

In addition to these considerations it is to be observed that the port of Quebec is the common port of the Provinces. A great proportion of the ships which resort to it, approach the shores of Canada for no other purpose than to convey to Europe the rafts of the Upper Province, and it will not be said that the revenue derived from the consumption occasioned by this general resort of sailors and raftsmen for such purposes to Quebec, ought to be applied to the sole benefit of Lower Canada. The sister Province has surely a fair claim to participate in the revenue which is thus created and which must be considerable in its amount.

Besides rum, tea is an article, subject to specific duties, which will hereafter become very productive, since the supply annually sent by the East India Company from China, will put an end to the baneful practice of smuggling in both Provinces. From the peculiar habits of the Upper Canadians it is well known that each of their families consumes thrice as much tea as the family of the French Canadians, and that on this article therefore the proportion of duties will be greatly in favor of Upper Canada. It is in fact very probable that one-half of the annual importation of tea will be consumed in that Province.

Upon the whole the undersigned conceives that though the consumption of particular articles may from various causes be greater in one Province than in the other, the difference does not sensibly affect the estimates founded on the basis of comparative population, which appears the surest guide in forming a fair and impartial decision on the question referred to the Arbitrators.

The undersigned has no means of supplying the honourable the Third Arbitrator with the information required in the fourth question. In the agreement of 1795, giving Upper Canada one-eighth of the revenue as well as in that of 1817, assigning an increased proportion of a fifth, the commissioners no doubt acted on the best means of information within their reach respecting the comparative population and consumption of the Provinces. The undersigned has reason to believe, that at neither of the periods alluded to was a formal census taken of the population in either Province, and that the commissioners must therefore have proceeded upon documents less positive and satisfactory.

In reply to the last question the undersigned begs leave to submit an official paper dated at the Government House at York, on the fifth of July, 1825, which shews, that according to returns made under the authority of a Provincial statute, the population of Upper Canada amounts to 156,886 souls. No official statement has yet appeared of the population of Lower Canada: the undersigned, however, submits a table which was published in the year 1822, shewing the number of inhabitants in the various parishes of that Province; according to this paper the number is estimated at 354,546. This enumeration of the people is said to have been taken under the superintendance of the clergy in the various parishes, and may therefore be considered tolerably accurate.

(Signed)

Montreal, 20th July, 1825.

JAMES BABY,

Arbitrator for Upper Canada.



No. 5.

The Arbitrator on the part of Lower Canada, having taken into consideration the questions submitted by the honourable the Third Arbitrator, dated the 18th instant July, to the Arbitrators of the respective Provinces for the purpose of gaining information, has the honor to reply thereto as follows:

To Question 1st. It is impracticable to obtain evidence of the amount of dutiable goods passing from Lower into Upper Canada, and consumed in the latter Province, in any manner which could enable the Arbitrators to found thereupon an award that would be correct or even approximating to correctness; on the contrary, any evidence now procureable would be so vague and unsatisfactory, as to lead to great error if acted upon.

To Question 2d.—The comparative population of the two Provinces, even if accurately ascertained, would not form a proper basis whereon to found an estimate of the consumption within the Provinces respectively, because that consumption depends upon the habits of the people, and in the article of rum, which is the chief source of the duties levied at Quebec, it is known that the consumption thereof in Lower Canada is very great, and that of corn spirits trifling in comparison; whereas the consumption of Upper Canada is chiefly of whiskey, produced by local distillation from materials of its growth, and that of rum, small in relative proportion; consequently the division of duties by scale of population would be unjust.—Were it however otherwise, the population is only conjectural, not being founded upon enumeration legally made. An act passed in the last session of the Legislature of the Lower Province, for taking a census, which is now in progress of execution; but the result cannot be known before next year.

To Question 3d.—Supposing the comparative population of the two provinces to be a proper basis for forming an estimate of the consumption of dutiable goods within the respective Provinces, under modifications, there are no data to be depended upon whereon any modification could be founded, that would not lead to equal error in practice.

To Question 4th.—There is no document in the possession of the Arbitrator for Lower Canada, to shew that the Commissioners of the two Provinces who concluded the last agreement relating to the proportion of duties, in the year 1817, whereby one fifth was allotted to Upper Canada, took the comparative population of the two Provinces for their basis—the contrary is presumable from the population being then as it is now, matter of conjectural estimate, unsupported by actual enumeration, consequently it cannot be now ascertained with accuracy what the then population of either Province was.

To Question 5th.—The Arbitrator for Lower Canada, cannot give any estimate to be depended upon, of the present population of the two provinces, it has been variously stated according to the various feelings of the estimators, as to the bearing or effect it might have upon political or other Questions, wherein both or either of the provinces have an interest.

Montreal, 20th July 1825.

(Signed)

JOHN RICHARDSON,

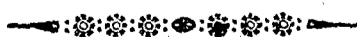
Arbitrator on the part of Lower Canada.

A true copy from a paper in the possession of the third Arbitrator.

(Signed)

JOHN MACAULAY,

Secretary to the Arbitrator for Upper Canada.



No. 6.

The undersigned third Arbitrator begs leave, for the purpose of gaining information, to propose to the Honourable Arbitrators for the respective provinces, the following questions.