

ALIENS.

GORE TO BATHURST.¹

Upper Canada, York.

7th April 1817

Dup.

My Lord,

I lose no time to apprise your Lordship that I have found my self constrained to prorogue the Provincial Legislature in the midst of its Session, and before it has provided all the means intended to meet its appropriations. [Encl. 1]

Such a measure requires that Your Lordship should be made acquainted with the circumstances which led to it, and some details which I have not hitherto thought necessary to trouble your Lordship with.

Your Lordship's Despatch of the 10th of January 1815 addressed to Sir Gordon Drummond, requiring this Government to use its best endeavours to prevent the Subjects of the United states from Settling in this Colony, was laid by me, before the Executive Council, and by its advice I issued an Order to the Magistrates prohibiting them from Administering the Oath of Allegiance to persons coming from the United States of America without a licence for that purpose from the Lieutenant Governor.

This advice, I understand proceeded from a peculiar feature in the Provincial Statutes, which enables the Magistrates, to order out of the Province any suspected person who had not taken the oath of allegiance, and seems conformable to a sound construction of the 30th of His Majesty;² although I have reason to suppose, that Act was not in contemplation of the Council when it recommended a measure so consonant to its Spirit.

This interruption of the flowing migration from the United States of America, was particularly offensive, to certain Land Speculators, who had become possessed of vast Tracts of Land under the injudicious Sales made by the late President Russell.

These Speculators depended Chiefly on a Population from the United States, and the principal, M^r William Dickson, who I regret to say, is himself a Member of the Legislative Council, and a Commissioner to administer the Oath of Allegiance, was the first, and only one, reported to me, who disobeyed my Instruction, and vindicated the rights of every Subject of the United States, to settle and establish himself in this Province.

Finding his Example not followed, and that settlers of every description, would not venture to purchase, or improve Lands, under the doubt of future Capacity to hold: he had recourse to an Instrument in the House of Assembly, to force upon the Executive Government, such a construction of the 30th of His Majesty, as would suit his purpose.

¹Q. 322, pp. 129-141. This despatch, though prior to 1818, has been given in order to make other communications on this subject, more clear.

²30 Geo. III, cap. XXVII. (1790). "An Act for encouraging new Settlers in His Majesty's Colonies and Plantations in America." This was the act under which the "late loyalists" took up land.