UPPER CANADA.

great mismanagement, and perhaps no little jobbing in the application of the funds and the execution of the work."

As commissioners to whom the Government and Legislature of the Province saw fit to entrust the construction of the St. Lawrence Canal, we feel, may it please Your Majesty, that we have been wronged before Your Majesty and the British nation by the manner in which the Earl of Durham has in this passage animadverted upon our conduct. We cannot silently submit to the imputations upon our character, which his Lordship has not scrupled to promulgate in England, without having been at the pains to inquire during his rapid tour along the frontier of this Province, whether there was in point of fact any mismanagement or jobbing in the proceedings of our Board. Until we saw it stated in his Lordship's Report, we had not the slightest reason to suppose that there were persons who called in question the propriety or honesty of our conduct as commissioners, and it is not without the deepest emotions of surprise and mortification that we discover calumnies never published in this Province, patronized, and in an indirect manner recommended to the credence of the British people by a nobleman prominent among the public men of England, and lately occupying the distinguished post of Governor-general of Your Majesty's possessions in this continent. But lowly as may be our station when compared with his Lordship's exalted position, we feel it our duty to assert an equality with the proudest of the peers who surround Your Majesty's throne, in all that relates to integrity of conduct.

In the common affairs of life, all classes and orders of men are bound to the observance of the same moral rules; by all should character equally be prized, and though we happen to be but humble individuals, inhabiting a distant colony, we yet wish to enjoy the respect of our fellow-subjects in the United Kingdom, to whose eyes the Earl of Durham's Report (erroneous as respects the St. Lawrence Improvements) has been submitted, and knowing and asserting as we now do that no semblance of a foundation exists for the stigma set upon our conduct as commissioners of this Province, we are impelled by the highest considerations to approach with reverence Your Majesty's throne, and submit our complaint against the injustice which we have received at the hands of Your Majesty's late High Commissioner in Canada.

The Legislature of Upper Canada, by an Act passed in the third year of his late Majesty's reign, declared its intention to improve the navigation of that part of the River St. Lawrence which lies within the provincial limits, by the construction of canals and locks at certain places along the river upon a scale of considerable magnitude, and it made a liberal appropriation for that object.

The commissioners for superintending this important work, who were selected from both the parties then existing in the Province, and named in the Act, were the Honourable Thomas Clark and the Honourable John Hamilton, members of the Legislative Council, and George Longley, Jonas Jones, Philip Van Koughnet, Hiram Norton, and Peter Shaver, esqrs., of whom the three last named were members of the House of Assembly.

Mr. Clark having declined the office, the Honourable John Macaulay was appointed in his stead by a commission from his Excellency Sir John Colborne, at that time Lieutenant-governor of the Province, in pursuance of the mode prescribed by the Act for filling vacancies in the Board.

After a survey of the river from Johnstown to Cornwall, the commissioners, pursuing the views of the Legislature, after repeated and careful examinations by the most eminent engineers, British as well as American, that could be met with, contracted, in the year 1834, for the completion of a canal for overcoming the most formidable difficulty upon the river, viz., the Long Saut Rapid, and ground was broken upon this line of improvement in the latter part of that year. The work, which extends westward from Cornwall upwards of 11 miles, was divided into 27 sections, and offered by public advertisement, during a considerable time, to the general competition of such persons as might desire to contract for its performance. On the day appointed for accepting the offers for contracts for sections of work, and the construction of six locks upon the line of the canal, it appeared that not less than 479 tenders had been made by various parties. After a careful examination of these tenders, the commissioners publicly acceded to the proposals of 21 distinct parties, with whom contracts were immediately concluded in due form.

There was a numerous attendance of persons at Cornwall on the day when the tenders were opened (some of whom came from the United States), and the whole proceeding was conducted in so fair and open a manner, that no room whatever was left for any suspicion (and in fact no suspicion was entertained) that the slightest partiality was shown in distributing the contracts among the individuals or companies whose tenders had the best claim to a preference.

The next step taken by the commissioners, after letting out the work in distinct divisions, was to engage the most trusty and skilful persons to superintend and regulate its execution. Finding no British engineers within their reach in whom they could fully confide, they engaged the services of Benjamin Wright, esq., who enjoyed the highest reputation in the United States, as a consulting civil engineer, to attend the call of the Board on all occasions of peculiar importance; and they employed Mr. J. B. Mills, who was bred to his profession in the State of New York, and was well recommended, to perform the duties of resident superintending engineer.

The Board itself met regularly once a month to inspect the work and accounts, and assembled more frequently when circumstances required it. On all these occasions their proceedings were open, and recorded on the minutes by their secretary. Their accounts underwent a strict investigation at their monthly meetings, and no expenditure of money was

suffered