

And whereas in pursuance of the same act of the Parliament of the said United Kingdom, The Honorable John Macaulay was duly appointed by Commission under the Great Seal of the Province of Upper Canada, bearing date the thirteenth day of October, in the said year of our Lord, one thousand eight hundred and thirty-six, Arbitrator on the part of the said Province of Upper Canada, for ascertaining the said proportion of duties hereinbefore mentioned: And whereas the said Toussaint Pothier and John Macaulay, Arbitrators as aforesaid, did meet at Montreal in Lower Canada, on the fifth day of this instant month of November, in the said year one thousand eight hundred and thirty-six, and proceeded to take into consideration the matter referred to them; and in pursuance of the provisions of the aforesaid act of the said United Kingdom, the said two Arbitrators for the respective Provinces, on the twelfth day of the said month of November, by an Instrument under their hands and seals, did appoint the Honorable Pierre De Rocheblave, of the City of Montreal, to be the third Arbitrator:

And whereas the said three Arbitrators, that is to say, the said Toussaint Pothier, the Arbitrator on the part of Lower Canada, the said John Macaulay, the Arbitrator on the part of Upper Canada, and the said Pierre de Rocheblave the third Arbitrator, met at Montreal, in Lower Canada, on the fourteenth day of this instant month of November; And whereas after maturely deliberating on the respective claims of the said Provinces of Lower Canada and Upper Canada, in the apportionment of the aforesaid duties, the said Toussaint Pothier, Arbitrator on the part of Lower Canada, and the said John Macaulay, Arbitrator, on the part of Upper Canada, mutually came to an agreement on the proportion which, under existing circumstances, should devolve to either Province: Now therefore, we the said Toussaint Pothier and John Macaulay, being a majority of the said Arbitrators, do hereby in further pursuance of the said act of the Parliament of the said United Kingdom, make and certify our award in the premises, in manner following, that is to say: We do award and determine that for the four years next succeeding the first day of July, one thousand eight hundred and thirty-six, thirty-eight and one half per cent. of the Duties levied in the Province of Lower Canada, under the authority of any act or acts passed, or to be passed therein, upon goods, wares and commodities imported therein by sea, shall be paid to the said Province of Upper Canada, as the proportion of the same Duties arising and due to the said Province of Upper Canada.

In witness whereof we have hereunto set our hands and seals, at Montreal, in Lower Canada, this eighteenth day of November in the year of our Lord one thousand eight hundred and thirty-six.

(Signed)

T. POTHIER, (L. S.)
JOHN MACAULAY, (L. S.)

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Letter accompanying the Award of the Arbitrators.

Montreal, (Lower Canada,) 18th November, 1836.

SIR,

In pursuance of the Twenty-second Section of the Imperial Statute 3d Geo. IV., chap. 119, we have the honour herewith to transmit to Your Excellency our Award as Arbitrators under that Act, for ascertaining the proportion of Duties to be paid to Upper Canada for the four years next succeeding the 1st day of July, one thousand eight hundred and thirty-six.

We have the honour to be,
Your Excellency's most obedient humble Servants,

(Signed)

T. POTHIER.
JOHN MACAULAY.

*To His Excellency Sir F. B. Head,
&c. &c. &c.*