

by the Legislatures, for repealing or altering any of the charges created by Parliament on the revenues of the respective Colonies. We conceive that it might be advisable by such instructions to restrain the Governors from assenting to Acts making any alterations in the salaries of their own offices, or of those of the Judges, and some others of the Public Servants, unless these Acts contained clauses suspending their operation until they should be confirmed by your Majesty's immediate authority. It appears to us that this course ought to be adopted because we consider that the salaries of the principal officers of the Colonial Governments ought not to be changed without your Majesty's direct concurrence; and because the present holders of some of the offices of lower rank have received their appointments under circumstances which give them a strong claim to the protection which would be thus afforded to them. Men who have abandoned other prospects for the purpose of accepting Colonial employment which they had reason to expect would be permanent, and who have since faithfully discharged their duties, must be regarded as having claims which rest upon the grounds of public faith, and on contracts which on their side have hitherto been strictly fulfilled to retain their present salaries so long as they shall conduct themselves properly, or to receive adequate compensation for their loss. We doubt not that such claims would be respected by the Local Legislatures, whatever reductions they might see fit to make in other cases, but we think that your Majesty ought to secure them, even from the risk of a hasty or ill considered decision to their prejudice occasioned by some temporary excitement; subject to those qualifications we are of opinion that complete control over the Colonial Expenditure ought to be given to the respective Legislatures.

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“Her Majesty having taken the said Report, together with the Schedules thereunto annexed, into consideration was pleased, by and with the advice of her Privy Council to approve thereof.”

(Signed) W. L. BATHURST.

Secondly,—Lord Grey observes (Pages 202, 203, Vol. 1.) with reference to Lord John Russell's line of policy towards Canada “In two Despatches addressed to Mr. Poulett Thomson on the 14th and 16th October, 1839, you (addressing Lord John) pointed out the necessary distinctions between the Government of this Country (Great Britain) and that of a Colony, but at the same time you observed that, while you saw insuperable objections to the adoption of the principle of the responsibility of the Local Government to the Assemblies, in the manner in which it had been stated in the Colonies, you saw none to the practical view of Colonial Government recommended by Lord Durham as you yourself understood them; and you announce that for the future the principal offices of the Colonial Government in North America would not be considered as being held by a tenure equivalent to one during behaviour, but that the holders would be liable to be called upon to retire whenever from motives of public policy or for other reasons, this should be found expedient; you explained that this rule was to be applicable without limitation to persons appointed to the offices in question, subsequently to the date of your despatch, and to the existing holders of office so far as was clearly necessary for the public good, but at the same time with due regard to the fair expectations of individuals, to whom pecuniary compensation should be awarded when it might appear unjust to dispense with their services without such an indemnity.

Again in allusion to the existing form of Government in Nova Scotia and New Brunswick, (Pages 274, 275, and 278, Vol. 1.) the noble author remarks, in carrying into effect the changes which have been made in the mode of administering the affairs of these Provinces, though there have been protracted discussions and much correspondence, but one question has been raised involving a general principle of importance, which has not already been adverted to in considering the transactions of Canada. The question to which I refer is that as to the extent to which the actual holders of situations in the public service should be regarded as having vested interests; that is, whether they have a fair right to expect not to be deprived of their employments without compensation, unless for misconduct.

The practice of the Mother Country according to which it is held that, when the public interest requires an office, which is not one of those known as political offices, to be abolished or its nature to be so altered as to call for the removal of the holder, the person thus deprived of it shall receive compensation for his loss. This rule has been very strictly followed in this Country (Great Britain), and I believe with great advantage, but the prevailing opinion on the other side of the Atlantic is by no means favorable to it, nor was it without some reluctance that the Assemblies in the different British North American Provinces were induced to recognize it, and to make compensation to those persons whom the introduction of the new system of Government has rendered it necessary to deprive of their offices. This object has however been accomplished, and some provision (in general an adequate