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CANADA CROWN REVENUES.

COPIES of all COMMUNICATIONS which have passed relative to the Appropriation of the Crown Revenues, and other Financial Arrangements relative thereto, between the Governors of Upper or of Lower Canada, and the Legislatures of the two Provinces.

Ordered, by The House of Commons, to be Printed, 15 July 1831.

CANADA CROWN REVENUES.

RETURN to an Address of the Honourable The House of Commons, dated 11th July 1831;—for

COPIES of all COMMUNICATIONS which have passed relative to the Appropriation of the Crown Revenues, and other Financial Arrangements relative thereto, between the Governors of Upper or of Lower Canada, and the Legislatures of the two Provinces.

Colonial Department,
Downing-street,
13 July 1831.

R. W. HAY.

Ordered, by The House of Commons, to be Printed, 15 July 1831.

LOWER CANADA.

AYLMER, Governor in Chief.

THE Governor in Chief has received from the Secretary of State for the Colonial Department His Majesty's commands to make the following communication to the Legislative Council, with a view to the final adjustment of the question of Finance which has so long engaged the attention of the Legislature of this Province.

His Majesty, taking into consideration the best mode of contributing to the prosperity and contentment of His faithful subjects of the Province of Lower Canada, places at the disposal of the Legislature all His Majesty's interest in those Taxes which are now levied in the Province by virtue of different Acts of the British Parliament, and which are appropriated by the Treasury under His Majesty's commands, together with all fines and forfeitures levied under the authority of such Acts. His Majesty, relying on the liberality and justice of the Legislature of Lower Canada, invites them to consider the propriety of making some settled provision for such portion of the expenses of the Civil Government of the Province as may, upon examination, appear to require an arrangement of a more permanent nature than those supplies which it belongs to the Legislature to determine by annual votes. His Majesty has directed to be prepared and laid before the Council House an Estimate of the sums required for that purpose; and in directing the preparation of that Estimate His Majesty has been guided by a wish, never absent from his heart, to call upon his faithful subjects for no other supply than such as may appear to be required for the due execution of those services which it is proposed to charge upon the Civil List.

His Majesty concedes the disposal of these Revenues with cordial good will, and cannot doubt that it will be met with a reciprocal feeling by the Legislative of an attached Council.

The Revenues to be given up, taken upon the average of the two last years, amount to 38,125 l. currency; and the amount of the Civil List, according to the estimate herewith transmitted, amounts to 19,500 l.

It is not, however, necessary to call upon the Legislature to grant the whole sum of 19,500 l., inasmuch as by the Provincial Act-of the 35 Geo. III. the sum of 5,000 l is permanently granted towards the maintenance of the Civil Government; the moderate sum of 14,500 l is therefore all that is deemed necessary to ask for the completion of the proposed arrangement.

It is proposed that the duration of the Civil List should be for the life of His Majesty. It is hoped that the arrangements thus detailed will be received in the

spirit in which they are dictated—a spirit of conciliation and confidence.

His Majesty is prepared to surrender a large and increasing revenue; he asks in return for a fixed and moderate Civil List, much less in amount than the revenue given up; and the settlement of this long-agitated question will be deemed by His Majesty one of the happiest events of His reign, the glory of which (the people of Canada may be assured) will be the promotion of the happiness and content of all classes of His subjects in every quarter of the globe.

The Governor-in-Chief having thus obeyed the commands he has received in making the foregoing communication to the Legislative Council, desires to add, that if in the course of their proceedings in this important question, they should deem it expedient to require explanations from him on the subject of it, he will at all times be ready to afford such explanations; and he will moreover most willingly supply any further information they may desire to have, to the utmost extent compatible with his duty to his Sovereign.

Castle of St. Lewis, Quebec, 23d Feb. 1831.

L	OWER CANADA:—PROPOSED CIVIL LIST.	
	£. Governor's Salary 4,500	£.
Class No. 1.	Civil Secretary 500 Contingencies 300	
		5,300
	Chief Justice 1,500	1 · 2 · 1 · 2
· · · · · · · · · · · · · · · · · · ·	- Ditto - Montreal 1,200 Six Puisne Judges, at 900 L each 5,400	1
	Resident Judge at Three Rivers 900 Two Provincial Judges 1,000	
Class No. 2.	Judge of Vice Admiralty 200	
	Attorney General 300 Solicitor General 200	•
	Allowance for Judges for Circuits - 275 Contingencies - 475	en e
	47.5	11,450
Class No. 3.	Pensions 1,000 Miscellaneous 1,750	
	Miscellaneous 1,750	2,750
	Total Three Classes, sterling £.	19,500

STATEMENT of the Average Net Produce of the Revenues under the following Heads, founded on the Receipts of the last Two Years, after deducting the Proportion for Upper Canada.

(a) 3 Y	۸		.	00		,			£.
Customs, under Imperial	ACT 1	4	xeo. 3, c.	00	•	,		-	31,742
Licences under Ditto	7	-	-	-	-	~	-	-	2,200
Ditto under Provincial	Act	4.1	Geo. 3	-	-	-	-	-	62
Customs, under Ditto	~	-		-	- '	٠ 🖚	-	-	3,735
Fines and Forfeitures	- .'	-	-	-	•			-	386
en e			Tota	al C	urrency	-	· -	£.	38,125
1			100)

(Signed)

Joseph Cary,

Inspect' Gen' of Public Provincial Accounts.

AYLMER, Governor-in-Chief.

THE Governor-in-Chief having, in his Message of the 23d instant, communicated to the House of Assembly the commands of His Majesty, received through the Secretary of State for the Colonial Department, regarding the question of Finance which has for so long a period engaged their attention, thinks it necessary to enumerate in detail the several branches of revenue which it is deemed expedient to

exempt from the operation of the proposed arrangement.

This further communication appears to his Excellency to be the more desirable as it will remove all grounds for future discussion when the adjustment of the main question shall have taken place, and as it will enable the House of Assembly to enter upon the consideration of this important topic with a full and precise understanding of the views of His Majesty's Government; these views are now exhibited by the Governor-in-Chief to the House of Assembly in that spirit of frankness and good faith which characterizes the instructions he has received, and which cannot fail to improve the confidence of the House of Assembly in the good intentions of His Majesty's Government.

The Revenues to which the Governor-in-Chief alludes are the Casual and Territorial Revenues of the Crown, and are classed under the following heads;

viz.

- 1. Rents Jesuits' Estates.
- 2. Rent of the King's Posts.
- 3. Forges of St. Maurice.
- 4. Rent of King's Wharf.
- 5. Droit de Quint.
- 6. Lods et Ventes.
- 7. Land Fund.
- 8. Timber Fund.

If the funds derived from these sources operated in any degree as a tax upon the people, or tended, either in their nature or in the mode of their collection, to impede or impair the prosperity of the Province, His Majesty's Government would have hesitated in proposing to retain them at the disposal of the Crown. They stand, however, upon a perfectly different ground from taxes, properly so They are enjoyed by the Crown, by virtue of the Royal prerogative, and are neither more nor less than the proceeds of landed property, which legally and constitutionally belongs to the Sovereign on the Throne; and as long as they are applied, not to undue purposes of mere patronage, but to objects which are closely connected with the public interests of the Province, it is not easy to conceive upon what grounds of abstract propriety, or of constitutional jealousy, the application of them according to His Majesty's commands, under responsible advice, can be impugned.

Castle of St. Lewis, Quebec, \ 25 Feb. 1831.

House of Assembly, Friday, 25th Feb. 1831.

Resolved,—That an humble Address be presented to His Excellency the Governor-in-Chief, praying his Excellency will be pleased to direct the proper officers to lay before this House a statement of the gross annual amount of the casual and territorial Revenue, from the year 1818 inclusive, distinguishing the amount annually received under the following heads; viz.-

> Rent of the Jesuits' Estates. Rent of the King's Posts. Forges of St. Maurice. Rent of the King's Wharf. Droit de Quint. Lods et Ventes. Land Fund. Timber Fund.

4

(Answer.)

Gentlemen,

I have much satisfaction in receiving this Address, because it enables me to gratify the desire with which I shall at all times be actuated, to comply with any request of the House of Assembly; and because I am fully sensible that at the present moment it is more than usually desirable that the Financial concerns of the Province should undergo a thorough examination. The proper officers shall therefore be instructed to prepare, and to lay before the House of Assembly, a statement of the gross annual amount of the casual and territorial Revenue, from the year 1818 inclusive, distinguishing the amount annually received under the following heads; viz.—

Rent of Jesuit Estates.
Rent of the King's Posts.
Forges of St. Maurice.
Rent of King's Wharf.
Droit de Quint.
Lods et Ventes.
Land Fund.
Timber Fund.

Castle of St. Lewis, Quebec, 26th February 1831.

AYLMER, Governor-in-Chief.

House of Assembly, Friday, 25th Feb. 1831.
Resolved,—That an humble Address be presented to his Excellency the Governor-in-Chief, praying his Excellency will be pleased to cause to be laid before this House copies of any despatch or despatches, or of such instruction or instructions as his Excellency may have received from His Majesty's Government in England, concerning the Financial affairs of this Province, to which his Excellency refers in his Messages to this House on that subject, of the 23d instant, and this day.

(Answer.)

Gentlemen,

I CANNOT hesitate a moment regarding the answer which it becomes me to make to this Address.

The despatches and instructions which I have received, and which are alluded to in my Messages of the 23d and 25th inst. to the House of Assembly, are intended for my own information and guidance as Governor of this Colony; and are addressed to me in the confident expectation on the part of His Majesty's Government, that the commands of the King, which those despatches and instructions convey, will be executed by me with that fidelity which should belong to the character of a public officer, intrusted with the performance of high and important duties, and honoured with the confidence of his Sovereign.

I have therefore to desire, Gentlemen, that you will be so good as to convey to the House of Assembly the expression of my very sincere regret at not having it in my power, consistently with the sense of duty and propriety entertained by me on this occasion, to cause to be laid before them, "copies of any despatch or despatches, or of such instruction or instructions, as I may have received from His Majesty's Government in England, concerning the Financial affairs of this Province, which are referred to in my Messages to the House of Assembly on that subject, of the 23d and 25th instant."

Castle of St. Lewis, Quebec, 26th February 1831.

AYLMER, Governor-in-Chief.

House of Assembly, Monday, 28th Feb. 1831.

Resolved,—That an humble Address be presented to his Excellency the Governorin-Chief, praying his Excellency will be pleased to cause to be laid before this
House, a detailed statement of the intended application of the items contained in
the Estimate of the proposed Civil List for Lower Canada, transmitted with his
Excellency's

Excellency's Message of the 23d instant, under the heads of Contingencies, in Classes Nos. 1 & 2, and under the heads of Pensions, and Miscellaneous, in Class No. 3.

(Answer.)

Gentlemen,

I HAVE not in my power to furnish a detailed statement of the application of the items contained in the Estimate of the proposed Civil List for Lower Canada, (transmitted with my Message of the 23d ult.) under the heads of Contingencies, in Classes Nos. 1 & 2, not being in possession of the necessary information to enable me to do so.

The same observation will apply to the item of Miscellaneous, in Class No. 3. Regarding the item of Pensions, in Class No. 3, I have to inform the House that a communication must be made to His Majesty's Government before a final appropriation of that head of charge can take place.

Castle of St. Lewis, Quebec, \\
1st March 1831.

AYLMER, Governor-in-Chief.

House of Assembly, Monday, 28th Feb. 1831.

Resolved,—That an humble Address be presented to his Excellency the Governor-in-Chief, praying that his Excellency will be pleased to direct the proper officers to lay before this House a statement of the gross annual amount of the Rents of the Jesuit's Estates, classed under the several heads of receipt; a detail of the salaries annually paid, and the gross annual amount of other expenses of management and collection, together with a statement of the annual amount of all other payments made out of the same fund.

(Answer.)

Gentlemen,

Upon reference to the proper officer, I have ascertained that the information sought for in this Address has hitherto been withheld, in conformity, as I must presume, with instructions from His Majesty's Government.

With this impression of my mind, and in the absence of any precise instructions on this subject, addressed to myself, I cannot feel justified in furnishing the desired

information.

Castle of St. Lewis, Quebec, 1st March 1831.

AYLMER, Governor-in-Chief.

House of Assembly, Monday, 28th Feb. 1831.

Resolved,—That an humble Address be presented to his Excellency the Governor-in-Chief, praying his Excellency to direct the proper officer to lay before this House statements of the gross annual income of the Land-fund, and of the Timberfund, classed under the several heads of receipt, a detail of the salaries annually paid, and the gross annual amount of all other expenses of management and collection, together with a statement of the annual amount of all other payments made out of the same funds, from the year 1818 inclusive.

(Answer.)

Gentlemen,

To this Message I can only return a similar answer to that which I have just made to the preceding one, and to that answer I must accordingly refer.

Castle of St. Lewis, Quebec, }
1st March 1831.

AYLMER, Governor-in-Chief. House of Assembly, Monday, 28th Feb. 1831.

Resolved,—That an humble Address be presented to his Excellency the Governor-in-Chief, praying that his Excellency will be pleased to cause to be laid before this House a detailed statement of the intended future application of the income arising from the Rents of the Jesuits' Estates, the Land-fund, the Timber-fund, and the other heads of revenue classed in his Excellency's Message of the 25th instant, as belonging to the casual and territorial revenue.

(Answer.)

Gentlemen.

I CANNOT take upon myself to say what may be the future intentions of His Majesty's Government with regard to the appropriation of those branches of the Revenue which are considered as the property of the Crown, and consequently liable to such changes in the distribution of them as His Majesty may be pleased to direct

I can only state generally that it is the intention of His Majesty's Government to apply them to objects which are closely connected with the public interests of the Province, and I have reason to believe that the following items will be made chargeable upon those revenues.

1st. The advancement of education.

2d. The payment of the clergy of the Established Church.

3d. The payment of 1,000 l. per annum, to the Roman-catholic bishop of

4th. An allowance annually of 600 l. to Presbyterian Ministers.

Castle of St. Lewis, Quebec, \\
1 st March 1831.

AYLMER, Governor-in-Chief.

House of Assembly, Monday, 28th Feb. 1831.

Resolved,—That an humble Address be presented to his Excellency the Governor-in-Chief, praying that his Excellency will be pleased to acquaint this House whether the Judge of the Court of Vice-Admiralty at Quebec has made choice of his salary, at the rate of 200 ℓ sterling per annum, as voted by this House, or of the fees which, under the present tariff, he is in the habit of receiving.

(Answer.)

Gentlemen,

I REALLY cannot inform the House of Assembly, whether the Judge of the Court of Vice-Admiralty has, or has not made choice of his salary, at the rate of 200% sterling per annum, as voted by the House, or of his fees. I only know, that the Judge of the Court of Vice-Admiralty having some time since made application to me for a warrant for the amount of his salary for the year 1830, I caused inquiry to made whether he had received fees during that period, and upon learning that he either had done so, or at least still asserted his claim to those fees, I withheld my warrant for the amount of the salary, which will be found carried to the credit of the public, in the accounts of the expenditure of the past year now before the House of Assembly.

Castle of St. Lewis, Quebec, 1 181 March 1831.

AYLMER, Governor-in-Chief.

House of Assembly, Tuesday, 1st March 1831.

Resolved,—That an humble Address be presented to his Excellency the Governor-in-Chief, praying his Excellency will be pleased to lay before this House any information which may be in his possession, and which he may think proper to communicate, respecting any Bill introduced during the last or present Session of the Parliament of the United Kingdom, by any officer of His Majesty's Government, concerning the Financial affairs of this Province, or any information relating to any such

such Bill proposed to be introduced, together with copies of all such Bills, and every other information relating thereto.

(Answer.)

Gentlemen,

I REQUEST you will inform the House of Assembly that I am not in possession of any official information respecting any Bill introduced during the last or present Session of the l'arliament of the United Kingdom, by any officer of His Majesty's Government, concerning the Financial affairs of this Province: but a despatch, addressed to me by the Secretary of State for the Colonial Department, dated the 24th of December last, announces the intention of His Majesty's Government to submit to the Imperial Parliament, in the course of the present Session, a bill for the purpose of relieving the Lords of the Treasury from their present obligation of appropriating the duties referred to in my Message of the 23d ultimo, and for authorizing His Majesty to leave their appropriation to the Colonial Legislature. The date at which it is proposed that this Bill should come into operation is on the 1st of July 1832. In order, however, to enable the Government at home to give the earliest possible effect to the measures which may be taken by the Colonial Legislature for the satisfactory settlement of the question involved in the subject of my Message of the 23d ultimo, it is proposed to give His Majesty in Council a power to bring the British law into operation at an earlier period than the 1st of July 1832. If, therefore, the Colonial Act should provide for the commencement of the proposed Civil List in January 1832, or at any earlier period, then his Majesty's Government would lose no time in advising the issue of an Order in Council to accelerate the commencement of the British Act, so that the whole plan would come simultaneously into effect.

Castle of St. Lewis, Quebec, 2d March 1831.

AYLMER, Governor-in-Chief.

UPPER CANADA.

Upper Canada, York, 21st March 1831.

Licutenant-governor Sir John Colborne:—Transmitting Copies of two Messages to the House of Assembly, and of a Bill passed by the Provincial Legislature, making a permanent Grant of £. 6,500 sterling, for the Salaries of the Licutenant-governor, the Judges, and certain Public Officers; and repealing the permanent Grant of £. 2,500, made by the Provincial Act of 56 Geo. III. c. 26, on the condition of getting the Control of the Duties levied under the British Act, 14 Geo. III. c. 88.

THE Lieutenant-governor has the satisfaction to inform the House of Assembly that the King places at the disposal of the Provincial Legislature all His Majesty's interest in the duties which are collected under the British Statute, 14 Geo. III. c. 88, and which have hitherto been applied to the support of the Civil Government by warrants of the Lords Commissioners of the Treasury.

His Majesty, in conceding the complete disposal of this increasing revenue, has naturally the confident expectation that so great a proof of His anxious desire to consult the wishes of His faithful and loyal subjects in Upper Canada will be met with a reciprocal feeling by their representatives.

The Lieutenant-governor is therefore instructed to acquaint the House that His Majesty's Government trusts that the Legislature will think it indispensable that provision should be immediately made for the salaries of the Lieutenant-governor, the Judges and principal officers of the government; and for such expenses of the Civil Government and administration of justice as may appear, upon examination of the Estimates in possession of the House, to require a more permanent arrangement than the supplies which are granted by annual vote.

The sum of 8,000 l is deemed sufficient by His Majesty's Government for this important object, exclusive of the sum granted permanently by a Provincial Act towards the maintenance of the Civil Government.

102

The revenue to be ceded cannot be calculated at less than 11,500 L sterling; and it will be highly gratifying to the Lieutenant-governor to concur in any measure that may accelerate the final arrangements proposed by His Majesty's Government to give effect to His Majesty's gracious intentions, and to the decision of the British Parliament, when the Lords of the Treasury may be released from the obligation of appropriating in future the duties referred to in this communication.

Government House, 28th Feb. 1831. (signed) J. Colborne.

THE Lieutenant-governor, in reference to his communication of yesterday, transmits for the information of the House of Assembly, estimates of the expense of the Civil Government.

Government House, signed J. Colborne.

ESTIMATE of Expense requiring a more permanent Arrangement than an Annual Vote. £. Salary of the Lieutenant-governor 3,000 Judges 3,300 Attorney general 300 Solicitor-general 100 Secretary of the Province 300 Retired Judges -2,700 Contingent and Miscellaneous Sug Sterling £. 10,500 -Speaker of the Legislative Council 360 Five Executive Councillors. 500 Receiver-general 200 Surveyor-general Clerk of the Executive Council 300 200 Clerk of the Crown and Pleas 100 1,660 Public Offices: Government Office: Secretary's salary £. 182 10 Three clerks 550 732 10 Executive Council Office: Two clerks -332 10 Secretary's and Register's Office: One clerk or deputy 150 Receiver-general's Office: Two clerks 332 10 Surveyor-general's Office: Draughtsman and four clerks 726 5 7폭 Inspector-general's Office: Two clerks 332 10 Contingent expenses of the Public Offices 1,500 Contingent expenses of the administration of justice 1,800 Sterling 7,560 5 7축

Chapter 14.

AN ACT to repeal an Act passed in the Fifth Session of the Sixth Parliament of this Province, intituled, "An Act for granting to His Majesty a sum of Money "towards defraying the Expenses of the Civil Administration of the Govern-"ment of this Province," and for granting to His Majesty a certain sum of Money to be applied towards the payment of the Expenses of the Administration of Justice, and the support of the Civil Government of this Province.

Most Gracious Sovereign,

WHEREAS by a Message transmitted to the House of Assembly and Legislative Council, by his Excellency Sir John Colborne, knight, commander of the Most honourable military Order of the Bath, Lieutenant-governor, the intention of Your Majesty is communicated to the Provincial Parliament, of placing at the disposal of the Legislature the revenues raised, levied and collected under the Imperial Act of the fourteenth year of the Reign of King George the Third, intituled, "An Act to establish a Fund towards further defraying the Charges of "the Administration of Justice and support of the Civil Government within the Province of Quebec, in America," accruing to this Province, and expressing Your Majesty's earnest desire that the Legislature would make provision for defraying such of the expenses of the Civil Service of the Colonial Government as ought not to be dependant upon annual votes; And whereas the revenue about to be placed under the control of the Legislature has greatly increased during the last seven years, and is constantly increasing, and amounts, at this time, to upwards of seventeen thousand five hundred pounds; And whereas the sum of six thousand five hundred pounds sterling is required for the services hereinafter mentioned, which it is expedient should be permanently provided for; And whereas by an Act in the Fifth Session of the Sixth Parliament of this Province, intituled, "An "Act for granting to His Majesty a sum of Money towards defraying the Expenses of the Civil Administration of the Government of this Province;" the sum of two thousand five hundred pounds was granted to Hislate Majesty King George the Third, annually, in aid of the support of the Civil Government of this Province, which it is expedient to repeal: Be it therefore Enacted, by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the Fourteenth Year of His Majesty's Reign, intituled, 'An Act for making more " 'effectual Provision for the Government of the Province of Quebec, in North " America, and to make further Provision for the Government of the said Pro-Fifth Session of the Sixth Parliament of this Province, intituled, An Act for granting to His Majesty a sum of Money towards defraying the Expenses of the "Civil Administration of the Government of this Province," shall be and the same is hereby repealed.

And be it further Enacted, by the authority aforesaid that there be annually granted to Ilis Majesty, his heirs and successors, from and out of the rates and duties raised, levied and collected, or hereafter to be raised, levied and collected to and for the public uses of this Province, and in the hands of the Receiver-general, and unappropriated, the sum of six thousand five hundred pounds sterling, which sum shall be applied for defraying the charges hereinafter mentioned, that is to say, the salary of the Lieutenant-governor, or person administering the government of this Province, two thousand pounds sterling; the salaries of the Judges of His Majesty's Court of King's Bench, three thousand three hundred pounds sterling; the salaries of five Executive Councillors, five hundred pounds sterling; the salary of the Clerk of the Executive Council, two hundred pounds sterling; and shall be paid by the Receiver-general of this Province, in discharge of any warrant or warrants which shall for that purpose be issued by the Governor, Lieutenaut-governor, or person administering the government of this Province, and shall be accounted for to His Majesty by His Majesty's Receiver-general of this Province, through the Lords Commissioners of His Majesty's Treasury, in such manner and form as His Majesty, his heirs and successors, shall be graciously pleased to direct.

10

And be it further Enacted, by the authority aforesaid, that this Act shall come into operation and take effect from and immediately after the Revenues arising under the said Act passed in the fourteenth year of the Reign of his late Majesty George the Third, shall, by Act of the Imperial Parliament, or otherwise, he placed under the control of the Parliament of this Province.

Commons House of Assembly, 11th March, 1831.

Archa M' Lean. Speaker.

Legislative Council Chamber, 14 March 1831.

Jno. B. Robinson, Speaker.

I assent to this Bill in His Majesty's name.

J. COLBORNE.