

That in 1870, by 33 Vic. Cap. 30, the exemption was repealed, subject to the provisions that such repeal should not take effect in the case of one year Convicts, prior to the 1st May 1873 and for two year Convicts, prior to 1st May 1874.

That in 1873, by 36 Vic. Cap. 52, the periods above named were further extended, that is to say, in the case of one year Convicts, to 1st May, 1875, and in the case of two year Convicts, to May 1876.

That James A. Harding, Esquire, and the writer had the honor of meeting the Honorable Mr. Fournier, the Minister of Justice, at Ottawa, in reference to this important matter, and at the time submitted a Memorial from the Sessions of the City and County of Saint John, from which document a large portion of the above has been taken.

That Parliament subsequently extended the time for short term Convicts, as will more fully appear by reference to the Act of Parliament, to which you refer in your communication of the 9th instant, up to the date when the new Penitentiary for the Maritime Provinces, now being constructed, shall have been completed and ready for occupation, located in Dorchester, in the County of Westmorland, in the Province of New Brunswick.

That it is a matter of Public Faith that the rights reserved to the said City and County should be specially regarded and maintained by Canada, as they doubtless would have been by New Brunswick had the Confederation of our Provinces not taken place.

That a reference to the statistics of the said Penitentiary, from its establishment, will shew that fully ninety per cent. of all the prisoners sent thereto are from the seaport City and County of Saint John, and that of these about ninety per cent. are under two year convicts, and hence that the surrender of the whole property with its equipments, as it now stands, will be no fair equivalent for the vested rights of the City and County of Saint John, as above described. * * *

I have the honor to remain, faithfully yours,

ROBERT MARSHALL.

OTTAWA, 6th January, 1877.

DEAR SIR,—I have to acknowledge the receipt of your letter of the 30th ultimo.

The statements you made are, I observe, substantially those which have been made in a Memorial formerly presented to the Government on behalf of the Justices.

I am engaged in considering the whole question.

Yours truly,

EDWARD BLAKE.

R. MARSHALL, Esq., M. P. P., Saint John, N. B.

Your Committee would also state that the papers furnished by direction of His Honor the Lieutenant Governor, agreeable to motion, have had careful attention. The following is a copy of said motion, to which is added a list of papers furnished:—

Schedule, 6th April, 1844.—Declaration of transfer of Penitentiary to Queen.

In briefly reviewing the facts in relation to and in connection with this Institution, your Committee would respectfully urge—

That in the year A. D. 1844, the City and County of Saint John arranged to transfer the said Establishment, then known as the House of Correction of the City and County of Saint John, to the Government of the Province of New Brunswick.