPY of any Information received from the Earl of Gosford respecting the DEBT due by Sir J. Caldwell to the Province of Lower Canada; together with a Copy of the REPORT of a Select Committee of the House of Assembly of that Province on the same subject.

Colonial Office, Downing Street, }  
16 May 1837.

G. GREY.

SCHEDULE.

- No. 1. Copy of a Despatch from Lord Aylmer to Viscount Goderich, dated Castle of St. Lewis, Quebec, 20 February 1833 . . . . . p. 1
- No. 2. Copy of a Letter from Mr. Under Secretary Hay to J. K. Stewart, Esq., dated Downing-street, 16 May 1833 . . . . . p. 2
- No. 3. Copy of a Despatch from Lord Glenelg to the Earl of Gosford, dated Downing-street, 4 August 1835.—(3 Enclosures) . . . . . p. 2
- No. 4. Copy of a Despatch from the Earl of Gosford to Lord Glenelg, dated Government House, Montreal, 15 July 1836.—(5 Enclosures) . . . . . p. 5
- No. 5. Copy of a Despatch from Lord Glenelg to the Earl of Gosford, dated Downing-street, 18 September 1836. . . . . p. 8

— No. 1. —

COPY of a DESPATCH from Lord Aylmer to Viscount Goderich.

Castle of St. Lewis, Quebec,  
20 February 1833.

Correspondence  
respecting  
Sir J. Caldwell.

My Lord,

I TAKE the liberty of soliciting your Lordship's attention to the proceedings which are still in progress in regard to the affairs of Sir John Caldwell, late Receiver-general of this province, the speedy termination of which proceedings appears to be highly desirable, with a view to the public interest.

About four years ago a judgment was obtained by the Attorney-general of Lower Canada against Sir John Caldwell, as late Receiver-general of the province, for the sum of 90,000 £. and upwards, besides interest, being the amount unpaid by him when removed from office. The real estate of Sir John Caldwell was subsequently taken in execution, in satisfaction of this debt, but the sale was prevented by an opposition on the part of his son, Henry John Caldwell, which was afterwards, by the judgment of the Court of Appeals, dismissed; from this judgment Mr. Henry Caldwell instituted an appeal to His Majesty in his Privy Council, and within the time prescribed by law, he has produced a certificate from the clerk of the Privy Council of his appeal having been lodged.

It does not appear from any communication which has been received by the executive government of the province, that any further proceeding has taken place in England towards obtaining the final decision of the Privy Council upon the appeal of Mr. Caldwell. The actual state of this affair must, of course, be within your Lordship's knowledge; and I take the liberty of representing the expediency of bringing it to a termination at the earliest period that circumstances will admit of; for should the death of Sir John Caldwell take place whilst it still remains undecided, new obstacles may be opposed by his heirs to its final adjustment, whereby the public interest cannot fail to be materially affected.

I have, &c.  
(signed) Aylmer.