

the debentures, and of there being no powers given to the debenture-holders to enable them to foreclose their mortgages.

That the debenture-holders feel, from the facts of the interest not having been fully paid, and no special rate levied and raised for payment of the debentures, there has been such a breach of contract as to cause the principal money to become due, and that they are entitled to the consideration and assistance of your Honourable House to perfect their securities, and make them, so far as they can be made, available.

Your Memorialists therefore humbly pray that your Honourable House will be pleased to take into consideration the grievance of which they complain, and provide for some course being adopted to render unnecessary the useless expense of sending to Canada notarial acts of protest on each occasion of the interest not being paid, as well as to prevent the great risk which would be incurred in the transit of their securities between this country and Canada, and to amend the law as respects collecting debts from the defaulting municipality, and also to enable your Memorialists to foreclose their mortgages, and realise their securities, and to give to your Memorialists such other relief as the circumstances of the case imperatively demand.

Enclosure 2, in No. 1.

Encl. 2, in No. 1.

Gentlemen,

Downing-street, 21 February 1863.

I AM directed by the Duke of Newcastle, to acknowledge the receipt of your letter dated the 4th instant, in which you transmit a copy of a petition which the holders of certain bonds given by the Municipality of Hamilton, Canada, are about to present to both Houses of the Provincial Legislature, and you request his Grace's interference for the purpose of securing due attention to this petition.

I am directed to acquaint you in answer that the subject itself is one upon which, as you were before informed, Her Majesty's Government cannot exercise interference, and I am to state that still less can they interfere with the proceedings of the Houses of the Provincial Parliament of Canada.

But as you apprise the Duke of Newcastle that you have received no answer to the letter which you formerly addressed on this matter to the Governor of Canada, I am desired to acquaint you that his Grace will forward a copy of your present communication to Lord Monck, and will request his Lordship's attention to the subject.

Messrs. Dawes and Sons.

I am &c.
(signed) T. Fred. Elliot.

— No. 2. —

COPY of a DESPATCH from Governor General Viscount *Monck*, to his Grace the Duke of *Newcastle*, K.G.

(No. 30.)

My Lord Duke,

Quebec, 20 March 1863.

IN reply to your Grace's Despatch No. 25,* of February 21, in reference to the Memorial of Messrs. Dawes & Son, solicitors for some creditors of the city of Hamilton, I have the honour to enclose an approved Minute of my Executive Council, on the original Memorial of Messrs. Dawes, received last April by me.

I also have the honour to enclose a copy of a statement which, at my request, the mayor of Hamilton has made for your Grace's information, in reply to the allegations contained in the memorial of Messrs. Dawes.

I regret that, through inadvertence on my part, the receipt of the memorial in last April was not formally acknowledged to Messrs. Dawes, but no time was lost in referring it to the Provincial Secretary to whom it was sent on the 3d April, in order that he might bring the matter before the Executive Council.

Very shortly afterwards, the Ministry left office, and no report was made to me on the Memorial until a few days since.

The case of the clients of Messrs. Dawes appears to me precisely similar to that of a private creditor who has lent his money on a bad investment to a private debtor.

Neither the Provincial Government nor the Provincial Legislature, are in any sense more responsible for the debts of the city of Hamilton, than they are for those of any individual living in Canada, nor are they under any obligation that

No. 2.
Governor General
Viscount Monck,
to His Grace the
Duke of New-
castle, K.G.
20 March 1863.
* Page 3.