

SESSIONAL PAPER No. 18

In April, 1835, Lord Aylmer reported that contrary to the usual practice of obtaining returns by means of an address to the Governor, the House of Assembly of Lower Canada had issued a direct order to the Collector of Customs of Quebec to furnish certain returns which he declined to do as being contrary to his instructions, whereupon as he persisted in his refusal he was sent by the Assembly to the common gaol of Quebec, where he remained till the close of the session. Lord Aylmer stated that the returns would have been furnished without hesitation had the usual courtesies been observed, and that he believed the House of Assembly relied upon the decision of the Imperial Government in the case of Major General Carmichael, who had refused to furnish certain documents ordered by the House of Assembly of Jamaica. In a case of what seemed to him of a doubtful character, Lord Aylmer asked for instructions to enable him, as he expressed it, to steer clear on the one hand of compromising the dignity of the Crown, and on the other hand of infringing the constitutional privileges of the House of Assembly. (Series Q., vol. 222-1, pages 54, &c.)

The answer from the Earl of Aberdeen was an expression of regret that the usual courtesies had been neglected, which could scarcely fail to give birth to inconvenient results, but His Lordship believed that the analogy of Parliamentary practice was in favour of the House of Assembly, and this opinion was supported by what seemed a somewhat inconclusive argument, and winds up with the instruction to direct the officers of customs to obey promptly and respectfully every demand which may be made by the Assembly. (Series Q., vol. 222-1, pages 58, 61.)

The establishment of land companies during the period covered by the calendar was a favourite speculation. The formation of the land company in Upper Canada may be traced in the volumes relating to it in 1824 and 1825. (Series Q. volumes 359 to 373) and the "Autobiography of John Galt" may on that subject be consulted, he being the first administrator of the company in Canada. For Lower Canada the British American Land Company was organized some years later. Other land companies were projected but did not come into being from various causes, some of the failures being due to disagreements among the projectors. So far as shown, the only two that continued in existence were the Land Company of Upper Canada, of whose operations so much has been written that it would be superfluous to add more, and the British American Land Company in Lower Canada. With respect to the latter besides the reference to the documents calendared the papers with the shelf marks P.F. volume 43 and 77 and P. 136— No. 1, may be consulted with advantage. It may not be out of place to give a sketch of the organization of the British American Land Company. On the 6th of March, 1834, the Secretary advised the Under Secretary of the Colonies that £800 had been paid on account of the fees for the charter. Besides the charter a bill was introduced into Parliament to confer certain powers that could not be given in the charter. A copy of this bill will be found in volume 219-1 of series Q., beginning at page 7. On the 5th of April, the company asked the Colonial Secretary to inform the Governor of Lower Canada that the charter of incorporation had been granted, so that operations might be begun. The agreement with the Government was concluded in 1833; an account of the sums paid under it and plan of the counties in Lower Canada acquired by the company may be found in volume 2 of series P.F., the documents being arranged as Nos. 1 and 5 in the volume. In a very long letter signed V, the company is charged with seeking by the purchase of the lands to acquire power for political or party pur-