

Act No. 2061, and that the proposed assistance to the Company should only be granted on condition of its assenting to such amendments of this Act as may then be found advisable. I trust that the Legislature will carefully consider all the remarks of the Commissioners, as I consider them to be of much importance, and I fear that the interests of the province may hereafter be exposed to serious injury if the amendments in the Act, which are suggested, are not now made; but there are only two of these amendments on which, as affecting the interests of the empire at large as distinguished from those of the province alone, I consider it necessary to insist before Her Majesty can be advised to sanction the grant of pecuniary assistance to the Company. The two amendments which I consider to be indispensable are those pointed out by the Commissioners as being required to secure the use on fair terms for the traffic between Halifax and Quebec of that part of the line of railway now proposed to be constructed which will be common to the two lines; and secondly, the conveyance of Her Majesty's troops and stores for their use along the line at reasonable rates of charge.

I am not as yet enabled to express a positive opinion whether the Act No 2063 ought to be confirmed; this question is still under consideration, but I hope to have it in my power to inform you, by an early opportunity, what decision may be adopted with respect to it. In conformity with what I have now stated, the Act No. 2061 will be submitted to Her Majesty on the first opportunity, in order that it may be left to its operation. The Acts Nos. 2062-63 will not be laid before the Queen for the present.

I have, &c.,  
(Signed) GREY.

Lieut.-Governor Sir Edmund Head,  
&c. &c. &c.

Enclosure in No. 2.

Encl. in No. 2.

Office of Commissioners of Railways,  
Whitehall, June 2, 1851.

SIR,

I AM directed by the Commissioners of Railways to acknowledge the receipt of your letter of the 24th ultimo, enclosing copies of three Acts passed by the Legislature of New Brunswick, entitled respectively (No. 2061), "An Act to incorporate the European and North American Railway Company," and (No. 2062), "An Act to facilitate the construction of the European and North American Railway," and (No. 2063), "An Act to facilitate the construction of a Railway from St. Andrews to Quebec;" and I am to acquaint you in reply, for the information of Earl Grey, that, agreeably to his Lordship's request, the Commissioners have taken these Acts into their consideration and have made the following observations upon their provisions.

By the Act No. 2061, it is proposed to incorporate a Company for the purpose of making a Railway which in Section 3 is described as "A Railway to run from some point or place from the eastern boundary of the province of New Brunswick in the county of Westmoreland, so as best to connect with a Railway to be constructed from the city of Halifax, or some other part on the eastern coast of the province of Nova Scotia on the Atlantic Ocean, over the most practicable route through the province of New Brunswick so as best to connect with a Railway to be constructed from the city of Bangor, in the United States of America, to the eastern part of the State of Maine."

It appears probable that the direction of a considerable portion of this line, near the eastern boundary of New Brunswick, will coincide with that of the projected Railway from Halifax to Quebec, the construction of which has already engaged the attention of Earl Grey, as an undertaking calculated to promote the interests both of the colonies and the mother country, and therefore entitled to encouragement and assistance on the part of Her Majesty's Government.

It appears from Mr. Hawes' letter to Mr. Howe, of the 10th March, 1851,\* that one of the conditions of affording that assistance would be, that the proposed Railway should be an entire line from Halifax to Quebec, passing wholly through British territory; but it would not be considered an objection to the plan, that it included a provision for establishing a communication between the Railway and the Railways of the United States. The above mentioned portion of the Railway proposed in the present Act might therefore form part of the main line of the Halifax and Quebec Railway. And as it would be expedient that the whole of that line should be under the same management, the Commissioners suggest that it might be advisable to stipulate with the Company incorporated by this Act, that, in the event of arrangements being made for the construction of the Halifax and Quebec Railway through this part of the province of New Brunswick, it should be obligatory on the Company to transfer the common portion of the line to the parties entrusted with the construction of the Halifax and Quebec Railway, for a

\* See Correspondence relating to the Civil List and Military Expenditure of Canada; and to the projected Railway from Halifax to Quebec. Presented by Command, April 8, 1851.