
APPENDIX, No. 6,

TO THE

FIFTEENTH VOLUME.

APPENDIX TO THE FIFTEENTH VOLUME

OF THE

JOURNALS

OF THE

LEGISLATIVE ASSEMBLY

OF THE

PROVINCE OF CANADA.

From the 26th February to the 10th June, 1857, both days inclusive,

IN THE TWENTIETH YEAR OF THE REIGN OF OUR SOVEREIGN LADY

QUEEN VICTORIA.

Being the 3rd Session of the 5th Provincial Parliament of Canada.

—
SESSION, 1857.
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Printed by Order of the Legislative Assembly.

VOL. 15.

FIRST REPORT.

31st March, 1857.

The Special Committee appointed to inquire concerning the working of the "Municipal and Road Act of 1855" in Lower Canada, have the honor to report as follows:

Your Committee are of opinion that it would be a measure of great practical utility that the answers and other documents already received, and to be hereafter received from individuals to whom certain questions have been addressed, relative to the working of the "Municipal and Road Act of 1855," should be printed for the use of the Members of your Honorable House; accordingly your Committee recommend the printing of the said answers and documents.

The whole, nevertheless, humbly submitted.

R. B. SOMERVILLE,
Chairman.

(CIRCULAR.)

LEGISLATIVE ASSEMBLY,
COMMITTEE ROOM, No. 13,
TORONTO, 17th March, 1857.

SIR,—I have been instructed by the Committee appointed to inquire into the working of the "Municipal and Road Act of 1855," to submit the accompanying queries to you, and to request that you will be so good as to send me your answers to them, at as early a date as possible, together with any suggestions you may desire to offer on the subject.

I have the honor to be, sir,

Your most obedient servant,

J. P. LEPROHON,
Clerk of Committee

QUERIES.

- 1st. What is your opinion of the Act in question: does it work in your locality satisfactorily, if not, what amendments would you propose so as to make it more efficient and satisfactory?
- 2nd. What is your opinion as to the Office of County Superintendent? Are his powers calculated to promote the good working of Municipal Institutions: and ought they to be increased or diminished, altered or amended: and, if amended, what do you propose instead, and what are your reasons for such opinion?
- 3rd. What is your opinion as to the present Municipal organization into Local and County Municipalities?
- 4th. What is your opinion in reference to the expediency of including or excluding personal and moveable property in the Assessment Rolls; and what plan would you propose in order to cause an equal assessment throughout the whole of each County?
- 5th. Has the Municipality in your locality been in operation since the passing of the Municipal and Road Act of 1855, and what amount has been levied annually by taxation in virtue of the provisions of the said Act?
- 6th. If there has been no taxation in your Municipality, will you please state for what reason, and in that case, in what manner you have raised the funds necessary to defray the expenses of the Municipality?
- 7th. What do you understand in your Municipality by the term "*Statute Labor*," and what kinds of Labor have you been in the practice of including under that term?
- 8th. How have the by-roads and highways in your locality been made and kept in repair since the passing of the said Act?

ANSWERS,

FROM

Pierre Dessaint, Mayor of Kamouraska.

1st. The Act in question is too complicated, even for a people who are generally educated. The style of drawing up our laws in long paragraphs renders them difficult to be understood, and is a source of disorder and law-suits.

The Municipality of St. Louis of Kamouraska has worked very ill. Great disturbances took place; and during their sittings, the Councillors were expelled from their Hall, and their papers and documents were forcibly carried off. Some arrests took place; but the charge against the offenders, who were all partizans of the Member for the County, was never brought before the Court by the Crown prosecutor or his deputy.

2nd. The office of County Superintendent is, in my opinion, useless, or it ought to be combined with that of Secretary-Treasurer. The visits incumbent on that officer, which involve great expenses, might be made by the Inspectors and Surveyors of Roads.

3rd. I am of opinion that the Parish Municipalities ought to be abolished, and County Municipalities substituted in their place, each Parish sending one single member. This would have the effect of reducing the expense to one-fourth. One of the main difficulties which militate against Parish Municipalities is the direct or indirect personal interest which the members have in almost all questions. This frequently prevents justice being done to those concerned.

4th. The assessment or direct taxation on real property ought, in my opinion, to be entirely abolished; and I advise that the sums arising from licenses and fines levied in the County by the Inspector of Customs, be given up to each Municipality, and a small tax imposed on trade and travelling pedlars selling goods in the Municipality, as also on non-residents carrying on any art or trade, and frequenting it for purposes of gain or traffic, a fee payable on petitions or other applications to the Municipalities, &c. &c. &c.

5th. The Municipality of St. Louis of Kamouraska has worked very ill since 1855. The Municipal body apprehending a riot at each of their meetings, had no freedom of action. The impunity allowed to the rioters arrested, has been a main cause of this result.

The Municipality has levied about £350 for a bridge, and about £15 for other purposes. Many arrears of these assessments remain which the Municipality do not venture to levy, inasmuch as the Government having instituted no proceedings against the offenders above mentioned, have denied the support the Council required and which they had a right to expect.

- 6th. There has been an assessment as before observed.
- 7th. By Statute labor we understand the labor and materials contributed by a certain locality for a bridge, by-road, &c. This mode of doing things is very defective. It would, in my opinion, be more equitable to assess the cost of such works on the whole population of a locality in some way or other, and in due proportion to the means of the parties.
- 8th. Each proprietor keeps in order the road in front of his farm. The maintenance of the road is given out by the job to the lowest bidder, and the cost is shared among all the inhabitants who are bound to do any work therein, in proportion to the value of each man's real estate.

P. David Coullée, Mayor of the Village of Soulanges.

- 1st. The Municipal Act works in our locality in a satisfactory manner.
- 2nd. The office of County Superintendent is useless, perfectly useless; the reports or *procès verbaux* of their visits are a proof of this. Their duties may be performed by the road officers.
- 3rd. The Municipal Act, as it regards parishes and counties ought not to be repealed, but amended.
- 4th. In taxing, it is just to include personal and moveable property. The value of a trade or calling should be fixed according to the yearly profits which it yields, based upon those of two preceding years.
- 5th. The Municipality of this place has been in operation since the passing of the Municipal and Road Act of 1855, and has made no assessment.
- 6th. The Secretary-Treasurer had in his hands the monies accruing from tavern licenses in the place.
- 7th. A gratuitous and compulsory day's work, given in aid of the maintenance of highroads and byroads.
- 8th. The by-roads, in winter only, have been kept up at the expense of the local Municipality; the high-roads by the proprietors of lands or lots abutting thereon.

I offer the following amendments to the second paragraph of the twelfth section:

A general session of each Local Council shall be held on the first Monday in the month of January, on the first of May, and the first of September in each year, or on the day following, if such day should be the Queen's Birth-day, or a lawful holiday.

The repeal of the 4th paragraph of the 12th section.

The striking out of the words "quarterly" and "the months of March, June, September and December" from the 12th section, and the substitution of "half yearly," and "the months of January and July," in each year.

Paul Leblanc, Mayor of St. Barnabé (District of Montreal.)

- 1st. The Act in question has worked with greater or less success in this Municipality, according to the degree of favor with which the Councillors and others interested regarded it; but in general it is not of a character to please the people, on account of the great expense which it entails. One thing to be rescinded in the Act is the written notices which the Road Officers are bound to give: this would greatly diminish their trouble and expenses.
- 2nd. The office of County Superintendent is a necessary one; his powers tend to promote the successful working of municipal institutions. Power should be given to the Counsel to prevent him from making his two visits in the year, as they are generally useless and expensive.
- 3rd. I should wish to see the County Councils abolished to give place altogether to the Parish Councils. The experience I have had of them convinces me that it is difficult, if not impossible, to obtain justice in a satisfactory manner, in a County Council; and that it is a needless increase of expense to the Parish Councils, who are every year obliged to tax the inhabitants to pay the charges of these Councils. It is well known how sincerely the people detest such taxes, and if the Parish Councils were alone retained, I consider that the office of County Superintendent might very well be devolved on the Secretary of the Parish, who might easily fill both offices, with less cost and less delay.
- 4th. The present mode of assessment, based on personal and moveable property is very much liked, and is, in my opinion, the only method of arriving at a uniform rate of taxation in each county.
- 5th. The Municipality of St. Barnabé has always been in operation since the passing of the Municipal and Road Act of 1855, and the amount levied has been £9 11s. 11½d. up to January, 1855, as a supply for the expenses of the said Council.
- 6th. The expression "Statute labor" has always been understood in this locality to mean work done in common by several parties interested in it, in which each person contributes his share both of time and of the materials necessary for the work; but it is always preferable to have recourse to assessment for several reasons which it is unnecessary to particularize.
- 7th. Since the passing of the Act in question the main roads have been kept up by each proprietor repairing his front, and the line roads are given out to the lowest bidder, the parties interested therein paying according to the width of their farms.

Hubert Lemay, Mayor of St. Jude, gives nearly the same answers as the above; only he states that the amount raised to meet the expenses of his Municipality till January, 1858, is £50.

Henry Michaud, Mayor of Ixworth.

- 1st. The Municipal Act of 1855 ought to be repealed, and that of 1847 re-enacted; any road law should be based on the laws repealed by the Act of 1855, with a few exceptions noticed hereafter. In this place, the Act of 1855 has produced a general feeling of discontent.
 - 2nd. The office of County Superintendent is useless. The Secretary-Treasurer of the County Council might very well discharge the duties of the County Superintendent, as that officer was bound to do under the Municipal Act of 1847.
 - 3rd. The Parish Councils ought to be abolished, County Councils being quite sufficient
 - 4th. Personal taxation should extend to professional men. As to private taxation, it is, in a certain degree, necessary.
- The best plan to be proposed for the establishment of a uniform system of taxation in each County would be the assessment of each parish to the municipal fund, according to its value.
- 5th. The Municipality of Ixworth worked till the month of August last, but very indifferently. The amount raised by assessment in the time was about £17.
 - 6th. Answered in the last.
 - 7th. Statute labor has not been established here.
 - 8th. Since the passing of the Act of 1855 the roads and by-roads have been very much neglected.

The suggestions which I have to offer relative to the best method of maintaining the roads are: 1st. To oblige every proprietor to keep in order the road in front of his property; but to allow the majority of the parties bound to maintain any by-road, to assess upon all such parties the amount necessary to maintain such road, whenever they consider such a method of doing the work advantageous; in that case the Inspector might, on the requisition of the said majority, contract for the maintenance of the road by the year, and recover the cost of the work from all the parties interested, having power to sue for the same in any Courts of law: 2nd. All persons should sue any Inspector of a road which is in bad order, for the penalty appointed to be paid for neglect of duty. Such suit should be brought before a Justice of the Peace. The Inspector would have his recourse against the *sous-voyer*; and the *sous-voyer* against the proprietor. The proceedings ought to be as simple as possible.

Finally, as a last suggestion, I would oblige every councillor to reside in the parish or township for which he was elected.

Francois Lalonde, Mayor of St. Zotique.

- 1st. The Municipal law cannot fail to work in this place, in virtue of the enormous expenses which it involves, and which we are bound to levy on the people, in order to keep it up. But, guided by the experience I have had of it as a councillor, both local and for the country, my firm belief is that the general

interest of the inhabitants of Lower Canada requires the total abolition of local councils and the maintenance of County Councils composed of two or three notables from each parish in the county.

- 2nd. With respect to the office of Superintendent. I consider as unnecessary and very expensive. My opinion is to dispense with it. When the Council are called upon to inspect a road, &c., they might appoint in his place an inspector or a private individual residing in the parish requiring the work, to visit the place and report thereon, as is now done in the case of water-courses, reserving to themselves the power of receiving, amending or rejecting such report.
- 3rd. As I have observed above, a County Council alone would work very well.
- 4th. I think that we should proceed as we did before the passing of the Municipal Act, that is to say, oblige merchants and traders to pay the County Council for a license, by this means it will be unnecessary to tax the inhabitants, as the amount of such licenses and of the fines would be sufficient to defray the expenses of the council, as it was before the passing of the present law.
- 5th. All the Municipalities in this country have worked since the passing of the Act in question. The local Municipality of St. Zotique, of which I am Mayor, has raised £50 per annum.
- 7th. As to "Statute labor," we have never had any in this Parish.
- 8th. The roads in this parish are made and kept in order by each proprietor doing his own, as before the passing of the present law. As to expensive bridges they have been made and kept in order by the Municipality. It is my opinion that the Government or the County should provide the funds necessary for the building of bridges which are built for the general convenience of the public, such works being too expensive for a few inhabitants of one place.

P. T. Casgrain, Mayor of River Ouelle.

- 1st. The provisions of the Municipal Act of 1855 are obscure and too complicated to be put in execution by the local councils. Generally, it is not every parish or township which contains the necessary number of persons to give effect to them, and even when qualified persons are to be found in such localities, the obscure and complicated character of the provisions of the Act, renders the execution of them nearly impossible. It does not work in a satisfactory manner in our locality, and, far from being made more efficient by amendments the Act had better be abolished altogether.
- 2nd. The office of Superintendent is of no use in the municipal system. Its duties were performed quite as well by the Secretary of the former County Councils, and caused no additional charge on the municipal funds.
- 3rd. The present Municipal organization is so faulty that, so far, a great majority of the parish and county municipalities have disapproved of it, that in some places it has been the cause of riots, and that the defects of the system itself and the antipathy felt by the people to the law, with the apathy of the Government in regard to the disorders resulting from it, render the working of it for the present impracticable.

- 4th. The principles in which the present system of taxation is based seem to be equitable, and in practice would be favorable to municipal institutions, if, in place of the present Municipal Act the legislature were to re-enact the provisions of the municipal law repealed in 1855.
- 5th. Our local Municipality has been at work since the passing of the Act of 1855, but in a very imperfect manner; and to the present time no municipal assessment has been made.
- 6th. If there has been no assessment in our municipality to meet our municipal expenses, it is owing to the ambiguity of the law, which does not clearly define who are to pay the sums due for certain works which the council has thought fit to assign to certain of the inhabitants of our municipality; up to the present time the amount of our expenses and liabilities is about £57. This has been in part paid by a loan, raised on my personal security.
- 7th. The expression "Statute labor," has no other meaning in our Municipality than that which it bears in the Municipal Act of 1855.
- 8th. The method of keeping in order the roads and by-roads in our locality has been the same as before the passing of the Act in question, with this difference only, that their condition has been worse than it was then.

Joseph Hudon, Mayor of St. Paschal.

- 1st. The municipal law has worked rather through the obedience yielded by the people, than in consequence of their approbation of its provisions.
- 2nd. With respect to the Superintendent, the office is a burthen to us and is not liked. Accordingly, no superintendent.
- 3rd. With reference to County or Parish Municipalities—none at all.
- 4th. With regard to assessments, the best plan would be a fair distribution proportioned to the area of the land. This would be more just. Every one would pay according to the extent of his land, and by such a means the industrious man would not be punished for having made improvements on his property.
- 5th. The Municipalities have been working since 1855. The amount of the assessments have been from £38 to £40, to pay the Secretary-Treasurer of the County and the Superintendent for the year 1856, and it was with the greatest difficulty that we collected that sum. I believe that some have not paid even yet. Besides this sum persons having business with the Council are obliged to pay the Superintendent and the Secretary a surplus of fees to their great dissatisfaction.
- 6th. The Municipalities have been assessed.
- 7th. By "Statute labor" we generally understand aid granted to those persons whose share of the work is too heavy. This has always been accorded.
- 8th. The by-roads are kept in order, by the year, according to a fair division of the work. The main roads are repaired by the proprietors.

The road system which would, in my opinion, be most advantageous to farmers in general, is this :

Let three persons be appointed by the parishioners in each parish, as commissioners, to have the management of the roads as the former Grand Voyers had, with power to appoint Inspectors and sous-voyers, in case of need, to mark out roads and bridges, and abolish the same when required so to do by a petition presented to any one of them, to give notice that on such a day at such an hour they will attend at such a place to hear interested parties, and having heard them to draw up their *procès-verbal*, and to give notice at the church door or the most central place, that on such a day at such an hour they will apply for the homologation of the *procès-verbal*, requiring the attendance of parties interested.

This is the tariff of costs : Let each Commissioner be allowed five shillings per diem, besides one shilling a league for carriage, the Clerk ten shillings for hearing parties, ten shillings for the *procès-verbal*, and ten shillings for the homologation, besides his carriage. The notices should cost two shillings and six pence.

Three Commissioners at 5s.	£0 15 0
Carriage do 1½ leagues at 1s.	0 4 6
Clerk at 10s.	0 10 0
Carriage of Clerk 1½ league at 1s.	0 1 6
Notices of visit of Inspection at 2s. 6d.	0 2 6
<i>Procès-verbal</i> at 10s.	0 10 0
Notices of Homologation of <i>procès-verbal</i> at 2s. 6d.	0 2 6
<i>Procès-verbal</i> at 10s.	0 10 0
Three Commissioners,—day of homologation	0 15 0
	£3 11 0

This is what a *procès-verbal* might cost according to the distance, and it should be paid for by the persons applying for it. It is unnecessary to impose any tax on the farmer. This plan would, in my opinion, meet the wants and wishes of everybody.

It has frequently happened that a *procès-verbal* presented to the Council has cost £5 or £6, and even more.

D. A. Coullée, Mayor of St. Joseph de Soulanges and Warden of the County of Soulanges.

- 1st. The present Road Act cannot satisfy the wants of the country. In the first place, the working of it is too expensive. Several hundreds of pounds have been spent in this country on this account, and what good has it done us? None. My firm opinion, I may say the firm opinion of a large majority of the inhabitants of this county, is in favor of the abolition of Local Councils, and the continuance of the County Councils only; the latter being composed of two members from each parish (elected by the people), and it is my belief that we should, in this manner, have a cheap Council, much preferable to the one elected under the actual system; for, in my opinion, the Local Councils only hamper and embarrass us, all or nearly all matters being referred in appeal from the Local to the

County Councils. I am informed that some call for the abolition of the County Councils and the continuance of the parish ones, but such a system would be disliked and would not work. Let us have but one Council: that would be sufficient, and would work very well.

- 2nd. It is necessary to keep the Superintendent; at least I think so, and my opinion would go to amend that part of the law which requires him to visit the roads, a very expensive and useless duty.
- 3rd. As I have shewn in my first answer, the Municipality cannot but work well by means of the expenses which it involves.
- 4th. My opinion on this question is, that the County Council should be empowered to impose a license-tax on every merchant and trader in the County. With the means thus obtained, and the amount of penalties imposed in the Municipality, a sum would be raised sufficient to pay the expenses of the County Council without taxing the people.
- 5th. All the Municipalities in this County have been in operation since the passing of the Municipal Act of 1855. The Local Municipality of St. Joseph de Soulanges of which I am Mayor, has levied £100 per annum, and that of the County of Soulanges, of which I am Warden, has also levied a similar sum.
- 7th. Statute Labor has never been exacted in this Municipality. The meaning which I affix to this term is the same which it conveys in Upper Canada generally.
- 8th. The by-roads are generally under the charge of the Municipalities; and the main roads are kept in order by the proprietors of lands adjoining them, according to the old system.

I must add that I have much at heart the improvement and prosperity of the County of which I have the honor to be the principal officer, and I therefore entreat the gentlemen of the Committee to make such a report that the Parish Municipalities may be abolished, and the County Councils only be continued.

—

P. C. Fournier, Secretary-Treasurer of the County of L'Islet.

- 1st. The Act in question is generally considered to be very difficult to bring into operation, and in respect of the Parish Councils especially, it is almost impossible to carry out its provisions: local or sectional interests prevent Councillors from possessing that freedom of action which properly belongs to a deliberative body, for this reason, personal interests often clash with the rule of right, and the latter is sometimes compelled to give way. My opinion is, that the old County Councils were far preferable to Parish Councils.
- 2nd. I am, myself, Superintendent of the County of L'Islet; I am, nevertheless, of opinion that powers and duties of too extensive a nature belong to that office. The duties of the office under the present system, require a person to be highly capable, that he should have full leisure to devote himself entirely to them, and that he should be remunerated accordingly. These things cannot be had without the imposition of direct taxes, a thing utterly detested by the people.

For this reason, I should advise the appointment of a deputy by each County Council whenever it becomes necessary to visit, lay out, or construct bridges, and the fair payment of such deputies by the rate-payers, the charges made having been first taxed by the Council, in this as in all other matters about which they may be employed from time to time.

- 3rd. As stated in my first answer, I greatly prefer County Councils to Parish Councils. I can understand that in Cities where there is a dense population, men's interests are nearly the same, and in such case the system may work very well ; but where the inhabitants of a Municipality are widely separated from each other, it is not so ; for instance, a by-road is necessary for three or four individuals to obtain access to their lands, and they petition for it. But in order to obtain the opening of such a road, a certain number of persons are to be called on, who do not think they require it. This produces a division. If any of the Councillors chance to be interested in the making of the road, as generally happens, it may be presumed that it will be hard to obtain a fair decision in the Council.
- 4th. I am of opinion that it would be better to exclude personal and moveable property from taxation, as also trades and professions, particularly when the individuals concerned in this category are already taxed for their real estate. In all these cases, it is nearly impossible to form a just estimate of the income of individuals, as they are liable to vary every day—one day reasonably good, the next almost nothing.
- 5th. The Municipalities of the County of L'Islet, and of the Parish of L'Islet, of both which I am Secretary-Treasurer, have worked with various success under the Act of 1855. They have raised nothing by taxation, except sectionally for the opening of roads ; and the Secretary-Treasurer and County Superintendent are poorly paid, under an order of the Council for entering petitions, procès-verbal, &c.
- 6th. The trifling character of the sources of income indicated in my last answer shews their insufficiency. We must have had a strong wish for the success of the experiment, to be satisfied with them. It was doubtless with the hope that the Municipal system might work more easily when once those changes should be made in it, which would render it plainer and less complicated.
- 7th. As the assessment system has not yet been regularly brought into operation in this Municipality, the expression " Statute Labour " has not been defined.
- 8th. Acting as Superintendent, I have caused the roads to be kept in order by following the old system, not having the means of proceeding otherwise ; and each person executes the work assigned to him by the *procès-verbal*, or act of repartition.

The Mayor of the Parish of L'Islet, having read the answers of P. C. Fournier, Esquire, Secretary of the said Parish, concurs in all his suggestions and conclusions as being consonant with his own views and intentions.

Vincent Dubé, Warden of the Municipality of the County of Kamouraska.

- 1st. The Municipal Act of 1855 ought to be repealed, and that of 1847 re-enacted. Any road law should be based on the laws repealed by the Act of 1855, with a

few exceptions, noticed hereafter. In this place, the Act of 1855 has produced a general feeling of discontent.

- 2nd. The Office of County Superintendent is useless. The Secretary-Treasurer of the County Council might very well discharge the duties of the County Superintendent, as that Officer was bound to do under the Municipal Act of 1847.
 - 3rd. The Parish Councils ought to be abolished—County Councils being quite sufficient.
 - 4th. Personal taxation should extend to professional men—as to private taxation it is, in a certain degree, necessary.
- The best plan to be proposed for the establishment of a uniform system of taxation in each County, would be the assessment of each Parish to the Municipal fund, according to its value.
- 5th. The Municipality of St. Anne worked till the month of August last but very indifferently. The amount raised by assessment in the time was about £42.
 - 6th. Answered in the last.
 - 7th. Statute labor has not been established here.
 - 8th. Since the passing of the Act of 1855, the roads and by-roads have been very much neglected.

The suggestions which I have to offer relative to the best method of maintaining the roads are :—1st. To oblige every proprietor to keep in order the road in front of his property ; but to allow the majority of the parties bound to maintain any by-road to assess upon all such parties the amount necessary to maintain such road, whenever they consider such method of doing the work advantageous ; in that case the inspector might, on the requisition of the said majority, contract for the maintenance of the road by the year, and recover the cost of the work from all the parties interested, having power to sue for the same in any Court of law. 2nd. All persons should sue any inspector of a road which is in bad order, for the penalty appointed to be paid for neglect of duty : such suit should be brought before a Justice of the Peace. The inspector would have his recourse against the *sous-voyer*, and the *sous-voyer* against the proprietor. The proceedings ought to be as simple as possible.

Finally, as a last suggestion, I would oblige every Councillor to reside in the Parish or Township for which he was elected.

George J. Beaudet, Mayor of St. Ignace du Côteau du Lac.

- 1st. The Municipal Law in our Municipality works to the satisfaction of everybody, and without great expense, when it does not require recourse to be had to the County Council, the abolition of which would favour us considerably.
- 2nd. The office of County Superintendent is ruinously expensive and nearly useless. We do not perceive that the powers attached to it are calculated to be beneficial to municipal institutions. It might be abolished without any inconvenience in all the localities of our county, if we had Parish Councils only. We would

then suggest that the inspectors and *sous-voyers* should take the place of the superintendent, and perform the duties gratuitously, but that whenever it is required to draw up a *procès-verbal* or report, a competent person should be appointed by the councils for the purpose, and paid by the parties concerned. The visits of inspection of the roads by the superintendent have never led to any beneficial result, but they have afforded him a pretext to prevent a heavy bill of which each parish had a good share to pay.

- 3rd. The present organization of the county and parish Municipalities abounds with difficulties, besides the expenses which it entails; those expenses arise from the exorbitant demands of the County Councils, and have been applied not otherwise, since the passing of the Municipal Act, than to pay officers from whom we receive no profitable service.
- 4th. The present mode of assessment appears to be equitable; it is only desirable that the method of taxing merchants, professional men, and mechanics, were more intelligible. The latter ought to be taxed in proportion to their net yearly income.
- 5th. Our Municipality has been in operation since the passing of the Municipal and Road Act of 1855. The amount raised in our locality by assessment has been since that time, £51 5s. 4½d. per annum. We paid the County Council £18 7s. 6d. for the first year, and we shall shortly have to pay £27 for our share of the expenses of the County Municipality, solely for the salaries of its officers.
- 6th. The taxes have been regularly levied in our local Municipality.
- 7th. By a day's "Statute Labor" we understand a day's work given gratuitously.
- 8th. With a view of avoiding loss of time and useless labor, our local Council has assumed the maintenance of the winter roads. As to the main roads, they are kept up by the proprietors of the lots over which they pass, and generally very well.

The exorbitant expenses to which the County Council subjects the local Municipalities deprive the latter of the means of effecting certain improvements to which the money would be better applied, than to the payment of officers under a council which seems to us to be useless, and the existence of which, now as ever, will entail suffering on one locality for the benefit of a few others. The abolition of County Councils and the continuance of Parish Councils will end these abuses, give the latter the entire management of their affairs, and allow them to dispose of their funds for the general advantage of the tax-paying community.

The existence of County Councils often jeopardizes local interests for this reason, that many of the Councillors vote without knowledge (*machinalement*) on questions relating to the interests of municipalities to which they are strangers. Such abuses cannot occur in Parish Councils, who are better versed in the interests of their locality, than in those of places to them almost unknown.

Secretary-Treasurer's Account against the Council of the Parish of St. Ignace, for services rendered from 1st July, 1856, to 27th March, 1857 :

July 7—Holding Meeting this day.....	£1	0	0
“ 17—Blank Summonses.....	0	2	6
“ 28—Sixteen Notices	1	0	0
Sept. 1—Holding Meeting this day.....	1	0	0
Decr. 1—Holding Meeting this day.....	1	0	0
“ 2—Road Notices	0	5	0
Nov. 2—Holding Meeting this day.....	1	0	0
“ “—Two petitions to County Council.....	0	10	0
“ “—Collection Roll for current year	5	0	0
	£10	17	6

G. H. Dumesnil (Côteau Landing.)

1st. The Municipal and Road Act of 1855 works very well, in my opinion, in this locality, but costs extremely dear, either on account of the number of officers necessarily appointed to carry it out, or through the expenses which members of local councils are compelled to pay, on consultations with advocates, &c., touching this law which they do not in general understand; and in many cases, these opinions cause expensive law suits to the great injury of the inhabitants of a parish: this has been the case here.

Considering the narrow limits of the present Counties, I think that the abolition of the local councils is advisable, leaving the County Councils to work alone with a few modifications. These councils might be composed of two members from each parish, would work well, and would be satisfactory to a large majority of the inhabitants of Lower Canada. I, moreover, consider that according to the amended Act of 1856, the local councils have no right but that of appointing their inspectors and sous-voyers, for the County Council can amend and rescind all by-laws, &c., of local councils if they think fit. As to the appointment of local officers, they might with equal convenience be appointed by the County Council.

The County is composed of seven Municipalities, and I believe that not less than £100 is raised in each local Municipality, in which the money is spent, and applied to the payment of the Secretary-Treasurer, Criers, &c. Take the Parish of Soulanges for instance, in which I am myself Secretary. On the first Monday in every month I go thither at 1 P. M., and receive for that £2 1s. 8d. each journey. On the opening of the Council the proceedings of the last meeting are read, which amount to nothing; next, each member inquires what business is on hand, the answer is nothing; unless perhaps accounts presented by the proprietor of the place of meeting, the Crier, or the Secretary-Treasurer. On many occasions it even happens that they cannot find a Secretary in the parish, and are obliged to get one from the neighbouring parishes as the case is here. I am informed that some people wish the county councils to be abolished, and the local Councils to be retained, but it is my opinion that such a municipal law would work very ill, and I trust that the executive will never concede such a thing. The County Council alone will work, the Parish Councils, never.

- 2nd. With respect to the office of Superintendent, I consider it to be necessary, but it is my opinion that that part of the law, (Sect. 54,) which compels the Superintendent to visit the roads twice in the year, should be amended. In our small county these visits costs not less than £40 to £50 per annum, and I consider them perfectly useless.
- 3rd. As I remarked above, the present municipal system is good, but it would be still better having but a single council.
- 4th. I think it is just that the trader and the professional man should pay for the support of the municipalities, but that the valuation of property, business, &c., should be made by valutors, of whom one at least should be taken from each parish, and be appointed by the County Council; for according to the present system there are many abuses in this county, and I dare say it is the same every where else. There are parishes in which property is truly valued at its worth, in others it is set down at half its value, and the consequence is, that a parish really inferior to those adjoining it has paid as much as two other parishes of the same value for the support of the County Council. It is true the County Council has the power of amending this, but it often happens that a single parish is the sufferer; it is alleged that three persons resident in the spot must be better acquainted with the real value of property than they are; thus County Councillors and their affairs go on as before.
- 5th. All the County Municipalities have worked since the passing of the Act in question; the local Municipality of St. Joseph de Soulanges, of which I am Secretary, has raised £100 per annum, and that of the County of Soulanges, of which I am also Secretary, a like sum of £100 per annum.
- 7th. With respect to "Statute Labor," we have, in this Municipality, never had any. I understand the word as it is understood in Upper Canada.
- 8th. The by-roads are kept in order by the Municipalities, the main roads by the proprietors as before the passing of the present Municipal Act.

V. St. Germain, Mayor of Blandford.

- 1st. This Act works badly in this locality, being too complicated, and often unintelligible; it ought to be amended to a simpler form adapted to the wants of the people. In its first shape it is more injurious than useful.

We feel in the Townships the great inconvenience of having no law obliging the great land-owners (the absentees especially) to register their titles under a penalty of forfeiture. The Government ought also from time to time, that is to say, when the assessment rolls are prepared, to furnish the local Municipalities in the townships with a clear tabular statement shewing the lands still belonging to the Crown, the names of persons to whom lots have been granted, and particulars of the ranges and numbers of the said lots, if granted after the date of the last assessment rolls. The want of these precautions produces great defects in the assessment rolls, and often renders them of no practical use.

- 2nd. The office of County Superintendent does not in general give satisfaction to the people, they consider that the law confers on that officer too extensive

powers, that the expense is too great for a county, and that his duties might be very properly discharged by a deputy *grand-voyer* appointed by the local councils.

- 3rd. The present system of County and Parish Municipalities seems to produce no profitable result, but is considered rather as a nuisance, inasmuch as having too much authority over the local Councils, whose proceedings and acts they can control and rescind, they can paralyse by this influence all the efforts of the local Councils for the good government of the affairs of their respective localities, but as no one can understand a man's wants better than himself, we must admit and conclude that parish municipalities alone can meet the wants and wishes of the people, who will from them learn the management of their own interests.
- 4th. There is no reason why personal and moveable property should be exempted from taxation, for, as all have the benefit and enjoyment of improvements without distinction of persons, all ought to contribute thereto, according to their means.

As to the establishment of a uniform mode of assessment, I consider that apart from the considerations of integrity and honesty, we ought to take into the account practical knowledge in the valuers: thus let professional men or mechanics be the valuers of the income of men of their own classes respectively, and let practical agriculturists value farms. By such a method we should have the best opinions which can be possibly obtained. This relates only to local Councils. Having in view the general interests of the County, I think that we ought to proceed quite differently, in order to do equal justice to all the rate-payers, and that the execution of the work would occasion very great expense, for in that case none but persons specially appointed by the Government as valuers on a general and uniform principle in a county, and invested with authority to inquire minutely concerning the real value of land, would be eligible.

- th. The local Council of this Municipality have been working since the passing of the Act in question, and are now engaged in raising with much pains and great difficulty the sum of _____, to meet their local expenses and those of the County Council.

6th. Answered in the last.

- 7th. We understand here by the term "Statute labor," certain days' works on public roads and bridges given in each of our respective Municipalities and not elsewhere.

- 8th. We have since the passing of the Act cited, followed the ancient method of repairing and keeping in order the public roads and bridges in this locality.

—

Jean Baptiste Delisle, Mayor of Stratford.

- 1st. The law in question would be beneficial and efficient if the County Councils were abolished.

It has worked very well and quietly to the present time; but the County Councils has involved us in expenses (without any good results) which will produce great trouble in raising the funds necessary to defray them.

- 2nd. The office of County Superintendent tends, in my opinion, and according to the experience I have had of it, only to increase the amount of the taxes for no good purpose. The County Council of Wolfe now owe nearly £100 to their Superintendent, and £150 for a building which is in progress without having received any service important to their interests.
- 3rd. My opinion is that the County Councils ought to be abolished, with all belonging to them, and the local Councils retained, with power to appoint a competent person to discharge the duties of *grand-voyer* or superintendent when his services should be required, and whose expenses should be paid by those who required his services. This would save the Council all expenses, for it is well understood that in order to procure the working of the law, as few taxes must be levied as possible, the very word "tax" being a bug-bear in the ears of the country people.
- 4th. I do not think that any change in the mode of assessment is necessary or would be advantageous. With respect to a uniform principle of assessment in each County, my first and second answers may apply to that; and, moreover, as different localities are not of equal value, it would be unjust, in my opinion, to tax them all alike.
- 5th. The Municipality of this place has worked, to a certain extent, since the passing of the Municipal and Road Act of 1855, but, for certain reasons which the Council have thought sufficient, no taxes have been levied under that Act.
- 6th. Not having hitherto had any expenses to defray for our local Municipality, the Council have not thought it prudent to collect any money.
- 7th. By the term "Statute labor" we understand each person being obliged to contribute a day's work gratuitously for every hundred pounds of fraction of a hundred pounds in value of his property. These day's work are usually applied to the repairs of public bridges, and main roads through unconceded lands.
- 8th. Every proprietor keeps in order the road in front of his land, and the roads on which the lands are not inhabited are kept up by Statute labor. There are no verbalized roads in my locality which comprised the united Townships of Garthby and Stratford.

If I suggest the abolition of County Councils, it is because experience convinces me they cannot work without entailing great expenses on Councilors residing at a distance; and all this, I say it with regret, without any good resulting to particular localities; for, when strangers are to have the management of our affairs, they generally furnish matter of complaint, having no knowledge of our wants or having interests opposed to ours, while with local Councils the proceedings are carried on amidst the community to be affected by them, and by persons interested in acting prudently and economically.

Nazaire Anctil, Mayor of St. Pacôme.

- 1st. The Municipal Act has been, since it came into operation, an element of discord. We pray that it may be repealed, and that the County Councils only may be restored.

- 2nd. The office of County Superintendent, far from contributing to the successful working of municipal institutions, is calculated to impede their operation, being of no service to any one but the man who fills it. We pray that the office may be abolished and the powers it confers transferred to the Secretary-Treasurer of the County.
- 3rd. The same answer as the first.
- 4th. We pray that the assessment may be made on real property in proportion to its value; and that trades be exempt.
- 5th. Our Municipality worked till the month of September, and raised £12 10s.
- 7th. There has been no "Statute labor" exacted in our Municipality. The main and by-roads have been kept in order, the latter by the job and the former by the adjoining proprietors. It is desirable that Statute labor should never be employed.
- 8th. The same answer.

SUGGESTIONS.

That every person should be authorized to fine the Inspector for neglect; the Inspector, the *sous-voyer* and the proprietor of the main and by-roads which is ill-kept.

That proceedings had before Justices of the Peace should be as plain as possible.

That in difficult and litigated cases the suits should be instituted in a Superior Court.

That in order to be elected a Councillor the candidate should be a resident in the Parish or Township to be represented.

Moyse Carbonneau, Secretary-Treasurer of the Municipality of the County of St. Maurice.

- 1st. This Act works very unsatisfactorily. The local Councils ought to be abolished.
- 2nd. I think that no improvement can be expected from the office of County Superintendent.
- 3rd. My opinion is that a County Council would be sufficient and less expensive.
- 4th. My opinion is that it is expedient to exempt personal and moveable property from assessment, and that real property only should be taxable.
- 5th. It has worked. The amount raised is £20.
- 8th. The main and by-roads are kept in order by the proprietors, freeholders, under *proces-verbaux* and Acts apportioning the work. These repairs are executed by the inhabitants themselves without any outlay of money. For its performance they are subject to the orders of the road officers.

A. De Martigny, Secretary-Treasurer of the County of Beauharnois.

- 1st. The Act is too complicated, the Municipality of the County hesitate in putting it into force, and have hardly acted under it.
- 2nd. The Superintendent should have no control whatever over the roads with regard to their being kept in repair, he should receive no salary from the Council, and be paid for his procès-verbaux by the parties interested in the said procès-verbaux.
- 3rd. The County Council or the Parish Councils should be abolished.
- 4th. The Assessors should be appointed by the County Council, in order to make the valuation of all the property capable of being assessed in the Municipality of the County.
- 5th. It has been in operation.
- 6th. The Municipality intend to levy taxes to meet the expenses in a short time.
- 7th. Statute labor is unknown. It would be a very difficult matter to have any kind of labor performed.
- 8th. The by-roads are kept in repair by any parties who please, and are always in a shocking condition. The Inspectors and *sous-voyers* should have the control of the roads, or else the Superintendent be liable to a heavy fine for a neglect of his duties.

G. R. Dufresne, Mayor; S. Morin, Secretary; and J. Craite, O. Duplessis, André Martin, Ant. Gilbert, and Charles Camirant, Councillors of the Municipalities of Pointe du Lac.

- 1st. We pray that it be abolished entirely.
- 2nd. We should prefer a Deputy Grand-Voyer to be appointed by the County Council.
- 3rd. We should like to have merely a County Council.
- 4th. We desire that immoveable property alone should be assessed.
- 5th. We have never levied any money for any purpose whatever.
- 6th. The money we received was given voluntarily.
- 7th. We have been unanimous in performing this work.
- 8th. We keep the by-roads and the roads in repair according to the ancient custom.

Hyp. Paquin, Mayor of St. Raphael and Bizard Island.

- 1st. The Act in question works tolerably enough in our County.
- 2nd. I am of opinion that there should be no such office as that of County Superintendent, and that the duties of that officer should be fulfilled by the Secretary-Treasurer of each Municipality.

- 3rd. County Councils incur great useless expense, and if a choice must be made between a County Municipality and a Parish Municipality, I think I should prefer the former.
- 4th. I am opinion that it would be better to exclude personal and immovable property from assessment, and impose licenses on the sale of goods, groceries, &c.
- 5th. The Municipality of our locality has been in operation since the passing of the Act, and the amount levied annually by taxation in virtue of the provisions of the said Act has varied from £15 to £20.
- 7th. By "Statute Labor" we understand all public labor done without remuneration by all persons between the ages of 18 and 60 years.
- 8th. During the first year our Corporation took charge of the roads and kept them in repair at their own expense; on the second year the Corporation handed the charge over to the proprietors as formerly, with the exception however, of certain by-laws for their better management.

L. Taché, Secretary-Treasurer of the Municipality of the County of St. Hyacinthe.

- 1st. My opinion is, that the Act should be maintained in the whole with modifications in the details. The Municipal and Road Act has met, in coming into operation, with unavoidable difficulties. The greatest objection is, that the Act involves great expense. However, in the greater part of the Municipalities the expenses for the first year are far less than those of the second year, and may still diminish on account of the utility of the expenses according as the law is better understood and better executed.

The amendments that are most urgently required would be, to define in a clearer and more precise manner the duties of the Superintendents, the Inspectors and sous-voyers.

- 2nd. The office of Superintendent is necessary: the name of Grand Voyer substituted for that of Superintendent might, perhaps, be more popular and more in harmony with his duties. The visits to the roads required by the LIV clause of the Act are completely useless. In order to avoid that species of want of confidence or prejudice which exists against collectors of money, the Superintendent should have nothing to do with the appointment and payment of the moneys.
- 3rd. In my opinion, it is the best organization possible. It seems to me, however, that the Parish Councils might be made of use. 1st. By placing under their charge the public bridges and by-roads (not the front roads) called local works in order to avoid an increase of costs and contestations, which are hurtful to the progress and good order of the parishes. There would certainly be difficulties in commencing, but it must come to that at last. 2nd. By causing them to make the apportionment and collection of the tax on real estate for the support of schools at the same time as all the other sums to be collected each year, in order to have but one apportionment per year in each parish.
- 4th. It is a very difficult question to solve. If we value moveable property or professions and trades, we must value a profession or trade at a capital, the revenues of which, for one average year out of the three or five last years,

should be the interest at a rate of ten per cent. This is the scale upon which real estate should be valued, on account of the repairs to and keeping in order of the buildings; and in professions and trades there are the losses which may probably happen through sickness or otherwise.

- 5th. Our County Municipality has been in operation, and has levied during last year, for sixteen months, £70, and for this year only £40.
- 6th. The answer to this question is comprised in the preceding answer.
- 7th. Statute labor is not exacted. It is an inconvenience, and should be abolished.
- 8th. The keeping of the by-roads in repair is sold each year, and the money apportioned among those obliged to keep them in repair. The front roads are kept in repair by the proprietors.

As it is also the desire of Your Committee to receive the suggestions of those to whom you have addressed your circular, I beg to offer you the following:

The weekly sessions of the Local Sessions are very often useless; the liberty of meeting should be left to the Municipalities, at the requisition of the Mayor or two Councillors, by notice given at the Church door on the Sunday preceding the meeting.

The XVIth Section does not give sufficient time to prepare and cause the By-laws of the County Council to be read.

The XLIVth Section should say "Fences shall be taken down to a distance of twelve inches from the ground," and should also say "Winter roads shall be kept up in the public roads," in order to avoid all the inconvenience of roads through fields, drains, ditches, and discharges, which are often dangerous.

The 4th paragraph of the XLVIIth Section requires too many details in a *Procès-Verbal*, and gives rise to difficulties.

The 5th paragraph of the same Section, and the 7th paragraph of the LXIVth Section, should provide that the apportionments should be homologated by the Municipal Councils authorised to revise the amount apportioned, and close the apportionment in a final manner, after having given notice to the parties interested of the day of the homologation. After this revision the apportionments might be made by the Superintendent or Secretary, without inconvenience. By the present mode apportionments have been recommenced as often as three or four times, on account of trifling omissions and overcharges, and if the Superintendent wished to abuse the power conferred upon him of making the apportionments as he thinks fit, the parties injured could have no means of obtaining justice.

There is not one Inspector out of twenty who can read, and the notes required by the LVth Section have not been made. They are, however, useless. Persons making contracts with Municipalities who have no property, are not able to recover from them what is due, even after having obtained judgment. The Councillors invested with the powers necessary to collect the money due by the Municipality should be made personally responsible if they will not use the means which the law allows them to acquit the debts of the Municipality.

J. Dorion, Mayor of the Parish of St. Ours.

- 1st. I am of opinion that Parish Municipalities should be abolished and replaced by one County Municipality.
- 2nd. I think that he might be replaced, when required, by a person chosen by the County Municipality, as when there was question of opening new roads or building bridges.
- 3rd. The present Municipal organization is bad, on account of the difference of opinion as to the interpretation of the Municipal and Road Act of 1855, which contradicts itself from clause to clause, of our best lawyers and our first Juris-consults.
- 4th. I am of opinion that personal and moveable property should be excluded from the assessment rolls, and real estate only be taxed.
- 5th. It has been in operation. About £40 have been levied in virtue of the provisions of the said Act.
- 6th. There has been an extra taxation to the amount of £147, for the purpose of having a bridge constructed, in accordance with the provisions of the Municipal Act of 1855.
- 7th. We understand by "Statute Labor" work done in common. The term is well understood, but has never been practised in our Municipality.
- 8th. In the manner provided for by the Municipal and Road Act of 1855.

J. Tessier, of St. Cresaire; approved of by Messrs. Louis Ouimet, P. Gegault, Abraham Papineau, J. B. St. Onge, Joseph Goday, John Corden.

- 1st. The Act in question does not work well; it is too long and too complicated. The different systems of road laws have been too much allowed to subsist. With the new, the ancient systems cannot any longer be put into operation without committing great injustice. The disproportion of the work, more or less heavy in one place than in another, causes people to murmur. I do not think that the Act can operate well unless the Local Municipal Council be compelled to take charge of the roads and bridges. That the Council be held to pay the damages occasioned by the bad state of repair of the roads and bridges. That the mode of proceeding and the details of the law should be left to the Council. That the Secretary-Treasurer, and two Inspectors should have the superintendence of the roads and bridges, cause the works to be performed by the *sous-voyers* in their respective districts, and see that they perform their duties faithfully, cause the orders of the Council to be executed, visit the premises when there is question of making a new road, or abolishing one, or of making a bridge, or sending in a report to the Council, and allow the Council to do the remainder.

The County Council should be in operation for the purposes for which it was created; the Secretary-Treasurer thereof should be also Road Inspector, and it should be his duty to visit them and make a report thereof to the Council, and the Council should have a right to have him accompanied by two other Road Inspectors upon his visit to the bridges or roads, which ought to be under the control of the County Council. (I allude to the roads which run from one Municipality to another, or which concern two Municipalities at the same time.)

- 2nd. The answer to this question is comprised in my first answer.
- 3rd. See first answer.
- 4th. That the County Council should provide for it and adopt the system most suitable to themselves. My reason for it is, because if the by-law which they make does not work well, then they are enabled to remedy it more promptly and efficiently than the Government.
- 5th. It has operated very unsatisfactorily, and has caused more harm than good. The amount levied is £50.
- 6th. There has been taxation and it has been levied upon the valuation roll.
- 7th. I understand by the word "Statute Labor," the uniting of the inhabitants of a range or portion of a range to do together during a certain number of days, a certain work, such however, as can be done by all laborers.
- 8th. The manner in which the by-roads were kept in repair last winter was, partly by Statute labor, partly by dividing the work into shares, and by giving the contract to the lowest bidder. The same thing may be said of all the roads in general. These different means are a source of great confusion and complication of by-laws, and occasion injustice, discontent and finally law-suits.

I am of opinion that the mode suggested in the first answer would, if adopted, put an end to all these difficulties and prevent apportionments without number, procès-verbaux, and other expensive proceedings. After having consulted a large number of the parties interested, I feel forced to say that this plan would be the one which would ultimately give the greatest satisfaction.

Jos. Danscreau, Mayor of Verchères.

- 1st. The Municipal Act might be a good Act if it were more simple and precise in order to be understood by the country people, with simple forms and in consequence, less expensive ones.

This law has operated unsatisfactorily from the day of its passing to the present.

- 2nd. The office of County Superintendent is in my opinion, a public nuisance and a perfectly useless office, for which, however, we are forced to pay.
- 3rd. In my opinion, County Councils are perfectly useless, and are a source of great expense to each County. Parish Municipalities are all we require in the country, if the Secretary-Treasurer of the Parish Municipality were vested with the powers of Superintendent for his locality. He might also if necessary, be entitled to make out a new procès-verbal, &c.; in a word, do all the business required for his Municipality, and that without, or almost without expense.
- 4th. I think that personal and moveable property ought not to be included in the assessment, but merely real property.
- 5th. The Municipality in my locality has been in operation from the passing of the Act of 1855, to the present day; the Municipality has not as yet levied anything, in consequence of which we are in debt. We are about to levy the money. I cannot state what amount we shall have to levy to pay our debts.
- 6th. We are in debt to several persons who performed the works on the roads, and others, &c.

7th. By "Statute Labor" I understand the works which several persons or several parishes are held to do, and when these works are not and cannot be divided, as when a road or a bridge has to be constructed by several persons or parishes without knowing how much each has to do. In this case the works are to be done by "Statute Labor" by the parties interested.

8th. The highways have been made and kept in repair by the proprietors of the lands, upon the front of which the said highways pass, and the by-roads have been given out by contract in accordance with the Municipal Act of 1855.

I will further add that public opinion amongst our inhabitants is in favor of the total repeal of the Municipal Act, and they ask for the law of 1796, with power to name road officers by a meeting to be held every two years, presided over by a militia officer as formerly, and also, with the power at the same time, to appoint a qualified person in each parish to fulfil the duties of deputy grand voyer, to be elected every two years in the same manner as the road officers.

L. L. Desaulniers, Prefect of the Municipality of the County of Terrebonne.

- 1st. Local and Parish Municipalities are excellent institutions, calculated to promote the interests of the people. The Act works very well with us, but with great economy on account of the general state of poverty amongst the inhabitants. I have no other suggestions to make unless it be the remarks contained in my third answer.
- 2nd. The office of County Superintendent is, with us, a burden which weighs heavily upon the County, and that officer would not be required were his powers and prerogatives conferred upon the Inspector of roads and bridges in each local Municipality, who would have jurisdiction only in the parish, and to whom the municipality might grant a salary proportionate to his extra services, that is to say, to those which are by the present law in the province of County Superintendents, as for the semi-annual visits to the roads and bridges (visits necessary for the public safety) procès-verbaux, &c.
- 3rd. The present Municipal organization into County and Parish Municipalities is really a public nuisance, and moreover an increase to the expenditure in many cases out of proportion to the means of the inhabitants, and sometimes a source of jobbing which it is not always easy to guard against; for example, with us the County, by its by-law, orders the levying of a tax far higher than that of all the local Municipalities over and above the improvements or works useful to the County. On the other hand, with the system of a Parish Municipality only, the machine would work in the same manner as if it possessed all the same attributes which the present County Municipality enjoys, with the system of appointing delegates; in the present form, when the works to be done or kept in repair concern several local Municipalities, the Inspector or Inspectors of all the Parishes concerned in the place or the County Superintendent.
- 4th. My opinion, with regard to including personal property in the Assessment Rolls, that is to say, professions, trades, or callings, is, that it is just, equitable, and most rational.
- 5th. Our local Municipality has operated as much and as well as could be expected from an institution quite new and having little harmony with the customs of

the country people, who are generally without education, and not well able to appreciate the value of the institutions. The Municipality has levied £98, which was paid without opposition the first year.

6th. Answered by the preceding answer.

7th. The word "Statute Labor" with us is a term almost synonymous to what it has always been, even before the institution of the present Municipal Law, and is a proceeding, if not always good, at least very just for the performance of certain works, the execution of which requires great promptitude, and the custom of forcing those persons to work who are not in any other manner obliged to do so, is very often very effective and just, when the persons ordering do so in good faith, and in a just and conscientious manner. Statute labor is then the execution of a work or labor, either by men or cattle, according to the proportion of the means of the parties who are compelled to do it, the whole rated according to the value of the property of each. Persons not having any property, and being of a certain age, can also be compelled to work, which appears to me in many cases to be very just.

8th. The manner of keeping the by-roads in repair is by contributions in money from those who are obliged to do so in virtue of *procès-verbaux*, affecting them. The roads are given out by contract each year to the lowest tender, and the payment thereof is apportioned amongst those obliged to keep the said roads in repair.

With regard to the highways, they are kept in repair by the proprietors, each according to the length of his land respectively.

Edouard Germain Paradis, Mayor of St. Norbert d'Arthabaska.

1st. With regard to the Act in question, I am of opinion that it is far too complicated and vague for a class of farmers who are not able to understand law. I think it should be repealed, and a shorter and clearer one substituted.

2nd. I am of opinion that the Office of County Superintendent involves expenses too considerable, on account of the visits he is obliged to make twice every year. I am of opinion that he should only be held to make the said visits when required to do so, and that the expenses be paid by the parties requiring him to do so.

3rd. I am of opinion that Parish Councils involve considerable expenditure; it would be far less expensive to have only a County Council, composed of two or three Councillors from each Parish. In our Parish, I can assure you that by this plan we would save four or five hundred pounds.

4th. I am of opinion that with a County Council, merchants and persons having professions should be forced to pay a license. This might aid in meeting the expenses of the Municipality; the farmers, however, who make the roads and by-roads, and keep them in repair, should be exempted from taxation.

5th. Our Municipality has been in operation since the passing of the Act, but with difficulty, on account of the complication of the Act, and we have yet to levy a sum of fifty pounds currency, for last year.

6th. We have not as yet levied any taxes, as I have just stated, because the Municipality has been harrassed by several of the rate-payers. Thus we have paid our expenses with nothing but promises, until we are able to collect the taxation.

- 7th. We understand by "Statute Labor," work which is to be done in common, and we do so in making the by-roads.
- 8th. The manner of keeping the by-roads in repair is by Statute labor; we should, however prefer the old law—each to have his share to perform. The manner of keeping the roads in repair is by each person keeping his own front in repair.

Jean Savard, Mayor of St. Irénée.

- 1st. My opinion concerning the Act in question is, that it should be repealed. It cannot operate in our County in a manner satisfactory to the inhabitants; the amendments required would be that the Act ought to be replaced by another Act more clear and precise.
- 2nd. My opinion as to the Office of County Superintendent is, that this Officer is of no use in our County; his powers are of a nature to oppose the good working of the Municipal institutions of our County. The Office should be changed, and re-placed by the Secretary-Treasurer of each local Municipality, who would only have the power to verbalise and change the roads and by-roads.
- 3rd. My opinion as to the present municipal organization into County and Parish Municipalities is that the County Councils are perfectly useless and that their powers should be conferred upon the local Municipalities.
- 4th. My opinion as to the expediency of including or excluding personal and moveable property in the assessment rolls is, that no personal and moveable property should be included in the assessment rolls, that the local Council should have a right to levy licenses from merchants, shop-keepers and tavern-keepers, which would be sufficient to pay the expenses.
- 5th. The Municipality in our locality has been in operation from the passing of the Municipal and Road Act of 1855, to June, 1856. They have not been able to levy any taxes.
- 6th. The taxation took place in our locality, but instead of levying the amount thereof, a portion of the inhabitants rebelled against the law and against us; they drove us away during the session, and carried away our records which they burned on the spot. We therefore suspended payment until we could obtain justice from Government against these rioters, who will again have recourse to violence against all municipal laws, no matter how advantageous they may be if they are not compelled to pay damages.
- 7th. We understand in our Municipality by the word "Statute Labor," public works, such as roads and by-roads, kept in repair by a Parish or part of a Parish.
- 8th. The manner of keeping the by-roads in repair in our locality since the passing of the Act in question, has been by each of the persons whose duty it is to keep the roads and by-roads in repair working each time he is required to do so by the Mayor.

A. Dupras, Mayor of St. Isidore.

- 1st. My opinion upon the Act in question is that it operates in a far less satisfactory manner in our locality than usual, because we have not the power to command our Inspectors and *sous-voyers*.
- 2nd. My opinion is that instead of a County Superintendent it would be preferable to appoint a deputy *grand-voyer* in each locality to be paid by the persons who employ him.
- 4th. I think that the best plan would be to cause all descriptions of traders to pay for licenses and apply the money arising therefrom in defraying the expenses of the Municipality, so as to avoid the necessity of levying taxes.
- 5th. The Municipality in my locality has been in operation since the passing of the Municipal and Road Act of 1855, and the amount of taxes levied has been £13 18s., for the County Council, and £25 for the Parish Councils.
- 7th. It is only for the opening of new roads that statute labor is made use of.
- 8th. The manner of keeping the roads in repair in our locality is that each person keeps the road in front of his land in repair, and with respect to the by-roads each person keeps his share thereof in repair.

F. Talbot, Secretary-Treasurer of the County of Bellechasse.

- 1st. We are of opinion that the principle of the Municipal Act is good, but that it would be advisable to make some amendments thereto.

The law works very well here, thanks to the good will and orderly spirit of the inhabitants of the locality. One of the principal amendments we would suggest would be to send to each of the road officers an extract from the Road Act, in which should be comprised all the duties and obligations to which they are subject.

- 2nd. Our opinion is that the office of County Superintendent is too onerous. This office might be given to the Secretary-Treasurer of each locality with the same powers and privileges when there is question of any innovation to the roads, bridges, or by-roads, exempting them, however, from having to pay visits except when required so to do. We might also exempt the Road Inspectors from having to make weekly reports.
- 3rd. Our opinion is that County Councils are more onerous than profitable, and should be abolished, and that Parish Councils would be sufficient.
- 4th. We are of opinion that moveable property should be excluded, as it causes considerable inconvenience. With regard to the capitation tax we are of opinion that it is right, that those who contribute nothing towards keeping the roads in repair should be forced to do so by statute labor, as required by the present law.
- 5th. The Municipality in our locality has been in operation since the Act of 1855, without having levied any amount by taxation.
- 6th. We have not as yet made any forced taxation, but have met our expenses by means of voluntary subscriptions.

- 7th. We understand here by the word " Statute Labor " and the work we take in under that head, as being extra work, as for instance, levelling a hill, a rock, or making or repairing a bridge.
- 8th. We still follow the ancient mode, that is to say, that our front roads are kept in repair by the owners of the lands where they run, and the by-roads are kept in repair by the proprietors of real estate in each line or concession, according to the superficies of each man's land, according to apportionment. The keeping in repair of the by-roads in winter is given out by contract, and paid by those who have shares therein.

We are not at all desirous of having a law which obliges us to tax ourselves for the keeping in repair of our roads and know that a law passed for that purpose will always work badly amongst the agricultural class, for we find that we are sufficiently taxed for the length and severity of our winters.

W. Laurin, Mayor of St. Timothée.

- 1st. I think that the law would work if it were understood, and if every person whose duty it is to put it into operation were to act charitably and according to the intention of the law. It, however, involves too much expenditure, as it has too many officers. I think that County Municipalities alone would suffice, by abolishing local Municipalities, and this would better suit the views of the public. Yet some means should be found to compel the officers to act without being specially paid. Thus the Secretary-Treasurer might be a person holding an office of emolument under Government in such a manner that it would not be necessary to levy a tax or assessment for the payment of the officers of the Council.
- 2nd. There is no necessity for having a County Superintendent. Let the Inspector in each School district have the power of deciding whether the roads are in conformity with the law or not, and let each proprietor have the right of prosecuting the Inspector for negligence of his duty. This would answer better than the office of Superintendent. With regard to the establishment of new roads, let powers be given to two Inspectors to order the opening of a new road in the same manner as is done for water courses.
- 3rd. Parish Municipalities involve too much expenditure, because too many officers are required.
- 4th. The taxation of real estate involves already too much expense, it is not necessary to establish any upon moveable property.
- 5th. The local Municipality of St. Timothée has been in operation since the passing of the Municipal and Road Act 1855, upon credit, no taxes having been levied in virtue of that Act.
- 6th. It has been ascertained that the Municipality could not render service enough to compensate for the expenses which they incur. Consequently, all the expenses incurred are still due to the officers who have been employed.
- 7th. Statute labor has not been exacted from any one, and we generally understand by that word the work a man does under the direction of an officer; the work is done to the earth or upon the materials required.

8th. The manner of keeping the by-roads in repair since the Act of 1855, has been the same as formerly, that is to say, by giving them out by contract every year. The highways have always been kept in order as formerly by the proprietor or occupant of the land upon which they are situate respectively.

F. A. A. Lafèche, Mayor of Ste. Anne de la Pérade.

- 1st. The Act does not work in a satisfactory manner. The means of attaining this end would be to diffuse education among the people. This would be better than all the amendments possible.
- 2nd. The office of Superintendent of roads should be abolished. Each local Municipality ought to be at liberty to appoint a person to trace their roads whenever they please.
- 3rd. County Councils should be abolished. They are often prejudicial to the interests of local Councils.
- 4th. I have nothing better to suggest.
- 5th. Yes. It has levied nothing by direct taxation.
- 6th. We have not as yet levied any funds. The expenses of the Council have not been paid.
- 7th. By "Statute labor" we understand to work on the public roads by order of the Inspector, and that gratuitously.
- 8th. Each proprietor keeps his front road in repair, and the shares he may have in the by-roads.

Carolus Laurier, Mayor of St. Lin.

- 1st. The Municipal and Road Act of 1855 works badly in the Parish of St. Lin, and to make amendments thereto, I think it would be better totally to repeal this law, which to the majority of juriconsults is incomprehensible, and still more so to the Councillors, who for the most part are uneducated farmers.
- 2nd. The office of Superintendent is burthensome and altogether useless. This office might answer very well in a Town or Incorporated Village, where generally the limits are not far extended. In such case the Superintendent of a town or village would have the office of Inspector of roads and *sous-voyer* all at the same time, without being obliged to appoint a number of officers who, depending the one upon the other, do not fulfil in any way the offices which they occupy. However, in one County the law which has worked with the best effect is the Act 36 George 3, cap. 9, for the limits of a County are too extended to allow one County Superintendent to superintend the Inspectors and *sous voyers*. Moreover, the Superintendent out of fear of not being thanked by the Council, would not deign to prosecute his inferiors.

- 3rd. If the majority of the inhabitants of Lower Canada wish to have Municipalities, there is only need for Village and Parish Municipalities, and County Councils should be abolished entirely, for in the County Councils no other business is transacted than local business, for instance, with regard to the abolition or opening of a road which concerns two or more parishes, a Councillor who resides at 20, 25, 30 and even 40 miles from that locality is called upon by law to vote upon this question. How does he do it? Upon the opinion of another Councillor or after having been canvassed by interested parties who have voted before him. Indeed, in most instances the Councillor has never seen the locality in question and may perhaps never see it in his lifetime.
- 4th. I am of opinion that we cannot do any better to render the levying of taxes equally just for all classes of society, for it is not right that real estate alone should be taxed in order to meet all the payments of the officers, &c. The whole burthen would thus fall upon farmers, and it is just that mechanics should pay their shares as well as farmers.
- 5th. The Municipality of the Parish of St. Lin has operated very indifferently, and I cannot state precisely what amount has been levied as it is the the Secretary-Treasurer who has the accounts in his hands. However, we have levied no other sums than those necessary to meet our share towards the payment of the County Superintendent, the Secretary-Treasurer of the County Council, and the payment of our own Secretary.
- The Council of the Parish of St. Lin has further ordered the levying of certain small sums in particular parts of the Parish to meet the payment of some local debts.
- 6th. The answer to this question is included in the preceding one.
- 7th. The law is not sufficiently clear concerning the word "Statute labor" to allow us to practise it in our Municipality. Nevertheless, we understand that the word "Statute labor" means that persons obliged to do a certain work by a by-law or *procès-verbal*, can be commanded by a qualified person such as the *sous-voyeur* or Inspector, &c., to repair a road, bridge or other public work to prevent costs or the trouble of an apportionment when the work to be done is of little consequence.
- 8th. The mode we have followed for keeping the by-roads and roads in repair in the Municipality of the Parish of St. Lin since the passing of the Act in question, is that made use of in accordance with the Act 36 George, chap. 9. The inhabitants having been accustomed thereto from their infancy, have followed this mode instinctively, because the road officers neglected their duties, and the roads are in a shocking state in St. Lin since the passing of the Act of 1855. These officers laugh at our threats, because, say they, there is no person but the Superintendent who has a right to compel them to pay a fine, (this is also the opinion of a great number of persons) and that person is too far from us to be able to compel him to act.

I will sum up, therefore, by saying that the principle of the law is good, but unfortunately there are errors in it to be corrected, and why? because it was made by persons who reside in cities and are in no wise aware of the wants of the people living in the country, and who imagine that what is beneficial for a city must also be so for the country. Do not think that I am of the number of those who say that members of the Legislature make it a point to make the Acts of Parliament ambiguous in order to raise disputes and law suits and thus

enable lawyers to earn their livelihood. No, I have no such thoughts, and am of opinion that the legislators have acted in good faith. It is, however, one of the great measures in which Ministers alone take the initiative, and they do not sufficiently consult the opinion of the farmers in passing measures and laws which the latter have to carry out. If it is desired that the farmers should carry the laws into operation (which is decidedly to my taste) let them be made in a brief, clear and precise form. For indeed, I think it very ridiculous when I find superfluous expressions in an Act, as, "any person or persons," and other similar phrases. They try to make them too plain and that makes them altogether unintelligible.

L. O. Rousseau, Mayor of St. Jean Baptiste de Nicolet.

- 1st. Simplify the Act so as to exempt the road officers from written notices and reports. The Act will not work as was contemplated, as it is too intricate, and unintelligible for most people.
- 2nd. The Superintendent is burdensome and hateful to the local municipalities; his powers are too great, and he is the cause of much useless expense. It would be better without any, giving the Councils power in matters of inspection and report, to choose and appoint one or more discreet and disinterested person to make such inspections and reports.
- 3rd. With respect to the County and Parish Councils, experience has shown that they will never agree, and that the County Councils will always prevent the Parish Councils from making local improvements. These two councils ought to be independent one of the other, that is to say, the County Council ought only to take cognizance of matters affecting the interests of the county and the Parish Councils ought to have the absolute management of purely local matters without appeal to the County Council.
- 4th. Moveable property ought never to be considered except with regard to mercantile affairs so far as would relate to the licenses to be given by the councils to merchants to carry on trade in the locality and the amounts payable for which should be in the discretion of the councils.
- 5th. 6th. The local municipality has always worked since 1855, but with a great deal of moderation on the part of the council, it being difficult even to speak of taxation, that system being altogether unpopular. Consequently no levy of money has been made except upon traders, who have voluntarily paid for licenses to meet the municipal expenditure.
- 7th. By "*Corvée*" is understood the works performed in common by the ratepayers, either because they cannot easily be decided or because the parties obliged prefer executing them in common, but since the Act of 1855 the public works, in this parish have been distributed and each one chose his own share, and this last mode is deemed the most just and is at the same time in accordance with the desires of the majority.
- 8th. The roads are apportioned and each one keeps his own part in repair, with respect to front roads each proprietor maintains his own front. It would be difficult, indeed almost impossible, to make roads by pecuniary outlay. As to the raising of money in the county the whole sum to be raised should be apportioned to each parish in proportion to the agricultural population or superficial extent of each locality.

J. Baptiste Dionne de St. Paschal de Kamouraska.

- 1st. My opinion is that this law does not work in a satisfactory manner; to meet the public interests, I would suggest the entire abolition of parish municipalities.
- 2nd. The office of county superintendent only renders less efficacious the working of the municipal institutions; I would suggest its abolition and the re-appointment of deputy grand juyers under the control of the council, as offering a much more secure guarantee for their efficient working, on account of the control to be exercised by the council over the proceedings of its deputy.
- 3rd. My opinion on this point is as follows, the Parish Councils are useless, in most of the parishes education is too restricted to render it possible to find suitable components of a good council; while at the same time in a county composed of several parishes it is possible to select thoroughly qualified men; I would also suggest that two councillors should be appointed by each parish to form the County Council, as formerly in the case of the district councils.
- 4th. I am of opinion that the Act 36 G. III. should be revived, and the provisions of the present act relative to moveable property added thereto.
- 5th. Yes, and £38 16s. 9d $\frac{1}{2}$. were collected.
- 6th. There was an assessment.
- 7th. The system of statute labor has not been put into force in our locality.
- 8th. We have always followed the old plan, that prescribed by 36 Geo. III.

Jean Caron, Mayor of St. Carmel, makes the same answers as *J. Baptiste Dionne,* he only states that between £11 and £12 were raised in his Municipality.

F. St. Jean, Mayor, F. D. Richard, J. Picard, Secretary-Treasurer of Haltom.

- 1st. The Act has worked with great difficulty in our locality, this must be rather attributed to the ambiguity of nearly all the sections of the Act in question than to the ill will of the inhabitants.
- 2nd. We may be permitted to suggest the following amendments:—that the office of county superintendent should be abolished; this officer occupies himself but little with respect to the localities in his county other than the one in which he resides; he is, however, very exact as regards the drawing of his salary which is never less than £100 to £200 per annum.

A measure we desire and which would be of the greatest advantage and least expense to the inhabitants of each locality, would be that each local council should have the right to name and appoint, as well as all the other road officers, a capable and competent person within the limits of each Local Municipality, the said person to be invested with the same powers as county superintendents have at present. The said officer should have an allowance of so much per day and be paid by the parties requiring his services.

3rd. As to our opinion with regard to the organization of County and Parish Municipalities, it is the following:

We are desirous that County Municipalities should be abolished and Parish Municipalities kept up, on the principle, that each local council know their interests and wants better than the County Council. If, nevertheless, the present Act be still kept in force, we desire the abolition of Appeal to the County according to the amendment to the said Act.

4th. The most uniform mode of taxation is that of including personal and moveable property according to the Act.

5th. The Municipality in our locality has been in operation since the passing of the Act in question. We levied in 1856, a sum of £80; another sum of £90 was levied for the construction of a bridge; a further sum of £32 was also levied for the erection of another bridge.

6th. In our locality the front roads are made and kept in repair by the manual labor of the inhabitants, that is to say, by the proprietors of land adjoining or bordering on the said road, each person in proportion to the extent of his land. The by-roads are also made and kept in repair by the manual labor of the persons interested in the said roads, each person according to the extent of his land.

G. G. Gaucher, Mayor of St Geneviève.

1st. To divide Lower Canada into two sections; to appoint for each section an officer (grand-voyer) whose duty shall consist in superintending the execution of all works required for the improvement of public works, and to prosecute before the Circuit Court the Municipalities and Superintendents collectively who shall neglect to have the said works performed; the salary of the said officer to be paid by Government.

To establish a uniform mode for the gradual improvement of all roads, and especially to provide for the levelling and raising of them.

To order that withing a given period all roads should be raised to a certain height, which would afford the double advantage of having in summer, the roads well drained and everywhere without ruts, and in winter without cahots or banks of snow.

2nd. The Superintendent has already power enough. It should be the duty of the grand-voyer to cause him to act.

3rd. I am of opinion that Parish Municipalities would be sufficient to meet the requirements of our County if there were County Deputies appointed, with power to settle the disputes which might arise in the Local or Parish Councils. Perhaps it might be better to make no alteration in the principle of the Act and merely to render it more intelligible, and for that purpose to award to the person who shall present the best essay on the codification of the Municipal Act, the amendments of last and the present Session.

4th. To appoint three valutors for each County, with power to amend the valuation of each Local Municipality.

- 5th. The Municipality of our locality has been in operation since the passing of the Municipal and Road Act of 1855. During the first year the local Council of our Municipality undertook to keep the roads in repair, and caused a sum of £100 to be levied to meet the expenses and salary of the officers of the Municipality.
- 6th. It is answered by the preceding answer.
- 7th. There has been no Statute labor required or performed.
- 8th. The Council made no By-law; the Road Inspectors follow for the keeping in repair of the roads, the directions of the Superintendent. Each proprietor keeps the road in front of his land in repair, as also the by-roads, according to the old *procès-verbaux*, that is to say at the common expense.

Alex. Fraser, of St. André, County of Kamouraska.

- 1st. The office of County Superintendent, which I filled for several months, enabled me to convince myself of the bad working of the Act in question, and the discontent it has caused in all the parishes of the County.

The reason of its not working well arises from three principal causes, to wit: the extreme ambiguity in which it is drawn up, the incapacity and inexperience of the local Councils, and the amount of expenditure it involves.

- 2nd. The office of Superintendent appeared and still appears to me to be a good one, calculated to produce good results, by the direct and constant control of that officer over the other road officers, and the life and unity which he imparts and communicates to the whole system. His powers do not seem to me to be too great, but they require to be more clearly defined. To render his superintendence more active and effective, he should be allowed a salary sufficient to engage him to devote all the time necessary for that important business. Up to the present day the Superintendent has only been entitled to fees upon the *procès-verbaux* he himself draws out.
- 3rd. I am of opinion that local Councils are more onerous and embarrassing than useful, and that they should be re-placed by one County Council, at which none should preside but persons gifted with a certain degree of education. In addition to the literary qualification having the effect of adding more regularity and rapidity to the transaction of business, it would at the same time, be a motive of emulation towards education.
- 4th. As the Municipal system is intended to benefit all persons, I am of opinion that every one should contribute towards keeping it up, according to each person's means, that is to say, real estate from those to whom agriculture is their only source of revenue, and moveable property from those who earn their livelihood from a trade, profession or commerce, thus giving to the trade, profession or commerce a relative and proportionate value to real estate.
- 5th. The Act in question has been in operation in each Municipality of the County from its passing. I am unable, however, to state what amount has been levied by taxation in virtue of its provisions.

- 6th. I will allow the Secretary-Treasurer of the Municipalities to reply to this question.
- 7th. I understand by the words "Statute Labor" as used in the Act in question, the extra work to be required of each rate-payer and person liable to Statute labor upon a part of a road, a by-road or bridge, which requires some extra repair. I am of opinion that it is a means of preserving equilibrium of labor amongst all the rate-payers.
- 8th. The by-roads and roads in the whole County, with a few exceptions, have been kept in repair according to the mode prescribed by the Act in question, that is to say, that the by-roads have been given out by contract during the winter but not during the summer, as the people prefer, during the latter season, contributing by manual labor to keep them in repair.

REMARKS.

Having had occasion in my quality of Inspector in the course of my visits to the roads, to convince myself that it is the general wish that each Parish should take charge of its own roads and by-roads without being obliged to go and work outside the limits, and considering this plan to be just, I would suggest for that purpose that each parish should be incorporated for the purpose of keeping their roads in repair, that the by-roads and public bridges in each should be kept in repair by means of taxation during all seasons, winter and summer, and that the collective cost of keeping them in repair should be apportioned over the whole Parish without distinction of range or concession. I think that this is the only means of procuring good roads, and that in a few years hence this system will apply to all roads without distinction and to the satisfaction of every one. I believe further that it would be an economy in a pecuniary point of view, for experience has shewn and shews every day that the contact of the different and opposed interests of parties absorbs every year a sum almost, if not sufficient, to keep the roads in the Parish in repair.

As the Road Officers (Inspectors and *sous-voyers*) act without remuneration or indemnity would it not be just that they should be protected, and that a law should be passed providing that all the suits which, according to law, they are held to carry on, should be brought in the name and at the cost, risk and peril of the Parish.

T. Charest, Mayor of Beauport.

The present Municipal organisation into County and Parish Municipalities, supposing numerous amendments to be made thereto, would, I am of opinion be an advantageous measure for Lower Canada under certain circumstances, but at present the measure is certainly a premature one, because Education is not at present in a sufficiently advanced stage to promise that a law so complicated as the present one will work well. We can more easily understand to-day perhaps than we had at first imagined, that it is not an easy task for the greater part of the Parishes to make a choice of seven persons sufficiently educated and well disposed of course, to put into practice the pre-

sent law in such a manner as to attain the object proposed in making it. The fact is that the non-working or at least the imperfect working of our municipalities is due in a great measure to the difficulty I have just mentioned. And even supposing that the present system ought to be continued the difficulty from the present time for a certain number of years that is to say until education is spread more generally throughout the country parts, the difficulty I say will become yet greater when there will be occasion, successively every two years, to replace the Councillors retiring from office. In that case it must naturally be supposed that in a great many localities necessity will compel us to make a choice of persons totally unfit to fill these offices, or else that the persons who are actually Members of Councils will be willing for several years to come to undertake the sufficiently onerous and disagreeable duty of Municipal Councillor in the country. For my part I am little disposed to believe in this last hypothesis, at least in so far as regards persons of education who from being troubled, accused, and harassed, on account of not being well understood and being ill appreciated in the performance of their duties, and for the most part by being entirely disgusted with holding these offices.

Another inconvenience which contributes to prevent the working of the Municipal Law, is the not clearly defining the respective powers and attributes of County and Parish Councils. By the Act of Amendment of 1856 it appears to me that this difficulty has been but increased by giving the County Councils almost all the powers of the Local Councils, and moreover empowering the former to reverse, in Appeal, almost all the measures of the Parish Councils, from whence it follows that the action of the latter is almost completely annulled, and the result is, with regard to County Councils, an accumulation of work and matter which considerably increases the expenses of the Municipal system. The frequent Appeals from local to County Councils have had the effect of causing these bodies to be in continual quarrels the one with the other. We understand that in every decision in any important measure of a Local Council, it is seldom that there are not to be found persons who think themselves deprived of their rights and these persons never fail at present to appeal to a Superior Council. Whilst giving the right to all persons who think themselves justified to have recourse to the decisions of the County Council, there might have been also means to impose certain conditions calculated to put a check to the abuses which are now made of this liberty. In my opinion there will result serious injustice to certain Parishes from the power which County Councils have, to make By-Laws with regard to the granting of Licenses for the retailing of spirituous liquors, for, in the midst of certain Parishes and contrary to their wish, we see taverns and other shops spring up, which are of no use but to foster the vice of drunkenness which would never have existed, had the control of this matter been left as formerly to the local Councils.

- 5th. It has been impossible for me, notwithstanding my repeated exertions, both as Mayor and citizen, of the Parish of Beauport, to cause the Municipal Council to work in such a manner as to derive any benefit from the present Municipal law. There has been constant opposition, both in and out of the Council amongst the inhabitants of the Parish. There has been no valuation made, and in consequence, no assessments have been levied.
- 6th. The want of taxation in my locality, and in several others, which I know, is due to certain prejudices, which the people of the country have in general, against that manner of raising monies for any purpose whatever, by means of what they call taxes. They only think themselves at ease and in safety

when they are left at liberty on these occasions, to do everything by voluntary contributions and as they see fit. It will be seen immediately that this manner of acting on their part, is but the consequence of a want of discernment sufficient to distinguish the end in view, by levying Municipal taxes. I must say that these prejudices are besides, at the present moment, excited and kept up by the emigrants of Irish origin, who have settled or come to settle in our localities, and who from ignorance, assimilate and confound our Municipal and School taxes, with the Government taxes which weigh down Ireland, their native country, and they make use amongst the illiterate people with whom they associate, of this means as a bugbear to make them condemn every system of taxation.

A portion of the expenses of our Municipality have been paid with certain monies belonging to the former County Council, and the remainder is yet due.

From the tenor of my answers, the natural conclusion I must come to is the following: to diminish the number of Councillors, on account of the difficulty of selecting a sufficient number of persons competent to cause the Municipal law to work with advantage, in consequence, to change the present system, and substitute County Councils, giving Parishes the right of returning three members,—a step which appears to me to be practicable in all the Parishes.

In my opinion the present law should be repealed as soon as possible, for with the little favour with which it is received by the people, if it were to continue in force much longer, it might, perhaps, have the effect of disgusting the people completely, with every Municipal law, no matter how advantageous.

It is always consoling to think that with the energetic measures which the Government use in favor of education, and the anxiety evinced for some time by the people of Lower Canada, for education, we shall soon be able to find everywhere in the rising generation, men capable of working, Municipal institutions, such as those we have at present, but which do not suit us at present, because they have come to us a few years too soon.

J. P. Paquet, Mayor of Cap-Santé.

- 1st. and 2nd. The Municipal Act of 1855 would work well enough if the office of Superintendent were abolished entirely, or if there were one appointed for each local Council.
- 3rd. In the opinion of this Council local Municipalities are preferable to County Municipalities.
- 4th. Personal and moveable property should be assessed, with the exception of stores.
- 5th. and 6th. The Municipality of this Parish has only worked in part, for the expenses of the Council have been paid by voluntary subscriptions with the exception of sixty-five shillings which were paid for fines and entries of Petitions.

- 7th. This Council understand by "Statute labor," a days work upon the roads, under the control of the municipality.
- 8th. A portion of the by-roads are kept in repair by shares according to apportionment, another portion by voluntary labor, and a further portion by money, the amount of which is apportioned amongst the persons interested by virtue of the valuation roll.

Théophile Girouard, Mayor of Stanfold.

- 1st. I am of opinion that the Municipal and Road Act of 1855 is full of ambiguity, and very well suited to fill the coffers of the lawyers, and that it works in a very unsatisfactory manner in our locality.
- 2nd. I am of opinion that the office of County Superintendent is too onerous, his powers too extended, and of a nature to impede the good working of the municipal institutions than otherwise. This office should be entirely abolished, and each local Municipality should be invested with the power of naming a person every time it is necessary to open a new road, &c. &c., because in that case the expense would be considerably less, as the person thus appointed would reside in the locality in which the work was to be done, and would not in consequence have to travel over a distance of 10, 15 or 20 leagues; the travelling expenses for so doing, if several journeys be performed, amount to a considerable sum, and weigh often upon a small number of poor inhabitants.
- 3rd. I am of opinion that the present municipal organization into County and Parish Municipalities is too expensive, and that Parish Councils should be substituted for those of County and Parish as they now exist, as the inhabitants of a locality know better the wants of their own locality than strangers, and that County Councils will not be able to operate in a satisfactory manner as the greater part of the members of that Council would have to decide upon questions of which they have no personal knowledge whatever, as has very often happened (to the detriment of the parties interested) at the time of the existence of County Councils.
- 4th. I have come to the conclusion that it would be better to exclude personal and moveable property from assessment, and that the manner of taxing should be left to each local Municipality.
- 5th. The Municipality in our locality has been in operation since the passing of the Municipal and Road Act of 1855, and nothing as yet has been levied by taxation in virtue of that Act.
- 6th. No funds have been levied to meet the expenses of the Municipality.
- 7th. By the word "Statute labor" we understand, in our Municipality, a certain number of days to be employed at work on the roads.
- 8th. The manner of keeping the by-roads in repair in our Municipality has been by the proprietors and occupants of lands in each range, except on the Provincial road of Arthabaska which, was under the control of the Board of Public Works and which was but lately conceded to the County Council.

Pierre Lambert, Mayor of Ste. Ursule.

- 1st. My opinion on the Municipal and Road Act of 1855 and the amendment of 1856 is, that these Acts give satisfaction to the Parish, that they work in a satisfactory manner, and can be worked by giving them a liberal interpretation.
- 2nd. In the office of Superintendent the powers granted to that officer are sufficient, but I should like to see the obligation he is under to visit semi-annually all the roads of the County abolished. These visits might be confided to the inspectors of roads in each locality, who should be held to make a report to the local Council of their respective Municipality under pain of penalty.
- 3rd. The organisation into County and Parish Councils as at present, is, in my opinion, and that of the Council, the system which meets in the most satisfactory manner the wants of each locality, because each local Council is more able to know the wants of each locality than the County Council.
- 4th. It is useful to include in the assessments personal and moveable property; I am of opinion that the valuation rolls should be left to the local Councils, as each Councillor of a local Council is in a better position to judge of the value of property in the locality in which he resides than the County Councillors.
- 5th. The Municipality in this locality has been in operation and operated to the satisfaction of the public since the passing of the Municipal and Road Act of 1855, and no taxes whatever has been levied in virtue of the said Act.
- 6th. As no taxation has been imposed in this Municipality so as not to arouse the public anger, the officers of the Council, in virtue of the By-laws of the Council, have been remunerated by the parties requiring their services, and that according to the tariffs settled by the Council. This plan has succeeded very well.
- 7th. By the expression "Statute labor" we are in the habit of understanding the works which are done in common according to the *procès-verbaux*.
- 8th. The manner of keeping the by-roads in repair is the plan above mentioned, that is to say, by those who are bound to do so by the *procès-verbaux*. The manner of keeping the roads in repair in our locality is by the proprietor or occupant of each lot. In a word the Council has thought it advisable to make as little change as possible in the manner of performing the public works, but to exercise and exact a more strict superintendence over the road officers, and our roads are kept in good repair.

Moyse Désilets, Mayor of St. Pierre, Célestin.

- 1st. The law works well in our locality.
- 2nd. The powers of the Superintendent should be amended in so far as concerns the depositing of the *procès-verbal* after homologation, as there is no time limited to transmit a copy thereof to the Municipalities interested.
- 3rd. The County and Parish Municipalities are a good means of obtaining prompt justice.
- 4th. My advice would be to exclude personal and moveable property from taxation, and to impose taxation only on immovable property.

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- 5th. The Municipality in our locality has been in operation since the passing of the Lower Canada Municipal and Road Act of 1855. The amount levied annually by taxation is £10 10s.
- 7th. By the expression "Statute labor" we understand labor done in common either in the opening or repairing of a road.
- 8th. The manner of keeping the by-roads in repair is by each giving out his share to one individual by contract, and each person keeps the road in front of his land in repair.

The manner of keeping the by-roads in repair in our locality is by giving them out voluntarily by contract.

Aimé Riopelle, Mayor of St. Esprit.

- 1st. On account of the very little amount of work done as yet by our local Municipal Council in virtue of the Act in question, I cannot say that this Act works badly in my locality. However, as the Council is on the point of levying taxations throughout this Parish, I expect to see the law looked upon unfavorably by the rate-payers.
- 2nd. I am of opinion that the Superintendent ought not to receive an annual salary for his services as such in addition to the emoluments allowed him for visits and works of his department specially required, and that the duty required of making two visits annually to visit and examine the state of the high roads should be abolished, as that office, or rather these visits have not the desired effect, and it is an increase of useless expenditure.
- 3rd. I am likewise of opinion that County Councils should be abolished. This would very much lessen the expenses of the Municipality, and when there is occasion to regulate any measures relating to several Parishes, it might be done by delegates appointed from amongst the local Councillors.
- 4th. I think that the mode of taxing moveable and personal property as at present established is just.
- 5th. The Municipality in my locality has been in operation since the passing of the Municipal and Road Act of 1855, but no taxation has as yet been levied.
- 6th. The little expenditure which the Council has been forced to make for the support of the Council has been advanced by our Secretary-Treasurer, who has been kind enough to wait until we levy money to defray these expenses as well as his fees. In consequence, the Council at a general and monthly meeting held this day, have ordered the levying of a sum of forty-eight pounds, twelve shillings and four pence currency, of which £27 7s. 2 $\frac{1}{2}$ d. are for the expenses of the Local Council of St. Esprit, and £20 5s. 1 $\frac{1}{2}$ d. for those of the County Council of Montcalm.
- 7th. I understand by the expression "Statute labor," all manual labor over and above the works imposed by *procès-verbaux* for the opening or keeping in repair of roads or public bridges.
- 8th. The mode of keeping the by-roads in repair has not changed in my locality since the passing of the Municipal and Road Act of 1855. They are kept in

repair in common by persons thereto bound in their turn according to the order and direction of the Inspectors and *sous-voyers*.

Edward Norbert, Mayor, and Robert Frudelle, Secretary-Treasurer of the Municipality of the County of Champlain.

- 1st. The Act in question does not work well in our locality for several reasons, particularly because it is too complicated and in many cases requires useless formalities; because the method of giving public notices in which it is requisite, in every case, that the crier should give a certificate under oath, is unprofitable and disliked by the people, who do not approve of oaths being made so common; and lastly, because that part of the Act which relates to roads and bridges is not advantageous to the public, and every one prefers the old Road Act 36 Geo., cap. 9. Every body prefers, also, the former County Municipal Act 10, 11 Vic., cap. 7.
- 2nd. We are of opinion that the powers of the County Superintendent are sufficient to promote the perfect working of Municipal institutions, and we consider that officer to be necessary in County Municipalities.
- 3rd. We are of opinion that County Municipalities would be sufficient, and that Local Municipalities are not required.
- 4th. We are of opinion that personal and moveable property should be exempt from taxation.
- 5th. The Municipality of our locality has been in operation since the passing of the Municipal and Road Act of 1855 for local purposes, but no money has been levied annually by taxation under its authority.
- 6th. No taxation has taken place in our local Municipality, because it was undesirable to subject the people to a system of taxation to which they are, with strong reason, much opposed: the necessary funds have been raised by voluntary contribution, but the expenses of the Municipality have been very slight.
- 7th. We do nothing in our Municipality by "Statute labor."
- 8th. Since the passing of the Act in question, the method of keeping in order the roads and bridges in our locality has not been changed; and the work has been done, as it was provided in the old Road Act 36 Geo. 3, cap. 9. The people are generally opposed to the execution of this work by means of contributions in money.

The Municipal Council of St. Stanislaus, also in the County of Champlain, returns the same answers.

J. Jutras, Warden of the County of Nicolet.

I am of opinion that the law in question is not at all suited to our country people, as the forms prescribed for its working are too complicated, and involve

too much expense and useless waste of money. It displeases the people, and they regret much that it has been substituted for the Act 10 and 11 Vict., cap. 7, which, with its amendments, had always worked well, because its details in practice were simple and economical. They were accustomed to the latter; it was well understood; and the working of it gave general satisfaction. Under that law, it would never have been necessary to levy a general tax in the County of Nicolet; the licenses of traders, with the fees paid by interested parties to municipal officers for services which they required from them from time to time, were a source of income which sufficed to meet all municipal expenses; whereas, under the present system, general taxation is unavoidable. It is become necessary to raise, by taxation and by expensive means, considerable sums not to be paid out for improvements, but merely to pay for the machinery necessary for the working of the law. This is not to be endured.

I am also of opinion that it is expedient to subject all municipal and road officers absolutely to the authority of the Council, that all the records of the Municipality and the roads be preserved in one and the same office, and that therefore the office of County Superintendent should be abolished, and a deputy *grand-voyer*, under the Council, be appointed in his room, and the *procès-verbaux* and all other papers and documents relating to roads should be kept in the office of the Secretary-Treasurer with the records of the Municipality.

The Parish Municipalities are one of the principal sources of useless expense created by the law: every Municipality must have its Secretary-Treasurer, and a place to hold the meetings of the Council. Then the numerous appeals already made, at great cost, from the decisions of the local Councils to the County Councils, prove that Parish Municipalities are not calculated to give satisfaction, and that they ought to be abolished.

There have been many complaints here against the taxation of personal and moveable property, and I have had many opportunities of assuring myself that the taxation of real estate only would find better acceptance with the people.

The proceeds of the licenses granted to traders, and of a tariff of fees, as I before observed, had always enabled the Municipality to work without having recourse to taxation, in the County of Nicolet. Since the new Act come into force we have endeavored to manage matters without taxes, and hitherto we have imposed none. But the proceeds of the licenses having been taken away from the Municipality, and its expenses greatly augmented by the new law, we have not been able to maintain our position, our Municipality is in debt, and yet the Councillors cannot resolve upon a measure of taxation, having for its object merely the payment of expenses, and which is evidently barren of advantage to the people.

We have no "Statute labor" in this place, and I do not very well understand what is meant in the law concerning it; but I know that the mere word "Statute labor" is displeasing to the ears of the people, and that it would be advisable not to let it be heard, or any thing that bears any resemblance to it.

Every proprietor or occupier of land keeps in order the road on his front, as to the by-roads, the Municipality is divided into sections, by *procès-verbaux*; each section has its roads or by-roads which are divided into parts proportioned to the frontage or breadth of the several farms in the section, and each farmer or inhabitant keeps in order his respective part. Whenever there is, on one of these parts, a bridge which is too expensive to be kept in repair by

a single person, and which is termed a public bridge, it is kept in order by all the inhabitants of the section jointly, each person contributing thereto in proportion to the value of his land, according to valuation. This road system is very ancient, and it is evident that the inhabitants prefer it to any other.

To the question, What amendments would you propose to be made to the Municipal and Road Act of 1855, so as to make it more efficient and satisfactory? I do not hesitate to make answer:—We require a law to be clear, simple and inexpensive. These points are indispensable in any municipal rural code intended to be popular in and satisfactory in Lower Canada; and no law will ever be efficient which is not popular. Accordingly all useless minutiae of form must be struck out of the present Act, as for instance, a special notice given verbally to a person receiving it, or by letter under signature of the person giving it, should be sufficient, and a plain certain certificate should be sufficient evidence of a public notice having been read or posted.

I would moreover propose that the office of County Superintendent should be abolished, and that of Deputy *grand-voyer* substituted in its stead; that Parish Municipalities should be abolished, and County Municipalities alone retained; that Statute labor and the assessment of personal property should be set aside, and the licensing of trading resumed; that taxation should be entirely optional, that is to say, that the Council should be free to impose taxes when necessary, and to dispense with them when they cease to be necessary. For there are places and circumstances which render municipal taxation necessary; there are many others in which, by virtue of the amendments which I have the honor to propose, there would be no need of it. This is a truth which has been clearly demonstrated by the experience of the fifteen or sixteen years which have elapsed since the establishment of rural municipalities in this Province. How many Counties there are which have never had a tax, and which have no need of any. Some would ask, how we are to build vaults for our Registry Offices, and buildings in which our Circuit Courts may sit, if we wish to have them, or if Mr. Cartier's bill is passed, or any one like it? I am certain that I only speak the opinion of all the inhabitants of this County and of all the great body of the people of the Province, when I say that such buildings ought to be erected by the Province, not being a local affair, in which every one may act when and as he likes, but an institution which extends throughout the length and breadth of the Province, and concerns everybody in it. And it is highly important that all action in such matters should be uniform and simultaneous throughout the Province in the erection of these buildings, failing which, in respect of the erection of certain counties for the purposes of registration, great and dangerous inconveniences would result, the particulars of which are too long to be mentioned here. Is this simultaneous action likely to rule among the municipalities? Impossible. Already some of these vaults are erected, well or ill, for the preservation of the registers, in some Counties, and some will remain unbuilt for twenty years to come, if the Government do not interfere. These buildings would cost the Government less than the municipalities, inasmuch as the former would not have the additional expense of a general assessment to add to the cost of building. If the revenue of the Government should prove insufficient to meet the expense, it might perhaps, be feasible to economise in matters less important. And if it should become actually necessary, it might, perhaps, be possible and expedient to raise the customs tariff, which is the only system of taxation which the country people will submit to particularly for such purposes.

Municipality of the Parish of Becancour.—The above answers of the Warden of the County of Nicolet, J. Jutras, approved of in every particular.

Edmond Lévêque, Mayor of St. Alexandre.

- 1st. The Municipal and Road Act of 1855 as amended in 1856, cannot be made to work in this part of Canada. The Act and the amended Act ought to be consolidated so that there may be none but County Municipalities, as if they be only amended, the ambiguity which pervades them now, will still remain. The Act has not worked in a satisfactory manner, and the amendments which I would propose are: The abolition of Parish Councils, as before observed; the abolition of the Court of Delegates; the simplification of suits; the placing of the Superintendent under the immediate control of the Council, as the Deputy *grand-voyer* was formerly, and his exemption from the duty of visiting the roads; the giving up of the roads to the management of the owners of land as heretofore; the system of granting licenses as formerly, instead of the taxing of traders, &c., and the placing of the money produced thereby at the disposal of the Council, to aid in defraying their expenses; the method of giving public notices simplified; the annual review of the assessment roll, and such other provisions as may obviate the necessity of levying direct taxes upon the agricultural class.
- 2nd. I have just given my opinion relative to the duties of the Superintendent; the powers vested in him are not of a nature to promote the beneficial working of municipal institutions, and should be amended so as to render his operations less expensive; the office of Deputy *grand-voyer* of the former Councils having found more favor with the people, the same official duties might be assigned to the Superintendent.
- 3rd. This question is already answered.
- 4th. Trades and professions should be assessed.
- 5th. Our Municipality has been in operation since the passing of the Municipal and Road Act of 1855, and we have raised £28 2s. 7½d.
- 7th. By the term "Statute labor," we understand all kinds of work which are not imposed on a single individual.
- 8th. The roads in this locality have been in a much worse condition than formerly since the passing of this Act; and this inclines me to believe that the old system was the best.

Michel Girard, Mayor of the Parish of St. Hyacinthe.

The Municipal Act works very ill in this locality, and is generally disliked by the inhabitants. A law so complicated, so long in its details, and so loosely drawn up, could have no other reception; moreover, the enormous expenditure of money required for the working of it, contributes not a little to its unpopularity. The supervision of the roads, almost the only attribute of the Municipal Councils, might assuredly be more cheaply executed. Enlarged views of

disinterested patriotism, if nothing else, would lead us to coincide with the almost unanimous opinion of the inhabitants of this County, which is in favor of the Road Act passed in the thirty-sixth year of the reign of His Majesty George III, c. 9. This law, amended by a few slight modifications more in accordance with the wants of the present time, would be better adapted to the maintenance of good order, peace, and a liberal unanimity among our countrymen.

If we are bound to have a Municipal law, which we do not object to in principle, let it be clear and precise in its provisions, and cleared of useless forms, so that its workings may be inexpensive.

The office of Superintendent ought to be abolished, inasmuch as his duties are comprised in those of the Inspector, under whose immediate superintendence the maintenance of the roads are carried on, and that without any remuneration; whereas the Superintendent pockets the money, and generally for having done nothing, as the few changes required to be effected in our road system do not need the constant supervision of such an officer. Let the Council be authorized to remunerate an Inspector (at the cost of those who require his services) whenever he needs the assistance of a person of education to draw up the information which he has to communicate to the Council from time to time. This would answer the purpose intended, would be more economical, and would not enable speculative persons to make a fortune out of the office of Superintendent. The municipal system cannot work effectually and satisfactorily with its present organization.

The Parish Councils, composed as they are of men having a direct pecuniary interest in all measures presented to them, cannot congratulate themselves on their independence. This causes all their decisions to bear the stamp of favoritism, tyranny and injustice; and under the Parish Council organization no means exist of checking personal interests; and even if we suppose that all private interests can be set aside, the motives of the Councillors will, nevertheless, be always liable to a suspicion of selfish and arbitrary dealing, from whence will spring disputes and law-suits, often involving great expense. This fully justifies our assertion that the money required for the due working of the law, and for the expenses of law proceedings in a given time in a County, would be sufficient for the maintenance of the roads within its limits.

The municipal system carried on by County Councils only, would in our opinion, be more independent, better calculated to work well, and especially less expensive.

The municipal law amended in 1850 and 1851, with certain modifications, is best adapted at present for our parishes in the seignories, and for all settled districts, and most likely to work,—the greatest difficulties found in that law were:

1st. The want of power to the inspector or *sous-voyer* for neglect of their duties.

2nd. The want of authority to sue the Inspector or *sous-voyer* to sue the rate-payer for any road work to which he might be liable.

3rd. The right of appeal to the Circuit Court ought, in our opinion, to be abolished, and three qualified persons of the County should be chosen by the Council, when organized, at their first meeting, to be a Court of revision. The costs of appeal, reduced as low as possible, should be borne by the unsuccessful party.

4th. The office of deputy *grand-voyer* ought, under that Act, to have the same fate as that of Superintendent under the present law, as its duties may be performed by the inspectors. As to the mode of assessment, it is only right that all persons in the County should, in their locality, contribute to the public weal, but in the case of a work in which several are interested, it should be laid out according to the superficial extent of each man's holding. To procure uniformity in the valuation of a whole County by judicial means, we can perceive no better method than by appeal to a Court of revision in the County next adjacent, and not interested in the matter in appeal, if the valuation in a County was not thought to be uniform.

5th. The amount raised by general assessment in this locality, was, last year, £55. In the present year it will be £40; but the cost of the working of the law for the County may have amounted to £500, exclusive of the costs of law proceedings, consequent on inexcusable defects in the law.

P. E. Marier, Mayor of the Village of Terrebonne.

- 1st. It is my belief that (although not yet productive of all the advantages which it promises) it is the best system, except in a few particulars, which may be amended, and which I shall endeavor to point out in my answers here following:
- 2nd. I consider the Superintendent to be useless, and even prejudicial: useless, because since he was appointed the roads have remained untouched, and altogether without repairs; prejudicial, because his tours of inspection cost the county too much without any profitable result. A district *grand-voyer* without a salary, but to be paid by those employ him at a daily rate of remuneration to be fixed by law, with the right of appeal from his *procès-verbaux* to the Circuit Court would be a better appointment. As to incorporated villages they do not require the *grand-voyer*, the councils supplying his place.
- 3rd. I think that the County and Parish Municipalities involve too much expense, considering the limited means of the inhabitants. The County Municipalities will never find favor with the majority, because the wants of a parish are to be laid before strangers who often reject the application merely from a spirit of party, to damage a councillor who does not happen to enjoy their favor.
- 4th. I am of opinion that personal and moveable property ought to be included in any assessment, and that the law should not, in this respect, undergo any alteration.
- 5th. The Municipality of this locality works slowly, and I think it the wisest plan otherwise it would be necessary to tax too heavily; a gradual conformity to the requirements of the law, will be less alarming to the rate-payers. We have raised a halfpenny in the pound.
- 6th. The halfpenny in the pound has sufficed for our expenditure.
- 7th. I understand the term "Statute labor" in the sense which the law intends. This kind of work is disliked by the people, and I consider it useless and a fertile source of litigation.
- 8th. There are no by-roads in this locality, consisting as it does of an incorporated village. With respect to the main roads which are only the streets, they are

kept in order by the proprietors, each in his front respectively. I must, however, observe, with reference to Municipalities in general, that each Municipality ought to keep in repair their own roads. This would be less vexatious to the inhabitants, and it would be a further advantage to allow the inhabitants to allot the road to be repaired, in parts, notwithstanding that I hold this plan to be old fashioned. We must, nevertheless, keep up with the times, and legislate according to the manners and opinions of the day. Our old system of 1796 with respect to the subjecting of inspectors and *sous-voyers* to the penalties at the suit of any complainant, appears to me also a resource of some efficacy, provided the suit be brought before a Justice of the Peace in the place, or before the Circuit Court in the same place.

Philip Mount, Lieut. Col., and J. Basilide Delfausse, Mayor of St. Henri de Mascouche, give the same answer as the above.

L. H. Garon, Rimouski.

It is my opinion that the late County Municipalities should have been continued for ten years more, and by that time the people would have received with some pleasure the present excellent municipal law, because they would have found out the inefficiency of the old law, to promote the progress of the country, and would have been prepared to carry out the provisions of the new one.

Although the present law works but very imperfectly in most of our local Municipalities, I think that it is better so to amend it as to facilitate its working and to render it less expensive, than to repeal it altogether, to give way to a new one, or to an old one to which the people have already evinced their dislike. This would not give the people reason to believe that they have only to shew a disloyal opposition to a law to in order to have it repealed.

Among the temporary amendments to be made to it, I would propose the following:

1st. That the County Councils should meet but once in the year, to revise the assessment rolls, and afterwards only the members are notified, by the Secretary-Treasurer, that some petition has been received at the office of the County Council, which it is necessary to consider.

2nd. That in every local Municipality, in which there is no taxation, the Council might compel every trader within its limits to take out a license, by which means the Council might be enabled to form a fund sufficient for the payment of the Secretary-Treasurer and to meet any petty contingent expenses of his office, without having recourse to forced taxation for the purpose.

3rd. That the publication of all documents of the Council required by law (except public notices) should be made in the language spoken by the majority of the inhabitants of the locality, by simply reading the same at the church door on some Sunday or statutory holiday after divine service in the forenoon; and that the certificate of the person making such publication,

sworn before the Secretary-Treasurer of the Council or the Mayor, should be sufficient evidence of such publication.

4th. That the return of the service of any special notice, might also be sworn to before the Secretary-Treasurer.

5th. That any petition praying for the homologation of any *procès-verbal* of a road, by-road, water-course, &c., be presented directly to the local Council, who might proceed, after publication of such petition at the church door, to homologate such *procès-verbal* without the intervention of the County Superintendent, if they were of opinion that they had a sufficient knowledge of the premises.

6th. That any by-law or *procès-verbal* of a main or by-road, bridge or water-course, should contain full particulars of the apportionment of the work to be done, and the amount to be paid by each person bound to assist in the prosecution of the work; and that such apportionment should be made according to the superficial extent of the lots of the proprietors, if the Council should consider that method the most likely to do justice to the parties concerned.

7th. That it ought to remain discretionary in the majority of the parties concerned in a by-road, &c., whether to contract for the execution of the work, or to execute each their several shares thereof; and in the want of contracting therefor that the apportionment of the money to be paid should be according to the share of the road allotted to each person concerned.

8th. That in order to the more perfect understanding of the 44th section of the said Act, which has been misunderstood by several Municipalities, it is expedient to declare that the said clause shall apply to main as well as by-roads; provided the fences be replaced by the persons concerned in the road by the 15th April.

2nd. Retaining the County Councils, we must also retain the County Superintendent; but, for some years to come, that officer must be in all matters subordinate to the Council, and act only as they may direct.

I have no doubt that the powers granted to that officer by law would aid in promoting its successful working, if our inhabitants, in whom the spirit of enterprise is not yet awakened, were not alarmed at the excessive authority given to him, and at the idea of his imposing on them burthensome works, and if they did not prefer the endurance of evil rather than apply to him for the remedy.

3rd. I have already said that the present municipal system is a good measure, but as yet the people in this district are not in a condition to carry out its provisions.

If it were intended to abolish either the Parish Councils or the County Councils, I should prefer to retain the former rather than the latter, being of opinion that greater good would result from them.

In our County of Rimouski the district Council worked no better than the Parish Councils established in 1845, and the latter have worked quite as well as the County Councils established in 1847.

I have been the depositary since 1847 of all the registers and minutes of the Councils, and in my capacity as such depositary, have frequently

been obliged to review the proceedings of the Councils, and I have arrived at the conclusion that the Parish Councils managed their business quite as well as the District or County Councils, and that they did more for the improvement of the country than all the others.

If the present Parish Councils succeed but indifferently it is rather owing to the impossibility of raising the necessary funds, otherwise than by direct taxation, than to any other cause.

It is true that, in abolishing the County Councils we should abolish at the same time, the Court of Revision of the by-laws of the local Councils; but instead of an evil, I consider that this would be a very effectual means of bringing the local Councils into operation, and training the people to the knowledge and management of their own affairs; for, having no longer any authority to which they could appeal, they would of necessity submit, and I cannot think that any great inconvenience could result from this: seven persons, elected in the different quarters of a Municipality, are better qualified to manage its interests than persons who are total strangers; and ought certainly not to be capable of acting unjustly.

4th. I should not be disposed to include moveable property in the assessment, on account of the difficulty of collecting any thing on a security so uncertain as furniture.

The present mode of assessment appears to me very equitable, but the first paragraph of the 70th section should be worded so as to not to exempt any artisan or mechanic, for it is pretended that pilots who are owners of vessels, and sea-faring men of all kinds, are not included in that clause, because they do not carry on their callings in a single Municipality only.

5th. The local Municipality of St. Germain de Rimouski has worked since the passing of the Lower Canada Municipal and Road Act of 1855, but they have raised no money by taxation, except a tax of 5s. on documents fyled in the Council.

6th. The reason why no tax has been levied in this Municipality, is the open opposition which the inhabitants have evinced to the working of the law at the very outset, and the timidity of the officials who were charged with the execution thereof.

The necessary funds to meet the expenses of the municipality have therefore not been raised, and the Council is now in debt to the amount of £25 to £27 10s:—

7th. The term "Statute Labor" is understood in this municipality to imply:

1st. The day's work which every rate-payer is bound to give yearly over and above his road work and other contributions to which he is liable for every £100 value of his assessments.

2nd. The day's work which every male of the age of 21, not otherwise liable, is bound to contribute to the municipality.

3rd. Finally, all day's work which the Local Council may impose in virtue of the 51st section of the said Act.

8th. Since the passing of the Act in question the main and by-roads have been kept in order as usual:—that is to say, the provisions of the Act 36 Geo. III. c. 9. although repealed, have been our guides in that respect.

A. H. de Caussin, Esquire, N. P., (St Julienne.)

- 1st. The Act in question is too contradictory in some of its provisions to be carried out without some confusion. It has worked in this place as well as a law of the kind can be expected to work. If the Act was amended so as to make it plainer and more concise, and forms shortened, it would have a good effect.
- 2nd. The Office of County Superintendent, as now constituted, only produces trouble and expense, and nothing or next to nothing is done except a quantity of reports or *procès-verbaux* which are after reading impracticable. The work on the roads is worse done, and yet the expense is increased. These offices to be useful should be more independent.
- 3rd. The present Municipal system is, with County and Parish Councils a fine institution company, the invaluable but unappreciated privilege of self-government; unfortunately the law is ill adapted to create a taste for the advantages which it might effect, and the people generally are too ignorant to carry it out with full effect.
- 4th. In my humble opinion, if personal and moveable property were included in the assessments, it would be greatly injurious to agriculture, a principal source of the revenue of the Province, and such a measure would tend to retard progress. Real property itself even ought, for the encouragement of the industrious farmer, not to be assessed at its improved, but its original value. As to uniformity of taxation in each county, we might arrive at that also by the detachment of the assessors: by threes, that is to say by sending them from place to place, after they have been assembled at the county town to agree upon a course or principle of action. The County Councils only should be competent to revise and amend the assessment rolls.

5th. The Municipality of St. Julienne have raised for their own expenses the sum of..... £15 16 7½
And for the expenses of County Council..... 13 14 0

£29 10 7½

the whole municipal expenses to this day.

The County Council have also levied, on all the parishes in the County, to defray the whole of their expenses £149 2s. 3½d.

6th. Answered in the last.

7th. The "Statute Labor" has not been required.

8th. In general the main roads have been made and kept in order by the occupier. The line or by-roads are partly given out by contract.

GENERAL REMARKS.

The want of a quorum is a frequent cause of justice not being done. The County Councillors ought to be paid, and it should be established as an absolute principle, that absentees should pay a forfeit of double their allowance, except in cases of certified sickness only.

Martin Giguère, Mayor of St. Jean, Isle of Orleans.

- 1st. The Act in question works satisfactorily in our locality.
- 2nd. The office of County Superintendent is, in my opinion, perfectly useless, the By-laws concerning roads being as well observed and enforced by the other road officers, and being attended with less expense than under the office of County Superintendent.
- 3rd. I consider that none but County Municipalities should be retained, and that the Parish Councils should be abolished, believing that the former alone suffice for the wants of each locality, and would, moreover, be less expensive to the inhabitants.
- 4th. I believe it would be better to exempt personal and moveable property from taxation.
- 5th. The Municipality of our locality has always been in question since the passing of the Municipal and Road Act of 1855, and we have raised by taxation for part of the years from '55 to '56, an amount of £25 per cent., and from '56 to '57 an amount of £19 10s. 9^d. per cent.
- 6th. The necessary funds to meet our Municipal expenses have been raised by assessment as aforesaid.
- 7th. I understand by the term "Statute Labor," the contributions in labor by several persons, on requisition, to considerable works on roads, by-roads, and public bridges.
- 8th. Finally—The method of keeping up the main and by-roads in our locality, has always been as follows: Every proprietor repairs, at his own cost, the part of the road passing in front of his farm; but in respect of by-roads, every proprietor is also bound in the summer to keep in order a portion which is assigned to him by legal repartition, and in winter to contribute to the expense of maintaining the same under contract. The fund for the purpose being made up by the proprietors, each year ten, in their turns.

Louis Fortin, Mayor of Cap Ignace.

- 1st, Yes, the Act works well.
- 2nd. The County Superintendent, with his present powers, ought to be abolished, and a Deputy *grand-voyer*, deriving his powers from the Council and appointed by them, substituted in his place.
- 3rd. The Parish Municipalities should be superseded by County Municipalities, as they were before 1855.

- 4th. Real estate should be taxed only for the formation and maintenance of roads and bridges, trade and the proceeds of licenses to sell liquors ought to meet the contingencies of the Council.
- 5th. Yes, and they raised £39 5s. 8d. in the first year, and have not yet ordered or levied any assessment for the current year.
- 6th. This question is not applicable to our Municipality.
- 7th. This is an aid in work which each land owner in each *sous-voyer's* district is bound to contribute towards the maintenance and repairs of the roads, fences and water-courses, according to the by-law which enjoins it. Statute labor is difficult and troublesome to enforce, and ought, on that account to be abolished.
- 8th. The parties interested in the main and by-roads, are compelled by the *sous-voyers* to keep them in order, under the order of *procès-verbaux* and by-laws of the Council.

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Jacques Lebel and L. F. Roy, Councillors for Kingsey.

- 1st. Our opinion of the Act in question is, that it is injurious to the Municipality, and that it does not work in our locality in a satisfactory manner; the proper amendment would be its entire repeal. First, because it is burthensome and too complicated, and has been unproductive of good to the roads, the monies raised having been partly applied to the payment of the numerous municipal offices. We desire an Act like that of 1846.
- 2nd. Our opinion relative to the Superintendent is, that we desire to have none, the powers of that officer being more injurious than profitable. We would recommend in his stead, three Inspectors of the Municipality, who might lay out roads and superintend them according to circumstances. We base our opinion on the inconvenience of procuring the attendance of the Superintendent at certain times and places, and moreover, the high rate of his remuneration.
- 3rd. The system requires too many officers paid out of the monies collected. The County Council is prejudicial, and should be abolished.
- 4th. We would have no taxation; let every one do his own work.
- 5th. The Municipality of this place has been at work since the passing of the Municipal and Road Act of 1855. The amount annually assessed has exceeded 800 dollars.
- 6th. Taxation has taken place in our Municipality.
- 7th. We take "Statute Labor" (*corvée*) in its ordinary meaning: an aid given to some one who appears to need it, whether for road or any other work.
- 8th. The method of keeping the roads in order has been by labor in common, the roads on the front of farms have been maintained by the proprietors, as well as by Statute labor.

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C. Courteau, Esq., M. D., of St. Roch d'Achigan.

- 1st. The Act in question works very ill in our locality, and has produced only bad effects. The Parish Municipalities ought to be abolished. The Councillors of

these Municipalities are generally men of little or no education, and are easily influenced by relatives or friends, and especially, they are influenced by their own personal interests, and are always prejudiced in deciding on business that comes before them; they are, therefore, unjust in their acts, to say no worse. This tends to demoralize the people, stir up enmities and discourage honest men. The County Municipalities rarely produce this effect, and the reason is easy to be explained.

- 2nd. The office of County Superintendent is a very important one, and produces good effects on the roads of both kinds. Everything depends, however, on the choice of the County Municipality, and on the moral influence and individual capacity of the Superintendent.
- 4th. Personal and moveable property ought to be included in the assessment, and, to secure uniformity, the County Municipality ought to establish one common scale of assessment for the whole county. By this means all would pay alike, and therefore, equitably.
- 5th. The amount of taxes raised in this locality to this day, under the Act, is £79 odd shillings.
- 7th. By the term "Statute labor," we understand here a work done in common without taxation; the casting of materials for a bridge, &c.
- 8th. The maintenance of the roads since the passing of the Act in question is carried on as it was before it was passed. For instance, a whole concession is charged with the maintenance of a by-road, and the work is done by the proprietors resident in that concession in common.

Pierre Guibord, Mayor, and E. Messire, Secretary-Treasurer of St. Paul, County of Joliette.

- 1st. We have a bad opinion of the present Municipal Act. It ought to be repealed and the old County Councils restored.
- 2nd. The office of Superintendent ought to be altogether abolished, and that of *grand-voyer* substituted in its place, as under the County Municipalities.
- 3rd. The present system of County and Parish Municipalities is very injurious to the prosperity of the Country.
- 4th. Tax traders, professional men and mechanics, to pay the expenses of the County Councils, if they are restored.
- 5th. The local Municipality of St. Paul has worked since the passing of the Municipal and Road Act of 1855, but no taxes have been levied to meet the expenses.
- 6th. The Municipality have refused to levy any tax, and the expenses have been paid by voluntary contributions.
- 7th. "Statute labor" has not been exacted from any.
- 8th. The main and by-roads in the Municipality of St. Paul, has been kept in order as they were under the old road law.

Joseph Beausoleil, Mayor, and M. Crépeau, Secretary-Treasurer of St. Felix de Valois.

- 1st. This Act works in a satisfactory manner in our locality, but at enormous expense, occasioned by the proceedings required under the law from the County Superintendent for the opening and change of roads.
- 2nd. The office of County Superintendent, which is a source of useless expense, ought, in my opinion, to be abolished, and I give as my reasons the facts that though that officer may visit the place, draw up a *procès-verbal* legalizing a road or bridge, and receive from the parties concerned a fee of £5 or £6, still the Council may, after hearing the parties, amend the *procès-verbal* as they think fit, and even disallow it altogether.

Any other tolerably well-informed person whom the Council might appoint to visit the place in question would manage the affair as well as the superintendent, as his report is to be revised by the Council, and such a proceeding would cost scarcely more than 10s. per visit. This would make a difference of £4 10s. or £5.

The inspection of the roads, required from the Superintendent, are quite useless in the country parts; at least that which he has exercised in this locality has been productive of no advantage.

- 3rd. I do not perceive what profit or advantage the inhabitants of a locality can derive from County Municipalities as long as there are Parish Municipalities. All that the County Council have done worthy of notice, to my knowledge, since the passing of the Act, is the imposition of a tax of £80 on the rateable property in the county, to meet the expenses of the council, as the salaries and fees of the Secretary and Superintendent for the year 1856. This was independently of another round sum which the Municipality had in hand.

The Parish Municipalities are sufficient, and are most in accordance with the wants of the country. The members of these councils are supposed to be better informed concerning the affairs of their own parishes than they are about those of others. Accordingly I am of opinion that County Municipalities may more conveniently be dispensed with than the Parish Councils.

- 4th. I do not consider it necessary to exempt personal and moveable property from taxation, on the contrary I consider it just to include it.
- 5th. This Municipality has been at work since the passing of the Municipal Act of 1855. The amount levied was £18 the first year, and £12 in the second.
- 7th. By the term "Statute labor" we understand in this locality, the combination of several persons to perform certain works in common, and such works are generally those done on line roads and public bridges.
- 8th. The main and by-roads in this locality are kept in order as heretofore.

J. Baptiste Bouchard, Mayor of Rivière du Loup, (en bas.)

- 1st. My opinion of the Act in question is that it works very ill in our locality; whose is the fault? That of the County Council and of the Superintendent.

I am of opinion that the amendment to be made in order to secure the more satisfactory working of the Act of 1855, would be the abolition of the County Council and of the office of Superintendent, for the County Council cannot work without the imposition of taxes. Their expenses are to be levied in all the parishes in the county, whereas if the Parish Councils were invested with all the powers of administering the road laws, they might, by means of the inspectors and *sous-voyers* bring the road law into operation without the imposition of any rate for the purpose.

- 2nd. The Superintendent never fails to perform all the duties of his office, and occasionally something more, provided that the duty is gainful. I propose that every local Council should appoint a deputy in their locality to be paid as the inspectors of fences and ditches are, or his fees might even be taxed by the Council, and be paid by those requiring his services.
- 3rd. I am opposed to County Councils; they ought for the benefit of the farmers to be abolished as well as the Superintendent.
- 4th. All the councillors should serve gratuitously, like the inspectors and *sous-voyers*.
- 5th. The Municipality of our locality has worked since the passing of the Municipal and Road Act of 1855; up to December 1856 it worked without disturbance or commotion of any kind. Since that time the parish has shewn an opposition to its proceedings, declaring that they want no municipal law, as they are determined not to be taxed. They call for the old law.
- 6th. There has been no taxation in our Municipality, and this is the reason of it. The County Council has made no assessment roll, and it was necessary to ascertain in what amount we stood indebted to that body, to be able to make up our own. It is now very difficult to do it and to levy the tax, for the parish will rebel against it, and refuses to pay even the expenses of the place of meeting. Accordingly we must have a law to work gratuitously, otherwise we should be exposed to open revolt, for the inhabitants declare their inability to pay all the taxes impending over them.
- 7th. By "Statute labor" I understand work done by persons who are called upon to labor on the roads gratuitously, in places where the work is too onerous to be done by the land owners.
- 8th. The mode of repairing the main and by-roads in our municipality, is that of the old law, each land owner keeps in order his own road according to his obligation under the *procès-verbal*.

L. D. Lafontaine, Mayor of St. Edward.

The Municipal Act works very ill in our locality. It is, in my opinion, too complicated, and too expensive, and not at all suited to country people.

The office of Superintendent involves great expense, without any profitable result, but I am unable to shew what change is required in the system.

The Municipality of our locality has been at work since the passing of the Road Act, and we have met the expenses by means of a tax laid upon real property, and by licenses granted to traders, shopkeepers, innkeepers, &c.

The roads have been kept in order by the land owners and the by-roads have been given under contract or abolished.

The bridges over the rivers are of the works which are kept up by "Statute labor," and the persons whose lands are drained into those rivers are bound to perform it.

H. J. Belanger, Warden of the Municipality of the County of Dorchester.

- 1st. I am of opinion that the Municipal and Road Act is obscure in many of its provisions, contradictory and too complicated to be made to work to advantage in Lower Canada. It has worked ill in this parish, and its only effects have been to create confusion, increase expense, and give trouble to those whose business it is to bring it into operation. I consider that it ought to be amended so as to permit the arrangement of the municipal and road affairs on the principle of a repartition, based on the extent of real property in municipalities where no valuation has been made, or as long as there shall be none. This would, in my opinion, be the means of bringing the law into favor, and of rendering it more efficient, and easy to administer.
- 2nd. I think that the office of Superintendent is useless, not to say injurious.
- 3rd. I am of opinion, that the local Councils are perfectly useless, and that the County Councils are sufficient to meet all wants. In this, however, I do not agree with the majority of the Councillors of this parish, who hold that the local Councils are very useful, and, that if one kind is to be abolished, it would be better to put away the County Council.
- 4th. It is, in my opinion, just and reasonable to include personal and moveable property in taxing the people. I do not know what would be the best plan to secure an uniform assessment in each County.
- 5th. The Municipality of our parish has been in operation since the passing of the Municipal Act, as successfully as it was possible, in the absence of an assessment roll, and, while all care was taken to avoid taxation. There has been no tax levied in the parish under the Act, since it was passed.
- 6th. There has never been any tax imposed or levied in the parish for any purpose, firstly, because there has never been a valuation of the property, and next, because the inhabitants dislike the imposition of any tax, and have always prepared to make any sacrifice, rather than allow of any taxation. The municipal expenses have been very light, each person performing his part of the work required by the law gratuitously, except the Secretary-Treasurer who receives as his salary the fee for filing petitions to the Council. The County Superintendent has for his salary the costs of his *procès-verbaux*, his journeys and his carriage hire, to the places where his services are required.
- 7th. I do not quite understand what is meant by "Statute Labor," in this parish, and I do not know of any work that has ever been executed by "Statute Labor."
- 8th. In summer each inhabitant keeps his section of a by-road in order; in the winter the by-roads are given out by contract. The roads have been always kept in order by the owners of the lands in front of which they pass, both before and since the passing of the Act.

P. D. Hebert, J. P. of St. Cyprien, Napierville.

- 1st. The Act is a bad one ; it is made to work with great difficulty, and it ought to be reduced to a simple organization of councillors, with power to make the By-laws which might be considered necessary by the majority of the electors interested therein.
- 2nd. The office of Superintendent is useless ; his powers are frequently a trouble to the Council, and an expense to the public. In certain cases the Council might appoint one, two or three delegates to report to the Council.
- 3rd. We ought to have a municipality in each new electoral county.
- 4th. I am of opinion that the present mode of assessment is the best.
- 5th. The Municipality of this place has been in operation since the passing of the Road Act of 1855, and in the year 1856 1½d. in the pound was raised.
- 6th and 7th. The by-roads are kept in order by the parties concerned, by each in proportion to the land which he owns.

M. D. Depocas, Mayor of St. Cecile.

- 1st. I think that the Act would work well if it were well understood, and if each person whose duty it is to put it into operation were disposed to act in a charitable spirit, and in the spirit of the law ; but it is too expensive, requiring too many officers.

I believe that County Municipalities alone would be sufficient, getting rid of the Local Municipalities, and that would accord better with the wishes of the public : still it would be necessary to oblige officers to act without being paid a special allowance. Accordingly the Secretary-Treasurer might be some one who holds a lucrative office under Government, so that it may not be necessary to levy any tax for the purpose of paying the officers of the Council.

- 2nd. No County Superintendent is necessary. Let his powers be vested in the Inspector in each district, to decide whether the roads are kept according to law or not, and let each proprietor have a right to sue the Inspector for neglect of duty. This would be better than the office of superintendent. As to the opening of new roads, let two Inspectors be authorized to order the opening of a new road in the same way as they can a water course.
- 3rd. The parish municipalities involve too much expense, because they require too great a number of officers.
- 4th. The taxation of real estate is too expensive ; it is not necessary to tax moveable property.
- 5th. The Local Municipality of St. Cecile has been at work since the passing of the Municipal and Road Act of 1855, and the sum of £40 currency has been raised by assessment to pay the officers.
- 6th. No more than one assessment has been made since the passing of the Municipal and Road Act of 1855.

- 7th. "Statute Labor" has not been required from any person. We generally understand by this term the work done by a person under the direction of an officer, about land or any buildings.
- 8th. The mode of keeping the by-roads in repair, since the passing of the Act of 1855, has continued to be the same as formerly, that is to say, the work is given out by contract every year. The main roads have always been kept in order, as formerly, by the owner or occupier of the land in front of which they pass.

J. Bte. Lachapelle, Mayor of St. Francois-de-Soles.

- 1st. The Municipal and Road Act of 1855 would work well enough in our locality, were it not for the ambiguity often found in its provisions, occasioned, perhaps, by the jumble of parish with county municipalities. Accordingly, the amendment which I would propose is that which would produce greater perspicuity and brevity, for the reason that a majority of the parish councillors, being uneducated men, cannot retain the principal points relating to their duties.
- 2nd. The office of County Superintendent should be abolished, inasmuch as his powers are of a nature to impede the successful working of municipal institutions. As they are not acquainted with all the localities, they are for the most part like blind men wandering without a guide. From this cause arises injustice and difficulty, witness our Municipality; and I should propose that we should have one Superintendent in each Municipality, better informed concerning the details of his duty.
- 3rd. The abolition of County Municipalities, and the continuance of Parish Councils.
- 4th. The exemption of personal and moveable property from taxation: uniform system of assessment in each County, but based on the value of property.
- 5th. The Municipality of our place has been working since the passing of the Act, and assessed last year to the amount of £15.
- 6th. There has been taxation, and we levied £15 only, which would have been sufficient and even more than sufficient for our municipal expenses, but behold! the County Councils, which are good for nothing but to load us with debts, are going to squeeze out of our little Municipality as much, perhaps, as £30 or £40, to pay their foolish expenditure.
- 7th. I understand by "Statute Labor" working for nothing, and that is a price for which we have never yet succeeded in getting work done.
- 8th. The method of keeping the by-roads in order is this:—After an advertisement at the church door of the time and place at which the road will be adjudged to the lowest bidder, the meeting of the parties interested takes place for the purpose. After the adjudication, a written contract is signed between the contractor and the Inspector, who exacts security when the person is in poor circumstances. Such person is bound to keep the road in order till the 1st of May. His time commences with the first fall of snow. In his contract he binds himself to conform to the By-laws of the Council,

which allow every one to make use of any tool that he may choose, provided the roads are kept according to the requirement of the Municipal and Road Act of 1855.

Michel Bourbonnais, Mayor of St. Clet.

Answers with the approbation of the majority of the Council, as follows :

- 1st. The Council does not work satisfactorily.
- 2nd. A special officer should be employed as Superintendent.
- 3rd. A single parish Council would be sufficient.
- 4th. The traders should take out licenses.
- 5th. The Municipality of St. Clet has worked, and raised last year £46 13s. 6d.
- 6th. There has been no "Statute Labor."
- 7th. We follow the old custom in repairing the roads.

G. Chagnon, of St. Polycarpe.

- 1st. The principle of the Act is excellent, the Act itself is too complicated. This is the reason why it will not work as it should. The principal cause of this is the want of educated men in the Councils to carry it into operation, unless it were made more concise and lucid. The people have never been taught self-government.
- 2nd. The County Superintendent should be the soul of the council, their guiding star ; but they will not pay ; and for the money given, they get bare value.

Such an officer is absolutely necessary ; without him the administration of the road laws would not go on.

The powers of that officer should be extensive, well sustained, and his action impeded by no obstacles ; they ought also to be clearly defined and intelligible.

He should be active, vigilant, capable of drawing up a *procès-verbal*, in a word, an educated man and possessed of legal knowledge.

The legislature ought to fix a salary commensurate with the importance of his office.

The appointment of a person by the Council from time to time to fill this office would paralyse everything ; and the supervision of the roads, a matter of the highest importance in a civilized country, would be in the worst possible condition.

- 3rd. The parish municipality is a crushing burthen, useless, to be abolished as speedily as may be. It is a fifth wheel, which serves only to prevent the county municipality from moving.

In abolishing the parish municipalities, it would be proper to substitute three councillors, two of whom, at least, should be educated men.

As the municipal law principally aims at the improvement of landed property, and the welfare of land owners, it seems to be but just that that class alone should bear the burthen of taxation, without taxing the rising industry of this country.

If the law were well explained, well understood, it would work well, everything is to be expected from the education which the rising class is receiving.

- 4th. As to assessment, whether of real property or of personal and moveable property, the only way to establish a uniform system is to give the Council the power of making by-laws regulating the duties of the valuers, and the right of adding to the assessment roll, or taking therefrom, according to what may appear to them just and reasonable.
- 5th. The municipality of this locality has worked very imperfectly, nothing has been raised by way of tax under the Municipal and Road Act of 1855.
- 6th. There have been two assessments in this municipality: one made by assessors named by the Council, which was void for want of form; the other by assessors appointed by His Excellency, which the Council also found to be void, because certain properties, in real estate and personal property had been omitted, and the law confers no power in the Council to assess such property and insert it in the roll.
- 7th. The day's "Statute labour" ought to be required only from persons who have no property, or the value of whose property is below £100, and from persons under 21 years of age.
- 8th. The mode of keeping in repair the by-roads is the old fashioned one, (each his part,) as it was before the passing of the Act in question.

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Jean Cormier, Mayor of Contrecoeur.

- 1st. The opinion of the Council of this parish, with respect to the municipal and Road Act of 1855, is, that it is productive of no advantage to them. It works but very imperfectly, and the amendment they would suggest is the abolition of parish municipalities, the County Councils only to be retained, the former involving too great an amount of expense.
- 2nd. The office of County Superintendent ought also to be abolished, and the Council should have authority to appoint deputies to visit the roads, when they may be required.
- 3rd. The present municipal organization, consisting of County and Parish Councils is very faulty, giving dissatisfied persons too great facility to appeal from the parish to the County Council.
- 4th and 5th. The local municipality has worked, and made an assessment.
- 6th. I do not know what work is meant by the term "Statute labour," (*corvée*.)
- 7th. The by-roads have generally been kept in order by contribution in money, from the parties interested, since the passing of the Act of 1855.

C. Archambault, Mayor of St. Louis de Gonzague.

1st. In my opinion, and according to my knowledge of facts, the Municipal and Road Act of 1855 works satisfactorily in this locality; but that part of the Act which relates to roads is so complicated, so much amended, contains so many sections, and parts of sections, which have been repealed, that most of our municipal officers find it almost unintelligible, and are in danger of being delinquent, through neglect or error in the performance of their duties. One complete Act, as short as possible, and not too complicated, is very much to be desired.

2nd. The office of County Superintendent is very necessary.

But the Superintendent should be employed and paid only by those persons who address a requisition to him, either for roads and bridges, or for water-courses; his *procès-verbaux* being subject to be homologated or rejected by the Council. In case of homologation the said superintendent should deposit a copy of his *procès-verbal* in the office of the Secretary-Treasurer of the council of the parish in which the road, bridge, or water-course is situated.

I do not see why the superintendent should be bound to visit all the verbalized roads in the county. The inspectors should be considered to be superintendents each in his division, who being officers under the municipal council, are subject to be watched by them, and punished for neglect in the performance of their duties. It surely is no burthensome task for an inspector to visit the roads in his division once in the month.

3rd. The present municipal system of County and Parish Councils, ought, in my opinion, to be amended. I prefer the parish municipality to hold their meetings every two months. The present County Council, might, however, be considered as a Court of Appeal, but it happens so seldom that they reverse the decisions of local Council, that there is no reason to continue them. At any rate, they should hold their meetings at the centre of the town.

4th. I am of opinion, that it is necessary to include personal and moveable property in any assessment. And to establish uniform taxation throughout any county, a valuator should be appointed in each parish in the county, which valuator should act justly in valuing the property in each district parish, and furnish the Secretary-Treasurer of every parish, with an assessment roll.

5th. The municipality of our locality has always worked since the passing of the Act in question, and has raised by taxation the sum of £96 for the years 1855-6.

6th. Answered above.

7th. By the term "Statute labour," I understand the work which persons are bound to do jointly on public roads or bridges, under a *procès-verbal*, or the by-law of a local or County Council. In our locality there is no "Statute labour."

8th. By-roads are opened and kept in order, in our locality, according to law, by all the land owners, who have applied for the road. The roads in our parish are, generally, raised in the middle.

F. Zéphirin Tassé, Mayor of St. Laurent.

- 1st. The municipal Act does not work satisfactorily, partly on account of the heavy expenses which it entails, and of the complicated nature of the Act itself, rendering it, in many cases, almost unintelligible, partly on account of the penalties imposed by the Act on persons who resist its provisions, there being, in certain cases so high, that those whose duty it is to execute the law, and to institute proceedings to that effect, are deterred from performing it, so great is the disproportion between the offence and the penalty. I would therefore, recommend, that the expenses be diminished, and particularly that the amount of the penalty be left at the discretion of the justice of the peace before whom the case is heard.
- 2nd. The clause obliging County Councils to appoint a superintendent should be repealed: his powers are too extensive, and therefore involve too heavy an expense. Let a person be appointed in each municipality, whose duty it shall be to superintend the opening and maintenance of roads. Let such officer have the same powers as the superintendent now has, under the present Act, but let him be appointed by the local council, if they think fit, and if they think such a person is required in their parish; being free to appoint one or not, as they may think it expedient.
- 3rd. I prefer the present plan of making the assessment to any other.
- 4th. The local municipality has worked here since the passing of the Act, without levying any monies, except what was necessary to meet the expenses of the county.
- 6th. We have received enough of money from the grocers' licenses, to meet the expenses of our Council.
- 7th. We understand by the term "Statute Labor" all public works which parties interested therein are bound to perform.
- 8th. The mode of keeping the by-roads in order is the same which prevailed before the passing of the present Act.

R. St. Jacques, Mayor of St. Denis.

- 1st. The Act in question is the most difficult to carry into effect; and the least beneficial that was ever passed. It works, in our locality, under the influence of law, creating a necessity for considerable expense, without the attainment of any end which is needed, and which might be reasonably expected. I should be rather inclined to ask for its immediate repeal, than for any amendments; but considering that would be useless, I shall proceed to make such remarks as are most necessary.

Each Parish should execute and maintain the works belonging to it without asking aid from neighbors.

- 2nd. No Superintendent; a *grand-voyer* in each district.
- 3rd. The present municipal system, consisting of County and Parish Councils is too expensive we might abolish the County Councils which seem perfectly useless. Each Parish Council might homologate the *procès-verbaux* which

relate to works within their limits, and those which relate to public works situated within their limits might be homologated by the circuit courts.

- 4th. The present method of valuing personal and moveable property bears too heavily on the mechanic who is often unable to buy bread for his family. I am of opinion that it would be better to leave to the Parish Councils the right of taxing trades and callings as they might think fit and right.
- 5th. The municipality of our locality has been at work since the passing of the Municipal and Road Act of 1855.
- 6th. We have raised about £48 per annum, besides the sums contributed by interested parties for the maintenance of roads, bridges &c.
- 7th. By "Statute Labor" we understand the one or more day's work which one or several proprietors are bound to give in addition to any tax, in proportion to the amount of their assessment; we are not in the habit of calling for "Statute Labor."
- 8th. The main and by-roads in this Municipality are kept in order by the land-owners, without the interference of the Municipality.

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Joséph Duguay, Mayor of La Baie-du-Febvre.

- 1st. The Act is defective. It works wretchedly in this place. I am of opinion that it should be repealed.
- 2nd. Do I not approve of this office?—No—I should recommend the appointment of a deputy by the Council for each affair which the Council might have to decide. This would enable the Council to appoint some one who is not interested in such affair, but who resides near the place, and possesses as much knowledge as may be possible, and be impartial, and save expense.
- 4th. County Municipalities.
- 5th. It has worked indifferently. Any tax levied for the expenses of the Council has been voluntary.
- 6th. Because we have not needed them.
- 7th. There are works done in common.
- 8th. The maintenance of the winter roads is given out by contract, and the expense defrayed by voluntary contributions in each section. In summer each takes charge of his part, according to the extent of land which he possesses.

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R. S. Noël, Secretary-Treasurer of the Municipality of the County of Lotbinière.

- 1st. This Act does not, in my opinion, suit the interest of the inhabitants of this County; it is too complicated and too expensive in the working. It does not work well here, and the inhabitants of one parish in the county (St. Sylvestre) have hitherto refused to carry it into effect, or to elect Councillors. It would, I think, be more efficient and give greater satisfaction if it established County Councils only, which would greatly diminish the expenses.

- 2nd. The office of County Superintendent appears to me indispensable to secure the working of any road law, but his powers are too limited; none but the County Council should have power to revise his *procès-verbaux*. At present they are now frequently set aside in the Parish Councils, either through the influence of party spirit or of private interest. Several such cases have occurred in this county.
- 3rd. Answered in the first.
- 4th. Personal and moveable property ought to be excepted from assessment. Traders might, however, be taxed, or might pay for a license a sum proportioned to the extent of their trade.
- 5th. The County Municipality did not act before January, 1856, having awaited till then the election of councillors for the Parish of St. Sylvestre, which has none to this day. No money has been raised by taxation, under the Act, by the County Council.
- 6th. The inhabitants of this county are all opposed to direct taxation; the expenses have been defrayed to the present time, for the County Council, by persons presenting petitions, filing oppositions, &c. They are very trifling.
- 7th. "Statute Labor" is generally understood to mean an aid afforded by people to each other; a tax payable in such labor, in this county, would be ill received, and difficult, if not impossible, to be enforced.
- 8th. The main and by roads have been kept in order, in this county, since the passing of the Act as they were before; that is to say, by all the owners of real property.

P. Malot, Mayor of Belœil.

- 1st. The Municipal Act has been in operation in our locality. It might be received with favor if some modifications were made thereto.
- 2nd. It is necessary that there should be a Superintendent. His powers seem ample enough.
- 3rd. The law should remain the same, appointing parish and county municipalities, making, however, changes in both. For instance, the County Councils should only meet every six months. If, however, extraordinary meetings were called for, they might assemble, and in that case the expenses should be paid by the party requiring such meeting. The Parish Councils should remain the same, with, however, the difference that they should only meet every three months, and have other meetings if required, upon being called for. The Secretary-Treasurer of the Council should at the same time be Secretary-Treasurer of Schools, and the money required for school purposes should be levied at the same time as the money required for the purposes of the Council.
- 4th. It does not seem reasonable to tax personal property and property for manufacturing purposes.
- 5th. It has operated in our locality, and we have levied, for local expenses and the share of the expenses of the County Council, a sum of £87, making one halfpenny in the pound.

- 7th. "Statute Labor" is an impediment to the working of the Act and should be abolished as being too uncertain to be levied on account of the change of residence of a certain number of persons.
- 8th. The ancient system is continued. Each person does only his own share of the road. It had been decided by the Council that the line roads should be given out by contract for a year, but this By-law was not put into execution from some want of formality in the By-law.

H. Lanclot, Secretary-Treasurer of the Municipality of the County of Laprairie.

- 1st. The present Municipal Act which is hopelessly complicated and greatly contradictory in several of its clauses, is, in consequence very difficult to be put into operation. Nevertheless, in this locality in particular (Parish of Laprairie) the Local Council in working have as yet given no ground of serious or general complaint that I know of. One amendment however, amongst others, should be made to the Municipal Act, that of rendering valid the valuation of property made under its authority for the levying of school taxes.
- 2nd. In my opinion the office of Superintendent ought to be abolished. This officer might be efficiently replaced by Road Officers, inspectors for instance, who would be at the same time under the control of the public and the Municipalities. This last power would be more prompt and expeditious. The reason is that an Officer to whom is confided the superintendence of a whole county cannot possibly be at the proper time at the place which he is required to visit on account of the bad state of repair of a road or a bridge, and that there are often occasions in which this Officer, being required to be every where, is to be found no where.

In lieu of the Superintendent, each time it was necessary to open a by-road or erect a bridge, the Local Council might appoint a person not interested in or related to the parties in the matter in dispute, and who should make a Report upon which the municipal authority might afterwards found their decision.

- 3rd. With regard to County Municipalities, there is in my opinion no just reason why they should exist. They paralyze in many respects the action of the Parish Municipalities, and are without any just cause a source of expense very often exorbitant and almost always useless.

Under County Municipalities, affairs common to several localities might be confided to delegates, as takes place at present under the present Municipality with regard to business concerning two or more Counties.

- 4th. With regard to taxation, I am of opinion that it should apply to personal and moveable property as well as immoveable property.

With regard to establishing a uniform mode of taxation in each County, if County Municipalities are still to continue to exist, the clauses contained in the Act of Amendment of 1856 which grant power to County Councils to amend any valuation roll in a Parish appear to me to be sufficient to attain that object.

- 5th. Our County Municipality has been in operation, and the taxes levied amounted in 1856 to £90 and in 1857 there was imposed but not as yet levied a sum of £81.
- 7th. With regard to "Statute Labor" it has remained a dead letter in this County, so much so that no steps whatever have been taken for the keeping in repair of the roads.
- 8th. There has been no change made from the mode in which the by-roads and roads were formerly kept in repair, with the exception, however, that the roads have been more neglected under the present Act and remain in consequence in a worse state than before.

In short I am of opinion and confident that a good system of Parish Municipalities protected from the useless influence of County Councils would succeed slowly but surely with our population, and before long would work well every where.

Edward Cox, Councillor of the Municipality of the Township of Kingsey.

- 1st. The Act will prove of incalculable benefit to the Eastern Townships. As yet, it has worked passably well in this locality, although it is not fully matured, nor its true value generally understood. The fewer amendments made the better: adapting it to suit the prejudices and fancies of one locality destroys its efficiency in another.

The amendment, sec. 24, page 10, by which a valuation of property is made every three years, instead of every five years, as it originally stood, is unjust to energetic and improving farmers, in not giving them a reasonable time to benefit by their outlay, or exertion and intelligence, before an increased tax is levied upon them, while it rewards the less industrious and retrograding farmer by the increased value placed upon his neighbor's property; besides taxing the Municipality generally, to the amount of £40 or £50 every three years, instead of five years. This amendment should be re-amended.

- 2nd. The County Superintendent ought to be a useful Officer.

His half-yearly inspections of roads, as fixed by the Act, should be changed to the last week in April and first week in May—and the last week in October and first week in November, or be subject to the orders of the County or local Council. The periods now fixed for inspections does not afford the Superintendent the opportunity of seeing where repairs are most necessary, or make him cognizant of the negligence of inspectors, &c. Superintendents should not be required to be attended by overseers—the too frequent calling out of industrious men is a serious loss to them.

Paragraph 3, sec. 21. The Superintendent should himself make provision for a Deputy or Deputies to parts of his County too distant or difficult to visit, and be subject to a fine for neglect in the fulfilment of his visits. His omissions fall heavily upon those who, receiving notice of an intended visit, attend to his call, and are disappointed. The office of Superintendent is very generally spoken against as expensive and unnecessary. If the selection to the office is well made, and the duties effectually performed, suc

an Officer is desirable to insure a uniform construction of roads throughout a County, and to enforce the strictest performance of duty on the part of inspectors and overseers, who, being unremunerated, are too ready to neglect their duties. If these objects are not attained, the office of Superintendent is useless, and therefore expensive.

The Act might be made to fix the responsibility of bad roads and nuisances upon roads, upon the County Superintendent. The penalties, sub-sec. 5 and 6, page 80, are not sufficiently definite, as regards bad roads; if a Road Officer is the complainant, the course is clear and simple; but it is difficult for a Magistrate to determine who is the party to be fined on the complaint of an aggrieved individual. The chain of responsibility begins with the County Superintendent, and ends with the owner of the land. It is on record at the Magistrate Court, Sherbrooke, "that a proprietor of land cannot be proceeded against by any person but the Road Officer. The first Road Officer—the Surveyor of that day, the County Superintendent of the present—is the party liable; then the aggrieved individual lost his suit." This makes a difficult chain of reference to the sufferer by bad roads, unless as suggested, the County Superintendent is made liable to a penalty. It is an onerous duty, the lodging a complaint; much evil is endured rather than be subject to the ungracious, troublesome, possibly expensive part of making a complaint against an unpaid Officer. This the Road Officers are aware of, and consequently neglect their duty. A party in this locality, owing to a bad road, and unremoved nuisance upon it, had a narrow escape of life, and was placed to the expense of medical attendance in consequence, but bore the grievance rather than make himself disagreeable to a neighbor. The attention of the County Superintendent had been called on more than one occasion to this piece of road. Such grievances would be removed were it plainly stated that the County Superintendent, being a paid officer, was liable for the neglect of the inspectors and overseers, who are unremunerated officers placed under him. A private party, having cause of complaint as regards ill-repaired, and unreasonably heavy roads, broken bridges or culverts, or other nuisance on the road, should make his complaint, verbally or in writing, to the Mayor of the Municipality, stating time, place, and his residence, to give evidence supported as may be required; the Mayor should then, by himself, or assisted by a Justice of the Peace, summons, by the Secretary of the Municipality, the County Superintendent, and the complaint being maintained and proved, levy a fine of 5 upon the Superintendent, with costs.

3rd. The existing organization of Local and County Councils is good. The County Council, however, might be rendered more into a Court of Appeal from the Local Councils—meeting only half-yearly, or when called together to decide some matter appealed to them; on such occasions the Mayors should be remunerated for their attendance by the Municipality whence the cause of appeal arises, according to distance travelled, or time of absence from home, the party making the appeal having to pay a fee of on applying for a revision of the decision of the Local Council, and the costs, unless the decision of the County Council is in his favor. The County Council to have an annual meeting, without remuneration, to receive reports and decide on matters in which other Townships are mutually interested.

4th. Personal and moveable property ought not to be taxed. The existing plan of valuation is all that can be required in the rural districts; the present principle affords a just and equal division of the burden of taxation on the

inhabitants of a Township, varying, as it does, from 1s. 6d. and 1s. 8d. on small and poor farmers, to £3, £4, and even to £9, according to the extent and value of property. The valuation of property being made within or by themselves, gives the less dissatisfaction. It is impossible to please all parties. The next valuation of property in a Township will be still better adjusted; it is seldom the first working of a measure is free from objections.

The County Council having the power to correct the valuation of local Municipalities, to adapt it to County purposes, is sufficient. The power has been exercised in this County, though possibly on an incorrect principle, by lowering the valuations of one Township, and raising that of the other, instead of retaining the value placed upon the property in the first, and raising that in the other to a more reasonable proportion as to the extent and value of property in each.

- 5th. The Municipality of Kingsey has been in operation since the month of July, 1855—when first called together; works passably well, and may work to greater advantage when the value of self-government and local improvement becomes better understood. One year's assessment has been raised, amounting to about £200, and less than £300, of which a balance will remain, after paying about £25 to the County Council, £40 or £45 to the valuers, purchasing books, furniture, &c., with rent of Council Chamber, Secretary-Treasurer's salary, and building two bridges, and further, remitting the tax on four or five individuals.
- 7th. Statute Labour is understood to mean the labour each unassessed man, above 18 years of age, has to give; also, the one day's work for each £100 value of property. This labor should be distinctly and directly under the control of the local Council. Parties here are under the impression that Statute labor is now entirely at the control of the Superintendent, lapsing him to the inspectors and overseers; but sub-sec. 4, sec. 71, page 74, enables the Council to bring it under their control by by-law or order. If it does not do so, it should be so amended. There is no greater abuse existing under the Act than that of Statute labour; absentee proprietors are called upon to pay their quota in money, while Superintendent, Inspectors, and Overseers allow residents to misapply their Statute labour, in many instances not giving it at all, and when giving it, placing it where they please. It is a crying abuse. The Statute labour of a Township is sufficient to keep the main roads in excellent order. Nor is it just that the proprietors of the frontage on main or principal roads, in difficult places, should have an undue proportion of work when that work is broken up or worn down by the public.
- It might be so ordered that Inspectors of Districts, assisted by their Overseers, report to the local Council on the first Monday in May or June, the part or parts of their main roads requiring the assistance of Statute labor, the Council to approve, correct, or amend the apportioned work.
- 8th. No alteration, as regards the making and repair of roads, has been made in this Municipality since the passing of the Act. Proprietors of land make and keep in repair the front roads; by-roads are made and repaired by the proprietors (or occupiers) of the lots of land named in the *procès-verbal* of the road.

Daniel MacFarlane, Mayor of the Township of Elgin, C. E.

- 1st. The Act is too complicated and not easily understood, and sometimes even contradictory ; it also gives far too much power to some parties, viz., by allowing Councils to borrow money without the approbation of the people, and also to County Superintendents, which has prevented its working satisfactorily in this Municipality and caused part of the law to be nullified, by laying aside the County Superintendent and also the monthly visits, and reports on Roads by the Inspector of Roads as of no use but a needless expenditure of the people's money.
- 2nd. Should County Superintendents exercise all the powers and perform all the duties of their Office required by the said law, of what use would Municipal institutions be except to collect money for the County Superintendent to spend, and all their jurisdiction over Roads would be to amend *procès verbaux*, consequently the office of County Superintendent will have to be abolished as incompatible with Municipal institutions, or otherwise let them have the power of levying and collecting rates which will render them complete County dictators, and then abolish Municipal institutions, because the two cannot exist together, free institutions and despotic power.
- 3rd. County Councils are not of much use except for the appointment of Superintendent and fixing his fees, after that he is not in any way responsible to them for his actions or maladministrations. Should County business arise or appeals from Local Councils be made, let the Mayors of Local Councils in the County be convened to transact such business, or hear such appeals, but to have no further jurisdiction.
- 4th. From the fluctuating nature of personal property it would not be easy getting anything like a just valuation of it, something near an equal assessment of real estate may be had, consequently in country places, real estate, and if thought necessary, professional incomes are all that could consistently be assessed for the purposes of direct taxation.
- 5th. Before the passing of this Act the roads in this Municipality were made and repaired by the joint labour of the inhabitants according to the valuation, and since this Act came in force it has been in operation, with the exception above named ; an amount for making and repairing roads was laid and paid in labour at the rate of two days upon £100 value ; but the law was modified so as not to exact the same amount of labour for a fraction of £100 as for the whole ; that portion of the law was considered unjust. The sum of £69 11s 4d., or 3s. upon the £100, upon £46,379, being the total amount of assessed value of real property and annual income, was laid last year for the payment of old debts, bridges, and County purposes due by the Municipality ; and this year a rate of 4s. on the £100, or £92 15s. 1d. for bridges, County purposes, and other local expenditure. That incurred for County purposes was needlessly done.
- 6th. Answered by the preceding.
- 7th. Statute labour is understood to be a poll tax of one day's labour on the roads by all healthy males from 18 to 60 years of age, who contribute in no other way to the repairing of roads within the Municipality.
- 8th. All roads, highways, and by-roads, are made and kept in repair by joint labour as above, with the addition of a few days statute labour as interpreted.

There is another part of the law inadmissible, to wit. that portion which calls for the road maker to ditch the farmers' lands; by leaving out County councils and County Superintendent's with these portions amended they would become workable; if the above portions are not amended they will as at present be nullified if possible.

With regard to County bridges, County Councils and Superintendent have been both laid aside, by the Local Councils arranging meetings and thereby getting the work more efficiently done and cheaper.

Enock Baker, Mayor of Danville.

- 1st. I would say, that as we have worked it, it has given as general satisfaction as could be expected of the different classes of people settled in the Township. We have had no trouble of any consequence, have collected all of our assessment, and closed up the business of the year complete, with as little trouble as could be expected of any community.
- 2nd. I would say, it is my opinion, that we could dispense with that office entirely, we have in our Municipality, made a By-law for opening, making, preserving, maintaining, repairing, altering, and annulling roads and bridges, in the local Municipality of the Township of Shipton, which, we believed, we had a right to do under the authority of the Municipal and Road Act of 1855, which works well with us. We have made all roads public highways, except private roads which only accommodate one or two individuals. I am of the opinion, that the 10th section of our Road Act should be amended, so as to allow some overseers of Districts a larger assessment than the majority will allow. It is frequently the case, that some overseers wish to raise in their districts, more than the others require, which should be allowed to them when their roads need extra works to make them good.
- 3rd. As to the present organization into Local and County Councils, it is my opinion that the County Council might be dispensed with altogether; in doing that, it would be necessary that each Municipal Council be obliged to meet another Municipality, in meeting or assisting to make any leading road through the country where the public commerce requires it.
- 4th. It is my opinion that personal and moveable property should be included in the assessment roll, to obtain a more equal assessment through the country, for the reason that there are many people of wealth, whose property consists of money on speculation or floating capital, who now pay little or no tax for the support of roads and bridges, and other municipal expenses, while the others whose property is all in real estate have to pay a large tax on it, as much to the benefit of the other as to himself, and, perhaps, his lands are mortgaged to the moneyed capitalists for the payment of his lands, and, it is also my opinion, that if the county should be kept up that the County Council should appoint the valutors to take the assessment through the whole county, to get an equal valuation. But if the county council is abolished, each town can manage their own, as there will be no county tax to pay.
- 5th. It has been in operation since the passing of the said Act of 1855; the assessment last year was four mills on the dollar, of the assessment roll for cash expenses of the municipality, county, and the building and repairs of bridges, and five mills on the dollar, for making and repairing highways.

6th. Needs no answer.

7th. What do we understand by statute labour? We never were accustomed to any such labour, and we have not done any thing with it.

8th. I cannot tell, without a great deal of trouble, how many by-roads and high-ways there are in this municipality, there have been six laid out and established since this present council has been organised; suffice it to say, there are as many as the public require, and in very good condition for the age of the country; there are in this municipality three Inspectors' divisions, and thirty-six overseers of districts.

Mayor of Brompton.

1st. The Municipal and Road Act does not work to the satisfaction of the locality.

2nd. We have no need of a County Superintendent, it makes an expense without any benefit; our road officers can do his work as well as he can.

3rd. The organization of local and county municipalities is satisfactory.

4th. I think that personal and moveable property should not be assessed.

5th. The municipality in this locality has been in operation since the passing of the Municipal and Road Act, and the amount levied annually, is, one hundred and thirty-three thousand dollars.

6th. By statute labour, I understand, that an additional sum of one dollar on every hundred pounds, and one dollar on every man eighteen years of age, that has not any rateable property, may be levied by the County Superintendent.

7th. The highways in this locality, have been kept in repair by assessments on rateable property and the by-roads by those benefitted by them.

I would recommend that the statute labour be done away,—it is a grievance to the locality. I would also recommend that we have no County Superintendent; I think, that it would be more satisfactory, if the County Council be done away,—I would recommend that the Town Council sit once in three months, in place of every month.

G. S. H. Browne, of Kingsey.

1st. The Act appears, on the whole, to work satisfactorily: as much so as any Act can be expected to do in so short a time.

2nd. The duties of the office of Superintendent appear to be beyond the power of one person to perform. There should be an officer of this description to each Township, who should be entirely under the control of the Council.

3rd. The County Municipalities do not appear desirable, except for purposes of appeal.

4th. Such property ought to be excluded from assessment.

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- 5th. The amount levied is between £200 and £300.
 - 6th. The term "Statute labor" is applied to work which is required from every freeholder, over and above that required by law on his own frontage, and the amount is one day to every £100 assessed.
 - 8th. By each person keeping his own frontage in repair, and on the by-roads by the parties entered in the *procès-verbal*. In the first case, however, the work has fallen heavily on many parties, owing to the nature of the ground; and the proper application of Statute labor, under the direction of the Council, would appear to be the proper remedy.

John Taylor, Mayor of St. Polycarpe.

- 1st. It does not work satisfactorily; the inhabitants are in favor of a County Council, and the Local Councils abolished.
- 2nd. The office of Superintendent should be abolished.
- 3rd. There should be only a County Council, composed of three Councillors elected in each Parish, as formerly.
- 4th. In assessment rolls the personal property should be included.
- 5th. Has been in operation since the Municipal Act of 1855 came into force; amount of tax levied is £81, by a farthing in the pound.
- 6th. Raised funds by taxation.
- 7th. By Statute labor, I understand work to be performed when there is no *procès-verbal* enforced. This working must be ordered to be done by a by-law to that effect.
- 8th. Highways kept in repair as formerly by each proprietor or occupant.

Christopher E. Wurtele, Mayor of the Municipality of the Townships of Windsor and Stoke.

- 1st. The Act works satisfactorily in this Municipality.
- 2nd. The County Superintendent has too much power. A road established by him, the Council may amend or homologate, but cannot annul. My opinion is, that the laying out of roads should be left to the Road Inspector, under by-law of the Council. The office of Superintendent is expensive and not required.
- 3rd. Local or Township Municipalities are better adapted to the wants of the Townships, and can be made to work to better advantage than County Councils. The present County Council is useless and expensive. If it is thought necessary there should be a County Council for appeal from Local Council, I would suggest, that any person wishing to appeal should, within a certain time, notify the Secretary-Treasurer of the Local Council, and he notify the Mayors to meet within eight days at the County Town, and the

Secretary-Treasurer of the County Town act as Secretary to the County Council, to be paid by the parties failing in the appeal; this would save the expense of a County Secretary-Treasurer, and also the expense of the Mayors meeting four times a year. All that is now done by the County Secretary-Treasurer should be done by the Secretary-Treasurer of each Local Council; and the Local Councils managing their own affairs, would, in my opinion, give universal satisfaction.

- 4th. I think it would be inexpedient to include personal and moveable property in the Assessment Roll; for local purposes, assessment on real estate is just and equitable.
- 5th. This Municipality has been in operation since the passing of the Lower Canada Municipal and Road Act of 1855—
- | | | | |
|---|------|----|----|
| The amount of Taxes levied in 1855..... | £289 | 19 | 4½ |
| do do do 1856..... | 337 | 7 | 3 |
- 6th. A Valuation Roll has been made under the provisions of the Lower Canada Municipal and Road Act of 1855.
- 7th. Statute labor, we understand to mean extra work ordered by and under the control of the County Superintendent.
- 8th. The by-roads and highways in this Municipality have been made and kept in repair by assessment on the Valuation Roll. This Municipality has been divided, by by-law of the Council, into road districts, and each district makes and repairs its own roads, except what is termed public work, such as building of bridges over eighteen feet long, &c. &c., which is done by the whole Municipality.

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C. B. Cleveland, Mayor of the Township of Cleveland.

- 1st. With a few alterations the Act will work well.
- 2nd. The office of County Superintendent should be abolished and the necessary powers given to the Inspectors, with provision for acting with the Inspectors of other Townships intrusted in the same question.
- 3rd. The township organizations are perfect; the County Council should be abolished as useless and expensive.
- 4th. Real estate only should be taxed, with one day's Statute labor on those not otherwise taxed.
- 5th. Yes.—The total amount levied by taxation for roads, county and all other purposes, was 9 mills per \$1 of valuation.
- 6th. Answered by 5.
- 7th. What we formerly considered Statute labor was so many days' work done for each land, according to its extent or frontage.
- 8th. Solely by monies raised for the purpose by tax, at 5 mills per \$1, included in 5th.

Resolutions of Municipal Council of County of Ottawa.

Resolved. That the proper working of the Municipal Law in the County of Ottawa has been greatly impeded by the failure on the part of several of the local Municipalities therein to collect their assessments, and their consequent default in paying over to this Council their proportion of the monies for County purposes.—Carried.

And on motion of G. W. Cameron, seconded by C. Major it was

Resolved. That it appears to this Council that some of the local Municipalities have availed themselves of all the powers afforded them by law, to collect the sums due under their assessment rolls, but that owing to the unwillingness and opposition of many of the inhabitants, purchasers could not be found either at the sale of moveables under distress warrants, or at the annual sale of lands by the County Secretary-Treasurer, and as a consequence of these and other difficulties such Municipalities as well as the County Municipality, in lieu of augmenting their funds have increased their liabilities to the considerable amount of the expenses incurred in endeavoring to effect these sales.

That in the opinion of this Council it is a matter of urgent importance that this deficiency of the Municipal law be remedied as soon as possible, either by authorising the postponement of all sales under the Municipal law or otherwise, and that immediate advantage be taken of the present sitting of Parliament to obtain adequate Legislative enactments in this behalf.

That in the opinion of this Council a triennial valuation roll is insufficient to meet the wants of the Municipalities, that it would be more beneficial to their interests were the local Councils authorised by law (without altering the triennial roll) to make annually a supplementary roll to comprise properties previously omitted and to meet the cases of new settlements or businesses established in the previous year.

William Farewell, Mayor of Warwick.

1st. The Municipal and Road Act of 1855, in some respects, works very well, but it requires several amendments to make it applicable to this section of the country.

In the first place, the appointment of the Assessors by the Local Council works very bad in several respects; after the election of seven Councillors and Secretary-Treasurer, and in most Townships there are five School Commissioners, leaving, in a new Township, a very poor opportunity to select three fit and proper persons to fill the office of Assessors; besides, they are parties more or less interested for themselves and for their friends, and great injustice has been done in this respect. Therefore, to remedy this evil, I would recommend the appointment by the County Council of three Assessors to assess the whole County, and also to allow the County Council to select one member from any local Council to be Assessor for the time being, and to allow him a reasonable compensation for his labor during the time he is employed in making such Assessment Roll separately for each local Municipal Council, and taking the Assessors from three distinct sections of the County, so that there shall be no combined interest between the three Assessors so appointed.

- 2nd. I would recommend to do away with the office of County Superintendent altogether, and allow the Inspectors to lay out all roads, and see to the building and repairing of all bridges in their local Municipality, under the direction of the local Council. My reasons for this amendment is, to do away with a large and needless expense both to the local and County Councils.
- 3rd. In answer to this question, I would beg to say, that the local and County Councils would work very well, with some few amendments.
- 4th. In answer to this, I give it as my opinion that all personal and moveable property should be assessed, with the real estate and landed property, and liable for taxes, so that it shall bear its proportion of the public burthens of the Municipality.
- 5th. In answer to this, I would inform, that the Municipality of Warwick was properly organized at the time the said Municipal Act of 1855 came in force, and has been in working order ever since.
- 6th. In answer to this, I would inform, that we have levied a rate of one penny to the pound on our Assessment Roll for the repairs of bridges and for Municipal purposes, and one day to the hundred pounds Statute labor for the building and repairs of roads in this Municipality. But for the present year we have a by-law in force to the effect that we have to assume all the roads under the control of the Council, and make and repair all our roads and bridges by assessment and Statute labor.
- 7th. As very few of our roads are laid out on either range or side lines, therefore it is very hard to define them as either. Our section of country is very uneven and hilly, and many of the roads follow rivers and vallies, therefore it makes it quite difficult to define them; and furthermore, there is great injustice done to the poor settlers in new sections of country, and also to wild land proprietors.
- 8th. Answered by the 6th question and answer, but would further beg to remark that the system of frontage and road is not adapted to this section of country, as very few of our roads are laid out on either range or side-lines; therefore it is very hard to define them as either. Our section of country is very uneven and hilly, and many of the roads follow rivers and vales, therefore it makes it quite difficult to define them, and furthermore, there is great injustice done to the poor settlers in new sections of country, and also to wild land proprietors.

Alexander Gorrie, Secretary-Treasurer of the Municipality of Cleveland.

- 1st. Being almost a stranger here, and to the working of former Municipal Acts, previous to August, 1855, I am unable to give the best opinion, comparing it with them. I think, however, that it is pretty generally acceptable; this I gather from four Councillors, &c. Some amendments are very necessary, as submitted hereafter.
- 2nd. Our Mayor, a gentleman who has spent nearly fifty years in this place, has filled all the various Municipal offices at various times, and is more competent than any one I know to judge in those matters, says, that the County Council and the office of County Superintendent should be abolished, as

superfluous and expensive ; that a Road Inspector or some such officer should have the Superintendent's powers as to opening roads. In case of roads extending in different Townships, I suppose a delegation would be necessary from each.

I am aware that the *proces-verbaux* made here by the Superintendent are quite faulty, and whenever our tax system is abolished so that the *proces-verbaux* will be worked upon, trouble will necessarily arise in their interpretation and application. Doubtless it is different elsewhere ; all depends on the man.

I am also aware that the visits of the Superintendent and Inspectors, in fact all regular visits ordered by the Act, have been neglected. It would be difficult for any one person to pass over every road in the County. The Superintendent's Reports are, however, made to the County Council, of which I have no knowledge.

The tax required from us last year by the County Council was 1 mill per \$1 of valuation ; our Township tax was 3 mills more, beside 5 mills for roads—making 9 mills per \$1 levied here. This year the County requires a half mill ; our Township tax will be imposed next meeting, and I expect it will be $1\frac{1}{2}$ or 2 mills, besides the road tax. The County requires thus about one-fourth of our whole general tax.

- 3rd. I think the present organization of Township Municipalities quite good. My remarks as to the County organizations precede.
- 4th. Our Mayor is of the opinion, in which I join, that the business tax should be abolished ; I think especially so for road purposes. The amount raised by it altogether is small, = $\frac{1}{30}$ part of the whole. It is difficult to estimate correctly, and is continually liable to fluctuation ; some beginning after the Roll is made, who cannot be included ; some giving up business, of whom it cannot be asked. Some are taxed here four times more than others in proportion to their business.

Were there no County Councils the values of real estate would be set down by the valutors much nearer the truth. Each township fears being higher than others in its contribution for county purposes. With us, improved property is set down considerably under the real value ; while wild land generally held by absentees, &c., is at its full value. I know of no plan that would equalize the valuations throughout a county but by having the same valutors for the whole.

- 5th. Our Township Municipality, and the whole of the Municipalities in this County have been in active operation since the introduction of the Act in August, 1855.

We levied last year 4 mills per \$1 (including the County tax of 1 mill,) for general purposes ; and 4 mills per \$1 for roads. Besides this we got \$5 for a circus tax, and \$17.50 cts. for taverns from the Revenue Inspector. It has all been paid.

Say Town and County taxes.....	\$773
“ Roads.....	967

About \$50 out of the general tax has been also granted in aid for roads. The general tax was, and still is unpopular. For road purposes more would

willingly be paid. The tax for the present year is not yet laid on, but will be in a few weeks. It will be about 2 mills per \$1 for general and County purposes (instead of 4 mills as last year.) For roads it is proposed to levy in the village section $\frac{1}{4}$ cent, in four other sections $\frac{1}{2}$ cent, and in the others, about 24 sections, 1 cent; which will probably give \$1400 for roads against \$967 last year. (See remarks to Query 8th, which apply here in respect to the unequal rating for roads.)

7th. I have never been able to arrive at the meaning of the term "Statute labor." All road work is by some called so. I think the term should be abolished.

8th. The roads and bridges in this Municipality have been made and maintained since the introduction of the Act in 1855, solely by a money tax. Consequently the individual obligations for roads have been suspended; the same devolving on the municipality.

The tax is however payable, optionally, in labor. It is almost wholly worked out, the exceptions being absentees. A very few who have properties in different parts, and a part of the road tax on businesses which are paid in cash.

This system had worked for several years, previously under the old County Councils.

Its principal advantages are, the more exact, easy, equitable and less expensive collection from absentees, than work would be done for them under *procès-verbaux*, and the discretionary power held by the Council of allocating yearly, with any required alteration, the amount or value of tax to be paid or worked in each section.

(See Query 5th, page 4.) A disadvantage under which we labored last year, and previously, was the taxing of the whole township at the same rate for roads. It has always been understood that the tax levied in each section should be applied there. This has given a heavier tax than required to the village and old sections, but a much lighter one than necessary to new sections, in almost all of which new roads have to be made; while in the older ones the annual repairs only are necessary.

It would, I think, be impolitic and unjust that the older sections which have made their roads (or in their purchases of the lands have paid for their value) and now need only to maintain them, should be obliged to furnish the greater part of the means for opening the new roads backward, where the lands have been sold cheap on account of the imperfection in the roads, &c. It is against the spirit of all our road laws, which enact that roads leading forward shall be made by the concessions in rear. It would totally reverse it, and villages if compelled to it will seek separate organizations. Besides this every man now wants a new road, as he does not contribute any more to it than the most distant person in the township; and the number of new roads demanded and opened are considerable.

Under these circumstances it is proposed by us to levy an equal rate for roads, say $\frac{1}{4}$ cent in villages, $\frac{1}{2}$ cent in the old thoroughfares, and 1 cent in new localities. The latter are quite willing to bear as heavy a tax, as the share at $\frac{1}{2}$ cent, if imposed equally, would be insufficient for them.

It is, however, doubtful if the road taxes can be imposed equally. I think they can by the means of a special tax allowed by the Act. I, how-

ever conceive, to make surer and simpler work, that the Local Councils become absolute power, to impose any amount of road tax unequally in different sections; (if not the new roads will not be made for a great number of years;) payable either in money or labor, and commutable either way at the discretion of the Council.

I would respectfully submit the following draft of an amendment on this head.

“During the existence in any local Municipality of any by-law providing for the making and maintaining of roads and bridges solely by monies, the Council of such Municipality may by by-law order the tax therefor to be paid either in money or in labor, or partly in either, and after any time to be fixed by it, to be exigible in either the one or the other, and to be thus paid or worked at any time, and to any officer it may direct, and to order the same to be applied to summer roads solely, or to both winter and summer roads, and to make any separate provision by money tax, labor or otherwise for maintaining winter roads, and for taking down and replacing the fences, and to impose such tax, taxes or labor in rates, varying according to the requirements of the different roads in the several road sections in the Municipality.”

The item of one day's "Statute labor" per £100 of value, imposed by the Act has been disregarded by us; it is both unnecessary and unpopular. The one day's labor payable by those not otherwise taxed is reasonable; but it cannot be demanded unless the other is payable also. This should be remedied.

In regard to the service of accounts I would submit:

All services are ordered to be by original and copy, exhibiting the former, retaining it and leaving the copy, both to be dated on the day of service. This is very inconvenient, it should be sufficient if proof of the service and date were made.

It should also be sufficient if the name of the proprietor at the time of the valuation roll, or any known owner or occupant since then is given and served on any actual occupant. Owners and occupants frequently change, sometimes after the accounts are served, and a warrant in a wrong name exposes them to heavy damages. I have had accounts to serve on several different persons and at different times. One service should be sufficient, there could be no possibility of ignorance on the party levied upon, as absentees are not liable to warrants. All municipalities should have power to vary their forms according to circumstances.

The Mayor should have power to issue warrants, as simply for road dues as for the other taxes on the oath of the road officer, without going through the formality, loss of time, and expense of a judgment before a Justice of the Peace.

Nothing is more unpopular than a distress warrant, in some places a few would raise a rebellion. Persons will willingly pay much heavier expenses for other methods as the selling of the lands, to which there is no demur, yet it is the only effectual method of enforcing payment, unless the law would authorize to sell the lands, with the previous process of a warrant.

In connexion with the selling of lands I beg to say that I fear cases will

arise in which by collusion of a mortgage or with a third person honest mortgagees may be deprived of their claims, so of owners, so of minors, and so of married women, &c.

I would mention the proposed School Bill of Mr. Somerville, by which each district is to demand a certain amount to be levied on it by the Council. The school districts are of varying values, the amount required will have to be calculated to almost impossible fractions per \$1. The extra work for the Council Clerk will be worth \$100; it is intended for a saving but will be an expense. The Municipality should be rated equally for schools as hitherto, and from a common fund the poor districts are advantaged instead of losing, as they would under the Bill. To a certain amount in the gross to be levied with the general tax there would be no objection if it was one item in the accounts.

G. Atkinson, of Durham.

- 1st. I am of opinion that the Municipal and Road Act 1855, was intended to meet the wants of the people of Lower Canada, but being complicated, voluminous, and difficult to understand, it could not therefore be expected to work satisfactorily. The people here nevertheless submitted to it on account of its being a step towards Elective institutions, and the management of our local affairs.
- 2nd. My opinion of the office of County superintendent, is, that it is as useless as it was uncalled for at the time the Act in question became law. That the powers vested in him, as well as in the County Councils, should have been in the local Councils, thereby saving a great amount of unnecessary expense.
- 3rd. I think the present organization of local Councils is good, and as regards County municipalities, I must confess I never could conceive the purpose for which they were established, unless to obstruct the working of local Councils, and to incur unnecessary expenses.
- 4th. I think it would not be expedient at present, to include personal and movable property in the assessment rolls, my plan to cause an equal assessment throughout each County would be, to have one valuator chosen from each township or parish, and that a majority of them should concur, as to the value of all rateable property in such County.
- 5th. The municipality in this locality has been in operation ever since the passing of the Municipal and Road Act, 1855, but I cannot say the amount raised annually by taxation, in virtue of the provisions of that Act.
- 6th. The term "Statute labour," is in this locality, (I believe,) understood to mean a certain quantity of labour, to be performed by residents of major age, but not having rateable property in the local municipality where they reside, but I am not aware of any labour having as yet been done under that term in this local municipality.
- 8th. The by-roads and highways in this locality, with one exception, have been made, and kept in rather bad repair, by joint labour, each proprietor or occupier contributing in accordance with the superficial extent of the land, which he may own or occupy, according to *proces-verbals* made preparatory to the passing of the Municipal and Road Act 1855.

I think the present Municipal and Road Act of 1855, is very deficient relative to the fencing of by-roads, a thing farmers are generally interested in, and which should be pointed out in the clearest manner.

I am also opposed to Secretary-Treasurers of local municipalities acting as Clerks to Magistrates in cases brought in the name of the municipality, as it is in many cases inconvenient, in consequence of Secretary-Treasurer living a long distance from the Magistrates as well as from the prosecutors.

I would recommend the immediate abolition of the office of County Superintendent, and, also the County Councils, and to pass a law giving Townships or Parish Councils, full power and authority to manage their local affairs, without the intervention of any other party, and,

That in future no Justices of the Peace should be appointed by the executive, without first being approved by at least a majority of the Municipal Councillors, elected and in office at the time and in the Township or Parish where any such appointment is required to be made, or upon the recommendation of the member representing the County in which such Township or Parish is situate, and where the appointment may be required to be made.

Solomon Lyster, of Durham.

- 1st. I think the system of managing the affairs in each local Municipality should be intrusted to the people therein, through their representatives, duly elected as Councillors, agreeably to the present Act.
- 2nd. Relative to the office of County Superintendent, my opinion is that the County Superintendent's office, as it now is, should be abolished, and the duties for which it was formed, I think, can be performed in a more satisfactory and in a cheaper manner by a person or persons appointed by the local Council, to be paid for services rendered by the parties for whom such services would be performed, at a price fixed per diem by the Council, whose Officers they should be, possessing the power to remove such Officers for incompetence or neglect of duty, as the case may be.
- 3rd. I do not feel competent to say much, but I am of the opinion that County Councils are not productive of good commensurate with the attendant expense under the present organization.
- 4th. My opinion is, that to include personal or moveable property in the Assessment Roll would be premature at present, and would, I think, cause very general discontent. As to an equalization of the assessments, the present amended Act provides a means, probably as good as I can suggest.
- 5th. I can say that our Municipality has been in operation actively since the Act came in force. As to the amount of money levied annually, I could not precisely say, not having sufficient data by me on which to found a report.
- 6th. The money necessary to defray the expenses of the Municipality has been raised by taxation on real estate, according to Valuation Roll.
- 7th. We consider all the labor specified in the 71st section of the Municipal and Road Act as "Statute labor," and none other.

8th. The by-roads and highways in our locality have been kept in repair in accordance with the *procès-verbal* in legal existence at the time the Municipal and Road Act was passed; but in some instances the *procès-verbaux* were found to be invalid, and in such cases the Council have endeavored to legalize them, by causing the Superintendent to make new ones, for which the parties interested paid according to assessment by Valuation Roll; and were likewise liable for the road work specified in such *procès-verbal*.

James Botham, *Secretary-Treasurer of Godmanchester.*

- 1st. The people of Godmanchester are favorable to the working of Municipal institutions, and have done their best to work the present law, but its provisions are so lengthy and intricate, that they despair of ever understanding them.
- 2nd. The office of County Superintendent is generally considered an unnecessary incumbrance, as interfering with the free action of the local Councils. Whatever be the acts or neglects of the Superintendent, there is no penalty; he cannot be touched.
- 3rd. It is the pretty general feeling that the County Councils might be dispensed with, and that money would be saved.
- 4th. There does not appear at present any necessity for including personal and moveable property in the Assessment Rolls; the County is not prepared for it.

To make an equal valuation throughout the whole of each County could only be done by employing one set of valuers.

- 5th. The Municipality of Godmanchester has been in operation since the Act came into force. Only one rate has been laid, which amounted to £212.
- 6th. Answered in No. 5.
- 7th. What is meant by Statute labor appears clearly enough, but in Godmanchester it has only been required from the persons mentioned in the 2nd article of the 71st section.
- 8th. The by-roads in Godmanchester have been made and kept in repair under the by-law No. 77, herewith submitted; the front roads according to the law of 1796, and the by-law No. 78, herewith submitted.

Remarks.

It appears to be the general opinion here that no patching of the present law can do it any good; the whole would require to be re-written, and much condensed.

The Councillors for Godmanchester would prefer the 8 Vic., cap. 40, with some amendments and further provisions.

L. J. Lacoste, Mayor of the Village of Boucherville.

- 1st. I am of opinion that the Act in question is too complicated to be put into operation with advantage. This Act has not operated in a satisfactory

manner in any locality, on account of its not being well understood by the parties whose duty it is to put it into execution, and the want of sufficient power in the Act to force the municipal Councils to execute or cause to be executed by their officers either the law itself or their own By-laws, without which power I do not think it will be possible shortly to cause either the Act in question to operate well or any other Act which might be substituted in its stead. To render the Act or any other Act which might be substituted effective, I think that it would be necessary :

1st. To render every municipal Council responsible for executing and maintaining all public works within the limits of their municipality and without the municipality if it is under their charge, although the said works should have to be done and kept in repair by certain proprietors or holders of lands in the municipality, in the same manner as they become liable for all the works they undertake by virtue of the 51st section of the Act aforementioned, and also for their acts and negligence, and also for all the acts and negligence of their officers towards the inhabitants of the municipality, and even towards the inhabitants without the limits of the municipality, who have an interest therein, and to grant to these inhabitants the right of prosecuting any municipal Council for any default or negligence in their duties, and for any default or negligence on the part of their officers in the execution of their duties, and to obtain any fine or penalty required by this Act, without, however having recourse to the Council against their officers in default, and to these latter against the parties in default obliged to road and other public labour, or charged with any other duty, to cause all damages fines and costs to be reimbursed to them.

2nd. To declare what shall be the width of the winter roads so as to have more uniformity in the roads.

3rd. To change the quorum of the County Council in matters of appeal from Local Parish Councils in the County, in which there are but four parishes and four parish mayors, who alone have a right to sit in their cases, according to the amendment of 1855, to the aforesaid Act.

4th. The County of Chambly is in this position. There are four mayors of parishes and four mayors of villages ; the quorum of this Council should be five and in case of appeal, as above mentioned, the four mayors of parishes cannot act ; it is for this reason that a change is required.

2nd. My opinion with regard to the office of County Superintendent is, that this office might be filled by the Road Inspector in each local municipality with more advantage to the inhabitants and less expense. However, in certain difficult or complicated cases, in which, on account of the Inspector being personally interested, it would be more suitable that the Local Council should be authorized to appoint a person more qualified, in the same manner as it would be proper that the Local Council should be authorized to appoint a qualified person to fill the office when the interests of two or more Parishes are at stake. I consider that the powers of this office are of a nature to promote the good working of municipal institutions.

3rd. My opinion is that Local or Parish municipalities are absolutely necessary to enable the inhabitants to enjoy municipal institutions and more calculated to instruct them and cause them to learn the system of managing their own business. With regard to County municipalities, I consider that their only use is to operate when two or more Parishes happen to have common interests and works to settle amongst themselves. This might be performed

with less expense by delegates who should only act when circumstances required.

- 4th. I think it would be more equitable to include personal and moveable property in the assessment. The only difficulty would be that of ascertaining its real value. The plan which seems to me most feasible in order to establish a system of uniform taxation in each County would be for each Local municipality to procure extracts or notes of every ground rent within its limits during the two or three years preceding the making of the valuation to assist the valuers appointed in the different Local municipalities of the Counties who should be held to work and make the valuation jointly in each municipality.
- 5th and 6th. The municipality of the Village of Boucherville has worked. It has not, however, as yet levied any thing by taxation, as it has only been in operation since the first of January last.
- 7th. By "Statute Labor" I understand the work of an individual with his tools, carts or horses to any work whatever according to a determined upon proportion.
- 8th. The old mode as yet, that is by shares; I think, however, that the system of taxation would be preferable, chiefly for the by-roads, and less expensive.

François X. Boissonnault, St. Michel-Archange.

- 1st. The Act in question is very unpopular with the people, and should be entirely repealed;—it works very badly in our municipality. I shall not suggest any amendment to render it more satisfactory, for I find it already obscure and confused enough.
- 2nd. I would abolish the office of County Superintendent, and replace it by each Secretary-Treasurer of a Local municipality, who might fill this office without so much expense being incurred.
- 3rd. I would have only one County Council, as Parish and County Councils involve a great deal of expense, and the people have not education enough to cause the present municipal system to work.
- 4th. My advice would be to include personal and moveable property in the assessment.
- 5th. The municipality in my locality has been in operation since the passing of the Act but has done as much harm as good; it has levied annually the sum of sixty pounds currency, and that by taxations required by the said Act.
- 6th. I do not understand the word "Statute Labor" in the manner explained in the Act in question, and do not see what works the law alludes to by that term.
- 7th. The manner of keeping the by-roads in repair in our municipality is by giving them out by contract to the lowest bidder, and paying the expenses by monies raised by taxation, and the manner of keeping the roads in repair, is the same as formerly, that is, each proprietor keeps his front road in repair.

I am of opinion, and it is the general opinion in my locality, that there should be no Council, either Parish or County, and if it is impossible to do without a Council, I would have a County Council alone.

J. Bte. Houle, Mayor of St. Aimé.

- 1st. We only require one Council and that a local one. With regard to its expenses, if we were permitted to grant licenses to merchants and traders, we should have no occasion to levy taxes; and instead of having to pay a Secretary-Treasurer twenty pounds, we should have his services for two-thirds less.
- 2nd. Far from being of service to us, it is hurtful, and we would greatly desire to have the law relating to Inspectors and *sous-voyers* as formerly, that any individual should have the right to prosecute the Inspectors or *sous-voyers* before a Justice of the Peace. With regard to the changing of the roads we should like to have two disinterested persons, and cause them to visit the premises.
- 3rd. We should refer to have but one Council, and that a Parish Council.
- 4th. With regard to being bound to taxation, the present mode appears to us to be uniform where there are no licenses to be given.
- 5th. The municipality in our locality has always been in operation and still operates at the present moment. We have levied annually by taxation in virtue of the said Act, forty-seven pounds ten shillings and sixpence currency for last year, and for the current year we shall levy twenty-eight pounds currency.
- 6th. Answered by the preceding answer.
- 7th. We understand by the word "Statute Labor" the assistance of several citizens, and it is very necessary to keep up and repair the bridges.
- 8th. Our system of keeping the by-roads in repair is the same as it has always been.

Jacques Morin, Mayor of St. Arsene, County of Témiscouata.

- 1st. The Lower Canada Municipal and Road Act of 1855 works very ill in the locality of St. Arsène. The complicated and ambiguous state of this law causes a great deal of trouble and annoyance to those whose duty it is to put it into operation, and the expense of so doing is very burthensome. In my humble opinion, this law is not on the whole applicable in that part of the province heretofore called Lower Canada. I have not time to enumerate all the clauses which, in my opinion, cannot be applied here. I will restrict myself to the forty-fourth clause which enacts that the fences by the sides of the roads shall be taken down, from the first day of December in each year to the first day of April of the ensuing year. On the first of December the fences are generally covered with snow, and on the first of April of the ensuing year they are still more so, for during the four winter months a great deal of snow falls below Quebec, and on the first of April the snow has seldom commenced to disappear.
- 2nd. The office of County Superintendent should, in my opinion, be abolished and replaced by a Deputy *grand-voyer* to be appointed by a County Council, whose powers should also be limited by the County Council. This Deputy might at the same time be Deputy and Secretary-Treasurer of the County Council.
- 3rd. I am of opinion that a County municipality would be sufficient and would simplify the proceedings and expenses.

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- 4th. Taxation of personal and moveable property is, in my opinion, necessary.
 - 5th. The Local municipality of St. Arsène has been in operation since the passing of the Lower Canada Municipal and Road Act. The sum of twenty pounds has been levied annually by taxation to meet the expenses of the local municipality and there still remains to be levied our share of the expenses of the County Council, which will amount to about the sum of from seven to eight pounds.
 - 6th. There has been taxation in virtue of the present municipal Act in the locality of St. Arsene.
 - 7th. I understand by "Statute Labor" any work done gratuitously.
 - 8th. The mode of keeping our by-roads and roads in repair is the same as that which was in use before the passing of the present Act, with the exception of the half yearly visits of the superintendent which have been made, but are considered as useless. It would really be infinitely preferable that there should be none whatever.

James Lefebvre, Mayor of St. Giles.

- 1st. The Act in question operates satisfactorily in our locality.
- 2nd. That the office of County Superintendent should be abolished and his powers transferred to the Local Council with power to the said Council to appoint a Superintendent in each local municipality.
- 3rd. I approve of the present municipal organisation.
- 4th. Our Council does not wish for taxation.
- 5th. Our municipality has been in operation since the passing of the Act in question.
- 6th. I understand by "Statute Labor" work done in common upon the by-roads and bridges, upon the vacant lands and such like.
- 8th. The mode of keeping our by-roads in repair is as follows,—each person keeps his share in repair according to the division of the said by-roads and the front roads in front of his property.

Louis C. Dupuis, Warden of the County of Montmagny.

- 1st. The Act in question does not operate in a satisfactory manner in my locality, and the amendment, I should suggest would be to repeal the Act entirely. In the first place the working of these Local Councils has become too onerous, the inhabitants being forced to support their respective Councils in each Parish or Township.
- 2nd. I am of opinion that the office of County Superintendent is one of a nature calculated to promote the good working of municipal institutions. The acts of the Superintendent are always submitted to the revision of the Councils.
- 3rd. The present municipal organisation into County municipalities would be

favorable if a Council were formed composed of two members from each Parish as formerly. These members should be entitled to remuneration for their loss of time and travelling expenses. The fines, tavern licenses, and others should be left at the disposal of the Councils. The sixteenth section of the said Act, which is almost impracticable, should be repealed. One Municipality in each locality would be sufficient and would save all the expenses of Local Municipalities.

- 4th. I would be of opinion to exclude personal and moveable property from taxation, and the plan which I would suggest would be to allow the Council to determine the amount of the licenses which might be granted in each municipality as well as the fines. This would afford each municipality the advantage of being able to meet their expenses without having to levy any taxes.
- 5th. Our municipality has been in operation since the passing of the municipal and Road Act of 1855. The amount we have levied is one shilling per centum making in our locality a sum of nearly sixty pounds.
- 6th. This question is in my opinion answered by the preceding answer.
- 7th. We have in our locality given no interpretation to the word "Statute Labor," as our valuation roll does not include these works, which are always almost impossible.
- 8th. Our by-roads and roads have, since the passing of the Act, been under the superintendence of the Superintendent as the chief officer.

J. O. Alfred Turgeon, Mayor of the Parish of Terrebonne.

- 1st. My opinion as to the Act in question, or any other by means of which without doubt for good motives it has been endeavoured to give the people the opportunity of governing themselves, would be to ask for its complete repeal, if, confiding in the well known intelligence of my fellow-countrymen in the progress of education which will be more developed in the next generation, as well in the progress of agriculture from which will without doubt result a greater profit which will enable that generation to be more liberal of their money, I were not disposed to accustom them by some system to the management of their own affairs.

It is for this reason that I would prefer a simple, clear, and precise law to replace that at present in existence, and which is declared by every one to be impracticable,—a law which might serve as an elementary system of self-government, allowing it, however, more extension according to the means of putting it into operation. This end would be easily attained by neglecting theory a little and consulting practice a little more.

In the mean time, however, I would suggest as amendments to the Act in question (which is far from operating in a satisfactory manner in my locality and even in our County) merely to substitute in its stead County Councils and these with some restrictions.

Several pretend to be in favor of a Local Council, which may serve as a school in which the people might learn to manage their own affairs themselves. I, however, do not share that opinion, when I reflect that this school is not even frequented, and even if it were that it can only shew that it is but a real

taxing machine. Thus the Local Council over which I preside as mayor, with all good will and economy, has been forced to levy for their expenses alone during the two years which will expire on the first of July next, the sum of fifty pounds currency, without having done any thing else since they have been organised except order every year the offering of a line road by contract for its repair during the year, which was formerly as well done by the Inspectors.

It is the same thing in almost all the Parishes whilst I was president of the municipal County Council established in virtue of the 10th and 11th Vic., chap. 7, the annual expenses for the whole County did not amount to the sum of seventy pounds. At that time, however, the Deputy *grand voyer* was paid by those who required his services.

This reason, as well as the greater facility of finding in each Parish one qualified person than seven, induces me to lean in favor of a County Council, if we must necessarily submit to such a system. Besides the person under its jurisdiction should have a right of appeal, which privilege is refused to them by the present law.

- 2nd. The office of the superintendent is a sinecure in some localities, and a useless and too heavy a burthen to others. The duties of Superintendent should for the advantage of the public be performed by a *grand voyer* to be appointed by Government, who, with a salary fixed by Government, and to be paid by the municipalities of a certain District, say all the north of the District of Montreal, from that of Three Rivers to that of Aylmer, and his fees when he would be required to perform duties, would still more lessen the taxation. The following are the motives for my opinion; that independence between the Council and the parties interested, which is requisite in such an official is not and cannot be found in a man forced to seek for a similar office. If he be an intriguer, he abuses the power he possesses, and will always succeed in getting himself large emoluments voted. If he be a man who requires, for his livelihood, all the savings of his office, he will be tempted, in order to lose nothing, to commit injustice.
- 3rd. I have above expressed my opinion on this subject.
- 4th. I do not think that the present mode of taxation is unjust. I should, however, like to see the Legislature fix the annual taxation at a certain rate, in order to restrict some and stimulate others.
- 5th. The Municipality of the Parish of Terrebonne, has been in operation since the passing of this Act, and has levied, during the first year, for the keeping in repair of a line-road, £50, apportioned over certain parts of the Parish; and this year a similar sum for the same purpose, besides £50 over all the Parish, for the expenses of the Council.
- 7th. We are in the habit of understanding by "Statute labor," the obligation of a day's work to maintain and keep in repair the public roads. It is a new duty which is not at all required, and which can only be acceptable to individuals who are not otherwise taxed.
- 8th. Before and since the passing of the Act in question, the front roads have been maintained by the proprietors, and the by-roads are given out by contract for a season or a year to the lowest tender, without there being any particular mode of keeping them in repair. It must, however, be remarked, that never, at any time before the passing of the Municipal Bill, have the roads been in such a bad state of repair.

I must observe before terminating, that having communicated your Circular to the local Council of the Parish, they have expressed their opinion in favor of the total abolition of Municipalities, and have pronounced themselves in favor of the ancient system of Road Officers as established by the Road Act of 1796.

Joseph Normandin, Mayor of St. Philippe.

(Same as H. Lanctot, of Laprairie.)

Joseph Matthien, Junior, of St. Victoire.

- 1st. The Municipal and Road Act of 1855 has been in operation, but not in an advantageous or sufficient manner; it has even created and occasioned difficulties and law suits in this Municipality; and in my opinion this Act ought to be repealed, and replaced by the preceding Municipal Act—that is, by the County Municipalities Act.
- 2nd. As to the Superintendent, I am of opinion that his powers should be amended in such a manner as to reduce and restrict them to those granted to Deputy *grand-voyers* in the said County Municipalities Act.
- 3rd. If the Legislature be not decided to repeal the present Municipal Act, I am of opinion that Local Councils should be abolished so as to allow only County Councils to exist, as the Local Councils have produced no benefits, but, on the contrary, have given rise to considerable useless expenditure.
- 4th. I am of opinion that the County Council should have the power to decide as to the expediency and necessity of including or excluding personal and moveable property in the assessment.
- 5th. The Municipality of St. Victoire has been in operation, and has levied the sum of twenty-nine pounds currency.
- 6th. There has been a taxation fixed upon.
- 7th. As the Municipality has not yet taken the roads under its control it has not as yet been able to put into execution the clause referring to labor known as "Statute Labor."
- 8th. The mode of keeping the by-roads and front roads in repair is that which was in operation before the coming into force of the present law.

Charles Reaume, Mayor of Chateau Richer, and Warden of the Municipality of the County of Montmorency.

- 1st. The present Act can never operate in a satisfactory manner in this Municipality. Instead of being amended, it should be entirely replaced by another establishing only County Municipalities, because a great many Parishes cannot secure a Secretary-Treasurer; the expenses are too heavy, and in the majority of cases, the Councillors are interested in what they have to decide.

If it be deemed necessary to form County Municipalities, the Council might be composed of three members to be elected in each Parish.

- 2nd. The powers enjoyed by the Superintendents are not of a nature to promote the good working of the Municipalities. They might be looked upon as Deputy *grand-voyers*, without the right of passing any *procès-verbaux*, but only reports to be submitted to the Council, which alone should have the power to pass the said *procès-verbaux*, or by-laws.
- 3rd. It is an expensive organization, which will never produce any good results.
- 4th. Personal and moveable property should be included in the assessment; the means of establishing taxation should be left to the discretion of the Municipalities, who would fix upon them according to their wants. The Municipalities should have a right to force wholesale and retail merchants to take out licenses, the proceeds of which would serve as a revenue to the Municipalities.
- 5th. The County Municipality has abstained from working, except upon a few points of little importance, and has levied no revenue whatever.
- 6th. There has been no taxation whatever, because it involved too much expense. The inhabitants of this Municipality have not wished for this source of revenue. The expenses have been paid out of the revenues levied by the former County Municipality; then of the local Municipality of Chateau Richer, and with the private funds of the Councillors. Other Parish Municipalities have used the same means.
- 7th. By "Statute Labor" I understand the keeping in repair in common by all the parties interested, of a by-road, the labor the work of which has not been apportioned. It is different when the work has been apportioned, for in that case each party interested performs his share, as in a front road.
- 8th. The manner of keeping them in repair is the same as before the passing of this Act, and appears to me a bet'er one; to wit, the front roads by the proprietors of the lands along which they pass; the by-roads by the parties in the concessions interested therein, and in winter by a sum of money levied amongst the parties interested by the Inspectors and *sous voyers*. The Municipalities should have a right to force all persons making use of a by-road (as persons drawing timber or stone) to keep the said by-roads in repair, either by statute labor or otherwise, when those persons do not reside in the Municipality.

P. S. Gendron, Secretary-Treasurer of the Municipality of the County of Bagot.

- 1st. The Lower Canada Municipal and Road Act of 1855, as amended, appears to me to be sound in principle, but defective in its details. Yet, notwithstanding its defects, it has been the means of bringing about considerable progress in the townships or parishes which are being settled. The old-settled parishes derive more advantage from it.
- 2nd. The office of County-Superintendent is necessary, but the title of Deputy *Grand-voyer* would be more popular. His powers and duties are too extended. They should be diminished and amended in the manner hereinafter mentioned, in the amendments which you have asked me to suggest.

- 3rd. The present organization into County and Parish Municipalities appears to me to be a most wise one, and one calculated to meet in the most satisfactory manner the wants of that part of the Province of Canada, notwithstanding all the assertions of a good number of Municipalities, who consult the interest of the present and sacrifice that of the future.
- 4th. It appears to me just and reasonable to include personal and moveable property in the assessment by taxing the revenue of the trade or profession at 12 per cent.
- 5th. The Municipality of the County in which I reside has been in operation since the passing of the Act in question, and has levied £100 currency, to liquidate the expenses of the Council from the 1st of July, 1855, up to the 1st January, 1857, and seventy-five pounds to liquidate the expenses of the said Council, incurred, or to be incurred; from the first of January, 1857, to the first of January, 1858.
- 7th. This section has never been put into operation; the people pray for its abolition, and have just reason so to do.
- 8th. The front roads are made and kept in repair by each proprietor, and with regard to the by-roads, the mode is the same as in all local Municipalities; some purchase the work necessary to keep them in repair during the whole year, others for the winter only, and the monies necessary to pay for the said works are apportioned according to the value of the lands liable, to such work, and elsewhere according to the extent of the lots of land. The latter mode seems to me to be the most equitable and popular.

To promote the good working of the Municipal institutions in this part of the Province, it appears to me to be of urgent importance that Your Committee, in its wisdom, should endeavour to amend the Municipal Act in such a manner as to render it clear, concise, and, especially, as little burthensome as possible, for if it be wanting in the latter respect, even if it were perfect in the remainder, it will be wanting in all its details.

In answer to your first question, I will take the liberty of suggesting to Your Committee the following amendments to the Municipal Act of 1855, in order to render it more efficient and satisfactory:

8th Sec. That the public notices and By-laws, to be published in virtue of the Act before cited, shall be read for two Sundays in succession, in the language most used in the locality, and not posted.

9th Sec. That special notices shall be given by letters, addressed and sent by mail, or other safe means of conveyance, to the person for whom the said notice is intended.

12th Sec., 2nd par. That the sessions of the Local Councils shall be tri-weekly, and that extra sessions may be held, upon notice thereof, given by the principal officer, or by two members of the Council.

18th Sec., 3rd par. That it be ordered that a Registry Office be established in every new county, formed in accordance with the provisions of the Parliamentary Representation Act; that the Registrar shall furnish, to the satisfaction of the Council, a suitable house to keep the said office in, and a fire-proof safe for the keeping of deeds, and that the Government do come to

their aid in paying the expenses of transcribing the hypothecs necessary to be deposited in such new office thus established.

32nd Sec. Adding, at the end of the last paragraph, "and also a sufficient number of syndics for the maintenance of water courses."

37th Sec., 4th and 5th par. That these two paragraphs be explained.

38th Sec. That the former Councils in existence at the time of the coming into force of the present Act be held to deliver up all the *procès-verbaux* and other documents relating solely to the new County Councils, formed from the disorganization of the first.

44th Sec., 2nd and 3rd par. That these two paragraphs be repealed, as it is dangerous for strangers to travel at night over roads traced through fields.

45th Sec., 6th par. That this paragraph be repealed.

46th Sec., 1st par. That there be added at the end of this paragraph the words, "any *procès-verbal* made or to be made can only be annulled or changed by another *procès-verbal*, made by competent authority.

47th Sec., 1st par. That this paragraph be explained.

47th Sec., 4th and 5th par. That these two paragraphs be repealed or amended, as they impose duties which it is impossible for the Superintendent to discharge, in the drawing up of *procès-verbaux*.

49th Sec., 8th par., 1st line. That the words "may homologate" be struck out, and the words "shall homologate, amend or reject," be substituted in lieu thereof.

50th and 51st Sec., 2nd, 3rd, 4th, 5th, 6th and 7th par. That these two sections, and the paragraphs which follow, be repealed, as well as all other paragraphs which relate thereto.

55th sec., 3rd and 5th par. That these two paragraphs be repealed.

57th Sec., 1st and 2nd par. That these two paragraphs be repealed.

63rd Sec., 1st line. That the following words be inserted after the word "may," "by virtue of a resolution of the County Council."

64th Sec., 7th par., 1st line. That the word "Superintendent" be replaced by that of "Secretary-Treasurer."

54th Sec., 1st, 2nd and 3rd par. That this section and all its paragraphs be repealed.

65th Sec., 4th par. That the moveable and immoveable property of any Railway Company be valued in the same manner as the property of individuals, and that the 4th paragraph be repealed.

66th Sec., 1st par. That the valutors be held to make the valuation of assessable property within the two months immediately following the day of their appointment, under a penalty of a fine of £ .

66th Sec., 2nd, 3rd and 4th par. That these paragraphs be repealed.

67th Sec., 1st and 2nd par. That this section and these paragraphs be repealed.

68th Sec., 2nd line. That the word "may" be replaced by the word "shall."

68th Sec., 6th par. That this paragraph be abolished.

71st Sec., 1st, 2nd, 3rd, 4th and 5th par. That this section and its paragraphs be repealed.

74th Sec., 14th par. That the following words be added to the end of this paragraph: "and the Secretary-Treasurer of the County Council may, in virtue of a Resolution of the said Council, appoint one or more deputies for taxes or other Municipal dues, but all the documents shall be signed by the said Secretary."

That all Municipal Councillors shall be personally responsible for all sums of money lawfully due by their respective Councils, as the Councillors of the Municipalities which do not possess any immoveable property cannot be compelled by any judgment to make good such payment.

That the Councillors shall be liable to a fine of £ for every time they shall neglect to pay any sums of money lawfully due by their Councils, or to impose a special tax for that purpose if they have not sufficient funds to meet any such payment.

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A. Gagnon, Mayor of Baie St. Paul.

1st. The Act in question is almost unintelligible, and I can state that it is impossible to make it work in a suitable manner in this Municipality, especially since the riots which have taken place in the Parishes of Malbaie, St. Fidèle, St. Agnes, and St. Irénée, in this county. Since that time neither the County Council nor the majority of the Local Councils have been able to operate. I think County Councils should be abolished, and be replaced by Local Councils, under a clear and concise law. These Local Councils should have power, in cases in which several Local Municipalities may have business common, or which ought to be common to the Mayors of the Municipalities interested, or two amongst them, to notify and request all the Mayors in the different counties to meet on a certain day and hour, at a certain place designated in such notice, under a penalty of ten pounds currency, said penalty to be recoverable before any one Justice of the Peace, at the suit of the Secretary-Treasurer of the Municipality of which the name of the Mayor shall be first subscribed to the said notice, and the amount of such penalty divided in equal parts amongst the Municipalities interested in the affair or affairs for which such notice shall have been given. All the offices or works to be filled or done in virtue of the decision of the ordinance of the meeting of the said Mayors shall be apportioned amongst all the parties interested in the Municipalities thereto held.

2nd. The office of County Superintendent should be abolished, as his powers are not of a nature to cause the Municipal institutions to work in a suitable manner. Besides, this officer must exact very high emoluments if he wishes to perform his duties in a suitable manner. I am therefore of opinion that

Local Councils should be vested with the power to appoint, in each of their respective Municipalities, a Deputy *grand-voyer*, who would be taxed for all he should do by the Council which shall have appointed him to such situation, and who would act in any affair concerning his Municipality according to the By-laws in existence, or in accordance with an ordinance from the Municipal Council, for the works in which no By-law or ordinance of the said Council was in existence; which said office of Deputy *grand-voyer* might be filled at the same time by the Secretary-Treasurer of the Municipality. I found my opinion on the fact that, as the duties of the County Superintendent are very varied, they necessitate, for their due execution, enormous expense, far beyond the means of the greater parts of the Municipalities.

- 3rd. I am of opinion that County Councils might be abolished without any loss, if power were given to the Mayors of the Municipalities to call for the assistance of all the Mayors in the county, in case of business concerning several Municipalities, as I have stated in my first answer. This would greatly diminish the expenses involved by County Municipalities.
- 4th. In my opinion, in including personal and moveable property in the assessment, to render the proceeding just, it would be necessary that the capitalists should be valued upon the rents and interest they annually receive from their capital.
- 5th. The Local Municipality has worked regularly enough since its establishment to last spring. Since that period the Council of that Parish have not been in operation, on account of the riots I have alluded to above. The Municipality have not dared to levy any money to defray their expenses, as they are waiting until the Government shall take steps against the rioters, or their chiefs and abettors. Nothing, however, has been done as yet, and this has the effect of encouraging insubordination and contempt of the authorities, and causes great inconvenience to those parties to whom the Local Municipalities are indebted.
- 6th. There has been no taxation in this Municipality, for the reason I have just mentioned, and the expenses they have incurred have remained unpaid.
- 7th. We understand here by "Statute Labor" public labor performed in rotation by the persons held to do so by *procès-verbaux* or ordinances of Municipal Councils, upon roads, hills, or public bridges.
- 8th. The mode followed here for keeping By-roads in repair is generally to offer them by auction to the lowest tender. For repairing winter roads a small portion of the work is performed by Statute Labor. The front roads are maintained by the proprietors of the lands along which they pass. Nothing has been changed in these different modes of maintenance since the passing of the Municipal and Road Act of 1855, except the keeping in repair of a road called *chemin des Caps*, which is done out of the revenue of a quarry situate near the said road. Besides, no revenue has been derived from this quarry since about four months, as the lease expired six months ago, and could not be renewed, as the County Council have not met since the month of March, 1856.

I am of opinion that taxation will encounter insurmountable opposition, and that the best plan for defraying the expenses of the Councils will be, to place at their disposal the income from tavern licenses in each Municipality, and the right of taxing traders in their localities.

J. B. Pouliot. Warden of the County Municipality of Rivière du Loup.

1st. My opinion is that this Act should be altogether repealed, and another passed, less voluminous in form, less complicated, and more easily understood by the parties appointed to carry it into operation.

I say that it ought to be entirely repealed and another substituted, because experience has shown that the Acts amending it are so many fresh stumbling blocks, and clear away no existing difficulties; the last amended Act is a proof of this.

2nd. The duties and powers of the Superintendent might be defined by the Council. I see no objection, however, to their being determined by the Legislature, in order to absolute uniformity throughout the Province. They might be diminished, by abolishing the semi-annual visits, and this part of the duty might be performed by the inspectors, who might report to him. At present these visits are quite useless.

The Councils ought also to have authority to direct the opening of roads without the intervention of the Superintendent, and that officer should act only when required.

The Road Inspectors should be likewise authorised to make distribution of the work, in the building and repairs of bridges in their respective localities; and, in all cases, the Superintendent should act, only in their absence, when required by the Council. In order that this office may answer the end for which it was created, the Superintendent should, in the first place, be appointed and paid by the Government, and be obliged to see to the proper repair of the roads, under a penalty. And for this purpose, I say again, he should be absolutely independent of the Municipal Council. Besides, all the complaints made against that officer are not intended to show that his office is useless, but that, according to the principle of the Act in question, he cannot be paid without having recourse to a direct tax, and that is the measure which the people deprecate most.

3rd. County Municipalities appear to me preferable to parish councils.

I consider that the present system of county and parish municipalities is absolutely useless and even pernicious in many localities, where persons are not to be found capable of carrying out its provisions. Great difficulty results from this cause, which might be obviated by the abolition of parish municipalities.

4th. If it is desired that the people should be trained to the management of municipal affairs, all direct taxation should be abolished, and this might be done by authorizing the municipalities, as formerly, to grant licenses to traders and receive the money therefor.

5th. The municipalities in this county worked very well from their first organization to last autumn, but since that time several of the parish municipalities have not been able to do so, having been prevented by tumultuous assemblages of the people. No tax has yet been levied. These disorders were merely a repetition of what had happened in other counties, and had their origin in the impunity with which they had been allowed to pass. Such will ever be the case with laws which thwart popular prejudices, and with many others, which will remain a dead letter, if the Legislature, while enacting, does not make provision to enforce them.

- 6th. The reason why no taxes have been levied in the municipalities in this county is, that all were waiting for the example to be set by the county itself, and that the Secretary and Superintendent, being the only persons interested, preferred waiting. Moreover, nearly all the expenses incurred being for the opening and altering of roads, &c., such expenses have been paid by the parties interested in those matters.
- 7th. By "Statute Labor" we understand, generally, works that are done in common, and are not distributed, such as bridges, cutting down hills, and by-roads. When such works are not considerable, they are performed in common, without repartition.
- 8th. The method of keeping in order by-roads and public roads in this county is the same as formerly, and no change has been produced since the passing of the Act.

I have now answered all the questions addressed to me by the Committee, and shall further take the liberty to point out certain parts of the Act which frequently give rise to difficulty, as not being sufficiently clear, or requiring to be amended.

1. Public Notices.—There is certainly no necessity to post such documents in a public place, when there is a church, at the door of which they are read, just as there is no need to give public notice in all the municipalities in the county of a special session for the revision of a *procès-verbal* against which an appeal is made, and which concerns only one Municipality: sec. 8 of Act, and sec. 9 of amended Act, paragraph 2. The Council should also proceed to hear an appeal in the session after the appeal is lodged, without being obliged to call a special meeting for the purpose, issuing a great number of public and special notices, and so incurring considerable expense.

2. The publication of the by-laws is liable to the same objections as that of public notices, (sec. 16.) The latter part of that section is not sufficiently clear; it ought to be specified that Councils may publish their by-laws by posting them within the Municipality, or by procuring them to be advertised in a newspaper, and not that both those means should be resorted to, as the clause seems to imply.

3. Highways and by-ways.—The distinction between these is not sufficiently clear. It is impossible to understand from the wording of the Act whether the fences on by-roads are to be taken down, as well as those on the main roads, (sec. 44.) It is likewise necessary to state by whom the fences on the by-roads should be taken down and put up again, on both sides.

4. Report and *procès-verbal*.—These terms are not sufficiently defined, for which reason many Superintendents head their returns, "Report and *procès-verbal*," and compel the Councils, as well as the delegates on occasions to meet for the purpose of taking proceedings even on rejected applications. This causes much needless expense. (Sec. 47, paragraphs 3 and 4.)

5. Delegates.—It should be stated positively, whether delegates are to be paid or not.

6. Valuation.—The Councils should be authorised to cause valuations to be made, and revised at any time; otherwise acts of injustice may occur, against which it is impossible to provide a remedy.

7. Assessment of Tradesmen, &c.—The provision in this behalf is not sufficiently definite: in some Municipalities the annual income is valued, and capitalized; in others it is taken as income only, and the capital is based on this, (sec. 70.)

8. Recovery of Penalties.—(Sec. 27 of amended Act.) This provision should be extended to the recovery of the Superintendent's fees, and to all other payments under the Act.

Joseph Verrette, Mayor of St. Albans, County of Portneuf.

- 1st. We are desirous of an amendment relative to absentees, not obliging us to bring the lands to sale; but to give us the power of taking and selling wood or stone on their lands, to provide means for keeping their roads in order, and this without annulling the power of selling the lands.
- 2nd. We are of opinion that the powers of the Superintendent are calculated to promote the successful working of the Act.
- 3rd. We pray that the local Councils may be abolished, and the County Councils retained, to be composed of two members from each Parish.
- 4th. We find that it is necessary to include personal and moveable property in the Assessment Roll.
- 5th. This Municipality has worked, but with great difficulty, as we have levied nothing by assessment under the Act.
- 6th. There has been no assessment in our Municipality, because our constituents are urgent in their entreaties not to be taxed; and we have provided for the payment of our expenses by voluntary subscriptions.
- 7th. We understand by the term "Statute labor," an aid to persons who are surcharged in the performance of any work.
- 8th. We have followed the old by-laws, that is to say: we are accustomed to give out the winter work on the by-roads to be performed by contract.

Eloi Rioux, Mayor of Trois Pistoles.

- 1st. My opinion in general of the Act in question is, that it is too complicated, and the clauses in many cases very obscure, and difficult to carry into effect. The local Municipality of this Parish has complied with it only so far as to appoint Assessors, Road Officers, Inspectors of fences and ditches, and a Secretary-Treasurer. If I were to suggest any amendments to it, they would probably only have the effect of rendering it still more complicated and unintelligible. I conclude, therefore, that this Act should be entirely repealed, and a shorter one passed instead thereof, in which the duties of each person appointed to carry out its provisions should be accurately defined.
- 2nd. The office of County Superintendent, besides being very burthensome, appears like the fifth wheel to a carriage, that is to say, if not injurious, it is at least

useless. The duties attached to the office should be devolved on the Parish Councils, if they are to be continued, or on the Councillors elected in each Parish, if the County Councils only are to be retained. I found my opinion on the fact, that any Superintendent residing where any duty is to be performed must be better qualified to do it than a stranger.

- 3rd. My opinion is, that County Councils, which cause a great waste of time, should be abolished, and Parish Councils only retained, inasmuch as the latter must be better acquainted with the wants of their locality than Councillors from other Parishes.
- 4th. I think personal and moveable property should be excepted from taxation, and that instead thereof, traders, tavern-keepers, and temperance boarding-house keepers should be bound to take out licenses from the Council.
- 5th. The Municipality of Trois Pistoles has been in operation since the passing of the Act, and no money has been levied yearly by assessment.
- 6th. Because all who have taken part in the working of the law, have done it gratuitously.
- 7th. By the term "Statute labor" in a Municipal law, we understand the public work done by those persons jointly who are bound to do it, whether the same be the opening of a main road or a by-road, or the erection of a bridge and the subsequent repair of the same.
- 8th. The maintenance of the by-roads in winter is given out by contract to the lowest bidder, but the repairs of them in summer, like that of the main roads in both seasons, is left to be done by the proprietors, in proportion to the extent of their respective lands.

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Denis Harvey, Mayor of the Municipality of la Malbaie.

- 1st. We are of opinion that the present Municipal law is not in accordance with the manners and customs of our people, and with us it does not work. The people, tired of the continual changes, requiring the study of laws which they do not understand, and which involve them in constant litigation, call for the re-enactment of the old road laws.

If, however, in the meantime, Your Committee are desirous only to amend the present law, our advice would be to abolish the parish municipalities, and the office of County Superintendent, and to retain only the County Municipalities, to be composed of two councillors from each parish or township, to be elected every two years, and with power to appoint their Secretary-Treasurer, if they think fit, to be *grand-voyer*, with a view to economy. This Municipality might have the power to homologate or reject *procès-verbaux* in a summary manner, but should have no authority in any wise to levy any direct tax to pay their expenses, though they should be authorised to demand payment for licenses to traders, both in dry-goods and liquors. It is the power of direct taxation which has caused the failure of the present law.

- 2nd. The answer to this question is included in the foregoing, and we found our opinion on the fact that it is useless to have two persons to fulfil the offices of Secretary-Treasurer and of *grand-voyer*, if a single individual possesses the qualities required in both. The duty of visiting roads and bridges, and of

causing them to be kept in good repair, as also that of deciding the execution of public works, should be incumbent on Inspectors and *sous-voyers*.

- 3rd. We are of opinion that, under the present system, the law will never work. The people are unanimous in their opposition to it, as being too complicated and too expensive.
- 4th. We are of opinion that personal and moveable property should be exempted from taxation, and we would propose to establish a tax on real property only, proportioned to its value, and to be levied only when a Municipality requires some public work, and then only on the parish or parishes requiring such work.
- 5th. It has worked a very short time, and nothing has been raised by taxation.
- 6th. There has been no taxation, because the people required the Councillors to impose none, being opposed to the law; and nothing has been raised to meet the expenses, although the Municipality is in debt.
- 7th. By the term "Statute Labor" we understand labor in the maintenance of roads and bridges, performed by the parties interested.
- 8th. The by-roads have been kept in order by statute labor of the inhabitants, who are obliged to make use of them, and the main roads by the proprietors of the lands over which they pass, according to the old road laws.

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John Kane, Warden, and J. Saillant, Secretary-Treasurer of the County Municipality of Chicoutimi.

- 1st. The Act in question does not work satisfactorily. It works here only at a cost of the greatest sacrifices, and that very imperfectly, for compliance with its provisions, obligations and restrictions is altogether out of the question.

The necessary amendment is, in our opinion, the entire repeal of the law and the re-enactment of the former Parish Municipalities' Act.

- 2nd. We are perfectly persuaded and convinced that the office of County Superintendent is injurious and prejudicial to the working of the law; that it is a public nuisance, and counteracts all the advantageous results of the municipal law. The Superintendent should be succeeded by a *grand-voyer*, as formerly, who should only act on requisition from the Council.
- 3rd. We are of opinion, and we believe it is the opinion and desire of all parties, that a County Council only would work better. In the first place, no more than a single clerk would be requisite, and the fees paid to him, according to a tariff established by the Council, would be salary enough, because he would be authorized to demand them also from persons requiring his services. This means succeeded very well under the old Municipalities' Act, and even before. Moreover, all forms and By-laws of procedure are in accordance with the provisions of the law, while under the Parish Councils there must be as many clerks as Councils, and every clerk requires a fixed salary as high as that of the County Clerk; so that if £50 are sufficient for a County Clerk, and if, in the County, there are four Parish Councils, £200 would be required for them, and so on with the other officers. Another inconvenience is the difficulty of procuring a clerk in most of the Parishes, the consequence of which is, that

most of the municipalities, I mean their proceedings, are almost a nullity, for want of form, and that for want of a qualified clerk. According to our opinion, founded on experience, a County Council, composed of Councillors from each Parish, is more advantageous; it is easier to obtain justice from such a body, and a better administration of affairs in general.

- 4th. With respect to the plan of assessment, the present method is sufficiently correct.
- 5th. Our Municipality has worked, but we have levied no taxes.
- 6th. We have levied no taxes: 1st. To spare the inhabitants an expense which might be oppressive to them. 2nd. A rigorous proceeding might have probably driven the people into open resistance, as has been the case in other places. We have proceeded as we did under the former statute, in respect of the expenses, the Clerk being paid by those persons who required his services, and ourselves making sacrifices.
- 7th. The term "Statute Labor" signifies a day's work or more contributed by each inhabitant to bridges or by-roads, on the requisition of the *sous-voyers* and inspectors.
- 8th. The plan of keeping in order the by-roads, bridges, &c., has been the same as before the passing of the Act in question, by statute labor, that is to say, each inhabitant attends on a certain day, with his tools and implements, for the purpose of working on the road or bridge, &c., under the direction of the *sous-voyer*.

Léon Thibodeau, of Stanfold.

- 1st. The Municipal Law in its present form is too burthensome and too complicated for country people, and is far from giving satisfaction. In saying that it is too burthensome for the people, I prove it by showing that of the double municipality, county and parish, one would be amply sufficient for us to support.
- 2nd. As to the Superintendent, if the County Council was abolished, the office of Superintendent ought necessarily to be so too, and the Parish Councils should be authorized to name their own Superintendents.
- 3rd. I should say that the County Council is the best, because it works better, being managed by persons of superior education. The Parish Council, as now constituted, is an instrument of which the inhabitants know nothing, and can make no use.

As our County is composed of nine Parishes, while the Parish Councils continue to exist, a good round sum must be levied on the inhabitants to pay nine clerks. The Parish Council involves a much heavier loss of time, the Councillors being obliged to meet twelve times in the year.

Louis Guillet, Mayor of Batiscan, Warden of the County of Champlain.

- 1st. The Act does not work satisfactorily in the County of Champlain; it is too complicated, embraces too many forms, and is not generally liked. The County Municipalities should be abolished, with the office of Superintendent,

and each local municipality should be authorized to elect an officer in his place. The formalities of the seal, of notices, reports of Inspectors and *sous-voyers*, &c., should also be struck out of the Act.

- 2nd. My opinion is, that the powers of the County Superintendent are sufficiently extensive, but that in places where the local Municipalities resist taxation he cannot be remunerated, and that in such cases his appointment is a useless one, except for the purpose of opening new roads. I found my opinion on the failure of the Act to fulfil the intention of the Legislature in its working.
- 3rd. My opinion is that the County Municipalities should be abolished, and that each Parish should be constituted a Municipality, with the privilege of electing an officer to represent the County Superintendent, if it is thought expedient; otherwise, that the County Municipalities should be re-established, according to the provisions of the 10th and 11th Vic., cap. 7, without any local Municipality.
- 5th. Real property only, except traders, mechanics, and professional men.
- 5th. The Parish Municipality of which I am Mayor, and that of the County of Champlain, of which I am Warden, have worked only as far as was requisite to satisfy the requirements of the law, and to save the public from suffering inconvenience. They have as yet raised no money by taxation.
- 6th. There has been no assessment, because the inhabitants detest the system. No expense has hitherto been incurred, and in most of the Parishes the assessors have acted and the assessment rolls have been completed gratuitously.
- 7th. By the term "Statute Labor" I understand manual labor performed on public work ordered by the municipal authorities.
- 8th. The mode of keeping the by-roads and main roads in order has not been changed since the passing of the Act in question. They are repaired in the same way as formerly.

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Ant. Juch. Duchesnay, Warden of the County of Portneuf.

- 1st. I am of opinion that the Act was passed prematurely, that it is not suitable for Lower Canada, or at least for the district of Quebec and the districts below. In the district in which I reside it works only partially and imperfectly, and I have reason to believe that it has had the same fate in the other Parishes of the County of Portneuf.

The principal changes required to be made in it are, in my opinion, the substitution of County for Parish Councils, the expenses attendant on their perfect working being less than those involved by several Councils in one County, and a County Council being amply sufficient for all the present wants of the country parts.

In the adoption of any municipal law, I think, and this remark I make with all proper deference, that it is expedient to avoid all that might involve the necessity of imposing taxes, while still granting to the County Councils the authority to impose them, if in their municipal proceedings they should think fit to levy them.

The agricultural class, already labouring under great disadvantages in the district to which I allude, through the length and severity of the winters of Canada and the frequent failure of the crops, can exist only by the exertion of constant labor and rigid economy. That class ought, therefore, I think, to be treated with some consideration in respect of the imposition of taxes.

- 2nd. An officer is required, in my humble opinion, to fulfil the duties, or a part of the duties, now belonging to the office of County Superintendent, whether he be called Superintendent or by any other name. As to entering into details of the functions and powers to be assigned to that officer, the subject requires somewhat more consideration than I can give to it, in the time allowed for answering the questions of the Committee.
- 3rd. See my answer to the first question.
- 4th. It appears to me that it would be better, as I have had the honor to remark before, to refer to the several County Councils, the adoption of all measures on this subject.
- 5th. The Municipality of the place where I reside has been in partial operation since the passing of the Municipal and Road Act of 1855. No annual revenue has been raised by assessment under its provisions; and I have reason to believe that this is also the case in the other Parishes of the County of Portneuf.
- 6th. The reason why there has been no assessment in the Municipality in which I reside, and in the other Parishes in the County of Portneuf, is, to the best of my knowledge, the unanimous opposition of all the inhabitants to any system of taxation. Where I reside the Secretary-Treasurer acts gratuitously, and the few Municipal expenses which are unavoidable, have been defrayed voluntarily by a member of the Council. As to the Municipal expenses of the other Parishes in the County of Portneuf, I cannot tell exactly how they are paid, but I believe resource is had to voluntary contributions, which are obtained with great difficulty.
- 7th. This part of the Municipal Act has not been put in execution in this locality. I cannot state very precisely the meaning given to the term "Statute Labor."
- 8th. I can give no information concerning the method of keeping up the main and by-roads in the other Parishes of the County of Portneuf, but in this Parish every proprietor maintains the road in front of his land. I must observe to the Committee that we have had trouble on this subject, in determining the repartition of such works among the various proprietors of one land, some claiming to be assessed in proportion to the area of the land, others according to their share of the front, while others again insist that all the shares should be equal, without any regard to the respective dimensions of the lands.

As to the by-roads, they have been kept in order in various ways. In winter they have occasionally been given out by the job, the parties interested paying in proportion to their frontage; even in such cases, some would rather have done the work than paid in money. In summer, they repair them themselves, each generally according to his frontage. I think there are no exceptions to this custom in this Parish.

As to the repartition of road work in general, the present law appears to me to be of very doubtful meaning.

André H. Gauvreau, Mayor of Ste. Luce.

- 1st. The Municipal and Road Act of 1855 has been in operation in this Municipality, but not in a satisfactory manner. The Act is so complicated and difficult to interpret, that it is almost impossible to cause it to operate. In my humble opinion, the best thing to be done, would be to repeal it, and bring the former County Municipalities Act into force.
- 2nd. I am of opinion that the office of County Superintendent should be abolished. This Officer is vested by law with too great powers, and is a burthen to each Municipality, inasmuch as the powers which the law permits him to exercise are viewed in an unfavorable light. He might be replaced by a deputy *grand-voyer* or a Road Commissioner, as heretofore, which answered the purpose well.
- 3rd. The general opinion here is, that Local Municipalities are a source of trouble, and demoralise the people. The want of capacity on the part of the persons whose business it is to put the law into operation, the powers of taxation conferred upon the Municipalities in the times of scarcity of money are partly the cause of the trouble which exist in several Municipalities.
- 4th. As regards taxation, I am of opinion that it should be suppressed in all cases, and that, with only one County Council, the interested parties should as formerly make the necessary disbursements for the measures they intend to carry in the County Municipalities.
- 5th. The Local Municipality of Ste. Luce has been in operation for the roads only, but no taxation has been levied.
- 6th. No assessment has been levied in this Municipality, because money is very scarce. If any taxes had been levied, I am convinced that serious trouble would have resulted here therefrom, as in other Municipalities in which taxes were attempted to be levied. The expenses incurred for the proceedings of the Municipality have been paid by a subscription made amongst the Councillors.
- 7th. We understand by the term "Statute Labor," any work performed by the inhabitants together, without any division of shares.
- 8th. The by-roads here are kept in repair by apportionment, each inhabitant having a share of the by-road proportioned to the extent of the front of their land. With regard to the main roads, each inhabitant keeps the road in front of his land in repair, as previous to the passing of the Municipal and Road Act of 1855.

Alexis Morin, Mayor of St. Joseph.

- 1st. I am of opinion that the Municipal Act is advantageous, and that it operates in a satisfactory manner in our locality. The Act, however, should be clearer, more explicit, and less expensive in carrying it into effect.
- 2nd. As to the office of Superintendent, I am of opinion that all his powers and duties should be annulled, and that a Superintendent should be appointed by the Council. His fees should be fixed upon, and be made payable by the parties interested, who require his services. He should only act when petitions

are presented to the Council, and not to the Superintendent, praying for new *procès-verbaux*, and be required to visit the premises, for the opening, the change, or widening of all roads, or any repairs which might be required.

- 3rd. County Municipalities would be preferable to Parish Municipalities for the present, as there are still several Parishes in which the law does not operate, and that these Municipalities have no power to do anything.
- 4th. Personal and moveable property should be exempted from taxation. It can only be useful in cities and villages. Taxation upon real property is preferable in the Parishes.
- 5th. Our Municipality has worked well since the passing of the Municipal and Road Act of 1855. They have, however, levied no tax in virtue of this Act. The expenses of the Municipality have been paid out of the revenue arising from entries of petitions, and fines, and voluntary subscription, because taxation is not liked.
- 6th. The manner of keeping the by-roads in repair is by giving them out by shares. The front roads are kept in repair by each proprietor.

Municipality of St. Simon, County of Bagot.

- 1st. The Act has never operated in a satisfactory manner, as public opinion in this locality of St. Simon is opposed to it.
- 2nd. The opinion of the Council is that the office of Road Superintendent is a useless expense of the public money; that this office might easily be replaced by a Deputy *grand-voyer* to be chosen and appointed by the Council, who should fix his salary and pay him. This change would be more satisfactory and advantageous.
- 3rd. A County Council is preferable to a Parish Council as the business might be done with the same powers and would involve far less expenditure.
- 4th. The opinion of the Council is that all assessments should be made, not upon the value, but upon the length of the front of immoveable property.
- 5th. It has operated partly since the passing of this Act, and the sums levied were in 1856 £37 17s. 0d., and in 1857, £26 3s. 3d.
- 7th. "Statute Labor" is unknown in our locality.
- 8th. The most agreeable system would be to follow that in use in 1796.

Benjamin Ouimet, Mayor of St. Ephrem d'Upton.

- 1st. The Act is favourable and has operated in a most satisfactory manner in my locality.
- 2nd. The office of County Superintendent is perfectly useless.
- 3rd. According to the present Act this office involves too much expense. When he is called upon to act as Superintendent for the most part, notwithstanding

the best will in the world, he cannot do justice to the persons who employ him on account of his ignorance of the premises in which he is called upon to act; his powers are far too extended.

I would therefore suggest that the office of Superintendent should devolve upon the Secretary of each Local Municipality or other officer appointed by the Local Council, that this Superintendent ought to be under the control of the Local Council, who would give him whatever instructions they see fit as well as the superintendence over the Inspectors and *sous-voyers* for the performance of whose duties he should be held responsible.

We must earnestly desire to maintain Parish Councils but consider that County Councils are a perfect nullity.

Their expenses, which are considerable, are superfluous; such is my opinion, that of my *confrères*, and that of the whole Parish.

In case of business relating to several Parishes, delegates appointed by the Municipalities interested would be more certain to render justice to the parties than can be possibly done by strangers and persons who are not in any way cognizant of the real wants of the persons claiming their services.

I can give forcible examples of the opinion which I have just pronounced.

That the decisions of the delegates should, in cases of contestation, be submitted, in the last instance, to the Circuit Court of the County.

4th. I am of opinion that there are no changes required in that section of the present Act.

5th. Our Municipality has operated since the passing of the present Act, and the amount levied the first year was £184 5s., apportioned out as follows:

Repairs to by-roads	£	48	0	0
Construction of bridges.....		93	15	0
Secretary-Treasurer, office, rent.....		27	10	0
County Council.....		10	0	0
County Superintendent.....		5	0	0
		<hr/>		
		£184	5	0

In addition to the sum mentioned as having been paid to the Superintendent (who resided in my Parish), the persons who employed him paid him besides.

The amount levied for the second year has been £38 15s., apportioned as follows:

Secretary-Treasurer, office and rent.....	£18	0	0
Keeping in repair of the by-roads.....	7	8	9
	<hr/>		
	£25	8	9

The balance of the sum levied is in hand.

6th. Answered by the preceding answer.

7th. We have not used in my locality "Statute Labor." However, my opinion is that statute labor should only be required of persons not held to pay the

Municipality in any other manner, and that it should be agreed upon "That all persons eighteen years of age who have resided in the Parish for at least fifteen days previous to the order for statute labor, should be held and obliged to perform two days statute labor at most during the year, unless the person so called upon do produce a certificate shewing that he has performed during the year his share of statute labor in some other Parish or Township.

- 8th. The front roads are made and kept in repair by the proprietors of the lands over which the road passes, according to the width of the land over which the road passes.

Each concession or range makes its own by-road, and the keeping of it in repair is left to the Municipality, who give it out by contract twice every year, and the payment thereof is levied upon the properties rateable according to their valuation.

The same way for bridges which are declared to be public on the front road.

Municipality of the Parish of St. Jean Baptiste.

Resolved.—That it would be more advantageous to abolish County Councils, and merely retain Parish Councils, by making to the Act the amendments necessary to make it clearer and more suited to the persons whose duty it is to carry it into effect.

Resolved.—That we do immediately ask for the repeal of the office of County Superintendent, and the granting of his powers to the Local Council.

Leandre Noiseux, Major of St. Jean Baptiste.

1st. The Act in question, as at present drawn up, does not operate in a satisfactory manner in my locality. It is not efficacious, on account of the contradictions in several of its sections. In my opinion this law should, in order to insure to the inhabitants the advantages of a good municipal system, be modified so as to abolish County Municipalities, because the County Council in my Municipality does not work.

2nd. The office of County Superintendent should be abolished.

3rd. The present municipal organization does not meet the wants of the inhabitants of Lower Canada. It requires alteration; County Councils should be abolished and merely Parish Councils be left. The office of County Superintendent should also be abolished. The Municipal Act should be modified in all its clauses which are obscure or contradictory, so as to enable it to be easily put into practice by the inhabitants.

4th. My opinion is that personal and moveable property in the country should be exempted from taxation.

5th. The Municipality in my locality has been in operation since the passing of the Municipal and Road Act of 1855, but have as yet levied no taxation in virtue of this Act.

- 6th. The Municipality have not paid as yet.
- 7th. I understand by "Statute Labor" the labor of an individual upon the roads at the requisition of the *sous-voyer*.
- 8th. The by-roads in my locality, and the front roads, have been kept in repair as before the passing of the Act, by the old *procès-verbaux*.

M. Lemonde, N. P., of St. Jean Baptiste.

- 1st. The Act in question, as at present constituted, does not work in a satisfactory manner in my locality. It is not efficient on account of the contradictions in several of its clauses, being too complicated to be able to be put into operation, as it is at present. In my opinion this law should, in order to insure to the inhabitants the advantages of a good Municipal system, be modified in such a manner as to abolish County Municipalities, which I look upon as useless, as their judgments are not final, and can be cancelled by a judgment in a court of revision. This Council alone, in my opinion, entails more expense to the ratepayers than the Local Councils, without conferring any advantage on the inhabitants of the different Counties.
- 2nd. The office of County Superintendent should be abolished, and in that case the powers granted to the Local Parish Councils should be made general, and the forms and proceedings simplified, by abolishing the necessity of making *procès-verbaux* for the repair and opening of roads and public thoroughfares, and giving to the Municipalities the power to determine, by their enactments and by laws, all matters having reference to local improvements, or that the Secretary-Treasurer of each local Municipality should be the Superintendent of roads and bridges in the said Municipality.

1st. That when works relate to two Municipalities, these works shall be decided or changed upon the decision of the three Mayors of the Councils nearest to the said work, and not interested therein, with power by law to compel them to act, under pain of fine.

2nd. That by the obligation of leaving the *procès-verbaux*, plans, specifications, &c., of each Local Council to the Secretary-Treasurer of the County Council, the road officers of each Local Municipality find themselves without *procès-verbaux* to cause the roads and bridges to be repaired, which, in my opinion, is absurd. This is the position in which the officers find themselves: The Superintendent is obliged to take copies of all the *procès-verbaux*, plans, specifications, &c., of the Secretary-Treasurer of the County Council, and pay for them. Who ought to pay for all this useless expense? Is it the inhabitants; ratepayers who have already paid once for these papers? This is hurtful, disadvantageous and harassing, and even for that reason alone calls for a change in the law.

- 3rd. The present Municipal organization does not suit the inhabitants of Lower Canada. It requires reform, as I have already stated above. Abolition of the County Councils and retaining only the Parish Councils; abolition of the office of County Superintendent, and modification of the Municipal law in all parts of it which are obscure and contradictory, in order to be more easily put into operation by the inhabitants.

- 4th. My opinion would be to exempt personal and moveable property in the country from taxation, and only tax immoveable property; further to allow by the law the inhabitants ratepayers in each Local Municipality the power to contribute voluntarily, within a time prescribed and fixed upon by law, to pay the expenses incurred by the Council, the amount of such voluntary contribution to take the place in the year for which it has been made. This might easily be put into practice as soon as County Councils are abolished, because each Local Council would merely have to provide for its own wants. In cases in which such contribution has not taken place, the Council might levy a tax, as provided by this Act. By this means we would necessarily have uniformity in each County, which up to now is almost impossible.
- 5th. The Municipality in my locality has been in operation since the passing of the Municipal and Road Act of 1855. It has levied nothing as yet in accordance with the provisions of the said Act.
- 6th. The Municipality have not paid as yet, but intend to do so.
- 7th. I understand by "Statute Labor" the number of days which a man is obliged to work during the year upon the roads, at the requisition of the *sous-voyer*, and we understand by that term the works to be done thereupon.
- 8th. The by-roads in my locality are kept in repair according to the old *procès-verbaux*, under the superintendence of the Inspectors and *sous-voyers*, as heretofore, previous to the Municipal and Road Act of 1855. The two visits which the County Superintendent pays to the roads each year, in my opinion, do not improve the keeping in repair of the roads, unless it be to charge my locality with useless expense, to pay for his visits. It is for this reason that I say that the office of Superintendent should be abolished.

F. X. Béique, of St. Jean Baptiste.

- 1st. I am of opinion that if the Municipal Act were amended so as to be made intelligible to those persons whose duty it is to cause it to operate, it would be of great advantage.
- 2nd and 3rd. I should suggest to repeal County Municipalities and the office of Superintendent, and only to preserve the Parish Municipalities, to whom should be granted the same powers as they have at present, together with those of the Superintendent.
- 4th. My opinion would be only to include immoveable property in the assessment.
- 5th. Our parish Municipality has operated, but that of the County has not been in operation during one half of the time.
- 6th. There has been no money levied by taxation. The valuation rolls are not uniform in certain Parishes in this County. In some, trades and professions were assessed, and in others they were not. There are also parishes in which the rolls have not yet been completed.
- 7th and 8th. There has been no change in the manner of keeping the by-roads and roads in repair since the passing of this Act.

P. Bertrand, Municipality of St. Mathias.

- 1st. The Municipal Act of 1855 does not work here in a satisfactory manner, because the Act is too complicated and not sufficiently intelligible.
- 2nd. The office of County Superintendent should be abolished; Inspectors and *sous-voyers* are enough to cause the roads, bridges, &c., to be kept in repair.
- 3rd. A Parish Council would be preferable, because Local Councils know the wants of their parishes. County Councils should be abolished.
- 4th. To obtain an uniform mode of taxation, personal and moveable property should be exempt and only immoveable property taxed.
- 5th. The Municipality in our locality has operated in an unsatisfactory manner, and has defrayed its expenses by a tax upon ferrymen, tavern-keepers, proprietors of stallions, and by an apportionment.
- 6th. Taxation has been established here, but the proprietors have scarcely paid any thing unless it be for repairs of bridges, and the Secretary-Treasurer.
- 7th. Statute labor is not required here; if it were required it would only be for the repairing of a few bridges. There is no work here to be done by statute labor.
- 8th. The front roads as well as the side roads are kept in repair by the proprietors. The by-roads are divided out into shares according to the rate of their valuation.

SUGGESTIONS.

The repealing of the Act of 1855, to be replaced by a new Municipal Act not so voluminous and easier to interpret.

That Local Councils should have the right to make all the by-laws necessary to cause them to work in a proper manner, either to change a road, bridge, &c.

When any of the councillors of a Local Council are directly interested in the passing of a by-law, &c., such Council should have the right to require the assistance of other councillors from a neighbouring parish in order to pass the said by-law.

Mr. Goddu.

- 1st. The Municipal Act would come to work if a qualification of capacity rather than a qualification in money were required from the councillors.
- 2nd. My opinion is, that County Councils with the Superintendent, are rather an impediment to the good working out of the law than an improvement, on account of the expenses which a County Council involves, and that out of seven Mayors assembled together, there is only the Mayor of the locality concerned in the matter which he submits to the Council who knows the wants of his locality, and thus the remaining Mayors often sanction the by-law out of courtesy and without being acquainted with the facts of the case.
- 4th. My opinion is, that the taxes imposed on property should only be valued upon

the land itself and not upon the buildings and improvements made upon the said land, because in that case if my neighbour be indolent or a man without industry I have to pay for him.

- 5th. The Municipal Council was established in 1855, and has levied an annual tax of twenty-eight pounds currency.
- 7th. The days of statute labour were very badly employed.
- 8th. The roads, by-roads, and bridges have been kept in repair as before all Municipal Laws.

H. P. Paré, Sec.-Tres. of the Municipality of the County of Richelieu.

- 1st. The Act is too complicated and too burthensome in its details to be able to be made useful and to work with advantage and usefulness. It should be simplified in order to render it clearer and more intelligible. I am of opinion that all public notices and by-laws should only be stuck up at the church doors in the Municipalities, and that the Governor should allow the publication of these notices and by-laws in French only, or in English only, or in both the French and English languages according to the request to be made.
- 2nd. I am of opinion that the office of Superintendent can assist in the good working of the Municipal institutions. Nevertheless, his powers relative to *procès-verbaux* should be diminished in such a manner as to allow the councils to homologate or discharge these *procès-verbaux*.
- 3rd. The present organisation into Parish and County Municipalities is proper and calculated to accustom the population in the country to conduct their own business.
- 4th. It is right to include personal and moveable property in the assessment. I am of opinion that the County Council should appoint three valuers to make the valuation in the whole County. This would be the means of obtaining a more uniform and correct valuation.

The Municipality in our County has been in operation since the passing of the Municipal and Road Act of 1855, and has levied during last year a sum of one hundred pounds currency paid by the different Municipalities of the County, each according to their quota, from four pounds eighteen shillings and eight-pence half-penny currency to twenty-two pounds eight shillings and eight pence three farthings, according to the amount of their taxation.

The different Local Municipalities of the County of Richelieu have not put into execution that part of the Act which relates to "Statute-Labor."

The manner of keeping the by-roads in repair is by selling them to the lowest and last bidder; but this is only done in winter. In summer the proprietors keep them in repair, either in common, or by each person doing their own share. The roads are kept in repair by the owners of the lands bordering thereon.

O. A. Clement, Secretary-Treasurer of the Municipality of the County of Charlevoix.

- 1st. I am of opinion that the Act in question ought to be amended. It worked in a satisfactory manner in our County for nearly a year, commencing from the month of July, 1855, to the month of June, 1856. About the latter time, as riots took place in several Parishes of this County on account of the Municipal law, the putting into force of the law, as well with relation to Local Councils as to County Councils, was suspended.
- 2nd. I am of opinion that every merchant should be held to pay an annual license, the amount of which should be determined each year by the County Council, to form a fund for each Municipality. This would render general taxation unnecessary, without, however, abolishing the right of taxation when necessary, when the amount of the licenses was not sufficient to cover the municipal expenses; in this case, however, the stock of each merchant should be exempted from the general taxation, as he has to pay a license.
- 3rd. I think that the office of County Superintendent is a fit one; his powers are of a nature to promote the working of the Municipal institutions in an advantageous manner. However, in order to obtain all the benefits we require, the Superintendent should be appointed by His Excellency the Governor General, and paid by the Government; then, that the Superintendent appoint a deputy in each Parish or Township, to be paid by him, and whose salary should be regulated in the Municipal Act, and each deputy should obey the orders of the County Superintendent. I found my opinion on the following reasons:—Being appointed by the Council, choice is often made of a person not qualified to discharge the duties of the office; and further, the fact of his being paid by whoever claims his services, causes every one to neglect to claim them so as to prevent expense. It would be far otherwise were he paid by Government. He would be more exact in performing his duties, and in case of negligence, others who take an interest in the public welfare, would cause him to perform them. The presence of a deputy in each Parish would be sufficient for the present purposes. I am of opinion that the County Superintendent ought to be a person chosen from the County.
- 3rd. I am of opinion that the present Municipal organization into County and Parish Municipalities is very good.
- 4th. My opinion is, to include in the general taxation the amount of capital used by capitalists, and the remainder as I have mentioned in the first answer.
- 5th. The Municipality in our locality has been in operation, as I have mentioned above. The Local Council have levied no moneys, for the reason mentioned in my first answer. The County Council, however, have levied a sum of £3, being one year's rent of the toll-gate erected on the road des Caps, in this County; since it has ceased to work, there has been no sum levied.
- 6th. The expenses of the Local Councils have not yet been paid.
- 7th. We understand in our Municipality by the expression "Statute Labor," a certain number of days that each proprietor and laborer works in compliance with the order of a *sous-voyer* on a public road or public bridge.
- 8th. The manner of keeping the by-roads in repair during the winter is to give them out to a Contractor, who is paid by a certain number of the inhabitants, according to the tenor of a *procès-verbal* made by the Local Council. In

summer they are kept in repair by the proprietors of the lands in front of which these roads pass.

E. Robillard, Mayor of Pointe Claire.

- 1st. This law, when it is understood, will greatly contribute to accelerate the march of progress in our localities, by imparting to the parties whose duty it is to make the improvements that are necessary, a degree of activity which, up to the present time, has been much to be desired.
- 2nd. The office of County Superintendent is absolutely necessary, which unfortunately the Municipalities have great reluctance to admit, so that this officer no where finds sufficient remuneration to place him in a position to fulfil with care and exactitude the numerous duties of his office. When the Superintendent is named, it would be wise, for the present, to allow each Municipality to pay him in proportion to the services to be performed by him, according to a tariff to be regulated by them.
- 3rd. It is unfortunate that the section of the Act which relates to the Municipal organization into County and Parish Municipalities, has not been understood. Meetings of the Mayors of Counties have been held at different intervals, and have but very rarely produced satisfactory results.
- 4th. With regard to taxation upon property, it is an insupportable burthen, and one which cannot but be prejudicial to the professions of no matter what nature, because they are all unremunerative and barely supply those who exercise them as a means of subsistence. It would be desirable that some change should be made in the clause which provides for the appointment of three valuers in each Municipality. It would be beneficial to the Counties if a number of valuers, more or less great, according to the extent of the County, were chosen in the different Municipalities to value the whole County. As the expenses incurred for the expenses of the Council are paid in accordance with the valuation made by the valuers, frauds and errors often ensue which it would be easy to prevent by the change in question.
- 5th. The working of the Municipal Act in our Municipality since the passing of the Act has been so good, that it leaves nothing to be desired.
- 6th. We have had taxations in our Municipality.
- 7th. In conformity with the provisions of the Act, we draw the statute labor in money, that is to say, the value of a day's labor which every person who has no property is obliged to furnish to the Municipality. Here we impose upon all a tax of five shillings; which exempts every one from statute labor.
- 8th. We cannot say enough in favor of the provision of the Act which gives us power to force each proprietor to macadamize that portion of the road which passes in front of his property. It has operated, since the putting into force of the Act, a complete change in our roads, which now present all the safety, cleanliness and comfort of streets in a city.

Tous. Daigneau, of Longueuil.

1st. The Act is not clearly enough explained to put it into operation with success, because it requires particular study before being even able to understand it; and by the want of power in the Act to force Municipal Councils to carry out the law either by their own officers or their own by-laws, I think it impossible for the law to operate properly before a certain length of time.

To render the present or any other law more effective, every Municipal Council should be held responsible for the executing and keeping in repair of all the public works in their Municipality, and even the works outside of the limits of the Municipality if they be under their control, although these works are to be performed and kept in repair by the proprietors or occupants of the lands in the Municipality, in the same manner as the Council becomes responsible for the works they may undertake in virtue of the 51st section of the Act before cited, as also of all the acts and negligence of their duties as well as on the part of their officers towards the inhabitants of the Municipality.

Every Municipal Council should also be liable to be sued for every fault as well as negligence of their duties and those of their officers, and be liable to all the fines and damages inflicted by this Act. Recourse, however, should be allowed to be had to this Council against any of its officers in default, and to the latter, against any individual who is bound to road or any other labor, the right of forcing them to refund any disbursement they may have had to make.

To regulate the width of the winter roads in order to have them of an uniform width, to change the quorum of the County Council in the Counties in which there are but four parishes, as the law at present requires that there should be five Parish Mayors to form a quorum, and there are but four who have a right to sit in appeal at Local Councils.

2nd. I am of opinion that it would be more advantageous to the inhabitants and less expensive to give this office to a person residing in each Local Municipality. However, in certain difficult cases, or in cases of personal interest, it would be expedient that the County Council should have the power to appoint a qualified person to fulfil the office for that purpose, especially when there is question of the interests of two or more parishes.

3rd. With regard to Local or Parish Municipalities, I am of opinion that the establishing of them is a great advantage in every respect, instead of County Municipalities; there are few cases which relate to the interests of two parishes, otherwise the duty may be performed with less expense by employing delegates only in certain circumstances.

4th. I am of opinion that it is necessary to include personal and moveable property in the assessment.

5th. The Municipality of the Parish of Longueuil has been in operation and is at present in operation. They have not as yet levied any taxation.

6th. They are waiting until the County Council proceeds to the taxation so as to make but one collection.

7th. By Statute Labor I understand the labor of an individual with his tools or his cart and horse at different works upon any property.

8th. The old system as yet. However, the system of taxation ought to be preferable for the by-roads, because it is less expensive.

S. F. McMahon, Mayor of Ste. Rose.

1st. The Act in question has the incontestable merit of re-uniting in one statute all the Municipal and Road laws in force before its coming into force. It is, however, much to be regretted that this law is so distant, by its phraseology and general arrangement, from the laws heretofore in force. This has completely bewildered the former Municipal Councillors, to whom the style and arrangement of the old law had become familiar. Even the nomenclature of the public roads which were most generally used is changed, thus the words by-roads and main roads (*routes et chemins*) are there used for the words concession and side roads (*chemin de base et de montées*) which were formerly in use, and it is often difficult to distinguish whether the word road is therein to signify every public road as well as side roads and concession roads, or merely concession roads. When the word road is meant to signify every public road, this epithet should at least be added to it and be called public road. Another expression which gives rise to several interpretations, is the word concession (*concession*.) In our country-places this word is always used to signify the concession road. To say that a person is going to the neighbouring concession (*concession*) means, generally speaking, that he is going to the concession road of that concession, so that when the present Act states that the by-roads or side roads (*montées*) shall be made from a front or old concession, I consider that it would be clearer to say from the *trait carré* of such concession, for I think such is the intention of the law, and then there would be no doubt.

A law made for the people, which is to be put into force and interpreted by them, can never be too simple in its style, too clear in its expressions and appellations, nor too exempt from complication throughout and in its general arrangement. Now, every one agrees that this law is wanting in almost all these qualities. I am of opinion that it would be better entirely to repeal the present Act than to make further amendments to it. By this means the new law would have the merit, of which I speak in the first place, of re-uniting all the Municipal and Road Laws in one statute. I am of opinion that every time that the Legislature makes considerable amendments to a law like the present one, it would be better to repeal it altogether and make a new law in its stead, and thus many searches, many difficulties, and even many errors would be avoided. I might cite an erroneous judgment given by a very enlightened judge, and who admitted his error on an analogous occasion, in a question in which the amendments to an old law seemed to enact exactly the contrary to the law amended, whilst it was not the case.

It is to be hoped that this new law, the fruit of your assiduous labors and mature and wise deliberations, assisted by experience founded upon the experience of all the Mayors, will be clearer in its style, less complicated altogether, and especially less expensive than the one which at present is in force.

I must tell you in the first place, that in our locality we have shewn the best will in the world to cause it to operate. We have, it is true, often been in the dark on account of not understanding it sufficiently, but have always put it into operation whether right or wrong. We have diminished the expenses as much as possible; we have also avoided, when we have been able,

having the notices served in the manner required by law, because, in that case, we should have been bound in justice to pay the person who had served the notice and had made returns thereof certified on oath. In our parishes notices can always be served either by a written notice from the Secretary or by notice given at the Church door, or by a *viva voce* notice by a Councillor or any other Municipal officer, and their verbal affirmation should be sufficient evidence of the signification of such notice. The only occasion in which it appears to me that a notice with a return under oath to be filed in the records of the Council should be necessary, is when it is necessary to notify a debtor in default that if, within a given time he does not discharge his debts to the Municipality, the Council will proceed against him by *saisie*. I would therefore suggest that the Act be amended to that effect.

I would also take the liberty of suggesting the necessity of augmenting the number of County Councillors, and of providing that besides the Mayor of each locality the majority of the members of every Local Council should appoint one amongst themselves to be also County Councillor. In our County there are but four local municipalities, and in consequence only four County Councillors. Now, as three form a *quorum*, it follows that the management of the business of the whole County sometimes falls into the hands of a very small number.

If the County Superintendents are to be left on the same footing as they are at present, which I am far from approving of, for reasons I will explain hereafter, I am of opinion that the law should limit the maximum of fees of these officers to so much per day during the time they are employed, and so much per hundred words for every deed drawn up by them, to be paid by the Municipality when it is for them that they have worked, or by those of the petitioners or those of the parties interested whom the Council shall decide upon, when they shall have acted upon the requisition of private individuals. I am also of opinion that Superintendents should be deprived of the right of sitting with the County Delegates. These delegates should simply choose one of their number to sit as President. If the Superintendent were to sit he would be in a measure both judge and client. A question might arise as to the regularity of his proceedings, and in case of equal division there is no doubt that he would be strongly inclined to give his casting vote in his own favor. The same case is also unavoidable if the question relates to the regulating of his own fees.

There is a defect in the clause of the Act relating to *procès-verbaux*. If the inhabitants of a locality separated from a neighbouring County by a stream, require a public road on the land of this County to be enabled to enter it, they cannot obtain it according to the present law, because, according to law they can only make application to the Superintendent of their own County, and that officer has no jurisdiction to act in any other County than his own. This instance occurred in the Parish of St. Raphaël (Ile-Bizard,) and the Honorable Member for Jacques Cartier is aware of the circumstance. The inhabitants of this Parish which is only separated from the County of Laval by a narrow branch of the Ottawa, cannot enter into the County by a public road except by crossing the same river twice and travelling a distance of about a league through the Island of Montreal.

I am of opinion that Councils should have the right of granting licenses directly to persons applying for them without the intermediation of the Revenue Inspectors, providing always, that Inspectors shall not have the right to grant

them in cases where any By-law of the Council prevents their so doing. This mode, in my opinion, would save a great deal of trouble.

In the 9th paragraph of the XL1st section, relating to the description of public roads, I am of opinion that it should specify that roads leading to toll bridges and ferries should also be included. I know a proprietor of a bridge who wishes to avail himself of this paragraph to free himself from the obligation of keeping his road in repair.

Where there are no *procès-verbaux* or By-laws for the construction and keeping in repair of the roads, this law enacts that they shall be made and kept in repair by the proprietors in proportion to the size of the front of their lots. Now, experience shews that this is the most unjust system possible. There is often a great irregularity or disproportion in the front of the lands. Of two lots of the same superficies, one may have a front of ten arpents, whilst the other may have one of only one or two arpents. Even supposing both lands to equal in superficies and front, one may have an excellent soil, the proprietor of which is wealthy, and the other may be barren or nearly so and its proprietor very poor. The most equitable mode without doubt would be that by apportionment as well with respect to money as to labor, &c., based upon the value of the property. By this system every person would contribute to the public good according to his means, without taking into consideration that it would save much complication and the trouble of making apportionments sometimes upon the front of the properties.

The two chapters or sections which have for titles, the one "Powers and Duties of Road Officers," and the other "Road Works," comprise what is most essential for the keeping in repair of the roads. Unfortunately they are two of the most complicated sections, the most difficult to interpret correctly and to put into practice advantageously. One of the principal objects the Municipal Act should have in view ought to be the keeping in repair of the roads. To attain this object a law never can be too clear, too easy to interpret and especially too free from terms of two meanings and ambiguities, and these are precisely some of the points in which the present law is most wanting in every respect. I mean those relating to visits and Reports of Superintendents, the visits and Reports of Inspectors, of *sous-voyers*, &c. Even supposing all these visits and all these Reports to be made according to law (which I do not believe to take place in any one locality) matters are not a whit more advanced. There requires still to be notices given to the parties interested, by the *sous-voyers*. Reports are made by the *sous-voyers* to the Inspectors, as to the obedience or disobedience of the parties interested before the parties so neglectful or disobedient can be prosecuted, and it is a very fortunate thing indeed if they are not discharged on account of some want of formality in the action. The difficulty which the Road Officers experience in drawing their actions in form causes them to be afraid to prosecute, and if this state of things continues we shall before long see the state of our roads sensibly deteriorated. I would therefore venture to suggest that Superintendents should for the future be only compelled to visit roads and report upon their state when they receive orders from the Council so to do; that Inspectors and *sous-voyers* be freed from the obligation of making reports, of taking notes, of giving notices, &c. &c.; but that they be strictly compelled to have the roads kept in repair according to the By-laws of the Councils and the *procès-verbaux*. That for that purpose they should have full power, at all times, and without previous notice given, to cause parties neglecting so to do to pay fines, or else, at their option, to cause the parts of the roads in bad order

to be repaired by manual labor, the remuneration for which to be fixed by law at so much per hour; that every such money should be recoverable, as a fine, with costs against the person in default, before a Justice of the Peace in the Municipality, and upon the evidence on oath of the Road Officer bringing the said action. That in any case in which the keeping in repair of a public road is given out by contract, then the Inspector or *sous-voyer*, instead of prosecuting the contractor in default, should only have the trouble of filing any such account for salary for labor, sworn to before a Justice of the Peace, into the hands of the Secretary-Treasurer of the Council, who would pay him as soon as possible, and deduct the amount from the price of the contract.

I am of opinion that nothing can be more just than to allow by law to Inspectors and *sous-voyers* of roads, in the same manner as to Inspectors of ditches and fences, an indemnity of sixpence per hour for the time they lose in carrying on any suit for fines or salaries, for manual labor, as well as for the superintendence of the works of such labor, said indemnity to be payable by the party or parties in default, and recoverable in the same manner as suits for fines or salaries, and proved by the oath of the plaintiff.

What induces me to make this suggestion is that there is no public duty more burthensome than that of Inspector and *sous-voyer* of roads. These officers, besides a considerable loss of time, are continually between two fires of abuse and curses. Abuse and curses from the unfortunate travellers who happen to break their vehicles or hurt their sides in *cahots* or ruts; abuse and curses from the parties in default, whom they are threatening to sue and forcing to do their duty.

But if on the one hand I am desirous of having officers encouraged to do their duty, on the other hand, I would desire also that, in case of their neglecting to acquit themselves of their duty, they should always be liable, for the future, to be prosecuted by any traveller before a Justice of the Peace, and in the most summary manner possible, allowing him, however, recourse against the party or parties who, by his or their negligence to repair the road, might have given rise to such suit.

I am convinced that simple and summary means as I have just shewn would have more beneficial effects in keeping the public roads in repair than the complicated means prescribed in the clauses in question.

As it is very difficult and even impossible for the valuator to estimate correctly the annual value of callings, trades, professions, &c., as prescribed by the 70th section of the Act, and that there are men in all trades and professions who conceal the value of their property from the valuator, I am of opinion that it would be more just, more simple and more equitable to fix by law a maximum and minimum tax to be levied on each of these callings, with power to the Council to exempt from the tax whomsoever they think fit.

The 10th and 11th paragraphs of the 74th section should, in my opinion, be modified in such a manner that everything therein prescribed might be performed by the local authorities, and not those of the County, except in a case in which a land to be sold is situated partly in one local Municipality and partly in another. There would be less confusion, and everything would be done as well.

Another difficulty, which appears to me to be perfectly useless, is the obligation which each Council is under of proving to the Governor in Council

that it is sufficient to publish the By-laws, resolutions, &c., in one language only. Would it not be more simple and as good to allow each Council the right of determining that point by a By-law, to be published in the usual manner.

2nd. The office of County Superintendent is necessary when there is question of opening new roads or making new bridges, in order to examine the parties thereon, make out the *procès-verbaux* necessary, and report thereon to every Council or Board of Delegates under whose jurisdiction he acts. Superintendents may also be of great use in being sent to the premises where the work is to be done, by the Council, or called thereto by the parties interested, on each occasion there is of changing old roads or bridges, to hear the parties, make out or alter the *procès-verbaux* to such effect and report thereon to the Council or Board of Delegates, as the case may be. With the exception of this the office is very unpopular, and justly so. One of two things; either the Superintendent should only make the number of visits and reports on their state required by law, that is to say two every year, or he should make a greater number. In the first place he gives orders to the Inspectors, who probably may not at all or may cause them to be executed in an improper manner without him knowing it, as he does not return during that season, and the Council must in all cases pay him for his lost time, his reports, expenses for serving notices upon Inspectors, public notices, &c., and all this without there resulting therefrom the slightest apparent improvement, so that the people get indignant, and justly reason against this wanton expense. In the second case he might very well succeed in having the roads kept in better repair, but then the Council would have to proportion his expenses to his labors. I know one County in which his fees are fixed at three hundred pounds per annum, a sum almost sufficient to defray the expenses of keeping the roads in the County in repair during the entire season, and in this case the people are still louder in their complaints against this wasteful extravagance.

I am therefore of opinion that it would be better to confine the powers of the Superintendent within the bounds I have mentioned above, and to modify the law in such a manner as further to encourage Inspectors and *sous-voyers* to discharge their duties faithfully, and facilitate as much as possible the means of their doing so.

3rd. I consider the present Municipal organization into County and Parish Municipalities as the best that can be. It is the one which is the most approved of by the great majority of the inhabitants. If Parish Councils had always been in existence, we should at present see a greater number of persons capable of managing the Municipal business. The farmers, by being present at the sittings of these Councils, learn to appreciate the use of Municipal institutions, and take an interest in the management of their own affairs. These are the schools in which our worthy farmers learn to take an interest in affairs with regard to which, for want of practice, they have up to the present time been but too apathetic. They will gradually learn the necessity of improvements, and the advantage of sometimes making sacrifices for them. It would be in vain to make progress and considerable improvements, so long as the rate-payers do not understand the necessity thereof; it will not succeed. It is by means of Local Councils, by discussing there the necessity of them before every one, that it will be understood. It is by practice in the management of Municipal affairs that we come to understand that improvement in the public roads, by facilitating the carrying of goods and general traffic, contribute to the general good and prosperity, and in conse-

quence to the benefit and prosperity of private individuals, and I am persuaded that if the old Parish Municipal law had been allowed to remain in force, by amending it so as to meet the wants of the country, we should at the present day see more progress than there is. The inhabitants of each Parish are better aware of the wants of their locality than strangers. It is therefore better that they should have them settled by members of their own body than by strangers, who very often understand nothing about them, as may happen in a County Council, because there each locality is only represented by a small minority. In the old County Councils I have frequently seen the business of the Parish settled in a totally different manner from what the Councilors of this Parish would have wished for. Very often indeed the great majority of the Councillors voted in the most sincere manner upon questions which it was impossible for them to appreciate rightly, as they did not know the locality interested, so that they could commit, and did sometimes commit, with the best intention in the world to do the contrary, very great injustices. Now a like anomaly can never occur in Local Councils. It is true that the Parishes in a County required a little lesser sum of money to defray in common the expenses of one Council than each to pay the expenses of their own. However, this slight surplus of expense is, in my opinion, well compensated for by the advantages I have enumerated above, without taking into consideration that the taxes upon trades, commerce, professions, &c., are, in my opinion, more than amply sufficient to defray the surplus expense. Besides, it frequently happened that, as the fund was a common one, several localities used to contribute more than they do at present for the defraying of their expenses, and that to pay the cost of law suits brought on for affairs concerning other localities. Thus the Municipal Council of the County of Terrebonne at the present time has presented our County Council with an account for £126, as being our quota of the debt of the old Municipality, whilst the Parishes in our County have always furnished a great deal more than their quota to pay the current expenses of the old Council. The debt in question arises from the cost of law suits which did not in any way concern our localities.

I am therefore of opinion that the abolition of Parish Councils would be rendering a very poor service to the country.

Let the defects of the present law be remedied, let the carrying out of it be remedied and facilitated, let it be rendered less expensive, and everything will work well.

In order to render it less expensive, I would suggest that the fees of Secretary-Treasurers should be fixed at so much per cent. upon the monies to be levied, as was the custom with School Commissioners; let the number of sessions be limited, and let the powers and privileges of County Councils be restricted within the most limited bounds possible. I do not see the necessity of the action of these Councils, except in business concerning several local Municipalities, and in cases of appeal against the proceedings of a Local Council; and I would observe that in a decision from any such appeal, the Councillor or Councillors of the locality whence the appeal comes, should be incompetent to vote, because to be an impartial judge a person must not have expressed an opinion beforehand on the affair in dispute, and that they would be expected to have done so. Let the County Council levy the expenses incurred by every appeal from the appellants, if the by-law of the Local Council be confirmed, and only from the locality in which the appeal arises, in case the said by-law be reversed, and the expenses for affairs concerning several localities, merely from the localities interested

Let the maximum rate of fees of Secretary-Treasurers of County Councils be established by law at so much per session and so much per hundred words written by them for all matters therein alluded to.

If I manifest such a desire that the salaries should be regulated by law as much as possible, it is because I am aware that there is a great deal of abuse carried on in this respect, and a great deal of discontent prevailing. By modifying the law as I suggest, County Councils would entail but little expenditure; even that of the Local Councils would be less, and everything, I am certain, would be benefitted thereby.

- 4th. As, generally, in the country, there are generally the poor class of people who are not landed proprietors, I should be averse to taxing them; it would suffice to tax trades, &c. Up to the present time, we have been unable to ascertain any uniform mode of apportioning an equitable taxation throughout the County, and this, because the valutors of the different localities do not equally well perform their duties. One Parish may be assessed at about its true value, whilst the neighbouring one, the land of which is as good and as large in extent, may be so at much under its value. Thence it follows, that the one pays its legitimate quota, and the other less. The means which appears to me the best to cut short such injustice would be that the County Councillors be authorised, without reference to local valuations, to fix a mean value per acre of the lands in each locality. In that case, knowing the number of arpents contained in each and every locality, and thus the average general value of the whole County, they might order each locality to contribute to the apportionment of the County, each in proportion to its value compared with the general value. I am of opinion that by this system neither localities nor private individuals would suffer any injustice.
- 5th. About £120, as well for the expenses of the Councils as to keep the roads in repair.
- 7th. The idea of Statute Labor is well enough in theory but cannot be put into practice, except when the majority of the parties interested call for it. I think that it should only be made binding under this circumstance.
- 8th. The front roads are kept in repair by the proprietors of the lands thereon according to the manner prescribed by the by-law of the Council. The keeping in repair of the concession roads for the winter is given out by contract. According to a by-law of the old County Council which we have kept in force, when the majority of the persons whose duty it is to keep the side or concession roads in repair prefer to do so themselves, in summer, they are apportioned out into shares, and each proprietor to keep the share of road and fencing apportioned to him according to the value of his property, in repair. These apportionments are read out at the Church door and then deposited for the space of eight days with the Inspector of the District, whose duty it is to give communication thereof, during this time, to all parties interested; and upon the requisition of three parties interested to appear before a Justice of the Peace to cause them to be homologated, in default of which they are homologated *ipso facto*, and remain in force as long as the majority of the parties do not ask for a new one. I am of opinion that it would be desirable that the law should grant any person who should improve in a marked manner his shares of the road and fences, the right of preserving every such share so improved as long as he kept it in good repair,

notwithstanding any new apportionment. This would be a good mode of encouraging improvements.

In conclusion, I recommend moreover, that full authority should be granted to the road officers to employ day labor in repairing the parts which are ill kept, without being bound to give previous notice to parties in default. People would soon be zealous in their duty, and even satisfied, for it is with this as with other duties, persons are pleased when they have got through it.

Benjamin Trudeau, Mayor, and P. A. Lassalle, of St. Michel d'Yamaska.

- 1st. The Act works pretty well in this parish. I propose that the regular meeting of the Council should be quarterly. This would be sufficient for the ordinary affairs of a Municipality, and a special meeting might be convoked, if any urgent affair should require it. I think it is expedient that all public bridges and by-roads in a Municipality should be made and maintained altogether by means of a general assessment of the whole parish, and be made obligatory by law.
- 2nd. I am of opinion that the office of Superintendent should be abolished. I think that the ordinary road officers are sufficient to superintend the repairs of the roads, and that the opening or changing of roads, by-roads and bridges, might be provided for by the appointment of an inhabitant of the parish or a member of the committee to visit the place and report to the Council if necessary.
- 3rd. I think that County Municipalities are of no use and involve great expense, and that Parish Municipalities alone would meet the wants of the country.
- 4th. I am of opinion that moveable property should be exempt from taxation. I offer no plan for the establishment of a uniform system of assessment in each County, as I am opposed to the system of County Councils.
- 5th. The Act has been working in this parish since it was passed. The Council has in the two years ending on 1st July next, by general assessment, raised £50 to pay the secretary and the assessors, and the sum of £125 by various special assessments for the maintenance and opening of by-roads in the Municipality.
- 7th. Statute Labor has never been exacted in this Municipality since the passing of the Act.
- 8th. The by-roads have been given out by contract to the lowest tender, and the price paid by an assessment on the persons bound to perform labor thereon. Every proprietor has kept in order the road on his front.

Joseph Caron, of St. Denis, County of Kamouraska.

- 1st. It works very ill, and has already caused serious disorders in rural localities.
- 2nd. The office of Superintendent is nearly useless for the successful working of the Municipal law. The office might be as well and more economically filled by the inspectors of the places where his services might be required.

- 3rd. The County Council organized as heretofore would work much better than all the Parish Councils together with the present County Council; giving to the County Council authority to fix a tariff for all petitions, oppositions, homologations of *procès-verbaux*, and documents without distinction, to enable them to pay the Secretary-Treasurer employed by the Council; if the Council should consider it more economical to combine the two offices of secretary-treasurer and deputy *grand-voyer*, granting him a certain yearly sum as a salary for the double duty. The inspectors would not be required to concern themselves about projected roads, and I should prepare to render the law less burthensome, by converting the proceeds of tavern and traders' licenses into a council fund. By this means direct taxation, which is always displeasing to the people, would be got rid of.
- 5th. The sum of £25 has been raised yearly by this Municipality in virtue of the Municipal Act.
- 6th. The Municipality had made an assessment to the above amount.
- 7th. No "statute labor" has yet been required. We understand generally by that term, all work required in aid of a person who, in the opinion of a road officer has more than his due share of work to perform on a main or by-road, through some peculiarity in the nature of his holding. It also includes in my opinion all work done in common, or capitation, whether for a road or a bridge.
- 8th. The roads have been kept in order, as heretofore, by the owners of lands abutting thereon, and the by-roads by those who are supposed to need the use of them, and we are of opinion that it should be so, unless the majority of the inhabitants desire to give them out by contract. Last year they were so given, but the parish did not approve of the plan. This year they were not so given, and all were satisfied.

Louis Benj. De La Grave, Mayor of St. Pierre Rivière-du-Sud, County of Montmagny.

- 1st. It would be better to have only one County Council, the Parish Council does not work satisfactorily in our locality.
- 2nd. The office of County Superintendent is calculated to promote the successful working of municipal institutions, and the powers of that officer should be neither increased nor diminished, otherwise than in respect of his two annual visits, which duty should belong to the road officers.
- 3rd. It is right to include personal and moveable property in the assessment.
- 4th. The Municipality of our locality has been in operation since the passing of the Road Act in 1855, and the amount raised by assessment is £50 10s. 9d. notwithstanding great opposition in the parish.
- 5th. I understand by "Statute Labor" all kinds of work done on roads.
- 6th. The mode of keeping in order the main-roads and by-roads is that of each doing his part.

George Sylvain, Mayor of Ste. Cécile du Bic.

- 1st. The Act in question has worked well since last July, and I consider that nothing is necessary but the substitution of Parish for County Superintendents, as that would save much of the expense of travel.
- 2nd. I think that Parish Councils are convenient, and more beneficial to the several parishes than County Councils could be. The only objection which I can find is that the expenses are greater, inasmuch as there must be a Secretary and a place of sitting for each municipality, while for County Councils, one clerk serves for all.
- 3rd. I consider that it would be no injustice to include personal and moveable property in the assessment, and the proper way would be a valuation of the effects, and a statement furnished by the proprietor of his personals.
- 4th. This municipality has been in operation since the passing of the Act, and £10 has been raised by voluntary subscription for the payment of the clerk.
- 5th. No "Statute Labor" has yet been done here, and we understand by the term all difficult and expensive work performed by a certain number of inhabitants about roads, bridges, &c.
- 6th. The method of keeping in order the by-roads in winter is by assessment. In summer, each proprietor keeps his own allotment in order, according to the extent of his land. This method is of long standing, and if not the best, is most satisfactory to the inhabitants.

Aug. Gauthier, Mayor of St. Luc.

- 1st. The Act in question is too ambiguous, and not sufficiently clear and explained. Matters are arranged in it without order or system. It is very difficult to remedy this. It does not work satisfactorily in this locality, the main cause of which failure is the difficulty of understanding the law, and the various meanings affixed to it. Another cause is the great expense attendant on its working. I should approve of any amendment tending to correct the above imperfections.
- 2nd. I think that there should be no Superintendent, and that the inspectors of each locality should, under orders from the Council, perform the duties assigned to him; the emoluments being paid by the Council.
- 3rd. I am of opinion that it is desirable to abolish the parish municipalities.
- 4th. I think that personal and moveable property ought to be exempt from taxation. In order to establish a uniform method of assessment in each county, the same assessors should be appointed for the whole county, instead of appointing one for each parish as now done.
- 5th. The Municipal institution in this place has worked pretty well since the passing of the Act of 1855. The amount raised annually by assessment, has been £172 16s 8d.
- 6th. We have had an assessment in our locality.
- 7th. In my municipality the term "Statute Labor" signifies the annual contribution to any public work.

8th. Until this spring we have kept our roads in repair by giving them out by contract, but as this mode has been found defective and expensive, we have resumed the ancient system.

Joseph Savard, Mayor of St. Ambroise.

- 1st. Our municipality works well enough.
- 2nd. The opinion of the parish is that the Superintendent ought to be replaced by a deputy *grand-voyer*, who should have the powers of the Superintendent, and be appointed either by the Council or the Parish.
- 3rd. Our opinion of the present organization is that we only require a Parish Council.
- 4th. We have no objection to including personal and moveable property in the assessment.
- 5th. We have levied no taxation, and our Municipality has worked regularly.
- 6th. The revenues of our Council are derived from the entrance fee on Petitions and Licenses. This fund has sufficed to pay our expenses.
- 7th. By the expression "Statute Labor" we understand any public work, either for bridges or roads, which is very expensive.
- 8th. The mode of keeping our roads in repair in winter is by giving them out contract at auction.

Franc. Gagnier, Mayor of Ste. Martine.

- 1st. County and Parish Municipalities are too expensive, and I am of opinion that it would be better only to have Parish Municipalities in accordance with the old Municipal law. The Municipal laws do not work very well here.
- 2nd. There is no occasion for the office of Superintendent of roads and bridges, as it involves considerable expense. Each Local Council might appoint a Deputy Grand-Voyer or delegate two of its members to act as Superintendents.
- 3rd. My opinion as to the municipal organisation as established at present is that it involves a great deal of expense, and does not produce any advantage to the County.
- 4th. My opinion would be to exclude personal and moveable property from taxation, it would be better to establish an uniform mode of taxation on immoveable property in each locality.
- 5th. The Municipality does not work well, and has levied nothing as yet.
- 6th. We levied money last year from the merchants and tavern-keepers to defray our expenses.
- 7th. By "Statute Labor" we understand the assistance to be given to certain

persons who have roads too expensive to keep in repair, either because the road to be repaired by them is of greater extent than that of those who do not possess as much land as they, or because their road slopes, or the lands are too low in swampy places. In these cases it is customary to have statute labor performed by those persons who make the greatest use of the roads.

8th. Each proprietor has kept the road in front of his land in repair, and this is the system which we prefer.

Municipality of St. Benoit.

At the meeting of this municipality were present several Councillors and Mayors of the Village of St. Benoit, the Parishes of St. Benoit, St. Scholastique, St. Eustache, St. Joseph, St. Hermas, who adopted the following resolutions as their opinion :

That we wish for continuation of Parish Councils and the abolishment of County Councils.

That we wish for the abolishment of the office of County Superintendent as the powers of this officer are too extensive and the fulfilment of duties appertaining to the office involve too much expenditure, and that an officer vested with powers similar to those with which the Deputy *grand-voyer* was vested in accordance with the provisions of the 25th clause of the Act 10th and 11th Vic., chap. 7, be appointed in his stead, as the duties of the Deputy *grand-voyer* as exacted by the said Act 10th and 11th Vic., chap. 7, are of a nature to give satisfaction to the parties, as has been the case in our County at least.

That each Local Council has levied from ten to twenty-two pounds ten shillings exclusive of the *quota* to be levied in accordance with the order of the County Council in the assessment levied by this latter Council, which amounts to the sum of two hundred and seventy-four pounds.

That that portion of the law which relates to the Statute Labor has never been put into operation, and that this meeting is unanimous in declaring that the section relating thereto should be repealed.

That the front roads are kept in repair by each proprietor or tenant whose land borders thereon, and with respect to the by-roads, that the works are given out by contract to the lowest bidder, and the proprietors of the landed estate, held in virtue of the *procès-verbaux* relating to the said by-roads, to do the work upon them, are taxed according to the extent of frontage of their property, as was the custom under 36 George III.

That every public notice and By-law of a Council should be published in the French and English languages, in one place only in each Local Municipality.

Should there, however, be, in such Local Municipality, or in the Local Municipality adjoining thereto, a Church or Chapel, frequented by any denomination professing a religion different to that of the majority of the inhabitants of such municipality, then, that every such public notice and By-law be published at the door of the said Church or Chapel, in the language of the majority of the inhabitants attending any such Church or Chapel.

That in the event of County Councils only being maintained, each Parish in which there is no Village municipality be authorized to elect three mem-

bers for the County Council, and that where there already exists a Village municipality in such Parish, such Parish municipality do elect one member and the Parish two.

That it would be desirable that no special meeting of a Council should take place without public notice of such meeting, as well as of the business to be submitted to the Council at the said meeting, being previously given at the places fixed upon by law.

Municipality of Sault-au-Recollet.

- 1st. The municipality works well.
- 2nd. This Council is of opinion that the office of County Superintendent should be abolished, and that an officer, vested with the powers granted to the heretofore Deputy *grand-voyers*, in accordance with the twenty-fifth section of the Act 10th and 11th Vict., chap. 7, be appointed to fill this office, as the duties of Deputy *grand-voyers* as by the said 10th and 11th Vict., are of a nature to give satisfaction to the parties interested.
- 3rd. That County Councils should be abolished, as Parish Councils are sufficient, and even operate better in carrying out the provisions of the Act.
- 4th. That taxation upon personal and moveable property should be abolished, as that upon immoveable property should be sufficient.
- 5th. This municipality has been in operation from 25th July, 1855, to the present day.
- 6th. The money levied from licenses granted to grocers and carters has been sufficient, or nearly so, to meet the wants of this locality.
- 7th. We understand by "Statute Labor" all works done in common on the by-roads or line roads, as well as to bridges common to several proprietors.
- 8th. The front roads are kept in repair by the proprietors of lands upon them, and the side or line roads by means of apportionment.

Municipality of Old Lorette.

The Council are of opinion that the Parish and County Councils conjointly, as constituted by the Municipal and Road Act of 1855, do not work in an advantageous and satisfactory manner for the public, and they have to suggest that the local Council is the only one which can work with advantage, if it were enabled to appoint one of its own officers, such as the Secretary of the Local Council for example, to be Deputy Superintendent of Roads in the Municipality, with the same powers as are enjoyed by the present Deputy Superintendents of County Municipalities.

The Council is further of opinion, that in case the Legislature should not establish the Parish Council as above suggested, the County Council only should exist, instead of the County and Parish Councils, as at present, inasmuch as they work badly, lead to great expense, and afford no satisfaction to the public.

With respect to assessment, it has always been raised voluntarily, and I consider that the best system to adopt.

The expenses of the Local Council have always been raised by voluntary subscription, for no one likes taxes.

Municipality of St. Antoine de la Rivière du Loup.

- 1st. The Act in question needs amendment.
- 2nd. The powers of the Superintendent are calculated to promote the well-working of Municipal institutions, his acts being subject to revision.
- 3rd. We require no Parish Municipalities, because the County Municipalities are sufficient.
- 4th. The present system.
- 5th. The Municipality in our locality has worked well, since the passing of the Act, and it will shortly raise the sum of £33 currency for its expenses since its institution.
- 7th. By the expression "*corvée*" we understand all the persons bound to perform statute labor, in virtue of the 71st clause of the Act, but we have not put it in force in our Municipality.
- 8th. Our mode of maintaining the roads in our neighbourhood is by adopting the ancient custom.

Municipality of Kakouma.

- 1st. The opinion of the Council is that the Act should be amended so as to render the law less costly to the parties interested. Its principle is acknowledged to be good. It works very well here, but the Council does not sit regularly, owing to the dearth of business. The Parish Councils ought to be abolished.
- 2nd. The office of Superintendent ought to be retained; his powers are calculated to promote the prosperity of the County; he is, so to speak, the only road officer always ready and prompt to act. His powers ought to be extended so as to authorize him to sue for and collect the amount of any apportionment fixed by him in the execution of his duties. The actions, both for his salary and for the recovery of the costs of any bridges, or roads, &c., ought to be brought before any Justice of the Peace for the County, in case of amendment of the law, his powers ought to be so continued as to enable him to terminate all business he may have begun.

The Councils work slowly, but the office of the Superintendent is of great service.

- 3rd. Parish Councils ought to be abolished, and County Councils and the office of Superintendent ought to be retained.
- 4th. Personal property ought to be excluded from assessment, and the right of licensing traders and professional men substituted for it. This would suffice to meet the expenses of the Council without recourse being had to direct taxation.

- 5th. Our Municipality has not always worked, for we have but little business. We have not yet raised any amount in virtue of the Municipal Act. The Secretary-Treasurer has done part of the work gratis, and has trusted to the Council for the balance. A collection of about six or seven pounds has to be made this month to meet all the expenses of the Council since it commenced to act.
- 6th. This question is answered in the foregoing answer.
- 7th. We understand by "*corvée*" the labour to be done in common, such as repairs in and about the hills and other difficult places, too burthensome to be left to the charge of one person. This is always under the management of the Superintendent.
- 8th. The present mode of maintaining the by-roads in our Municipality is by a division into shares of the labor in the section obliged thereto, by *procès-verbal*. This is the most popular system, and is well liked. With respect to front roads, each one keeps in repair the road in front of his lot.

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Municipality of the Parish of Visitation, County of Champlain.

- 1st. The Act in question does not work in a satisfactory manner in our municipality, for several reasons, more particularly because it is too complicated, and in a great many cases requires useless formalities. The manner of giving public and special notice, when they are required, which provides that the party giving them shall deliver a certificate under oath, is altogether without advantage, and is disapproved of by the people, who do not like to see an oath made use of with so little reserve. The part of the Act relating to roads and bridges does not conduce to the public benefit, and all parties prefer the old Road Act, 36 Geo. III., chap. 9. All prefer also the old County Municipalities Act, 10 and 11 Vict. chap. 7.
- 2nd. We are of opinion that the powers of the County Superintendent are calculated to promote the well-working of Municipal institutions, and we consider this officer necessary for the County municipalities.
- 3rd. We are of opinion that County municipalities would be sufficient, and that there would be no need for local municipalities.
- 4th. We are of opinion that personal and moveable property ought to continue to be included in the assessment.
- 5th. The municipality in our locality has worked since the passing of the Municipal and Road Act of 1855, with respect to our various local requirements, but no amount has been raised yearly by assessment in virtue of that Act.
- 6th. There have been no assessments in our local municipality, because it was not thought proper to subject the people to a system of taxation to which they are with reason gravely opposed; the funds necessary to pay Municipal expenses have been furnished by the Municipal Councillors, and they have themselves paid their own expenses. But these Municipal expenses only amount to a small sum.
- 7th. There is no work done by "*corvée*" in our municipality.
- 8th. Since the passing of the Act in question the mode of keeping in repair the by-roads and front roads in our Municipality has not been changed, and we

have kept them in repair as provided by the old Road Act, 36 Geo. III. cap. 9, and the people generally are opposed to having them kept in repair by pecuniary contributions.

Municipality of St. Flavie.

- 1st. The present Municipal Act is defective, from the fact that it is very burthen-
some for the agricultural class, which generally speaking is poor. This Council
has been compelled to order the abandonment of several by-roads very useful
to the public, the making and maintaining of which would have ruined several
of the inhabitants of this locality in carrying out the present law.

This Council deploring the many defects in the Act in question, suggests
its entire repeal, and requires that the Act 10 and 12 Vic. should be substitut-
ed with the following amendments :

That instead of a County Council there should be established in each
parish, which should be composed of seven members, and should have power
to sit monthly, and the qualification of the members of which would be the
same as that required by the present Act. That a Deputy *grand-voyer* should
be appointed in each Municipality, whose duties should extend to making in-
spections of the main roads and by-roads when required, and by this means
giving every possible latitude to the Council to enable them to direct and act
without the assistance of the Deputy *grand-voyer*, so as to relieve the poorer
classes.

- 2nd. In suggesting the repeal of the present Act, the opinion of this Council is
given, with respect to the office of County Superintendent and those of his
deputies, which are perfectly useless and very expensive to the public.

The Local Council is itself able to decide with respect to the wants of
the locality and appoint arbitrators, if they deem themselves not sufficiently
instructed with respect to any of the questions and applications made to
them.

- 3rd. As above stated the Municipal organization into parishes is of great advantage,
but the County Councils are perfectly useless; let every person who deems
himself aggrieved by the Council of his Parish be entitled to appeal therefrom
to any Court having jurisdiction in the district, and let no judgment rendered
to that effect be reversed but with the consent of the majority of the parties
interested.

- 4th. No personal or uniform assessment. Let each locality levy its own rates as
may be required for its wants.

- 5th. The Municipality of St. Flavie has worked since the passing of the Act of
1855, and no sum of money has been raised.

- 6th. There has been no assessment in our Municipality, in consequence of the
grave opposition of all the inhabitants. The expenses of this Council have
been met with by the revenues derived from the filing of the petitions, oppo-
sitions and homologations of *procès-verbaux*.

- 7th. This Council understands by "*corvée*" one or more day's labor given by one or
more interested parties or inhabitants of the locality to the by-roads and

public works, giving one day's labour for every hundred pounds or fraction of that sum, according to the estimated value of the property.

- 8th. All the by-roads of the Parish of St. Flavie are maintained in conformity with the old road law, with the exception of one, which is kept in repair by assessment by a certain number of the inhabitants of the Parish, the said by-road being indispensable.

If the law now in force is not amended let it be so modified as to facilitate its interpretation.

Let it be more clearly and precisely amended with respect to assessment and the recovery of the sums of money expended by the road officers charged with the making and maintaining of the public roads and bridges.

Municipality of St. Gertrude.

- 1st. The Municipal and Road Act ought to be amended so as to make it work more easily, without all the present machinery, and without it being necessary to levy direct taxes upon the agricultural population.
- 2nd. The Parish Councils should be abolished, and the County Councils retained.
- 3rd. The office of County Superintendent is productive of no benefit and ought to be abolished, and replaced by a *grand-voyer*, appointed, when required, by the County Council.
- 4th. Direct taxes on the agricultural class should be abolished, and replaced by the revenue to be derived from licenses granted to merchants and traders.
- 5th. The mode of giving public and special notice should be changed so as to render the law more easy and less costly to the parties interested.

Municipality of St. Antoine.

- 1st. The opinion of the Council is that the Act in question is too long and complicated, and productive of too great expense to be put into operation in our locality, and makes its repeal desirable.
- 2nd. The office of County Superintendent ought to be abolished.
- 3rd. The present Municipal County and Parish organization ought to be amended by substituting Parish Municipalities, so as to avoid the taxes which are so disapproved of by the farmers.
- 4th. The exclusion of personal and moveable property from assessment.
- 5th. The Municipality of this Parish has been in operation, and has levied by assessment, for the requirements of the Parish, a sum of £13 15s. currency, which has been paid voluntarily for the year 1856. For the year 1857 there has been raised, for the requirements of the Parish, the sum of £9 10s. currency. The share to be paid by this Parish towards the expenses of the County Council is £37 3s. currency, for the years 1856 and 1857, out of a sum of £300, the useless expenses of the County Council.

- 7th. We understand by "Statute Labor," any aid to persons who are overcharged on certain works.
- 8th. Our way of keeping the by-roads and front roads in repair is that which was in operation before the passing of the Act, without taxes.

Remarks.

A Parish Municipality, composed of seven members, obliged to meet only annually, with special sessions for the requirements of the Parish, with the right of taxing as the Parish may require, and of receiving the amounts paid for ferry licenses in the locality. A Parish Council which would work with the least possible expense is what would best suit this Parish.

Municipality of St. Joseph de la Pointe Levi.

- 1st. The Council are of opinion that the Act in question has hitherto worked very well.
- 2nd. The Council is of opinion that it would be more advantageous and lessen the expense if no County Superintendent were appointed, and a deputy appointed in his place for each Local Council.
- 3rd. The Council is of opinion that the Local Councils should be continued as they now exist, in each Parish.
- 4th. The Council is of opinion that local assessments should only be made upon real property and buildings, and that personal and moveable property should be exempted.
- 5th. The Municipality in this Parish has worked very well since the passing of the Act in question hitherto, and the amount raised in 1856 was £25 1s., for all the expenses of the Municipality.
- 6th. The valuation of the properties has been made in the Municipality of this Parish in conformity with the Act in question.
- 7th. The Council is of opinion that by "*corvées*" is understood the persons obliged to work at the bridges and water-courses.

Charles Laporte, Mayor of St. Ambroise-de-Kildare.

- 1st. That the law to establish Parish Councils be repealed, and that the County Council, as it existed before the passing of the Municipal and Road Act of 1855, should be revived. It is more than sufficient to meet all the requirements of the County, without any Superintendent.
- 2nd. That a deputy *grand-voyer*, to be paid by those requiring his services, should replace the Superintendent.
- 3rd. The organization of Parish Municipalities is very defective, inasmuch as it is productive of great loss of time, makes it necessary to pay a Secretary-Treasurer for doing nothing, and does no good whatever.

- 5th. The Municipality of my locality has worked since the passing of the law of 1855.
- 6th. A rate of about thirteen pence has been raised by assessment upon the lands according to their value. This sum has been raised to pay the Secretary-Treasurer, and other expenses of the Council. We have made no improvement whatever in our parish.
- 8th. The roads are maintained by the owners of the lands and lots.

Municipality of St. Ambroise.

This Council is of opinion that the Municipal and Road Act of 1855 should be repealed, and the municipal and road laws, as they existed before the passing of that law, should be revived, they being for the present quite adequate for all the requirements of this Province.

This Council sees neither the advantage of, nor the necessity for, re-establishing Local Municipalities, on the contrary it considers them hurtful, inasmuch as they do not offer a sufficiently disinterested body to do justice to the people, and only serve to create confusion in their districts by local and personal motives, and to excite discontent among their inhabitants.

The experience of the past, when these Municipalities used to exist, has enabled us to judge of their injurious effect, and the satisfaction exhibited in numerous parishes at the time of their abolition should suffice to convince the Legislature that re-introduction was not desirable.

The increase in the number of Councillors presents further disadvantages, from the difficulty of finding suitable persons to fill the office, a circumstance which might often lead to the choice of persons not qualified to see the law properly carried out, and render the public liable to injury in its dearest interests; lastly, all these separate Municipalities increase, without any equivalent advantage, the expenses of the Counties, whilst they would be served by one Council only.

It would take too long to enumerate the reasons which induce this Council to disapprove of that part of the Act relating to roads; it will suffice to express its regret at the changes made in the laws formerly in force in this Province, which were well known and understood, and which, if they had been strictly carried out, would have answered all the purposes for which they were passed.

This Municipality will willingly join the County Council in demanding the repeal of the present Municipal and Road Act, and the revival of the Acts by that Act repealed.

The visit of a County Superintendent is utterly unnecessary in our Municipality, satisfied as we are with our Inspectors and *sous-voyers*, and being persuaded that the latter alone suffice for the management of the roads, and that the sums spent for that purpose are uselessly thrown away.

Municipality of St. Charles.

- 1st. This Council is unanimously of opinion that the Councils would work much better if there were no local Councils, and were only County Councils composed of three Councillors from each Parish.
- 2nd. That the powers of the County Superintendent are calculated to diminish and fetter the powers of the Council; he ought to receive his powers from the Council and not otherwise, and instead of being called Superintendent, he should be called *grand-voyer*.
- 3rd. The County Municipalities are preferable as regards economy and disinterestedness to the Parish Municipalities.
- 4th. Personal and moveable property ought to be excluded and exempt from assessment, and real property only should be subject to assessment, including also the professions.
- 5th. The Local and County Municipalities have worked, the sum of £15 having been raised by voluntary contribution, in the Parish of Charlesborough, together with a tax, imposed by the Council, of fifteen shillings upon the filing of every Petition presented to the Council, which has produced a sum of £21 16s. 7d., for the year 1856, which has been sufficient to meet the expenses of our Council.
- 6th. There has been no assessment in our Municipality, because the contributors do not like the system of taxation. We have raised the funds necessary to meet the expenses of our Council by voluntary contributions, and all the contributors have signified to us that they would rather raise the requisite sum by voluntary contributions, than by a tax according to law.
- 7th. The expression "*corvée*" means any work which is declared a public work, upon the roads or by-roads by *procès-verbal* or by-law, either by old or new *procès-verbaux* or by-laws, such as the opening of a new by-road, to its entire completion, after which the labor for the maintenance of such by-road is apportioned according to the extent of land owned by each one upon such by-road; the making and maintaining a bridge declared to be a public bridge. These works are ordinarily done by *corvée*; sometimes they are given out by contract, and each person pays his proportion in money, according to an apportionment made between all the parties interested; certain parts of the by-roads are sometimes kept in repair by *corvée* such as a hill or the bridging of a by-road over swampy land.
- 8th. The mode of keeping the roads in repair in our Municipality is the same as before the Act of 1855, that is to say, that the work of repairing the roads should be apportioned among the parties interested in the said by-roads according to the extent of the land possessed by each one of the parties upon the said by-roads. In winter the keeping in order of the by-roads is given out on contract by proclamation to avoid the system of *corvée* which is always a loss of time.

The Municipal Council suggests that the clause of the said Act should be amended with respect to public notice, it being absolutely useless to post up for seven days before the day of proceeding upon such notice, but it would be sufficient, and the notice would have been as public, if a copy of it were posted up at the same time as it is read and published, provided always that it be a Sunday or holiday, and that there be three clear days before the day fixed for any such public meeting, or for the adoption of such measure.

The Council considers this Act too complicated in its whole working, which prevents its being carried into effect with advantage. Amendments for the purpose of simplifying it are desired by this Municipality.

Municipality of St. Charles, County of Bellechasse.

- 1st. The Lower Canada Municipality and Road Act of 1855 has hitherto worked in a satisfactory manner in our locality.
- 2nd. The powers of the County Superintendent ought to be diminished and changed. He ought to be discharged from the necessity of making an inspection of the by-roads and roads in winter, inasmuch as the time fixed by the Lower Canada Municipal and Road Act for the performance of that inspection, is in the most rigorous and trying season, and at a time when frequent and prolonged storms certainly render it impossible to form any opinion of the good or bad state of the roads. The County Superintendent should only make visits when required so to do, and the costs and fees for such visits ought to be paid by the Parishes requiring him.
- 3rd. The abolition of Parish Councils for the maintenance of County Municipalities.
- 4th. The exclusion of moveable property from assessment, it being only necessary to include real property uniformly in each entire County.
- 5th. This Municipality of the Parish of St. Charles has worked since the passing of the Lower Canada Municipal and Road Act of 1855, and has not, however, raised any money by assessment in virtue of that Act.
- 6th. The necessary funds for defraying the expenses of the Municipality have been raised by voluntary contributions, by the generosity of a good many citizens of the Municipality, who preferred that expedient to the cost and expense attendant on the collection of such an amount.
- 7th. By the expression "Statute Labor" we understand the gratuitous labor contributed by each person to the repairs of a bridge, road, building, &c.
- 8th. The mode of keeping in order the high-roads and by-roads in our locality, is the ancient method in use before the passing of the Municipal and Road Act of Lower Canada of 1855; every proprietor keeping in order the road in front of his land, and his part of any by-road, by his own personal labor. The by-roads only are let out in winter to the lowest bidder, and the contract price is paid in shares by the proprietors of lands, each in proportion to the extent of his holding.

Municipality of the Parish of Three Rivers.

- 1st. The Act in question does not work in a satisfactory manner. The amendments which we propose are County Councils, and the abolition of Local Municipalities.
- 2nd. In the event of the establishment of County-Councils only, we propose that a *grand-voyer* should be appointed instead of a Superintendent, the powers of the latter being too extensive.

- 3rd. We propose that the County Councils should be composed of three Councilors from each Parish, inasmuch as this County is composed of new settlements, from which the means of communication are difficult, and the number of three from each Parish would render it more easy to obtain a quorum at the meetings of the County Council.
- 4th. We propose that the property formerly included on the assessment roll, before the passing of the Act of 1855, should be so still.
- 5th. Our Local Municipality has been working since the Municipal Act of 1855 was passed, but with difficulty. The amount raised by assessment, for the year 1856, was £36.
- 6th. This question is answered in the preceding answer.
- 7th. We have not had recourse to "Statute Labor." The works have been done by assessment.
- 8th. The main and by-roads have been kept in order, in accordance with the *procès-verbaux*.

Municipality of the Parish of Boucherville.

- 1st. The Act is a good and useful one; but its provisions are difficult to be carried out. If all ambiguity were removed, and the Act made clear and perspicuous, it might then be carried out to advantage.
- 2nd. The office of County Superintendent is perfectly useless, often burdensome. The powers of that officer would be more efficient and more economical in the hands of a road Inspector, or of delegates where the interests of two or more parishes are concerned.
- 3rd. The County Councils might be abolished, and it would be better to abolish them. They might be very advantageously superseded by delegates, who might hold their meetings in the different Parishes in which they might be called to act, without other expense than the present cost of the Parish Councils as now existing; and by this means much of the expense now caused by the County Councils would be avoided.
- 4th. The assessment of personal and moveable property might be just, but it would be very much disliked by the country people, and very difficult to be established.

With respect to the means of rendering the assessment uniform in the several Counties: the only certain method is to cause the valuation to be made by one or two persons chosen for the purpose in each Parish in the County. Three persons might act jointly throughout the County, taking as the basis of their valuation the last transactions which should have taken place in each Parish.

- 5th. Yes; the amount raised by taxation to the 1st January, 1857, is £50 Os. 3d.
- 7th. By "Statute Labor" we understand the work which a person is obliged to furnish gratuitously, together with tools, carriages, horses, &c.
- 8th. The same method as formerly.

Resolutions of the Municipal Council of St. Melanie.

Resolved: That this Council have learned with satisfaction that one of members of the honorable the Legislative Assembly has, in the present session, brought in a bill to repeal that part of the Municipal and Road Act of 1855 which creates Local Municipalities.

That this Council are still of opinion that the latter description of Municipalities is useless, causes unnecessary expense, and complicates matters unprofitably, which might be better managed by County Municipalities.

Pierre Roy, Mayor of St. Marguerite de Blairfindie.

1st. In my opinion, and judging from the slight experience which I have acquired as Mayor of the Municipal Council of the Parish of St. Marguerite of Blairfindie, I am bound to state that this Act works very ill. This is partly owing to the difficulty of finding suitable persons in every locality to bring it into profitable operation, and to the exorbitant and ruinous expense which it occasions, which renders it very unpopular. It is therefore, in my humble opinion, necessary to abolish the Parish Municipalities, and to retain only the County Municipalities, which would be sufficient for the management of municipal business.

2nd. I do not perceive the necessity of retaining County Superintendents; in my opinion an Inspector of roads and bridges, chosen and appointed by the County Municipality in each Parish, and invested with certain powers, pursuant to regulations made by the Council, would be a proper substitute, equally efficient and much less expensive: as, after visiting roads and bridges, he might draw up *procès-verbaux*, cause them to be homologated by three indifferent Justices of the Peace, in presence of the parties interested for and against, which *procès-verbaux*, when once homologated, should be definitive to all intents and purposes.

Jean Baptiste Guichereau, Mayor of St. François, Island of Orleans.

1st. The Act in question works pretty well in our Parish.

2nd. The office of Superintendent is, in my opinion, perfectly useless, as the road laws might be equally well observed and enforced by the Inspector and *sous-voyer*, and that mode would be much less expensive to the inhabitants.

3rd. The Parish Councils should be abolished, and there should be only one annual meeting of the County Council by law, the expenses being paid by the Municipality of the County; but whenever a meeting of such County Council is required, and is an extraordinary meeting not required by law, then and in such case the Parish concerned in the By-laws passed at such meeting should pay the expenses thereof.

4th. My opinion is that personal and moveable property should be exempt from assessment.

5th. The Municipal Act has always worked in the Parish of St. François since it was passed. There has been raised by taxation, in 1855 and 1856, £12 6s. 9d., and in 1856 and 1857, £25 7s. 10d.

- 6th. The amount necessary to defray our Municipal expenses has been raised by taxation as aforesaid.
- 7th. By the words "Statute Labor" I understand the aid required from many persons for the repair of bridges and roads in our Parish.
- 8th. Finally, the roads and public bridges are kept in order, in our locality, by the owners of lands over which such roads pass, and where such bridges are situated; but with respect to the by-road which we have in this Parish, it is kept in order in summer by all the proprietors of the Parish, according to a legal repartition, and in the winter the work is given out to a contractor, the cost of it being paid by the inhabitants according to agreement among themselves.

Pierre Benoit, Mayor of Deschambault.

- 1st. The Municipal and Road Act of Lower Canada of 1855 does not work in a satisfactory manner in our locality, because it would be necessary, in order to carry out its provisions, to impose direct taxes on the people, and this would be absolutely opposed to their interests and their inclinations. It is therefore, in my humble opinion, of vital importance that a law should be substituted which will work without taxation.
- 2nd. The powers of the Superintendent should be restricted nearly as they were before the passing of the Act in question; that is to say, to the examination of plans on requisition, and reporting to the Council, if it be a County Council. If it be a Parish Council the office becomes entirely useless (see the former Acts appointing Parish Municipalities.) This would produce a great saving.
- 3rd. In my humble opinion the County and Local Councils multiply the number of officers, and by this means occasion useless expense.
- 4th. The choice of including or exempting personal or moveable property should, in my opinion, be left to the Councils.
- 5th. Our Municipality has been in operation since 1845, but has imposed no taxation.
- 6th. No tax has been imposed or assessment made in our Municipality, or it would have been in direct opposition to the wishes of the people, who have preferred to make a small voluntary subscription for necessary purposes.
- 7th. We understand by the term "Statute Labor," in this Municipality all works performed by the day or part of a day, by one or several persons, who are entitled to no payment for their labor, but can only claim to have an account kept of it, in order that all others who are similarly bound may be called upon before the first are again required to work. This is explicitly defined and explained by the law.
- 8th. The by-roads are given to be kept good in winter, by public auction, to the lowest bidder. In summer they are kept in order by the proprietors, accord-

ing to the provisions of the *procès-verbaux* and the repartition in force, according to law. The main roads are kept up by the proprietors of the lands abutting thereon.

Municipality of the Parish of Montreal.

- 1st. The Municipal and Road Act of 1855 has worked, and still works satisfactorily in the Parish of Montreal.
- 2nd. The office of Superintendent ought to be altered in this respect, namely, that each Parish Municipality should have an officer vested with the same powers as the Superintendent, the duties of which officer should be attached to the office of the Secretary-Treasurer. This office cannot and could not be properly filled by any other than an educated person, possessing local knowledge in each Parish. I find no person (lawyers excepted) who could discharge its duties but the Secretaries. I propose that this office should be filled in each Parish Municipality by the Secretary-Treasurer, or some other qualified person, in order to avoid the rejection of reports made by persons ignorant of the interests of the parties whom they represent, as they are of the law.
- 3rd. My opinion is, that the Parish Municipalities are to be preferred to County Municipalities, because the inhabitants of a Parish are constantly well informed of all that passes in their Council, and can therefore make greater municipal progress than a County Council, only a small number of the latter comparatively being well instructed in matters which come before them.
- 4th. The plan of assessment could be improved, if the Councils were enabled to tax not only real property, but also traders, grocers, and handicrafts, &c.
- 5th. The Municipality of the Parish of Montreal has worked well under the Municipal and Road Act of 1855. I transmit a statement, hereto annexed.
- 6th. From the 1st October, 1855, to 9th January, 1857, the Municipality of the Parish of Montreal has been able to meet its expenses up to the date of the assessment of 7th April, 1856, out of the tavern licenses.
- 7th. I understand by the term "Statute Labour," that work which a land-owner is bound to perform on a road distant from the land which he occupies in a Municipality.
- 8th. The mode of keeping in order the by-roads in this Municipality, and the roads within it, is that of each proprietor maintaining the road in front of his farm.

Statement of the Municipality of the Parish of Montreal.

Collection from 1st October, 1855, to 9th January, 1857,
by tax on tavern licenses..... £ 44 10 0

Assessment made 7th April, 1856, to meet the municipal
expenses from 1st July, 1855, to 1st January, 1857,
amounting to the sum of £204 19s. 0½d.—received
thereon..... 106 12 10½

John Lemère, Mayor of William Henry.

- 1st. I am of opinion that the Municipal Act is necessary, and that it will be productive of the best effects in the improvement of the country. The Municipal system being once established on a permanent basis, the people will be enabled to manage all their local affairs in the way which is best calculated to promote their welfare. Already they have derived much advantage from it; and it is assuredly calculated to produce great good to individuals, as well as to the common weal. The Act works satisfactorily in this locality.
- 2nd. The County Superintendent is, in my opinion, a necessary Officer, but as it should be in good hands, the incumbent ought to shew that he is well versed in the several provisions of the Municipal Act which bear upon the satisfactory and beneficial discharge of his duties to the public. I should propose that every *procès-verbal* emanating from this Officer be properly revised by the Council before coming into effect, for the provisions of the law dispensing with the homologation of such acts in certain cases, persons having obligations to reprisal, are deprived of the opportunity of being heard.
- 3rd. The present Municipal system, consisting of County and Parish Municipalities, ought not, in my opinion, to be changed in any particular.
- 4th. I am of opinion that personal and moveable property should be exempt from taxation, at least for the present. In order to arrive at a uniform system of assessment in each County, the assessors ought to be appointed by the County Council, taking one competent person from each locality concerned, whose name should be presented by the Local Councils respectively, with power to such assessors to proceed as they think best to ascertain its value, whose report should be revised first by the Local Councils, and finally homologated, with or without modifications, according to circumstances, by the County Council.
- 5th. The Municipality of this place has been in operation since the Municipal and Road Act of 1855, but nothing has been raised by taxation under the Act.
- 6th. The reason why no taxation has taken place here is, that the market dues, ferry licenses, and fines, have proved to be sufficient to defray the expenses.
- 7th. By the term "Statute Labor," I understand work done in common on roads by persons under obligation thereto, and works indicated in the 71st section of the Municipal Act.
- 8th. The streets in this Municipality are kept in order by the proprietors or occupiers of lots abutting on them. In respect of works on property not subject to assessment, the expenses are defrayed by the Municipality out of the market dues, tavern licenses, and fines. There is a by-road extending within and beyond the limits of this Municipality, and also a bridge, both of which are to be kept in order by parties owning or occupying lands within and without the limits, either in rotation of labor, or by payments on commutation therefor.

Before closing, I think it right to add to my answers the following remarks :

- 1st. Councillors ought to have a literary qualification.

2nd. In towns and villages, power should be given to Inspectors of Police to arrest all persons infringing the Police or Municipal laws, on sight, and to convey them in a summary manner before a Justice of the Peace, to be dealt with according to law.

3rd. The power of directing the use of snow-ploughs, rollers and scrapers, within their jurisdiction, should be granted to County Councils.

Municipality of Ste. Julie.

The Council are of opinion that a County Council would be sufficient, and therefore recommend that Parish Councils be abolished.

In the place of the present County Superintendent, the Council are of opinion that a deputy *gras-d-voyer* should be appointed for each Parish, to be paid by the persons who employ him, according to the tariff to be fixed by the existing Council.

The Council are of opinion that the present system of assessment would be just, if the valuation were made on one uniform scale in the several Counties.

The Municipality of Ste. Julie has been in operation since the establishment of the present law, and raised in the first year, to defray the expenses of the County and Parish Councils, the sum of sixty pounds.

By the term "Statute Labor" the Council understand a work performed in common, by several or all of the inhabitants in a place, for the improvement or maintenance of a by-road, main road, bridge or other public work.

The main and by-roads, in the Municipality of Ste. Julie, have always been kept in order by the proprietors, each having a share proportioned to the extent of his land.

Meeting of the Notables of the Parish of St. Culbert.

- 1st. *Resolved*,—That the Parish Councils be retained.
- 2nd. That the right of appeal to the County Council be abolished, and that every one who considers himself aggrieved by any by-law, or ordinance of the Parish Council, may appeal to a court of competent jurisdiction.
- 3rd. That the assessment, and all power of the Parish Council having reference to the assessment roll be abolished.
- 4th. That the expenses of the local Councils be paid and defrayed out of the revenue, including fines and licenses.

That all works subject to be divided by a *procès-verbal* or *procès-verbaux* to be homologated hereafter, shall be so divided in due proportion to the extent of land held by the person concerned.

That it is the opinion of this meeting: 1st. That the office of County Superintendent, is one not likely to work well, and that the 54th clause of the Municipal and Road Act of 1855 be repealed. 2nd. That the duty of opening constructing, repairs and maintenance of the roads and bridges belong to

the Local Council exclusively, which shall alone have a right to appoint road officers, over whom the said Council shall exercise jurisdiction. 3rd. That, for the establishment, change and fixing of roads and bridges, two arbitrators be appointed of the Parish in which the work is to be done, by the parties interested, and a third in case the two cannot agree, which arbitrators should neither be relatives nor interested, to establish and fix the said work; and they shall give notice to the parties concerned previous to their visit and proceeding, and shall draw up their *procès-verbal* of the proceedings which should be homologated, amended, or rejected by the said Council, who shall in such matters act in place and stead of the Superintendent.

That it is the opinion of this meeting that the 2nd paragraph of the 63rd section, and the 9th paragraph of the 44th section of the Act cited, should be repealed, and that the winter roads should be kept of no greater width than that of a sleigh carriage (in consideration of the drifting of the snow in country places,) and that at distances of an arpent and a half in a main road, and of four arpents in by-roads and main-roads a siding six feet wide by thirty-five feet in length should be made, the two extremities of which should be marked with three balises twelve feet high, planted perpendicularly, so as to show from a distance the places intended to favor the meeting of carriages which places should be as well levelled and kept in order as the roads themselves. These the Inspector should have power to place at greater or smaller distances, and the snow drifts should be shovelled to the width of eight feet, and *cahots* and slides should be cut down and levelled as soon as they are formed, and that as to the opening, construction, repairs and maintenance of roads and bridges, this should be done in conformity with the 36th George III, c. 9, and the recovery of fines should be cleared of all ambiguity, and the fines themselves be applied to payment of the expenses of the Council.

That in case of taxation real property only should be liable.

The meeting is unanimously of opinion that the Municipal and Road Act of 1855 should be repealed, seeing that it cannot work in the country parts on account of its ambiguity, and the great expense which it would involve, if it were carried out. They suggest that Parish Councils would be preferable to County Councils, if the above were included in the Act reorganising the Councils.

Municipality of the Parish of St. Leon.

- 1st. The Act in question works satisfactorily in this locality.
- 2nd. We should wish for some amendments relative to the office of County Superintendent. His powers should be modified, and for the most part repealed. We should wish every local Council to have a Superintendent who could be clerk of the Council. The County Council should also have its Superintendent, who could be Clerk of the Council, for all matters brought before the County Council, or of which the County Council can alone take cognizance. We consider it would be much less expensive to ratepayers of local municipalities, to have a Superintendent in their localities, to be paid on a scale regulated by the local Council.

The annual visit of the County Superintendent appears perfectly useless to us, as each local Council can very easily attend to the preservation and good condition of the roads in its municipality.

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- 3rd. We wish to keep up the County and Parish Councils, believing that the municipal business could be better managed by them. But if there were to be only one Council we should prefer the Parish Council.
 - 4th. We are of opinion that it would be better not to include moveable property in the assessment; to-day a man may be well off in moveable property, to-morrow he may be worth nothing, a thousand reverses may reduce his moveable property to nothing.
 - 5th. The municipality of this locality has worked since the passing of the Act on municipalities and roads, in 1855, but no monies have been levied by assessment, in virtue of this Act.
 - 6th. This Council has caused an assessment roll to be prepared by its assessors, but has not had occasion to raise any sum of money; the revenues of the Council from other sources, have been sufficient to meet its expenditure.
 - 7th. We have no statute labor in this municipality, nor is any kind of work done by statute labor.
 - 8th. The high-roads and by-roads in this municipality are kept up as formerly, before the passing of the Act in question, in accordance with the distribution of work, founded on the old Road Act.

François Beaudrie, Mayor of Pointe-aux-Trembles, (District of Quebec.)

- 1st. The Act works pretty well, no amendment.
- 2nd. The office of Superintendent is satisfactory as it is.
- 3rd. A County Council would suffice, a Parish Council would be expensive.
- 4th. It is well as it is.
- 5th. The municipality has worked, no taxes have been levied, but one loan.
- 6th. Because the increase imposed on licences has been sufficient with the loan.
- 7th. "Corvée" means the assemblage of parties interested in a road to work at its maintenance.
- 8th. In the municipality of Pointe-aux-Trembles, a part of the road is macadamised, the other high-roads and by-roads are kept up by the neighbours.

Julien Grégoire, Mayor of Napierville.

- 1st. It works well in our locality.
- 2nd. I think it useless, because the Inspectors are always obliged to perform the same duties, and on that account, I think the old system preferable to the present one.
- 3rd. I consider the Parish municipality sufficient.
- 4th. To include moveable and immoveable property in the assessment, that the trader may contribute to the support of his country as well as the agriculturist.

- 5th. Yes. it has raised in 1856, about £186 8s. 8d., and in 1857, about £112 10s. 0d., for the maintenance of roads and bridges, its own support and that of the County Council.
- 6th. Matters are conducted in compliance with the law.
- 7th. I understand the obligation of a person to work, or to purchase the labor of another, at the opening of a road or a bridge, when he is interested in it.
- 8th. High-roads and by-roads are kept up by the proprietors or occupants of the lands, and the uplands are sold to the highest bidder, to maintain the road.

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N. Gauthier, J. P. of Deschambault.

- 1st. The Lower Canada Municipal and Road Act of 1855 is in operation in the County of Portneuf, but does not work in a satisfactory manner. In my humble opinion, this Act should be repealed, and the Act 10th and 11th Vict., cap. 7, substituted in lieu thereof, with some amendments, in order to render it clearer and more satisfactory.
- 2nd. In my opinion, the office of County Superintendent should be continued, and ought not to be filled by the Secretary-Treasurer, as his powers are of a nature to cause Municipal Institutions to be worked in a satisfactory manner. His duties, however, should be lessened. I would suggest that this officer should only be bound to inspect the roads upon being requested so to do, either by the Council or the parties interested, and should be entitled to direct and order the works necessary for the keeping in repair of the roads, without the Council having a right of cancelling or altering his orders. My opinion on this subject is based upon the precedents, which have occurred to my knowledge, having always filled the office of Secretary-Treasurer since the establishment of municipalities in Lower Canada. In the first place, Councils do not wish to tax the people, and therefore free the Superintendents from making quarterly, semi-annual, and even yearly visits, as it is so much expense saved. As to his orders, (relating to repairs on roads,) if they were not submitted to the authority of the Council, we should have better roads, for the greater part of Councilors merely seek, in the first place, to please their electors. If any proprietors be negligent in keeping their roads in repair, which is a rare occurrence, the Superintendent is forced to give his orders apportioning the work to be done on the said roads. In that case the parties in default seek the intervention of the Council to have the work diminished, and this proceeding very seldom fails to have its effect.
- 3rd. In my humble opinion, Parish municipalities should be done away with altogether. In the first place. Because the steps would diminish the expense about $\frac{1}{12}$ ths. 2nd. The by-laws made by the County Council may just as well serve for Parish Councils. 3rd. The mode of managing municipal affairs would be uniform in all the Parishes of the County, for it is a well known fact that certain local Councils pass very absurd by-laws.
- 4th. I think that the County Councils should have a right either to include or exclude personal property in the assessment roll.
- 5th. The municipality of the County of Portneuf, as well as the local municipalities in the said County, have been in operation since the passing of the Municipal and Road Act of 1855, but in an unsatisfactory manner, and have levied no amount by taxation in virtue of the provisions of the said Act.

- 6th. There has been no taxation because the inhabitants refuse to conform to it, and the few municipal expenses have been defrayed by voluntary contributions.
- 7th. In our municipality we understand by the term "Statute Labor" the work which is given out by the day, because the works are not divided or cannot be so.
- 8th. Since the passing of the Act in question, and even previously, the by-roads in our locality have been kept in repair in accordance with the provisions of the old *procès-verbaux*. In winter, however, they are given out by contract, and the persons who were formerly obliged to work at them gladly pay the amount of their services in money. The front roads are always kept in repair as formerly, by the proprietors of the lands in front of which they pass.

Joseph Jolivet, Mayor of Saint Gervais.

- 1st. To this question I feel it my duty to answer that the Municipal Act should be amended, or rather, remodelled, as it should be simplified, in order to cause it to be understood, as much as possible, by those whose duty it is to put it into practise. In this locality it has worked in a satisfactory manner, on account of certain arrangements which the Councils have thought it their duty to make, in order not to excite the prejudices which are apt to arise from too frequent changes in our municipal laws. Without being opposed to County municipalities, I am of opinion that the municipalities established by the 8th Vict., cap. 40, were the most adapted to us, and that they should be established, adding at the same time the powers granted by the Act of 1855, and the Act amending the same, which are compatible thereto, without omitting the clauses relating to non-incorporated villages.
- 2nd. The office of County Superintendent appears to me to be more onerous than useful, and I would, in consequence, suggest that it should be abolished. It appears to me that the Secretary-Treasurer ought to be able to fulfil the duties which devolve on that officer, excepting, however, the semi-annual visit to the roads which I consider a useless proceeding, as the Inspectors and *sous voyers* are in duty bound to keep a strict watch upon the keeping in repair of the roads and bridges in their respective sections.
- 3rd. I have answered this question by the first, to which I refer you. I do not deny the utility of County Councils as a tribunal for revising the decisions of the local Councils, too generally composed of illiterate men, but in this case only.
- 4th. I am of opinion that taxation should be levied on immoveable property, and on money loaned, and not upon persons practising liberal professions and tradesmen, because it is a very general thing in the country for farmers to be at the same time tradesmen, mechanics, carpenters, tanners, &c.
- 5th. The municipal Act of 1855 has operated in a satisfactory manner in our Parish since its coming into operation. There has been no taxation levied in virtue of this Act.
- 6th. Almost every person here is opposed to taxation. The Council has made provision for its expenses by a fund arising from the fees upon entries of Petitions, from the casual revenue, from fines collected in the municipality, and from voluntary contributions.

- 7th. In this municipality there are only the bridges which are made by "Statute Labor."
- 8th. Since the passing of the Act in question, the roads, by-roads and bridges, have here been kept in repair according to the mode prescribed by the Act 36th of George III.

Municipal Council of St. Gregoire.

The present Municipal Act is so defective that it should be amended, and replaced by a new municipal law, more in harmony with the wants of our localities.

We should like to retain Parish and County Councils. Parish Councils should have very ample powers. County Councils, composed of the Mayors of each Parish, should only be a court of appeal from the decisions of the Local Municipalities, and should only meet when an appeal is made from the decisions of the Local Municipalities.

The person or persons who appeal to the County Council should be held to pay all the expenses of notices, travelling, &c., caused by such meeting, and if the said appeal be maintained the costs should be paid by the other party. The decision of such County Council should be final and not appealable. The Secretary-Treasurer of the *chef-lieu* of the Local Municipality in which the said County Council shall meet should be the Clerk of the County Council, and be allowed a certain sum for each sitting, to be paid him by the party losing the case. Each Local Municipality should have the right to enter in a register all the roads in a Local Municipality, together with the names of the persons who are or should be held to keep them in repair, and each entry of the said roads should be considered to be a public Act, of the existence of such road, and be of the same force as a *procès-verbal* of the existence of the said road.

Each Local Municipality ought only to have to keep in repair the roads in their Municipality. Extracts from these registers should be delivered to any person requiring them, and be considered authentic before any Court of Justice. It should be lawful for any person whatever to examine these registers at the Secretary's office. No Superintendent should be appointed. His duties respecting the opening of a road might be performed by one of the members of the Municipality, to be selected by the Council, by an independent person of the County, to be appointed by the County Council or the Governor. The Council, on receiving the report of the member, should make out a *procès-verbal* and have it homologated.

The Inspector should have the superintendence of all the roads in the Municipality, and the *sous-voyers* should be under his control, with instructions to the latter to obey his orders under pain of penalty.

All travellers should have a right to prosecute the Inspector before a Justice of the Peace, when the roads are in bad repair. The *sous-voyers*, after giving public notice at the church door as to the day, hour and place at which the works on the roads are to be done, should have a right, in case of refusal or negligence on the part of any one to execute their orders, to cause the amount of work to be done by such party in default to be performed, and to recover the amount thereof before a Magistrate, with costs to the *sous-voyer*. It should be the duty of the *sous-voyer*, when there is question of

opening a road, making or repairing a bridge, or any other considerable work, to give notice thereof at the church door and call a meeting of the parties interested in the said work. The said *sous-voyer* should be the President of such meeting, and everything that is decided by the majority of the parties at such meeting should be valid in law. The *sous-voyer* should be entitled to cause the parties, whose duty it is to keep the road opposite their land in repair, to take down the fences along the line of the road before the falling of the snow, and to re-build them whenever it is necessary; to make snow ploughs at the common expense, and to work them in like manner; to make winter roads through any lands for the advantage of the Municipality. Any individual obstructing any road in any manner whatsoever, should be compelled, upon being prosecuted before a Magistrate by any traveller or road officer, to remove such obstruction at the cost of such party in default. Each person having a share in the roads should be held responsible for any damages occurring in his quota of the road. Each Local Council should have a right to pass any by-law for the loan of any sum of money upon the Consolidated Fund of the Province, for public improvements in the Municipality. Such by-law should only be read at the church door of the Municipality during two Sundays, and notice should at the same time be given, that within fifteen days from the publication of the said by-law the inhabitants of the Parish shall proceed to ballot for the said by-law. The majority of the voters present shall decide concerning the said by-law, and if a poll be demanded, by at least three proprietors, that it be held only on that day; and if the said By-law be adopted that the Council should have a right to address themselves to the proper authorities to have the said by-law carried out. The election of Councillors, as also of road officers, should take place every two years, in the month of July. When there are public works relating to more than one Parish there should be a meeting of the Councils of the Parishes interested, at the place where there is the greatest number of the parties interested. The Council should have a right to levy at any time of the year any taxation for Municipal purposes. Valuation of property should take place every five years, from the 15th June to the 15th July. Collection of the taxes should be made by the Secretary, after twenty days notice at the church door, and at the expiration thereof seizure be made, without further notice, of the goods and chattels of the party in default, and if there be not goods and chattels sufficient, then, within three weeks from the date of the taxation falling due, after public notice thereof given in the newspapers in both languages, the immoveable property of the said party in default should be sold. Notices should be published in the language most in use in the Municipality. Any action brought before any Magistrate in virtue of this Act shall be decided in a summary manner, without appeal therefrom, and even by *certiorari*.

J. C. Bachand, Mayor of St. Pie.

My opinion concerning the Municipal Act is, that it is very defective, because it is beyond the reach of the comprehension of those whose duty it is to carry it out. It even contains ambiguities to lawyers, so much so, that we obtain different opinions from those men to whom we address ourselves. Hence the uncertainty in which are placed those parties who have to carry it out. It follows that it is not put into force at all. This is the case in our parish, and in a great many more, I imagine. There are a great many bridges out of repair here on account of another defect in the Municipal Act, the expenses to which are obliged those who fall under its operation. These bridges have to be repaired and we are waiting.

Notwithstanding that the Municipal Act has been partly in operation here, that is to say, that the Council has been organised, a taxation levied, two or three *procès-verbaux* homologated, the operating of the Act has not been satisfactory, and will be less so when the next taxation is imposed, to defray the expenses of our County Council.

The office of Superintendent should be abolished; it is wished that that officer should be continually kept for the roads. However, as the expenses are already too great it is scarcely possible to increase them without exciting a general cry of indignation. Indeed, what is a semi-annual visit to the roads? The Superintendent announces publicly that on a certain day, on a certain hour he will visit a certain section, a certain district; the roads are repaired in the mean time, it may easily be understood; the day after his visit snow or rain falls, and the inhabitants wait until the next visit of the Superintendent, six months, to repair them! This visit, however, involves another thing. The Superintendent is well paid for his visit, and the parties who have to pay do not like this.

My opinion concerning the Municipal organisation into County and Parish Municipalities is that the organisation is defective, especially since, by the Act of Amendment, it is allowed to appeal to County Councils all the by-laws made by Parish Councils. A Parish Council is without doubt better fitted to judge of a question taking place in their own parish, on account of the personal knowledge they have of the question on hand than a County Council. As a general thesis we would say, that a County Council is better organised as regards legal capacity. This thesis, however, is liable to so many exceptions that, in the majority of cases, common good sense has the advantage. I will hereafter state my opinion with regard to the Municipal organisation such as I understand it, and as it could be put into practice with advantage to the rate-payers.

With respect to the necessity of including or excluding personal and moveable property in the taxation, I must confess that my opinion is not decided on that question. I am, nevertheless, of opinion, that it is wise to allow the system to remain so that every one may contribute to the Municipal fund and leave no cause of reproach to the farmer or owner of real estate.

As I said at the commencement, the Municipality here has been in operation without our drawing the profit from it we expected to do. We levied the first year a sum of £51. With regard to the second year, this Council has not thought fit to submit to the by-law of the County Council, alleging that there is some informality in the by-law, and we are waiting.

With regard to the expenses of the Local Council, this Council having up to the present merely to provide for the remuneration of my services as Secretary-Treasurer, and as there is almost no business at the Council I have reduced my fees, in expectation of something better.

We have not made use of Statute Labor in this Municipality. No one has made any allusion to it, so that the definition of this term will be explained at some future time.

Since the coming into force of the Municipal Act, the by-roads and other roads have been kept in repair as formerly, that is to say, each person keeps the road in front of his property in repair, and has his share of the by-roads apportioned, with a few exceptions; for example, one of the by-roads in our Municipality has been given out by contract for the winter, according to an

arrangement entered into between the parties interested. Proprietors living outside a Parish do not themselves keep their share of the by-roads, or even front roads, in repair, but give them out by contract to those parties who reside the nearest to these roads.

A good Municipal organisation is necessary. With that the people will instruct themselves; it is by means of this organisation that the future generation will put into practice the elementary instruction they are receiving at present; it is by mixing it up with their business, by transacting it themselves, that they will profit by this instruction, not only with regard to the public good but also relative to private transactions. The present generation will not believe such to be the case; they would live as they have lived. Nevertheless, certain parties amongst them, especially those who come into contact with any one who understands anything about business, think otherwise. Their number, however, is but small. The legislator must not retreat if he does not wish all the efforts which have been made up to the present time to become null. The present generation, however, have as much good will as is necessary to carry out a good Municipal government. The thing they do not comprehend is that they would wish to live as they have lived, that is to say, that to open or close a new road they would go at great expense to seek for a *grand-voyer* at some very distant centre, whose fees would be in proportion to the distance. It is nevertheless not altogether that, because above all things, they say, economy is preferable. This is very natural. I myself am desirous of having a Municipal system at a cheap rate. With respect to the revenues I might say otherwise, for as Secretary and Treasurer of all the public business of this Parish I have a share in them. However, leaving the personal question aside, I would wish for a less expensive local government than the one we have at present. As regards the good working out of a local government I do not see that the question of money is the most important. There should be also economy in men, and this certainly is not the least important. When the mass of the population will better understand their duties, what they require, what is profitable for them; when they are better fitted to take proper charge of their own affairs—then we might create a greater number of offices whilst at present it is better to restrict them—not that it should be done to the detriment of the present system, for that would be retrograde legislation; it would be better to preserve this system, defective though it may be. Nevertheless, if I say that it is necessary to lessen the number of Parish *employees*, it is because I consider it a system which is most in harmony with the wants of the people, and which would best meet the wants of the majority. With regard to the minority they will soon come to understand their own interests and then the object will have been attained.

Every person of experience is well aware of what is necessary to a people for their own advancement, and with this knowledge of the cause, the Legislature have not hesitated to use coercion in passing laws relating to education. Nevertheless, at the present time and in consequence of their ignorance, a large number are opposed to the benefits of education, notwithstanding the palpable proofs there are to the contrary, but on account of their good disposition submit to the yoke which has been imposed on them for their interests. It is therefore to those who know how to decide but by not overstepping the limits of a wise legislation.

The people have sovereign power, it is said; they have the right to impose on themselves the laws which suit them best. All power should come from them, it is true; but every society, every body politic, even the natives of a wild country, have their chief, whom they must obey, and the people are bound

to support the yoke of their sovereignty. In fact, the people choose their own legislators; to them they confide the right of making for them the laws best calculated for their advancement; and these laws they are bound to carry out, even if they be contrary to their views, if they be advantageous to them; if not, they are right in demanding that they be either modified or repealed, in whole or in part, as the case may be. But would the people be justified in demanding the repeal of the Education laws? Certainly not. However, if the reign of extinguishers were still in force, we should see opposition similar to that which has been made to the putting into execution of this law.

On these grounds I affirm that the administration of all local affairs should be left in the hands of the people of each locality, by means of a decentralization, as rational as possible. For this purpose I would humbly suggest to your Committee the following grounds and the principal amendments which are necessary to be made to our Municipal system:

1st. County Councils should be abolished. County Councils do not produce any real advantage, and are onerous offices. The questions which are there settled might be regulated quite as well in a Parish Council, on account of the reasons I have just mentioned. Legislators have indirectly acknowledged the justice of this argument, by granting Parish Councils certain powers to be executed by them in case of the County Councils neglecting to do so; for example, grants of money, or tavern licenses.

With regard to the power of granting licenses, my opinion is, that where there exist two Councils, it should only be given to the Parish Councils. The Parish or rather the Parish Council is better able to judge whether licenses ought to be granted or not in the Parish. There are some Parishes in a County which, on account of the travel which takes place through them, and their geographical position, require inns for the reception of travellers, whilst others do not. In such cases, the County Council is not competent to decide the question.

2nd. The office of School Commissioner should be abolished, and all his powers and duties should be exercised and performed by the Municipal Councillors. Municipal Councillors are as well qualified to fulfil the office of Commissioner as they are that of Councillors, and *vice versa*. Frequently the same person discharges both duties. If all these powers and duties were carried on by one body, it would have the effect of reserving a greater number of competent men in each Parish; as well as of decreasing pecuniary contributions, as the fees of Secretary-Treasurer, and every thing would go on as well; if not better, did the law contain the necessary provisions for this purpose. Both these offices united into one body would give a little more work to the members of this body, but they might easily dispose of it. The School Commissioners meet but seldom; they are not aware of their duties, and do not sufficiently attend to the matters under their control. The Councillors, as well County as Parish, frequently neglect to meet, even when there is occasion for them to do so. Now, the law should impose a penalty on every Councillor who neglects to be present at any meeting of his Council. Without this penalty, I do not see that it can operate in a satisfactory manner. I moreover consider this clause to be most essential to operating in a proper manner of the Municipal system.

3rd. The number of Councillors should remain at seven, but they should be replaced by rotation each year, two Councillors retiring from office at the

expiration of one year, two at the expiration of two years, and three at the expiration of three years. This system is far preferable to that adopted by the Municipal Act of 1855; it has the effect of preserving amongst the body of Councillors a number of those who are initiated in the business of the Municipality, whilst those who are recently entered are studying the duties they have to fulfil. The question of relationship should not, of course, be an obstacle to the acting of a Councillor, and inasmuch as it may be supposed that in many cases there is as much, if not more, partiality shewn towards a friend as a relation, towards the question of pecuniary interest should only when immediately affecting the case prevent the Councillor from acting. That ought to be clearly defined by law. I would not be disposed to admit any restriction, counting upon the sincerity of those who would be chosen. This freedom of action would also have the effect of causing a more careful selection to be made, for it often happens that a selection is made based upon personal grounds rather than with an eye to the public welfare.

4th. As to the questions of two or several Parishes, they might be decided by means of delegates, I should say to the number of three of each Council interested, and that on the requisition of the Council of the Parish which originated the question. As in the case of Councillors, the delegates should be liable to a fine fixed by law, for in default of such fine, the same thing might happen to the Parish Councils as happened to the first Parish Councils: that these appointment of delegates might not be attended to, and thus become a shackle to the working of the system, and subsequently a cause for demanding its recall.

Under the present system, the office of delegate, when two or more Counties are interested, is very expensive to the delegates, and ruinous to those amenable to their jurisdiction. One example may serve for many: it was intended last year to rebuild a bridge in which the Counties of Bagot, St. Hyacinthe, and Rouville were interested. This bridge, on account of the great expenses incurred by legal proceedings, cost about double what it would have cost if they had only to deal with the three interested Parishes.

The affairs of two or more Parishes being regulated by means of delegates, I see no use in a County Council. If the question arose of raising a sum of money in the County, either for the payment of juries, the erection of County buildings, or the maintenance of gaols or courts of law, if there were good cause, the business could be done by the Council of each Parish. But the law should provide that each Parish should pay its proportion according to its means. For this purpose, it would only be necessary to name a delegate from each Council, who should have power, together with the delegates of other County Councils, to revise the rate of valuation in each Parish, whether by diminishing, increasing, or adopting the rate.

I will now pass to the principal amendments which the present law requires, by applying it to the system I propose:

1st. Public notice would be quite as effectually given by reading it only; the same with the publication of by-laws; it would be a great saving to dispense with the poster. This poster is useless except to a small number in the village.

2nd. Special notice need not be in writing when served in person.

According to what I have already said, it is a matter of course that whatever has reference to the County Councils in the Act of 1855, and the amend-

ments of 1856, is set aside for the present, if it were only that the powers of the County Councils should be exercised by the Parish Councils.

3rd. The Council sitting in public, should also have the privilege of sitting with closed doors.

4th. The Secretary-Treasurer should comply with the law in rendering his accounts only once a year.

The Secretary-Treasurer should only be obliged to produce the vouchers for his disbursements, when giving his accounts to the public.

6th. The 16th part of the 15th section of the Municipal Act of 1855 should be struck out, substituting the following words: "To make, as the Council may think fit, as well for the whole Municipality, as for any part of the same, all other local by-laws which shall not be contrary to the Statute."

7th. In place of the Superintendent, it should be at the option of every Parish Council, even supposing the County Councils to be maintained, to appoint a person for drawing up *procès-verbaux*.

8th. The 53rd, 54th, and 55th clauses of the said Act, which regulate the powers and duties of road inspectors, should be struck out, substituting a clause authorizing the Council to regulate by by-laws, such powers and duties, and all other clauses defining such powers, etc., should be amended in the same manner.

9th. The 9th section of the Act of Amendment of 1856, should be repealed; the appeal should only exist by *certiorari*.

Municipal Council of St. Thomas, of Pierreville.

- 1st. The working of the Act has not been satisfactory, owing to the subdivision of County and Local Councils.
- 2nd. The office of Superintendent of Roads is useless; the Council could appoint a deputy when necessary, as was customary under the last Municipal Act.
- 3rd. The organisation into Local and County Municipalities is bad, and too expensive; the County Council alone is preferable.
- 4th. The opinion of this Council is, that personal and moveable property should be included in assessment.
- 5th. The Local Municipality in this Parish has worked partially, and it has raised by assessment the amount required for its expenses.
- 6th. See 5th reply.
- 7th. The word "*corvée*" has no meaning here except in the relation of the landowner, to the Seigneur; however, as they are usually understood to be days' labor, some difficulties arise, and it is desirable that this custom of working on roads should be abolished.

8th. The high-roads and by-roads in this Parish are kept up as they were under the old system of *grand-voyers*.

Municipal Council of Ste. Philoméne, County of Chateauguay.

- 1st. The bill does not work well in this Parish, because the great majority are opposed to it.
- 2nd. It is not necessary to appoint a person as County Superintendent. The opinion of the Council is, that the Secretary-Treasurer of each Council, or another person be nominated by the Parish Council, to perform the duty, who would do so at much less cost.
- 3rd. The Parish Council is preferred, and the abolition of the County Council is desired.
- 4th. It is extremely difficult to raise a tax on personal and moveable property.
- 5th. The Municipality works since the bill came into operation; and the rate is one half-penny in the pound currency.
- 6th. We have raised a half-penny in the pound, which has sufficed to meet our expenses to the present date.
- 7th. We have never exacted any Statute labor.
- 8th. The roads have always been kept up in accordance with the old *procès-verbaux*.

Antoine Plamondon, Mayor of Pointe-aux-Trembles.

- 1st. The Municipal and Road Act of 1855 does not work, except in cases where by-laws and resolutions can be passed and published without costing a farthing to the people; Wherever the Act requires money, it does not work.
- 2nd. The office of County Superintendent is perfectly useless; it is one of the causes of the ill working of the law, because it is expensive and dangerous, and because it cannot do justice to those interested.

The local Councils ought to have all the powers of Superintendents, they are much better acquainted with the wants and differences of the people of the locality than Superintendents who live at 1, 2, 3, 4, 5, 6, and 7 leagues from the parties concerned. The by-laws and resolutions of the local councils ought to be worth the *procès verbaux* of the Superintendents. The office of Superintendent should then be abolished at once.

One of the two municipalities should disappear; that of the County will never work to the advantage of the people, its office is too distant for a large number of Parishes. Many acts of injustice may be committed in the County Councils, which could not occur in the Local Councils, because the Parish is much better represented at home by 7 members, than in committee by 2 or 3 members who are most frequently absent from this Council because it is too far from their homes. This municipality should be abolished, and the local one maintained.

- 4th. The law should allow taxes to be levied on all sorts of traders alone. The people will never endure any other.
- 5th. The municipality has worked, to a certain point, wherever the Council can act without the intervention of the Superintendent; wherever the law requires the intervention of Superintendent, the Council does not act. It has levied one farthing by assessment.
- 6th. There has been no assessment in my municipality, because the people have formerly resisted it, and it would be disturbing its peace and harmony to very little purpose in assessing them against their will. The Secretary here gives his services gratis; there have been no municipal expenses.
- 7th. With a Local Council, the word "*corvée*" should be struck out of the law. The Local Council having the power to select, by resolutions and by-laws, the persons required to labor on municipal works. The institution of statute labor is useless.
- 8th. The Council appoints Inspectors and *sous-voyers* for all the high roads and by-ways of the Parish. These officers order the labor that is to be performed on the roads and paths, and they are obeyed. If any difficulties arise, the Mayor convenes the Council, who hears the parties and settles the dispute or disputes without its costing a farthing to any one.

T. Lemieux, Mayor of St. Isidore.

- 1st. The Municipal and Road Act cannot work well in all particulars, because there is a want of sufficient and clear details, and moreover, as regards every thing connected with road Inspection, we use the Road Acts which were repealed, that of 1855 being insufficient.
- 2nd. The office of County Superintendent is useful, but would be still more so, if this office were under the control of the local municipalities, or if there were one in each locality.
- 3rd. The present municipal organization is preferable to all other methods.
- 4th. All compulsory assessments are held in detestation among us. Most certainly, moveable and personal property should be excluded.
- 5th. The municipality has worked well in our locality since the passing of the Act of 1855, there has, however, been no taxation.
- 6th. The members of the Council have paid the municipal expenses out of their own pockets.
- 7th. We understand by "*corvée*," the labor which each of us is bound to perform on one or several days, with spades and hoes, with or without carts and horses.
- 8th. We keep up our by-roads in the old style, that is to say, of 36th year George III., cap. 9.

H. Cartier, Worden, and T. D. Bastien, Secretary-Treasurer of the Municipality of the County of Vaudreuil.

- 1st. Our opinion is, that the County is not sufficiently advanced for the working of the Act in a useful and satisfactory manner. We cannot suggest any amendments, but we take the liberty of proposing that it be repealed altogether.
- 2nd. We consider the office of Superintendent, as it is generally executed under the present Act, nearly useless. We think it would be better to have no permanent Superintendent, and that it should be left to the Council to appoint one wherever it stood in need of his services. The parties employing him should pay him his fees.
- 3rd. The Municipal Council has already petitioned several times for the abolition, by the Legislature, of Parish Councils; it has just done so again, a few days ago. We are of opinion that Parish Councils are more mischievous than useful. In the first place, the expenses they produce are very burdensome, besides the rent, for both County and Parish Councils, the different officers of each of the municipalities, and pretty often a Parish pays for its share, about as much as a whole county paid under the law preceding the present one. Again, the Parish Councils serve often only to create dissensions and local disagreements. Besides which, they excite no interest among the ratepayers. Formerly many people attended the meetings of the County Councils; now no one is seen there, and frequently, it is rare even to find a quorum of the Councilors. In fine, we are obliged to say that the present municipal law is very unpopular, at least, in our County.
- 4th. We are of opinion that moveable and personal property should be exempt from assessment, and that taxes should be levied on immovable property only, according to its value. Our population is as yet so little accustomed to taxation that the more they are multiplied the more discontent and murmuring will arise.
- 5th. The municipality in our locality has worked since the passing of the Municipal and Road Act of 1855, and the amount raised annually by taxation in virtue of this Act, was for the first year, for the county £66 some shillings; for the parish £67. Second year, for the county, nothing; for the parish £75 some shillings.
- 6th. There was an assessment in one municipality which has enabled us to meet our municipal expenses.
- 7th. Our municipality has never exacted statute labor, either in labor or money.
- 8th. The maintenance of the road is given to the lowest bidder, by the Inspector or *sous voyer* of a district, and those who are obliged to it, pay each according to the extent of land they possess. The main roads are kept up by the proprietors of the land through which they pass.

Municipality of the Parish of St. Magdeleine-de-Rigaud.

- 1st. The municipality and Road Act of 1855, does not work to the satisfaction of the people of the Parish.
- 2nd. The present municipal expenses exceed by £500 cy. those of the former County Council, which worked much better than the present one.

- 3rd. The salary of a superintendent is a useless expense to each Parish municipality; a deputy *grand-voyer*, as in the former County Council, to be paid by those who require him, would be far preferable.
- 4th. Abolition of Local Councils, to avoid the expense, and do away with the numerous difficulties occasioned by the present law, and a repeal of the former County Council.
- 5th. Appointment of an officer by the County Council, or by the people of each parish and township, to make a valuation of the whole county.
- 6th. The municipality of this parish, since the passing of the Act of 1855, has levied taxes to the amount of £155 cy.
- 7th. Since the passing of the Act, there has been no statute labour in this Parish, the people, as under the former County Council, have kept their roads in order by sharing the high-roads and by-roads among themselves.

Jean Moisan, Mayor, of Settrington.

- 1st. I am of opinion that the present Municipal law is not suited to the manners and customs of the people, it does not work in my locality, and the people, tired of all these changes which compel them to study laws which they are unable to comprehend, and which bring them into law suits, demand the re-establishment of the old road inspection. Still, if, in the meantime, your committee desires only to amend the present law, I would suggest to them to abolish Parish Municipalities, and the office of County Superintendent, and to establish County Municipalities only, composed of two Councillors of each Parish or eligible Township, every two years, with power to appoint a *grand-voyer*, which Municipality should have the right to homologate or reject *procès-verbaux* in a summery manner; and should have no power to raise taxes for its own expenses, but should have the right to force traders to pay for licenses, as much for selling dry goods as for selling liquors, seeing that it is the direct taxation that has prevented the Act from working.
- 2nd. The answer to this question is comprised in the first, and I found my opinion on this, that the power to visit roads and bridges, and cause them to be kept in good order, as well as to carry on all public works, should be vested in the Inspectors and *sous-voyers*.
- 3rd. I am of opinion that with the present organization the law will never work, the mass of the people will not have it, it is complicated and expensive.
- 4th. I am of opinion that personal and moveable property should be exempt from assessment, and I suggest instead, an assessment on real estate, in proportion to the value of properties, and only for the Parish or Parishes which may require it.
- 5th. It worked a very short time, and raised nothing by taxation.
- 6th. There has been no taxation, because the people have desired the Councillors to make none, not wishing for this law, and nothing has been raised to meet expenses, though the Municipality is in debt.
- 7th. By the word *corvée*, we understand the labor and maintenance of roads and bridges, performed in common by the parties whose duty it is.

8th. The by-roads have been kept in order by the statute labor of the people, who were obliged to have recourse to it, and the highways by each proprietor or occupant of lands along which they pass, in accordance with the old laws of road inspection.

L. Z. Nolin, Mayor of the Village of l'Assomption.

- 1st. The Act in question works slowly and simply to supply the most pressing wants of the locality. The people dislike this law, because it requires too much money to make it work, without this it would move a little faster.
- 2nd. The office of Superintendent is not the one which gives the greatest satisfaction to the people of the county, because it is difficult to obtain the homologation of a *procès-verbal*, the Superintendent of a neighbouring county does not always agree with the other, and the wardens are not forthcoming, but the expenses run up; it would be better to leave the homologation to the Magistrates, and appoint a deputy *grand-voyer*, in virtue of the Act 10 and 11 Vic.
- 3rd. In order to accustom the people to manage their own business, it would be useful to leave the county and Parish Municipalities in existence.
- 4th. I think the present assessment answers the wants of the municipalities.
- 5th. The municipality has always worked well since the passing of the Act, and the amount levied by it annually amounts to seventy-two pounds currency.
- 6th. There have always been assessments to meet the municipal expenses.
- 7th. *Corvée*; this signifies labour which the Superintendent exacts from the people, for a certain number of days for the repairs of roads, as he thinks proper; but this part of the law has not been put in force, in my locality.
- 8th. Since the passing of the Act, the high-roads and by-roads have always been, and are still, in the same condition as before the passing of the Act in question, that is to say, without improvement.

Joseph Lemay, Mayor of St. Sévère.

- 1st. This Act works with great difficulty. I would recommend its amendment, so as to abolish Parish Councils, and to have County Councils only.
- 2nd. A *grand-voyer*, in place of the Superintendent, whose services should be remunerated independently of the Council would be preferable, and this to stop assessment on landed property, for this purpose.
- 3rd. To make it work requires too much money, and too many hands.
- 4th. I think that to establish a uniform assessment, it should be levied on landed property only.
- 5th. The municipality, in my locality, has worked, but without levying any assessment. The people have assessed themselves when needful.
- 6th. The preceding answer.
- 7th. Public work, performed in common.

8th. By labour, without outlay. The people, obliged to keep up the road in my locality, are under the orders of the road Inspector, who has the roads kept in order according to law and the *procès-verbaux*, as also the by-roads.

T. E. Coté, of Weedon.

- 1st. The Act in question is difficult to understand, and I find it would be necessary to make some amendments to it, that it might be more within reach of everybody, as I perceive there are great difficulties in making it work in our County.
- 2nd. That the office of Superintendent be abolished, but that there should be some person appointed by the Council to act as Superintendent when required, for the public works, and who should be paid only under those circumstances.
- 3rd. The Municipal organisation of County and of Parish; for in these Townships there are too many unforeseen wants to do with a County Council only.
- 4th. To include personal and moveable property in the assessments, and that there should be only three assessors named in each County.
- 5th. Our Municipality raised a sum of £50 in the month of January last.
- 7th. We understand by the word "*corvée*," public labors.
- 8th. Our roads are made and kept in order by the proprietors; the by-roads were made and are kept in order by days of Statute labor.

Narcisse Faucher, Warden of the County of Bellechasse.

- 1st. In principle, I consider the Municipalities a benefit to the people, calculated to develop the material interests of the localities, and to increase civilisation, by accustoming the citizens to public business; it may almost be called a legislative body. Unfortunately the present law is complicated, obscure, and prolix, and sometimes incomprehensible, which tends to diminish its popularity for want of its being understood. I must also add that the limited education of a great number of its officers, causes them to be insufficiently appreciated, and to work with difficulty in certain localities.

The County Municipalities, before the Amendment of 1856, were real sinecures, and their powers were limited simply to passing by-laws for fixing their places of meeting, building courts of justice, and gaols, a vault for the Registrar's office, and finally, by-laws for fisheries. Fortunately the Amendment of 1856 has brought some remedy to this state of things, and has dissipated the ridicule which attached itself to County Municipalities.

The Municipality of St. Etienne de Beaumont, of which I am Mayor, and the Municipality of the County of Bellechasse, of which I am Warden, work well, as far as the difficulties of the law are concerned. I have made by-laws for the interior economy of these Municipalities, and I have the satisfaction of seeing that my fellow-citizens have done justice to my labors, in adopting the by-laws in question, and what is more, obeying them punctually.

It would require considerable time to suggest the numerous amendments required to the present Municipal law; and the little time allowed me does not admit of my discussing so important a subject lightly and hurriedly. I will confine myself to enumerating a few.

In the first place, in my opinion, it is absurd in principle to amend a law every two years, before time is given to try its working. It is much to be regretted that the instability of the legislator causes such continued changes in the laws. Hardly is a law passed when, without giving time to test its efficacy, it is abandoned. This is certainly not the way to render the Municipal system popular.

Moreover, why not remodel altogether a law of this description as amended, in lieu of making a separate amendment? If you consult the main law, you must then refer to the amendment, to see that the clause is not changed, then to the amendment of the amendment, and sometimes even to the amendment of the amendment of the amendment. It is a perfect labyrinth, in which the most intelligent lose themselves, with phrases a page long, which one must recommence when half way through, to ascertain the meaning. The grand object of the legislator was doubtless, in creating the Municipalities, to establish the interests of the agricultural classes, which are generally ill-instructed. The best way to effect this, in my opinion, is to observe the greatest possible simplicity in all the details of the law. The less complication there is in the machinery, the more direct and disposable force is there to effect the desired object. In the same way, we can only hope to see the Municipality produce all the benefits expected from it, when the machine is able to work with the least possible complication.

The Assessment Roll in a Parish is of the greatest importance; this indicates the means of the citizens, the riches and resources of a locality. It is the barometer which regulates the measures to be taken for the building of churches, courts of justice, gaols, markets, and finally, for making the improvements necessary and useful to the people; it is the indication of the taxes. Why, then, have it submitted to numberless formalities, and oblige the Municipalities to perform it every three years in future, when those who are called upon to complete it are generally not sufficiently educated to observe all the formalities of an attorney *ad litem*. In the County of Bellechasse, I was obliged to return all the assessment rolls presented to me in my capacity of Warden (except that of Beaumont, which I had directed myself, as Mayor of that locality,) that they might receive the formalities required by law; and even several Municipalities of this County have been obliged to begin over again, and proceed with a new assessment roll. To judge of other Municipalities by the one I have just mentioned, it may be safely asserted that no prosecution instituted under the greater number of the assessment rolls now in force in Canada, would be maintained in any Court of Justice, if contested.

Why not simply say that an assessment roll shall be made annually, directed by the Municipality, according to a printed form supplied by the Government, the blanks of which should be filled up by sworn assessors according to law, such assessment roll to be attested by the Assessors and the Secretary-Treasurer, then deposited for a reasonable time with the Secretary-Treasurer of the Municipality, to be amended on the requisition of parties aggrieved, and then homologated by a resolution of the Municipality, certified by the Mayor and Secretary-Treasurer, to remain in force and effect from the day of homologation till a fresh one be issued by the Municipality

The maintenance of high-roads, as well as by-roads, and all ferries in the Municipality, should be given out by contract to the highest bidder, paid by the rate-payers in cash, according to the value of their properties as exhibited on the assessment roll. This rule should be compulsory, instead of optional, as at present; this would simplify business considerably, and I think that the public and the rate-payers would benefit in every way by it. It is true that the rich would pay more than the poor; but should not the rich extend a hand to his poor brother, and help him? If Providence has placed him in a better position, is it not an additional reason for his liberality? The roads would be uniform, always in good order, and the rate-payers would avoid a great amount of difficulties which arise every day, and whenever it is necessary to draw up a fresh *procès-verbal*, always a matter of expense to the rate-payers. The law should also direct that all summer roads should be raised in the centre and drained. This clause should also be compulsory, as when once the roads were raised, very little labor would suffice to keep them in order. I know that the people would make a great outcry at first, but they would soon perceive that these measures were for their benefit, and would approve of what they at first condemned, as was the case with turnpike roads, which every one rejected, but which they would now like to have before their doors.

To assist the Municipalities in their labors, I would recommend that the law should oblige the Municipalities to get maps made by a sworn surveyor of each Municipality respectively, on a uniform scale, shewing the distances, roads, rivers, and bridges, for the information of the Councillors and parties concerned. In this respect, the law should not simply suggest, but order.

One of the best means in my opinion to put down the shameful vice of drunkenness, and to favor temperance, would be to give to the Municipalities the right to pass by-laws, imposing not only fines, with imprisonment in case of non-payment, on persons selling liquor without a license, as the present law allows it, but also the right to imprison for a limited period, on the deposition of a credible witness before a Magistrate, all offenders against the law, particularly those who should exhibit themselves drunk within the limits of a Municipality. A man never gets a better warning than when he pays by his purse and his liberty. It would no doubt be a good remedy, and the best possible means to put the intemperate on their guard. The sight of his fellow-man, met on the public street, deprived of reason, in a state of drunkenness, and we may add, on a level with the beast, is it not a sad and frightful spectacle for humanity—for a being endowed with intelligence and mind.

2nd. The office of Municipal Superintendent should be preserved, in my opinion, now that its duties can be performed by the Secretary-Treasurer of the Municipality. This office is indispensable to a good organisation of Municipal system; on him devolves the execution of the works to be performed on the roads and bridges in the Municipality; he possesses original jurisdiction in the matter of roads to be opened or closed, of bridges to be built, and ditches to be made; he directs the inspectors, visits the works, hears the different parties, and makes a half yearly report to the Local Councils, and an annual one to the County Council; he is the General of an army, of which the Municipality is the sovereign. His duties must thus be considerable to bring to perfection the measures adopted by the Municipalities, and make them work well.

Unfortunately the County Superintendents are poorly rewarded for their services by the Municipalities, from which it follows that they neglect their duties, and in fact they are dispensed with, for fear of having to pay them,

which renders this important office nearly useless to the public. We are afraid to tax for fear of becoming unpopular. This is the perpetual phantom, the sight of which overcomes the strongest wills, and the best inclinations in the world. Here again the law should be peremptory, and not optional, if the desired end is to be obtained. We must not be afraid to impose moderate taxes to obtain a better result. If a man cannot live without food, the community cannot get on without money. Man's labor must be paid; pay well if you wish to be well served. The Municipalities will only really work well when this principle shall be well understood, and put in practice. Then we may expect all possible benefit from the municipality.

3rd. County and Parish municipalities have each their peculiar excellences, and much might be said of one and the other.

The Parish municipality, it is true, has the advantage of being at the very door of those interested in it, who understand their own wants better, by knowing the localities and the individuals; and we may add, that it lies within its natural limits. It might also be more popular; but there is the difficulty and impediment of office forms to be combated, besides innumerable petty interests, moving in a narrow circle, local divisions, intrigue and favoritism, and the little parishes of villages which would become null in a county municipality.

The County municipality has a more extended and elevated framework, and is therefore more independent, and less subject to local influence; consequently, better calculated to do even handed justice, and be of universal benefit; The multiplicity of offices and employees is avoided. There is more uniformity in the by-laws, more economy of time, books, and expenses. The meeting is more imposing by its numbers. There are to be met persons with more public spirit, less prejudice and passions, and more harmony in the deliberations. It is a miniature parliament, calculated to elevate the mind, and initiate the citizen into, and accustom him to public business. If the present system is not to be persevered in, I prefer the County municipalities in this respect. I do not share the opinions of my colleagues in the County, who are favorable to Parish municipalities, and who addressed a petition to the branches of the Legislature to that effect, in the month of March, last. In fact, whether the County or Parish municipality be maintained, it is of the greatest importance to allow the interested parties to cause a revisal of the proceedings of Councils, by a court of justice. This is a wise and indispensable precaution, which will put the Councillors on their guard, compelling them to introduce regularity and justice into their proceedings, and which will be a guarantee against the excesses and tyranny which are too often the peculiarity of petty corporations. Then arbitrary measures will not be substituted for law, and love for the public good will get the better of prejudice, passion, violence, intrigue, favoritism, and party spirit.

4th. I do not see, at present, the necessity for assessing personal and moveable property. The population in this province is mostly agricultural, and in assessing landed property, according to the present system, all the citizens, with very few exceptions, are assessed; this suffices for the wants of the municipality. The present method appears to me suitable and sufficient to meet the end desired.

5th. The local municipality of St. Etienne de Beaumont, has worked well since the passing of the municipal and road Act of 1855, and the amount of taxes imposed and raised last year by assessment, in virtue of this Act, amounts to a little more than £41, (a farthing in the pound,) and this sum has sufficed to

meet our expenses, not only for the current year, but for the preceeding one. The people paid without remonstrance.

The Municipal expenses of the County of Bellechasse, for the year 1855-56, do not exceed the sum of fifteen pounds currency, which was voluntarily subscribed for, and in the name of the local municipality of this County, by the respective Mayors of these localities.

6th. I refer to my answer to my fifth question.

7th. In our municipality, we understand by the expression "*corvée*," the personal labor or supply of materials from parties who do not wish to pay money for his share of the work in the municipality.

8th. The front roads are maintained by the proprietors or occupants of the lots, as enjoined by the first paragraph of the 45th section of the municipal and Road Act of 1855, and the by-roads are put up to public competition for a sum of money, and paid for by the proprietors or occupants of lots in a concession to which it leads, from a front concession or an older one, in proportion to the frontage of the lots occupied by them, in accordance with 5th and 6th paragraphs of the Act before mentioned, at the 3rd section.

Alexis Millet, and Onésime Bellemare, Secretary-Treasurer of St. Guillaume, County of Drummond.

1st. The Lower Canada Municipal and Road Act of 1855-57, is defective, because it leaves room for dispute, in the interpretation of a very large number of points, which a wise and enlightened legislature should have foreseen and cleared up, for with incomplete or faulty municipal laws, it would be much better for the people not to have the enjoyment of municipal institutions, which then produce nothing but dissatisfaction, insubordination, contempt of the law, the legislature, and the authorities. This Act does not work in a satisfactory manner, because it necessitates excessive expense, without any advantage or general utility, and this displeases the people very much. The general meetings of local Councils, should only take place every two months, with a special meeting when needed, on a written requisition to the Mayor, setting forth the reasons for the requisition, as there is so little business to do generally.

The election of Councillors should be partial, every year a third, instead of being general every two years, for this reason, that we are exposed every two years, to see the Council composed entirely of new men, having no experience of municipal business. The sworn returns of notification of appointment of municipal officers, of publication of notice, &c., being no way necessary, should only be exacted with respect to the publication of by-laws.

2nd. The office of County Superintendent should be abolished, as it does not produce any improvement here, in the maintenance of the roads, at the same time, causing the County an expense of £75. Every local Council should itself be the Superintendent of roads, and of the road Inspectors in the municipality, with power to delegate one or more of its members to go upon the spot wherever required, for inspection or other duty which would avoid heavy expenses. These delegates should make a report of their enquiry, and of their opinion, and this report, after adoption by the Council, after discussion, would serve as the basis of a by-law, or for its amendments, if it were only amended.

- 3rd. County municipalities should be abolished, and local municipalities retained, for the better men are acquainted with the localities over which they are to exercise their jurisdiction, so much the more will they appreciate its wants and resources, and how much the pleasanter it is to have our petitions or our differences settled by seven such men, than by a County Council, into the composition of which only one or two members of each locality will enter, all the others, forming the majority, being strangers. Appeals should be brought before the County circuit court, and no by-law should become void for want of formality in its preparation. There should be established a board of delegates, on questions affecting one or more municipalities, in accordance with the 44th, 45th, and 46th clauses of the 8th Vict., ch. 40.
- 4th. To include moveable property in assessment, it would be necessary in order to insure uniformity, to take the affidavit of every person making a declaration; are not goods, sometimes, sold, removed, or hidden? Now, as affidavits are too often exacted on subjects of trivial importance, it would be preferable to exclude moveable property from assessment; basing solely on real estate, on professions and trades. The law should compel the assessors to value real estate, according to the value of the arpent, at the time of valuation for cash, which is not done everywhere, far from it.
- 5th. The municipality has raised, by assessment, a sum of £62, for its share of the expenses of the County Council, and those of the Local Council, for the years 1855-56. The method of keeping up the high-roads and by-roads is still the old one, but the law ought to oblige the Inspectors to give out every year the by-roads, and other public roads of their respective divisions, by contract, to the lowest tender, giving security for the due fulfilment of the contract, with authority to raise the necessary funds on the proprietors or occupants of the lands, charged by *procès-verbal*, or other authority, with the maintenance of these works, paying their proportion of the cost calculated on the valuation contained in the last assessment roll in force for the municipality.

Louis M. Audette dit Lapointe, Mayor of the Township of Viger.

- 1st. The Municipal and Road Act of 1855, is prejudicial to the interest of all our parishes, and ruinous to the new Eastern Townships; this Act is a general subject of complaint and of annoyance in this locality, it works only against the wishes of the generality of the settlers who cannot comply with it on account of the enormous expense produced by the tracing of roads, the costs of assessment, &c. A local council would be quite sufficient as soon as it was invested with authority to appoint a deputy grand voyer for the tracing out of high roads and by-roads, who might at the same time be secretary to the council, and who would be paid by those requiring his services as deputy grand voyer, and who would receive the revenues of the councils for his fees as secretary; these fees in both cases being regulated by a by-law of the council. A county council alone, in the absence of all local council, would be equally effective, provided a deputy grand voyer was appointed in each locality to inspect or lay out roads, by-roads, or bridges, making his report to council as was done heretofore. By one of these means great expense would be saved, provided that in the latter case the officer supplying the place of Superintendent, and of the Secretary of the Council, were paid in the manner suggested above, so as to avoid direct taxation, which is the first subject of objection to the law.

- 2nd. The office of Superintendent would be useless, after the suggestions I have just made; this office, ever since this Act came into force, has been a subject of complaint, although, in my opinion, the fees of this officer were reduced sufficiently low, his duties are too wide spread, and his annual visit useless. In keeping up our Inspectors and *sous-voyers*, we must do away with all the costs of notices, inspection, and travel.
- 3rd. We should have either only a County Council or only Local Councils.
- 4th. It is advantageous to include personal and moveable property in the assessment.
- 5th. The municipality of the township of Viger, has been working since the month of November, 1855, and the amount of its expenses, is £800.
- 6th. An assessment roll was made in 1.56, but the collection to be made to meet the expenses is nearly impossible, on account of the illegality of the titles of the occupants of lots in this neighbourhood, the want of moveables to seize in the residences of the parties resisting, and the frequent absence of many who only occupy these lands at the times of sowing and harvest. In striking out assessment from the law, these serious difficulties would cease in this locality.
- 7th. The carrying on of work by statute labor has appeared to us the most intolerable part of the law, and in this neighbourhood it has never been adopted.
- 8th. The by-roads have been kept in repair by voluntary *corvée*, not wishing to avail ourselves of the law for their maintenance, feeling that the system of dividing the shares of labor, of each proprietor, by the amount of valuation was unjust, and odious to those of the settlers who have most encouraged the settlement of the lands of the Crown, by overcoming the most difficulties in opening and clearing a few acres of land, and that by the system of allotment of the present law, they would be obliged to open and maintain the by-roads for the benefit of those among the neighbouring parishes, who occupy lots only for the purpose of felling wood, having only made a very small clearing, thus preventing their lands from reaching too high a value.

Fulg. Préfontaine, of Durham.

- 1st. The Act in question is good, and it works pretty well in my locality, only it is too complicated, and too long to be easily put in force.
- 2nd. The office of County Superintendent is quite useless, it should be abolished as being too expensive; and the office of *grand-voyer* for each parish or township be substituted for it.
- 3rd. The municipal organization of county municipalities should be abolished, and all the powers conferred on County Councils, should be transferred to Local Councils.
- 4th. The plan adopted in the Act with regard to assessment, is the best and fairest that has ever been employed.
- 5th and 6th. The municipality has worked, and about £500 have been raised by taxes last year, for making roads, and for the expenses of the Council.

- 7th. By the word "*corvée*," we understand a certain number of days' labor to be given to work at the worst parts of the road, and ordered by the Superintendent.
- 8th. The front roads are made and kept in order by the proprietors, and the by-roads are sold, and others are divided into shares and kept in order by the parties interested in them.

Public Meeting of the Township of Laterrière, County of Chicoutimi.

- 1st. We are of opinion, and certain that the municipal and Road Act of 1855, does not work in a satisfactory manner, we would suggest that it should be abolished, and think that the former municipal Act would answer much better.
- 2nd. The office of County Superintendent is hurtful and prejudicial to the advantages which might be derived from the municipal laws; it is generally a public nuisance. A deputy *grand-voyer*, as formerly, is more suitable, leaving to the Council the right to employ him when needed.
- 3rd. We are of opinion that the organization of County municipalities is preferable; in the first place, it is much easier to obtain justice, seeing that the meeting of Councillors of each locality paralyses the interest of the locality, which is but too much felt in the Parish municipalities; that with a single Council there would be but one clerk, who can be easily remunerated by the Council establishing a tariff, obliging those who require his services to pay him according to the tariff; this system has succeeded very well here and elsewhere. Another difficulty which arises in the Parish Councils, is the absence of qualified persons, especially a clerk, for want of whom it happens that a great many of the proceedings of these Parish Councils, when they come to be put in execution, are declared to be null, and stamped as such in every court of justice. With the Parish Councils, every clerk exacts as much as the County clerk for his services, thus: if £50 are enough to remunerate the County clerk, we may conclude that this same County divided into Parish Councils, let us suppose eight, at the very least, the expense would be £400, and so on.
- 4th. As to the present mode of assessment, we see no objection to it, and consider it good enough.
- 5th. Yes, it has worked, but in a very imperfect manner, it has produced no assessment.
- 6th. It was impossible to raise taxes without ruining the people, newly settled in this new municipality, we have worked by making sacrifices, and at the same times doing things imperfectly.
- 7th. The word "*corvée*" is understood here to mean a day's labor, or more according to necessity, in compliance with the requisition of *sous-voyers* and local Inspectors; each person brings the necessary tools; this work is often performed in proportion to the amount of land owned by each of the parties.
- 8th. The system of keeping up the by-roads here, both before and after the passing of the Act in question is as follows: the by-road is divided into lots, in proportion to the properties of those bound to maintain it, and each party keeps

up his share in winter, generally the *sous-voyers* adjudges it to a contractor, and the cost is paid by the parties bound to keep it in repair, in accordance with an allotment proportioned to the frontage.

Municipal Council of St. Jacques-le-Mineur.

- 1st. The Act in question, as it exists at present, cannot conduce to the well being of the people, and it has worked very ill in our locality since it has been in force.
- 2nd. That the office of County Superintendent should be abolished, and in place of the Superintendent, one or more delegates should be appointed by each Local Council, to act in each of their localities respectively, such delegates should be invested with powers similar to those of the present Superintendents, excepting, however, the different modifications which the Local Councils might think proper to make, and on this the members of the Council should found their opinion; this plan would be much less expensive; it would be much easier for a delegate, as proposed above, to have the superintendence of only one local municipality than that of five or six.
- 3rd. That Parish municipalities continue to exist, but that they be entirely distinct from County municipalities, in such a manner that the expenses to which each municipality is liable, be paid by each respectively.
- 4th. That the system of assessment remain as it is at present, without excluding from it personal and moveable property.
- 5th. The amount collected annually by assessment, in virtue of the Act in question, was £18 5s. 9d.
- 6th. In our municipality we understand by the word "*corvée*" the power of the the municipal Council to exact from every person having no landed property, labour on public works, within the limits of the municipality.
- 7th. Since the passing of the Act in question, the high-roads or by-roads have been kept in order by the neighbouring proprietors, in accordance with their respective *procès-verbaux*.

J. Paré, of St. François, Island of Orleans.

- 1st. The law would work well if there were no assessment.
- 2nd. I think the office of County Superintendent should be abolished, and that a temporary deputy *grand-voyer* should be appointed by the Council.
- 3rd. I think Local Councils should be done away with, County Councils, with some amendments, would be sufficient.
- 4th. Assess mortgages, otherwise debtors are obliged to pay for their creditors.
- 5th. The municipality has worked since the passing of the Act in question, the Council has collected no tax; the Councils have paid the Secretaries from their own funds, till the County Council has decided to collect all the expenses.

- 7th. By the word "*corvée*" I understand the power of road Inspectors, to exact labour on the roads, from the people.
- 8th. Every proprietor keeps in order his front road and his shares of by-road in summer. The by-roads are given to the lowest bidder in winter, and the cost of keeping them in order is paid by the persons who are obliged to do so. All fines and licenses should be left to the Municipalities.

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Zéphirin Bertrand, Warden of the County of Beauce, and Mayor of the Township of Tring.

- 1st. The Municipal Act is much too complicated for the capacity of the people who are charged with putting it in force; not only the present Act, but of all the Municipal Acts which have been passed since 1840, not one has worked for one moment to the satisfaction of men of sense who desire the advancement of Canada. Whatever concerns road superintendence has always been in a lamentable state in this part of the country, (*la Beauce*,) not to say worse, it has arrived at such a point, that instead of opening new roads to settle our new properties, which are numerous in these townships, the old means of communication, which require little work to keep them in good order, are not attended to at all; what is the consequence? It is this, that our young people are going away in shoals every year, towards the east and in the west of the United States of America, to seek that, which with another system, can be found as well here as any where else,—fortune. There is a certain number about to leave this for the east this spring.

What is necessary is, a Municipal law, short, clear, precise, at the same time liberal, and which should indicate to the municipal authorities in the Townships a more clear and distinct method, in a clearer style than in the present Act, of causing the roads of the persons styled "the great proprietors" to be made, these parties are generally unknown and are the scourge and the ruin of new settlements, as it is generally difficult to know them, to cause them to make improvements.

I must say, though with regret, that the best and only amendment to be made in the municipal system would be its complete and immediate repeal, for it has been introduced into Canada at least fifty years too early for the happiness of the people which is not prepared for it, which believes itself to be ill-used, because it has been allowed to assume the management of its own affairs; it should have begun by instructing the people (which the British Government, for honour's sake, should have continued to do after the cession of the country if she had not desired to enslave the inhabitants by keeping them in ignorance,) and all would have worked well; before that it was perfectly useless; to be convinced of the truth of my statement, it will merely be sufficient to attend a sitting of some Local or County Council in this part of the country.

But as it is more than probable that the Legislature will not decide on altering the present system, and it will continue in force, for the misfortune of the people, it would be very necessary that every councillor elected should at least be capable of reading, writing and keeping accounts in a passable manner, for how can you expect a council composed of members the best educated of whom are just capable of mechanically signing their names (there are several in *la Beauce*) to transact public business. Without amend-

ment, with the best inclination in the world, the law must always be a dead letter in the hands of such legislators.

- 2nd. If the Municipal system is maintained the Superintendent of roads should be retained also without any diminution of his powers:—1st. Because the office of Superintendent requires great practice for the person who fills it, to do so with honor to himself and advantage to the public. There are some persons who in all matters look only to the outlay of a few pence, without taking at all into account the benefit resulting from it. If we consider how much more a road badly located must cost in opening and maintaining it, without counting the trouble of those who are obliged to pass continually over it and the disputes, the hatred, the quarrels which will result from it, the conviction will soon arise that this office should not be surrendered at discretion to the first comer as a charge of no importance; the misfortune of this country is that the generality of men think themselves fit for every employment without having studied or practised anything. 2nd. If anything can facilitate the working of the municipal system it is, no doubt, that of the office of road Superintendent filled by a man of judgment, just, honourable, and impartial, in whom confidence can be reposed.
- 3rd. The more quickly Parish Municipalities are abolished the better, for the simple reason that since they have been in operation there has not been to my knowledge a single decision which might not have been quite as well settled by the County Municipality. It is a useless expense and indeed a conflict which can only result in injury to the rate-payers, besides if it becomes necessary to decide the simplest question in the Parish Municipalities, a cabal is at once formed of people without hearts or honour, without feelings or the wish to do well, which paralyzes all action, which under the pretext of protecting the rights of the people, keeps things in *statu quo*, and by that means keeps the people in trouble and misery.
- 4th. It would only be fair to include personal and moveable property in the assessment, for the party who has but little immoveable property may have a certain amount of moveable effects, and is often freed from paying more than a quarter of what he ought legally to contribute; but the people are not prepared for this change, and the best plan would be not to introduce it for a good many years to come, till the people can appreciate its justice and require it; then will be the time to introduce it, till then its introduction may do more harm than good, and throw back the working of the Municipal system for many years. The only way to establish a uniform assessment in each county, would be to cause its completion to be regulated by the County Council (if, after the time allowed by the law to the Parish Councils should have elapsed the latter had not caused it to be done) which is less under the influence of the *coterie* of each parish, and which could act with more freedom, and to give it the power to revise at all times the rolls of each local municipality, whether collectively or partially, as soon as it shall have completed them, in such manner as they may think proper; for it is not fair that for one municipality that has not prepared its assessment all the others should suffer, as is the case now with us, being obliged to give double what we ought, because it has pleased the rich municipalities of the lower part of the country to cause their assessment rolls to be made, in consequence we have not been able to get ours revised which is far too high for those of the neighbouring municipalities with which we are obliged to open a new road.
- 5th. The Municipality of Tring works tolerably, since the passing of the present act, and has imposed an assessment of £16 to cover its expenses of

last year, three quarters of which have been paid; it has done as much this year. I understand by the expression *corvée*, assistance to be granted at the opening or repairing certain main roads, which it would be too expensive and and onerous for the proprietors themselves. There has not been a single day of statute labor done in this municipality since the passing of the act, although there is are many young men who are liable to it, and there is no want of places to employ them, but it is with this as with every thing else, everything is left in *statu quo* for fear of displeasing a few grumblers. Since the passing of the present Municipal Act, no summer road has been kept in order as regulated by the law; as to the winter roads, they have been kept in order in the same manner as in all the rest of La Beauce. The county council, at its sitting in the month of December last, have ordered the maintenance of the Lambton road by a new *procès-verbal*, (the only one it ordered); but alarmed at the great step it had just taken at its sitting in the month of March last, it suspended the action on the said *procès-verbal*, till the month of June following; for what reason, God only knows, unless from fear of people who neither know what they say nor what they do. In such proceedings there is enough to frighten the most intrepid, and for my part, after having struggled with my whole strength since the said act came into operation to make it work well, and having been unable to succeed in any respect, I have almost determined to abandon it to its unlucky fate.

Charles Comier, Mayor of the Village of Plessisville, County of Megantic.

- 1st. It works pretty satisfactorily in my locality, and I think it should be maintained to compel the people to enter into public business, which they have never attempted till the passing of the present act.
- 2nd. The office of County Superintendent has been very useful in this county, as there were many roads to open, and the cost of laying out these roads having been paid by the parties interested, this charge has created no difficulty in this county that I am aware of.
- 3rd. As to the present municipal organization, I am of opinion that it would be more beneficial to the public economy to suppress the county municipalities, and to maintain the parish councils, increasing their powers.
- 4th. I think that the assessment on landed property should be continued, and that moveable property should not be taxed, because too much difficulty would arise in the valuation.
- 5th. It has worked since the passing of the Municipal and Road Act of 1855. The municipality of this village has been assessed from 1855 to 1856 for the sum of £103 10s. 5½d., of which £85 3s. 5½d. for the erection of a bridge in the village, and £18 7s. for the annual expenses of the council. For 1856-7, the sum of £18 7s. was collected for the expenses of the council.
- 7th. We understand by "*corvée*," a day's labour on the roads of the municipality, by every male person above 18 years of age, and under 60, who is not a proprietor; but up to this period we have never exacted it.
- 8th. In winter, they have been kept in order at the expense of the municipality, and in summer, at the expense of each proprietor or occupant.

Ignace Letourneau, Mayor of the Parish of Ste. Famille, Island of Orleans.
Louis Gagnon, Mayor of the Parish of St. Pierre, Island of Orleans.
Joseph Chabotte, Mayor of the Parish of St. Laurent, Island of Orleans.

- 1st. The Act in question has worked, it is true, in our respective local municipalities, but not without serious inconvenience, on account of ambiguity existing in it, and our opinion is, that, for the well working of the municipalities, an intelligible law is necessary, the interpretation of which would be more clear and distinct than that of the present one.
- 2nd. The office of Superintendent should be filled by the Secretary-Treasurer of each County, as required by the Act of amendment of the Act before quoted, which, however, could not take effect except through the orders of such Council, and under its direction, when the case absolutely required its interference as such.
- 3rd. Parish municipalities should, in our opinion, be abolished, seeing that the County municipalities could alone transact the business and meet the wants of each locality comprised within the limits of such County; but we think proper to suggest to your committee, that it is expedient that every County municipality should have the power to appoint their delegates, for the purpose of deciding finally all disputes arising from such decisions and laws of all municipal Councils, so that when any difficulty arose respecting a by-law or ordinance of any municipal Council, such difficulty should be settled by the delegates of the nearest municipality, as being considered in no way interested in the subject in litigation. We suggest besides, to your committee, that the publication of by-laws passed by all the municipal Councils, in the manner required by the Act above quoted, should be done away with, as this system produces considerable expense, and people generally pay no attention to them, so that we think it would be just as well for the latter if there were no publication, every one having the privilege of going to the office of such Council, and enquiring into its proceedings.
- 4th. In our opinion, it would be more expedient to exclude personal and moveable property from assessment; immoveable property should alone be included.
- 5th. The municipal Act has worked, it is true, in our respective Parishes, since its passing, but to the dissatisfaction of the people; and the amount collected by assessment annually, has been as follows: In the Parish of Ste. Famille, of 1855-6, £15; in that of St. Pierre, from 1855 to 1856, £12; and in that of St. Laurent, Island of Orleans, from 1855 to 1856, £19; and in the said Parish of Ste. Famille, from 1856 to 1857, £16; in that of St. Pierre, from 1856 to 1857, £14; and finally, in that of St. Laurent, from 1856 to 1857, £18.
- 6th. The amounts of the above municipal expenses were raised in our respective Parishes by assessment.
- 7th. By the word "*corvée*," we understand the assistance required for the maintenance of by-roads and by-ways in some localities, but in our opinion no law should exist, exacting any such service.
- 8th. And finally—The system of keeping up our roads in our respective localities has always been as follows, viz: every proprietor is bound to the care of a share assigned to him, by a legal allotment, and as to the public roads, every proprietor is bound to keep in repair such roads and bridges as pass through or opposite to his property.

Joseph Chabot, Mayor of St. Laurent, Island of Orleans.

Having more maturely considered our interests, I find still something wanting in the answers I returned, conjointly with Messrs. Letourneau and Gagnon. It would, in the first place, be more beneficial to transfer the duties of County Superintendent to the Inspector, than to the Secretary of the Council, as we have been imprudent enough to demand in our answers, because the Inspector would perform the duties gratuitously.

It would further be desirable that the County Council should assemble but twice a year, with the privilege of meeting oftener, if required, for important business. In fine, the Municipal and Road Act of 1855, as amended in 1856, had no result, from its appearance, to this day, except to create general dissatisfaction, and the sound of rebellion in our neighbourhood. There remains one more important affair which I had not examined with sufficient attention, at the time of our meeting, that is the system of keeping up the high and by-roads; allow me to say that the present law is not all that we require, nothing would be better than a new Act, based on the old Act of Geo. III.

F. Labelle, Secretary-Treasurer of St. Edouard.

- 1st. The local, even the County municipalities do not work well, there is no agreement, no harmony, we discharge our duties with regret, and solely for the purpose of putting the law in execution; with the full wish to escape from the obligation of making the Act work. The people speak of revolting, when required to pay their assessment. The municipalities should have the power of imposing licences on tavern keepers and traders, with power to require from the Magistrates an account of the fines and penalties received by them, and to compel them to do this, by proceedings taken before the Warden of the County, and this collection should be devoted to the use of the municipalities.
- 2nd. The office of Superintendent is too expensive; there are too many powers and responsibilities attached to this charge; the municipalities should have the power of naming some individual, temporarily to act as may be required. The road Inspectors should be responsible for damages, and not the corporations, except the recourse they have against the proprietors, who may have caused damage by their negligence.
- 3rd. The County municipalities, with the above mentioned modifications, are preferable to the Parish municipalities, they would be less expensive, and several counties together would answer still better, for instance, one municipality in each judicial district.
- 4th. Immoveable property alone should be subject to assessment, so as to establish a uniform system of assessment in each County.
- 5th. The municipality of St. Edouard works; since the passing of the Municipal Act of 1855, it has collected, from that time to the present day £7.
- 6th. Assessments have been levied in the municipality of St. Edouard, and they have been levied on the landed properties, in accordance with the assessment roll of the same.

- 7th. We understand by the word "*corvée*," works performed in common by manual labour.
- 8th. We understand by the Queen's high roads, the frontage of the property of each individual, and every proprietor is bound to labour on the by-roads, for the breadth of his land.

Municipal Council of Notre Dame du Grand Brûlé.

- 1st. The Act as constructed has always appeared serviceable wherever it has been brought into operation, but whether from want of knowledge or from ill-will, we have always seen opposition arising to it, never in the majority; these are the reasons which induce us to desire, instead of a Local Council, a County Council, in which we should be represented by not less than two Councillors.
- 2nd. We appreciate the advantage of having a disinterested man invested with sufficient power to decide our disputes, viz: a deputy *grand-voyer* able to verbalise.
- 3rd. We desire a County Council, as more favorable to our interests.
- 4th. The valuation of real estate, we admit to be preferable to any other.
- 5th. The Council has always been in operation. Nothing has been collected from the rate-payers up to this time, because the Council wished, as much as possible, to spare expenses of all kinds.
- 6th. Also, up to this moment, the Secretary-Treasurer has not received from the the municipality, either in whole or in part, the salary usually given to these employés; the succeeding secretaries not having either received their salaries, the Councillors not being able to procure monies from the rate-payers, or wishing to avoid the disputes which generally arise on these occasions.
- 7th. By the words "statute labour," we understand works done by a gathering of the people ordered by the by-laws of the Council in sessions; we understand in addition, the repairs of bridges, opening of roads, works on public roads, &c.
- 8th. Our by-roads, and public highways have always been made and kept in repair by statute labour, by the people. We have never heard here of money expended by Government for public works in the township of Laterrière.

Joseph Chambeland, Mayor, and Magloire Brochu, Secretary-Treasurer of St. Lambert.

- 1st. The Municipal and Road Act of 1855, does not work in our municipality, or rather it only acts under certain circumstances.
- 2nd. We wish the office of County Superintendent to be abolished.
- 3rd. We wish the Parish Councils to continue.
- 4th. We revoke the assessment, and propose that every municipal Council shall pay its own expenses.

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- 5th. The municipality of our locality has been in operation since the 30th July, 1855, but collects nothing by assessment.
 - 6th. There has been no assessment in our municipality, but we have had recourse to voluntary subscription, to preserve good order and harmony in our Parish, and it has served to defray the municipal expenses.
 - 7th. By the expression "*corvée*," we understand all works done in common, such as the construction or keeping in repair of bridges and by-roads.
 - 8th. As to the method of keeping in repair the by-roads and high-ways in our locality, every proprietor does his share, under the eye of the *sous-voyers* and Inspectors.
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Municipality of the Township of Tremblay.

- 1st. We approve of the Act up to a certain point; as to the manner of raising taxes, we think that if the Council could cite the rate-payer who refuses to pay his assessment before the Circuit Court, and that this Court were invested with sufficient powers to condemn them to pay such legal claim, it would save the Council from a task of great labour, for when it is requisite to make a bailiff move, he does not think himself obliged to obey, the rate-payer sways him, and the affair is dropt, while before the Court it would be very different. As to special notices, the majority of them should be abolished.
 - 2nd. As to County Superintendents, we are of opinion that they are useless.
 - 3rd. We prefer Local to County Councils.
 - 4th. We are of opinion that all properties, without distinction, should be assessed.
 - 5th. Our municipality works since the Act in question has been put in force; the amount collected is about £18 out of £33, that should have been levied, the Council being obliged to give in; finding that to compel a rate-payer to pay they are obliged, at the expense of the municipality, to engage a sufficient number of people to oblige, by force, the rate-payer to submit to the provisions of the law, frequently the collection of three or four shillings cost three or four pounds.
 - 7th. What we understand by *corvée* is labour or work to be done in common, but in our locality the Council has not meddled with this, as the rate-payers manage these things among themselves.
 - 8th. The proprietor is bound to make his front road and keep it in order, if a front road passes between two ranges, the proprietors make each one-half of it. As to by-roads; the people in the 2nd range make the by-road of the first range, and so on.
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Municipality of the Township of Chicoutimi.

- 1st. The Act works very ill, inasmuch as it cannot be put in force, and as the interpretation of the Act in many instances is beyond the comprehension of the Council.

- 2nd. It should be abolished and a competent person chosen by the Local Council; this person should be replaced every year, which year should be considered equal to two years service as *sous-voyer* or Inspector.
- 3rd. The Council should meet only every three months, and the County Council in like manner at other periods of the year, and have more extended powers over the revision of the proceedings of Local Councils, and over the person acting as Superintendent.
- 4th. Personal property should not be excluded from assessment, but moveable property should, and the method of collecting it in a uniform manner would be, to give to Councils the power to bring before them the valuers, when the homologation of the revision of the Assessment Roll takes place.
- 5th. It has worked, but not in accordance with the meaning of the bill.
- 6th. The assessment roll has been made, but the greater part of the money has not been levied.
- 7th. By this expression is understood the obligation of a number of men commanded by one or several *sous-voyers* to work at the completion or repairing of roads, &c.
- 8th. By-roads are made and kept in repair either by "*corvée*" or by turns.

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G. Z. Wartel, Secretary-Treasurer of L'Assomption, of the Warden of the County, of the Secretary of the Council of the Village of L'Assomption, of the Mayor of the above mentioned County of Leinster, and of the deputy grand-voyer of the County of L'Assomption, who has also been Superintendent of the County of Montcalm.

That the basis of the Act in question should not be changed, that is to say, that the Municipalities, Councils, Superintendents of roads, etc., continue in existence as established by the said Act; that all the powers conferred on Municipal Councils are preserved; in short, that the whole Act should not be altered, because it would contribute, with some necessary amendments, to the prosperity of the Province, by means of and powers granted to Municipal Councils. The present Municipal law is advantageous to the inhabitants of the Province, because it gives them the power to make, open and improve roads or routes with greater facility and promptitude than ever. At the present day when parties wish to have a road opened, a bridge built, &c., they apply to the Municipal authorities, and at the end of a few days only they have an homologated *procès-verbal* in full effect. A few days now suffice to do what formerly required a year and more. The present Municipal law is advantageous to the inhabitants of the country, because they conduct their own municipal business, because they have the power to make improvements in their Municipalities, because they can get the benefit of all public enterprises favorable to them by contributing to them if they choose to do so, and when without that they would have lost a treasure of prosperity. The present Municipal law is advantageous to the people of the country, inasmuch as that, out of a people nearly ignorant of the Government system of working in affairs of great importance which concern them, it will make an enlightened people, well acquainted with all subjects affecting their welfare, and will initiate them into all matters in which they are either directly or indirectly concerned. The Municipal Councils

of the present day are legislative assemblies, in which discussions, enactments, and laws are carried on. These little governments, like that of the Province, often require to know the public opinion on questions which they are called on to decide; thence follow public meetings, discussions, and consequently, information, for information always springs from the conflict of discussion.

The Municipal law again is of use to the country, inasmuch as that the Government, when it thinks it necessary to know the opinions of the people of a country, of a county, or of a parish, on questions of general or local interest, cannot do so more effectually or more quickly than by means of the Municipal Councils.

Section XI., ch. 5, 6. This arrangement, which is the basis of the Municipal Act, is certainly of a nature to promote the welfare of a county by throwing into the management of its affairs all that promptitude which is to be expected from a body composed of members who are on the scene of their labours, who know as well as the parties interested the necessity or the contrary of whatever is required of them. They are thus in a position to do justice and to decide all questions submitted to them at once. The county councils, which are principally called upon to decide on cases of appeal from Local Councils, are composed of the men in each parish most remarkable for their information and education, they are tribunals in which the public must place full confidence, they are capable of watching over the welfare and wants of the counties, to protect them from any infringement of their rights, and to guide and lead them in the march of progress.

Sections XV., XIX. and XXIII. It appears to me sufficient to read the powers granted to the Municipal Councils, to be convinced of the necessity of their existence. The time is at length arrived for us to move forward in the march of improvement. In my opinion a law should not be repealed which confers so many advantages and powers, till it has been estimated at its just value; till it has time to operate in all its bearings; till the people to whom it has just been granted have well understood it. It would, I think, be absurd to repeal a law of which no one complains, because it is not yet sufficiently known (at least, complaints against it could not be founded on reason,) and the repeal of such a law would be too precipitate. For firstly, a thing must be known to decide whether it is good or bad. I therefore assert, that those who are opposed to this law are ignorant of its merits, for if acquainted with it their ideas must be anti-progressive, for this law, every one must allow, is the best municipal law we have ever had. I will admit that several persons, a large number even, are opposed to this law, but where will you find these persons? among the illiterate and the ignorant. And what arguments will they use to prove its defects? They will tell you, because there is something to pay. Oh! yes, and how much will they have to pay for a law which gives them so many advantages, when it works as it ought to do? The mean amount is 2s. 1d. per hundred pounds, which makes for an easy farmer, at an income of £300,—6s. 3d.; 6s. 3d. a year for taxes! this is a sufficient reason for an easy farmer, at the same time illiterate, and ignorant of the law, to condemn it as the worst in the world. Find some means to make it exist in all its bearings by suppressing taxes, and you will find it called the best law in the world. What is to be done? The same as was for the law on Elementary Schools. This law, during the first year of its operation, was the subject of as many complaints and oppositions as the Municipal law. Still it was maintained in spite of all, and now no one complains of it, and who can deny all the comforts it has produced to the Province.

On looking into the powers confided to local Councils, it is easy to see what trouble a County Council would have, if alone, to procure for the special wants of parishes, villages and towns, and what a state of destitution the local municipalities would be reduced to. Business would move but slowly, and sometimes stop altogether. In fact, what progress could be made by County Councils alone, the great majority of which would be quite ignorant of the works and improvements required in each local municipality. These Councils do not perceive the necessity for improvements, &c. asked for, and which would be required in localities of which they knew nothing, would suspend all proceedings relative to them, and thus the petitions and *procès-verbaux* would lie on the Council tables for a couple of years, as heretofore, without, in addition, taking into account all the useless journeys which the interested parties would have to make at their own expense.

Section XXVI. The taxes on moveable property ought either to be abolished, or to be put on a more general footing. In the latter case, it would be fair that all those persons who, without being proprietors or tenants, paying a certain amount of rent, but contributing as much as the latter to the public treasury of the locality, should have the right to vote at the election of councillors of local municipalities. Thus, in this clause (26) after the word "immoveable" should be included the words: or furniture or moveable property, profession or trade, as estimated by the municipality, producing a revenue of 40s. annually, calculating at six per cent. on the above estimate.

Reasons for requiring the amendments which we propose.

Section VIII. The obligation for posting public notices and by-laws at two places in one municipality, causes a waste of time and expense. The only public notices and by-laws which the public take any notice of, are those which are posted on the church doors of the locality, so that in many localities, notwithstanding that the law requires it, these notices are pasted on the Church doors.

IX. 2. 3. Although in all the municipalities in this County we have adopted the mode mentioned in the amendments which we propose, as the law appears imperative, we have thought proper to ask for an amendment. This method is more efficacious, more prompt, and infinitely more convenient than that proposed by the law, besides which it avoids all the expenses of signification.

XII. 11. We do not cling very tenaciously to this amendment, but still it will be necessary to strike this clause out of the Act, or to extend the powers of Justice of the Peace *ex-officio*, for as it exists now, and according to other provisions of the law, actions brought in virtue of this Act cannot be tried by the Mayor. It must be added that there are so few other affairs in the country that this Magistrate may be considered a nonentity. Thus, by allowing them to hear cases from other parishes in the County, it might add a little importance to the title of Justice of the Peace, *ex-officio*, and at the same time, affording some convenience to other parishes which have not always a justice to hear them.

Section XVI. It is necessary to say that it has often been found impossible to publish by-laws within the 15 days of their date, by posting them at two places, especially for by-laws issued by a County Council, of which it is necessary to have from 16 to 18 copies, made and published within 15 days, in all the parishes of the county. We think that the amendments proposed on this subject, would be of a character to please all the Councils and Municipal officers.

Section XVII, paragraphs 7 and 8. It has appeared to us useless to cause an election for one or two of the Councillors nominated unanimously at the public meeting held for that purpose. For this reason an amendment is proposed, which will, we trust, relieve the Councillors unanimously nominated from the annoyance of an election, an amendment which will do away with many difficulties, and will fill up a gap which has occurred in the Act in question.

Section XLIV. In the majority of the Parishes, this clause meets with little or no difficulty in its operation. Yet in some places it meets with some obstacles, because it does not say by whom the fences are to be taken down. Every proprietor or occupant will consent to take down the fences on the front of his land, but at its depth in rear, if he finds another road which serves as a main road for the occupants of another range, he then frequently refuses to take down the fences, affirming that he is obliged to take down only those of the main road. For this reason we have thought fit to allude to the subject in the proposed amendments.

One of the greatest defects in the Municipality Act is in the multiplicity of *procès-verbaux* with which the Superintendents overload the Councils. A County Superintendent is obliged by law to visit the places each time that a requisition is addressed in conformity with section XLVII; generally speaking, he draws up a *procès-verbal*, as from it he derives some pecuniary advantage. I know from my own knowledge that four *procès-verbaux* have been made for the same road in the same summer, and the fifth is about to be, if not already made. All these *procès-verbaux* are in a different form. Five parties apply to the Superintendent, and ask for a new *procès-verbal*; the Superintendent being obliged to visit the locality, has already done so, and draws up his *procès-verbal*. Five other parties not being satisfied with this *procès-verbal*, do as the former one did, and the Superintendent does the same over again for them, and so on. For this reason we thought the applications in question should be made to the Councils, who should have the power of rejecting them when of opinion that the last *procès-verbal* that was homologated contains all the necessary provisions for the full execution of the works or other purposes for which it may have been drawn up.

Section XLIX, paragraph 8. Many of the Municipal Councils and offices of delegates, have been much embarrassed as to whether it was in their power to reject a report or *procès-verbal*, which the law does not explain. Several have come to the decision that they have not the power to reject such a document.

Section XLIX, paragraph 9. We have to say there are hardly any *procès-verbaux* which do not require amendments; many deserve to be rather rejected than to be homologated. Notwithstanding all the care which a Superintendent may devote to the perfection of a *procès-verbal*, when the parties interested appear before the Councils or boards of delegates, they always bring up an amount of information, and make so many comments, that they make it appear that the *procès-verbal* does not contain all the provisions that are requisite. Indeed, a perfect knowledge of the localities and of the interested parties is necessary in order to include in a *procès-verbal* all that is necessary; one single visit will not enable a Superintendent to arrange and foresee all that is needful. We believe it to be very important to change this clause, and to amend in the manner that we propose.

Section LII, paragraph 2. What we propose to add to this section is to fill up a gap, and to set the Councils in a better position, as to certain valuations of property, which are often the source of much difficulty.

Section LXXIV, paragraph 11. By paragraph 11 of section 74, the Secretary-Treasurer of the County is obliged to be on the same day and at the same hour in every Parish in the County. I must confess that I am unable to carry out this clause to the letter.

Section LXXV. Although it is to be understood that all the paragraphs of clause 75 refer to the Secretary-Treasurer, in speaking simply of the Secretary-Treasurer, yet, we think it should be stated more explicitly.

Act of Amendment.

Section IX. When the County Councils were established by the Municipal Act, and were thus considered Councils of Appeal principally from the local Councils on all matters in which these Councils could have given judgment, it will be admitted that by this establishment of Courts of Appeal that the local Councils might be in error; they may be quite as much so in rejecting as in adopting a *proces-verbal*.

Section LXI, paragraphs 1 and 2. This section 16 contains many important provisions of general interest to Lower Canada. It contains nothing less than an act of injustice to Lower Canada. It is true that giving the name of village or town to any locality does not render it a whit more prosperous, but if too much is exacted from this locality, if it is impeded in its progress, if it is impeded in its acquisition of importance, a reversal of the meaning of the Act is the consequence, as it was meant to forward all the localities in the country in their march of progress. The amendment to the Municipal Act exacts that there shall be 3,000 souls in a village to give it a title to be erected into a town. I repeat that this provision is unjust to Lower Canada, as it requires a larger amount of population than in Upper Canada; it is unjust, because it requires the villages of Lower Canada to have a greater amount of population than many towns in Upper Canada. This will be better proved by figures :

Towns.	Population.	County.
Barrie	1007.....	Simcoe.
Ingersoll.....	1190.....	Oxford.
Goderich	1329.....	Huron.
Simcoe.....	1452.....	Norfolk.
Picton	1569.....	Prince Edward.
Cornwall.....	1646.....	Stormont.
Guelph	1860.....	Wellington.
Amherstburg.....	1880.....	Essex.
Perth.....	1916..... 9.....	Lanark.
Chatham	2070.....	Kent.
Woodstock	2112.....	Oxford.
Prescott	2156.....	Grenville.
Peterboro	2191.....	Peterboro.
Port Hope.....	2476..... 5.....	Durham.

By this statement we see that there are in Upper Canada nine towns whose population is below 2,000 souls, five below 2,500, and fourteen below 3,000. These figures are taken from the last census of the two provinces. We perceive that the town at the head of this statement has a population of 1007 souls. What then was its population when it became a town? under a thousand! Thus: would it not be just to allow Lower Canada villages to become towns, with a population of 1,000, when less suffices in Upper Canada? We trust that the amendment we recommend on this subject will be taken into consideration, and that the word "three" will be struck out, as being too much in the Municipal Act.

Answers to the Questions of the Committee.

We are of opinion that what we have said above, and have proposed in the amendments which we have submitted, is sufficient to answer all or the greater part of the questions proposed.

- 5th. The Municipal Act has worked in a satisfactory manner so far, in all the municipalities of the county. The County Council raised £150 last year, and £100 this year.
- 7th. We understand by the word "*corvée*" all public work, bridges, roads, and the improvements on them, &c., which is done by the parties concerned.

N.B. The roads have been much improved, and kept in better order, in this country, since the Act in question.

Amendments which ought to be made in "The Municipal and Road Act of Lower Canada, of 1855," to render it more effective and popular.

Section VIII. By-laws and public notices, need only be posted on the Church doors.

Section IX. Paragraphs 2 and 3. Special notices to be served on members of a Municipal Council, or on other municipal officers, need not be served in strict accordance with the forms prescribed by the said Act, if the persons to whom such notices shall be given, consider themselves well and duly notified, and certify the same at the foot of the original notice. This certificate will be equivalent to a service, one single original will suffice, in all cases, for any number of cases, for any number of persons notified for the same business.

Section XII, Paragraph 11. Every chief officer of a Municipal Council shall be *ex-officio* Justice of the Peace, within the limits of the County of which he is Councillor.

Section XVI. Notwithstanding the provisions of Section XVI of the said Act, no by-law of a Municipal Council, which shall not have been published within the fifteen days of its date, shall be in force as if it had been; provided nevertheless, that publicity has been given to it by posting it on, and reading it at the Church door of the Church or Churches where the parties concerned reside; and in future, every by-law shall be published by posting it, and read it at the door of the said Church or Churches, on two successive Sundays. It is not necessary that such reading should be made on the two Sundays immediately following the date of such by-law, but the same by-law shall be in force after such second reading, even if made at a much later date.

All by-laws for the internal regulation of a Municipal Council, need not be published, nor such by-laws as do not tend to raise any tax or charge on the inhabitants of one or several municipalities.

Section XXVII, Paragraph 7. The first four lines, and part of the fifth line of Paragraph No. 7, of Section XXVII, as far as the words "in case of an equal number of votes" exclusively, should be cancelled, and the following words be substituted: but when an election shall be contested by one or several candidates, who shall offer themselves or be proposed as Councillors, a poll can be demanded for those candidates only whose election shall be contested. The Councillors unanimously nominated by the electors present at such meeting, shall be proclaimed as Councillors duly elected, by the chairman at the same meeting. The election shall be for the person or persons only whose election shall be contested; the chairman will then enregister or cause to be enregistered, in a poll-book kept for that purpose, the votes of the electors present at the meeting, and he shall declare duly elected the Councillor or Councillors, the person or persons who shall have the largest number of votes.

Section XXVII, paragraph 8. Before paragraph 8 of this section should be added:

It shall be the duty of the Chairman of the election, when there shall be a contested election of one or more candidates, to enter on the poll-book the names, christian names, quality, residence and age of each elector offering to vote at such election.

Section XXVII, paragraph 10. After paragraph 10 of this section shall be added:

The expenses of public and special notices for such election, as well as the cost of the election, shall be defrayed by the local Council of the Municipality in which such election shall have taken place.

Section XLIV. The fences to be taken down in virtue of the 44th section of the said Act, shall be so removed by the proprietor or occupant of the land which the fences divide from such roads.

Section XLVII. The words, "whether by an application addressed to him by not less than five persons concerned, etc., qualified to vote at the election of Local Councillors," are cancelled; in future such interested parties, in similar number, must apply to the Municipal Council of the Parish or of the County, according as the works may be for one or the other.

As to works in which more than one County is concerned, such application shall be addressed to the Council of the County in which the parties concerned reside, or the greater part of the applicants. And such Council may reject such application, or order the Superintendent to proceed, in accordance with the terms of the said application.

Section XLIX, paragraph 8. The eighth paragraph of the forty-ninth section of the said Act shall not be interpreted in such a manner as not to give to such Council or board of delegates the right of rejecting all *procès-verbaux* or reports referred to them, if they think proper.

Section XLIX, paragraph 9. The ninth paragraph of the forty-ninth section of the said Act, and the 20th section of the Act of Amendment of the said Act, are annulled, and in future no *procès-verbal* or report shall be deemed to be duly homologated; and to be in force, it will be necessary that the Council or board of delegates to whom such *procès-verbal* shall have been submitted, shall have homologated it without amendment. If there is no quorum at the session or meeting at which such *procès-verbal* should be

taken into consideration, it shall remain on the table till the next session or meeting. In the latter case it will not be necessary to renew the public notices which should be given to all parties concerned, by the second paragraph of the forty-ninth section of the said Act. And when such *procès-verbal* is to be submitted to the County delegates, if there is no quorum the day they should meet, those who are present may adjourn the meeting to a future day, which shall not be later than a month from the said meeting, and the Superintendent shall give or cause to be given notice of such adjournment to the delegates absent from such meeting; all such notices to be at the expense of the delegate notified, unless such delegate shall have been unable to attend such meeting. The payment of the expense of notification by a delegate shall not, however, exempt him from the penalty imposed by law for having failed in his duty as such.

Section LII, paragraph 11. After the eleventh paragraph of section 52 of said Act, shall be added as follows:—Except for town and village Municipalities, whose powers shall extend to the contents of this paragraph.

Section LXV. Every Council shall, as soon as the fact shall come to their knowledge, cause to be valued by the said assessors all land, lot or parcel of lot or lots which shall have been omitted in the general assessment of properties in the Municipality. The notary shall, after the homologation of such additional assessment, add the amount of such new assessment to the amount of the general assessment, and make his return of the same to the Secretary-Treasurer of the County within fifteen days of such homologation, in conformity with the 9th paragraph of the 74th section of the said Act.

Every new Council may cause a new and separate assessment of all the sub-divisions of lots or of land, part of which may have been sold since the general assessment, should there be any difficulty in fixing or collecting the taxes on properties thus decided.

Section LXXIV, paragraph 11. Notwithstanding the provisions of the 74th section of the said Act, paragraph 11, the notice to be given by the Secretary-Treasurer of the County, of the sale of any lot indebted to one or several local Municipalities, may announce that the sale is to be made on such a day in one Municipality, and on such another day in another, and this from the first Monday in February to the 15th day of the same month, inclusively.

Section LXXV. The words "Secretary-Treasurer," wherever found in found in the paragraphs 2, 3, 4, 5 and 6 of the 75th section of the said Act, shall be understood to mean Secretary-Treasurer of the County.

Section LX. Every County Council shall have the power to revise and homologate, or even reject any *procès-verbal* or report, with or without amendment, which shall have been rejected by a local Council in a County, whenever an appeal shall have been made conformably to paragraph 2 of the 9th section, within the fifteen days of the rejection of such *procès-verbal* or report.

Section XVI. The word "three," in the first and second paragraphs of the 16th section, shall be struck out, and these two paragraphs shall be read as if the word did not exist.

Denis Harvey, Mayor of Malbaie, and others.

- 1st. The Act in question has never worked in a satisfactory manner in this locality, and since the month of June last it does not work at all.
- 2nd. We are of opinion that the office of County Superintendent is useless, and that the powers with which this person is vested contribute in no way to the working of the Act, and that it should be abolished. We should wish if the old law were adopted, that the Secretary-Treasurer of the County Council should also fill the office of *grand-voyer*, which would avoid useless and often very heavy expenses, and that instead of seven Councillors, each Parish had only as formerly the right of sending two Councillors to the County Council. The law ought to oblige County Councils to meet only two or three times a year, with the power of adjourning to a future day, and of calling special meetings when necessary.

One of the principal reasons which induces us to ask for the renewal of the old law of County Councils is, that by it we avoid the expenses of nomination, by the law of 1855, of eleven Secretary-Treasurers for the County of Charlevoix, while by the old law only one was necessary. We are of opinion that personal and moveable property should not be assessed. We also think that the revenue from licenses, as well as the fines for the illegal sale of spirituous liquors, or in contravention of licenses granted, should be left to the disposal of County Councils, which, with the produce of such licenses, as they were levied from the store-keepers, in accordance with the old law, should suffice to supply all the expenses of the said Councils. We also desire that all the County Councils should be invested with all the powers of the *grand-voyer*, and that they should also have the power of taxing immoveable property both by "*corvée*" and in money, when it should be necessary to complete any public works, such as bridges, hills, roads, &c.

- 5th. The Act of 1855 has never worked in a satisfactory manner in our locality. The Council of this Parish has levied no money since the passing of this Act, and the debts contracted by the Council in virtue of this law, are not yet paid.
- 6th. There has been no assessment in our Municipality since the passing of the Act of 1855, because the inhabitants of this locality are opposed to the working of this law, from its being too ambiguous, and that it produces too heavy expenses.
- 7th. By the expression "*corvée*," we understand the day-labor which every proprietor or occupant of land is obliged to perform for the maintenance of roads, hills, and public works.
- 8th. No change has been made in the mode of keeping up the roads, bridges, and by-roads since the passing of the Act in question, the inhabitants of this locality having always continued to use the old law of road superintendence.

Municipal Council of the Parish of St. Anne.

- 1st. The opinion of this Council is, that the present law cannot work with advantage to the people, as it entails an infinity of expense, is too complicated, and unintelligible, and impracticable, besides which the people are not sufficiently

well informed to receive and carry out a Municipal law of this nature, consequently that passed in the 10th and 11th Vic., should supply its place, with some modifications.

- 2nd. The office of County Superintendent should be abolished, as its duties and powers are too extended, and of a nature to paralyze those of the Council, and by this means interrupt the action of the law. Besides, a person vested with such powers, and whose salary, considering the amount of his labors, is so high, is viewed unfavorably by the people, and causes his orders and regulations to be almost always despised and neglected. A deputy *grand-voyer* would better supply the public wants like the one named, in virtue of the Act 10 and 11 Vict.

Annual visits should be abolished. One thing which renders the office of Superintendent unacceptable is, the excessive number of duties he has to perform; for example: to keep a register in which to enter all reports, *procès-verbaux*, assessment rolls, receipts, &c., &c., which each Council is already in possession of itself, causing large salaries to be paid to each of these officers for the same thing, while the former *grand-voyer* had only to file the *procès-verbaux* with the Councils, and nothing more.

The notices, publications of by-laws, by the present law, cause an infinity of useless expenses, whereas it would be sufficient that they should be read on one or two Sundays at the close of service, or in the most public place if there is do church, in the language of the majority of those concerned, and a certificate to that effect by the reader.

- 3rd. After what has been just said, it will not be difficult to see that the opinion of this Council is, that County Councils as before are preferable, but instead of two Councillors, let there be three.

A Collector nominated by each Parish, authorized alone to make all local allotments, and at a rate fixed by the Council for each allotment which he makes; a uniform system of allotment, similar to that prescribed by the present law, so as to aid the Collector, and make him within reach of every thing; every allotment certified by the collector, bound to give security for the moneys he receives, or for his good conduct.

- 4th. Personal or moveable property to be excluded, and authority to County Councils to tax those people, so as to form a fund for the Councils to provide for expenses, and avoid all taxation on Counties.

- 5th. The Municipal Act worked with difficulty as long as it was not necessary to levy taxes, but subsequently it does not appear likely to work at all; and what is more, those who have endeavored to make it effective are discouraged by the difficulties they have encountered, and the injury done to persons holding Municipal offices, so that it will be difficult to get such officers in future.

- 6th. There was levied in this Municipality for the two years ending the first of July next, (including £14 7s. 3d. for the expenses of the County Council, and old debts of the old Council,) the sum of £71 7s. 3d., which will clearly show that the Parish Councils are more expensive, for during the ten years that the County Council existed, not a farthing was levied, and it is easy to show that the County Councils work more effectually than the Parish.

- 7th. The *corvée* on proletaries and on all men from 16 to 18 years of age, who pay no tax, is fair enough, except where it exacts a day's labor for every £100 assessment.
- 8th. The mode of keeping up the roads in this Municipality is, that the main road is kept up by the proprietor through whose land it passes; the by-roads by those compelled to do so by *procès-verbal*; the maintenance of the winter by-roads is sold, and the amount paid by the people concerned, according to the value of their property as assessed, or by voluntary contribution. To provide for all difficulties, it would be well to give power to the County or Parish Councils (as the case may be) to choose by a by-law the method of raising payment, either by the value or frontage or superficies of properties, for taxes that are purely local; in the County Council it would suffice that the Councillors of a Parish who might wish to choose a method, should agree to the passing of the requisite by-laws.

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Antoine Leblanc, Mayor of Aston.

- 1st. The Municipal Act, taken as a whole, is excellent. It works pretty well in this locality.
- 2nd. In my opinion the office of Superintendent should be kept up, but power should be given to the local Councils to nominate in each Municipality a person to be invested with all the powers devolving on Superintendents in his locality. Such a measure would considerably reduce the expenses caused by the great distances to which the operations of County Superintendents extend; the parties concerned should be at liberty to require the services of the Local or County Superintendent; in the first instance they would incur less expense, and in the latter they would shield themselves from petty personal or local interests.
- The Superintendent should be obliged to deposit his reports or *procès-verbaux* in the Council office; the Council should revise them at least ten days before the regular day of revision, and public notice should be given, that all parties concerned might be acquainted with it, ascertain if there are grounds for opposing the homologation of the said parcels of land, and give them time to take the necessary steps for that purpose.
- 3rd. The present organization of the County municipalities appears to me to be good. It is even indispensable in the townships, where communications are difficult, and the distance great. Under the old law of municipal Councils, it often happened that a quorum could not be formed in the sittings of the councils; in some townships no nomination of officers of road superintendence could ever be made; it is easy to understand the consequence.
- 4th. I believe it fair and equitable to include personal and moveable property in the assessment; that a uniform system of assessment should not be established fully in every County; but that each local municipality should have the charge of establishing the amount of assessment to be levied in the said municipality. Each know its own ills, and its own affairs.
- 5th. The municipality of Aston has worked since the passing of the Municipal and Road Act of 1855, and in virtue of it £25 has been levied.

- 7th. There has been no occasion to put in practice anything relating to statute labor in this locality.
- 8th. Every party makes and keeps up his by-road and the high-road in front of his lands.

It appears to me that it should be ordered that notwithstanding any *procès-verbal*, or by-law now in force, every by-road shall be made and kept in repair by the proprietors of the lands situate in the concession which the road traverses.

With this old and detestable system of obliging the inhabitants of a distant concession, to make and keep up the road nearest to the oldest locality (the village, the town, or the river,) the inhabitants of the new settlements are oppressed, as by it, besides the roads they have to make at home, they find themselves charged with a road out of their own municipality; and it happens that the inhabitants that are established in a concession bordering on two municipalities, situated at some distance from the riparian parishes, are obliged to make two by-roads, or to renounce all communication with the neighbouring municipalities, while the lucky citizen who is a neighbour to Neptune, is altogether or partly exempt from working at the by-road. Let each concession make and keep up its by-roads, that is equal justice, especially for the poor settler who plunges into the forest, and earns his bread by the sweat of his brow.

I would suggest that the local Council's Secretary should be empowered to sell all properties burthened with arrears of taxes, without being obliged to refer to the Secretary of the County Council. What is the use of all this fuss, except to complicate and shackle the march of business!

It should be well and clearly explained, that when a property has been sold under the municipal laws, the proprietor shall have to pay, on claiming it, the costs of sale and 20 per cent., besides all the disbursements which the purchaser or highest bidder may have made for the public works, during the time he shall have been in possession of the property, with the 20 per cent.

Every local municipality should have the privilege of establishing toll-gates within its own limits, and to abolish them when needful.

This winter the timber speculators have done considerable damage to the future settlements of Aston and Maddington, by cutting down the finest sugar-ies; this should be enacted by law, that in future no sugary shall be cut down, without the authority of the local municipal Council. Laws are passed for the preservation of trout and ducks; why should not others be passed to encourage the making of sugar, an occupation so useful and necessary in Canada!

The Councils should be authorised to appoint Inspectors of roads, and non-resident *grand-voyers*, if proprietors in the municipalities. In the new settlements, the public works are extensive, and require an intelligent and enlightened management, which is but rarely found on the spot.

The County Superintendent might, without inconvenience, be exempted from visiting twice a year, the roads in the County, a visit which only adds to the expense, without any corresponding advantage.

In case a Council should see fit to employ a Surveyor to perform an operation which is within the capacity of the Superintendent, his report should be equally valid. Why employ two persons when one is sufficient? Often the Superintendent cannot proceed without a Surveyor.

Municipal Council of St. Raphael.

- 1st. We are of opinion that the municipal Act of 1855, with some amendments to make it effective in certain localities, especially where new settlements are formed, would meet the wants of the country places, and would be good and necessary. The amendments we propose are these: 1st. Assessments according to evaluation of properties, are one of the causes which prevent the working of the law, principally where there are new settlements, that the keeping up the highways and by-ways, is a burthen on some of the families only,—that a large number have lands which they do not cultivate, and which they use simply for cutting lumber, that these lands are of no value, and that all the roads are at the expense of the settler who cultivates his land, and we suggest to Your Honorable Committee, an assessment levied at so much an arpent, as levied by the former law; by this means encouragement would be given to agriculture, and the clearing of land.
- 2nd. We are of opinion that the office of County Superintendent does not meet with the approval of the municipalities. The general opinion is, that as there are municipal Councils in every Parish, there ought to be a Road Superintendent in every municipality, who would act under the direction of the Council, by which means the amount paid to the present Superintendent would be saved, and the person chosen in the municipality would be far more able than a stranger, to locate roads, and perform the duties of his office; this person's services might be gratuitous, the Council would only have to pay him his expenses, and the law would be far more popular.
- 3rd. We are of opinion that the Parish municipalities supply the wants of the people much better than the County ones, that they are better calculated to understand the wants of their respective localities, and to improve the roads; and in all the Parishes there is a sufficient number of liberal men to be found to fill the different offices.
- 4th. We have answered this question by the first.
- 5th and 6th. The municipal law has always worked, whether well or ill; it has done good service in our Parish. We have raised no taxes, fearing that in taxing landed property, we should rouse an opposition on the part of the people not yet accustomed to this method, by which means we should have rendered all law inoperative, and have been in a still worse condition. We have met our expenses by fines, by entries of petitions, oppositions, &c.
- 7th. We understand by the word "*corvée*," any work which the municipality gets done by the inhabitants, in place of imposing a tax, where public work is considered necessary, such as the opening of a road, the construction of a bridge, or the improvement of roads too difficult to be performed by the proprietors.
- 8th. The winter roads are kept up by means of a sum charged on each arpent of land, and the summer roads are given in shares to each, in proportion to his land.

Stanislas Piché, Mayor of Bulstrode.

- 1st. As to the working of the Act we have no objection to it, but find some of its clauses rather difficult to understand.

- 2nd. The opinion of the majority here, would be to dismiss the Superintendent, and to give powers to each local Council to choose the person they think most eligible, to trace out their roads when needful.
- 3rd and 4th. A County Council is in no way required, on account of the enormous expense it entails for maintaining its officers, and the injury sustained by its failing to account for moneys deposited in its hands, so that it would be better to have no County Council.
- 5th and 6th. The Corporation have raised, to meet its municipal expenses, a tax of about £70, simply to pay its officers, and they have passed a by-law which is in force from the first day of January, 1857, to cause all roads to be made and kept in repair exclusively by "*corvée*."
- 7th. By the word "*corvée*" is understood, work performed by parties concerned, under the direction of the road Inspectors, in whatever place they may think proper.
- 8th. We understand by this clause that the by-roads are to be made and kept in order by taxes in money, and at the expense of the Corporation.

L. U. Tremblay, Secretary-Treasurer of Lacolle.

- 1st. The Municipal Council has worked pretty well in our Parish as a local Council, but the law should be amended, so as to allow to local Councils the absolute control of their affairs, without having any connection with the County Councils.
- 2nd. The office of Superintendent should be abolished, and the Parish Councils should be allowed to choose competent persons in their localities, whenever required, to open, verbalise, or close roads, or for the building or repairing of bridges; these persons making a report of their visits to the Council, for such action thereon, as to the said Council may seem meet.
- My opinion in this case is based on the fact, that the County Superintendent, being quite a stranger to the locality he has to visit, is certainly very liable to err, and to do injustice to the parties concerned, either in the reports or *procès-verbaux* of his proceedings.
- 3rd. My opinion, or rather that of the Council, is, that the municipal organization, as a Parish municipality, would be preferable to that of County and Parish together.
- 4th. Taxation on immoveable property, and with a view to establish a uniform system of taxation in each County, that valutors be established for the whole County, strangers in the County in which they are required to act.
- 5th. Yes, and an amount of a thousand and thirty-four dollars was raised in 1856, to meet the expenses of the County, and of the local Councils.
- 6th. There was an assessment as above stated.
- 7th. No "*corvée*."
- 8th. As formerly, according to the *procès-verbaux* in existence.

P. Leclaire, Mayor of Lotbinière.

- 1st. The Act in question is too complicated, and does not, and can not work in a satisfactory manner in this locality; the amendments required to it are too numerous to be detailed at length. The legislature will not fail to adopt a more simple and less expensive system, clearer and more precise than that adopted in the Act in question, and which, in fact, would be better adapted to our wants, and to our present position.
 - 2nd. The office of Superintendent should be totally abolished, being too expensive, and calculated too often to confuse and retard the working of the municipal Act, and every municipal council or local Council should have the right to appoint, temporarily, a competent person, whenever it become necessary to open a new by or public road, or to build or repair a bridge.
 - 3rd. The municipal organization of County and Parish municipalities should be reduced to Parish municipalities only, and when the affairs of more than one Parish are concerned, delegates appointed, whenever necessary, from among the members of the municipal Council of the interested Parishes, should meet for the purpose of forming a Council of revision, and regulate the affair.
 - 4th. It should be left to each local Council to exclude or include moveable personal property in the assessment; to leave as it is, the system of taxing immoveable property, as established by the local Municipality Act, with the privilege to the Secretary-Treasurer of raising the said assessment if necessary, after having previously given notice two or three successive Sundays, at the church door, after which, to issue, under the Mayor's Seal, a writ of execution without further notice against the defaulters, so as to recover the moneys due in virtue of the said assessment.
 - 5th. The municipality of this quarter has worked tolerably, and has only tried to raise, once for all, sixpence in the hundred pounds on all taxable property, and even it has not been able to raise the half of this assessment, which made a sum total of £22 13s. 7½d., arising from the ill will and opposition of of most of the ratepayers.
 - 6th. This is the reason why the Municipal expenses have not been met. In changing or amending the Municipal Act, it would be necessary to leave to the Municipal Councils the power to call in the arrears of assessment, or Government should pay them.
 - 7th. By the word *corvée*, we understand working in common at bridges, high-ways or by-ways. These *corvées* should also be left to the regulation of each local Council, from the difficulty in the Parishes generally of obliging landed proprietors to attend the *corvées*.
 - 8th. The method of keeping up the roads in this locality is the same as that in existence before the passing of the Act.
- N. B. 1st. As to the penalties to be imposed for the execution of the Act, it should be shown more certainly and distinctly how they are to be imposed, when necessary, before what Court, and besides, there ought to be blank forms for all cases of this nature. We have often experienced difficulties on this head, either from the ignorance or the bad faith of some of our Justices of the Peace.

- 2nd. The local Council should also have the power to regulate all abuses prejudicial to the agricultural interests, and also the difficulties which arise from fencing and ditching, on division lines, water courses or drains, every time that the inspectors of fences and ditches meet with any in the execution of their duty.
- 3rd. The local Council in every Parish ought to be like a petty Government, that is to say, that it should have the power of making by-laws for all Parish business concerning high and by-roads, public bridges, water-courses, dams, &c.

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Ambroise Morrin, Mayor of St. François, Beauce.

- 1st. The Act in question works very unsatisfactorily, (not to say not at all,) not only in my locality, but even in all others, because it is too comprehensive, too complicated, too obscure, and because it requires too much machinery, that is to say, too many persons to work it.

My opinion is, that it has been passed fifty years too soon, and should therefore be repealed, and that the 36th George III., cap. 9, should be put in force, with some modifications, that is to say, to appoint a *grand-voyer* or Superintendent in every County, paid by the Government, that he may be independent of the people; he may thus be able to do his duty fearless of displeasing any one. He should be obliged by law to make four visits a year, with sufficient power to cause roads to be made by the parties whose duty it is to make them, and should have absolute authority over the Inspectors and *sous-voyers*; to impose a fine on negligent proprietors, as well as on Inspectors and *sous-voyers*, which fine should be used in repairing the road of the offending party.

- 2nd. The office of County Superintendent is almost a nullity, as he never makes the visits required by law, not being sufficiently paid by the County Council. The said Council, to meet this expense, should be obliged to impose direct taxation on the people, and cannot do so because of the great poverty that has existed in our Parishes for several years. The said Superintendent only receives for his salary the amount allowed for his *procès-verbaux*, which is very little, because it is the very poor people who require by-roads, as also people living on lands that are hardly cleared.
- 3rd. The present municipal organization into County and Parish Councils forms the complication which prevents the machine from working.

The municipal Councillors of a County are chosen by the people, who take good care to elect persons well disposed to do nothing: above all, not to ask money of the people, and, as you know, when there is no oil the lamp will give no light.

Moreover, since the amendment of 1856, the power of Local Councils is almost annulled, inasmuch as the Municipal Council of a County has a right to amend or annul laws laid down by local Councils, which is an absurdity.

- 4th. I consider the system of taxing the proprietors, and obliging them to make roads at a fixed price, as vexatious, odious, and of no effect, considering the poverty of the people. Each proprietor ought to make his own front road;

the public roads and bridges should be made and kept in order by the day's work of *corvée*, for each party interested proportioned to the number of arpents, or to the value of each property, that is to say, for each £100, and under pain of a heavy penalty.

- 5th. The Municipality of my locality has worked very badly since the passing of the Act of 1855, and the roads are in a very bad condition, for the reasons above mentioned. No sum has been levied by taxation in virtue of this Act.
- 6th. There has not been any taxation in the Municipality, because the Councillors do not wish to impose taxes upon the people, and the people do not wish it, because they are too poor; also, because certain extinguishers from different localities, who excite the people against the present law, advise them to put to fire and sword whoever wish to tax them. We have paid up our expenses, which have been trifling, cheerfully.
- 7th. By the expression, *corvée*, we understand working-days given *gratis* by those interested in by-roads and bridges, and to which they are obliged by law.
- 8th. For keeping in repair the public roads and bridges, each person interested gives one day's labor, and more if the works require it, and furnishes the timber necessary for the bridges.

The great obstacle to the working of the law is, that the officers are elected by the people, who take good care not to choose educated people, for fear of taxes, and all because persons so educated are very rare in our locality. It was with great difficulty that we found a person with sufficient information to hold the place of Secretary Treasurer. With a similar state of things, your Committee would easily understand why the law is not put into force, and that it is indispensable to recall it, and give us a more clear, and less complicated, till the people are better educated; for if you give a large loaf of bread to a child two years old, and there is no person to overlook him, whatever his disposition might be, it is certain he would choke himself; it is the same as to put this law of 1855 into the hands of persons who do not know how to read or write—it is impossible that they should be able to understand it.

My humble opinion is, that if we wish to adhere to the Municipal system, we should have but one County Council, the members of which should be qualified as regards education and property, unless we wish to go back to the 36th George III.

A. B. Papineau, Mayor of St. Martin, County of Terrebonne.

- 1st. To give an opinion on the Act in question, which might have the effect of causing an appreciation of certain of its advantages, as well as to point out its deficiencies, we must consider what it expresses, as well as what it fails to express.

Two years have scarcely elapsed since the whole country, admitting the County Councils, the impossibility of doing justice to the many localities in their respective jurisdictions, for want of knowledge of places, of men, and of things in general, and considering the great expense and loss of

time occasioned by the distance of the places, sent in petitions to Parliament from all directions to put a stop to such a course of things so prejudicial to their interests, and thought themselves bound to solicit a re-establishment of Parish Councils, still tolerating County Councils to regulate affairs of a general character.

And had it not been for a certain fear that in asking too much, we might have obtained nothing; many Municipalities would perhaps have demanded the total abolition of County Councils.

But in now taking the law as it is, in all its provisions, it appears that it sets forth and explains, in a clear manner, all that it is intended to regulate; neither does it appear so complicated, or so extraordinary, as to merit on these heads the opprobrium with which they seek to load it.

A law which establishes all the powers of the Councils, and enumerates all the privileges and duties of its functionaries and officers, which, at the same time, offers different systems of working, to accommodate the interests and particular views of various localities, could scarcely contain a less number of provisions, or make them more intelligible. Each of these provisions expresses a particular meaning, and refers to some distinct object, but involves no contradiction.

Section LI., which places all the roads under the direct control of the Council, does not contradict the provisions which authorize the road inspectors and overseers to conduct the carrying on of their respective works themselves.

The impossibility of making all the country conform at once to a uniform system of taxation, has allowed the old system to exist in full force, which could not be altered but at the will of the Municipalities.

But the legislature, foreseeing that they could not make any important ameliorations by allowing the works on the roads to be made by portions divided between the occupants, has established this 51st section, which authorizes the Councils to take the direction of the roads, and expend all sums necessary, or employ a sufficient number of men to level the hills, or fill up the hollows. In twenty lines, this section establishes a new system of road inspection; it only remains to put it in force to abridge the law.

The putting in operation of this 51st section will yet be of considerable advantage, inasmuch as it will at once put a stop to the unjust distribution of the labor on by-roads, and which consists in obliging the proprietors of a concession to make the by-road meet the high-road of another concession, supposed to be older and nearer the church, the mill, or the town, so that it comes to pass that the occupants of the concession starting from the villages, on each side of the river, or from one of the sides of the river, find themselves entirely exempt from road labor.

It is surprising that assessments so vexatious should be imposed. This service has doubtless never been consented to, but it has acquired full power, admitted, like all other abuses, in virtue of custom.

The by-roads, as well as the highways, are equally included in the order of public things which belong to nobody, but which interest everybody: every-

where the road ought to be kept in order for the use of the public; each proprietor ought to furnish the road on all the length of his property, and for the same reason, the proprietors of each concession ought to furnish and keep in repair, the by-road from one corner to the other, of their respective concessions; each Parish, each municipality should give and make the road to the extent of its limits, but without being obliged to use it.

After this exposition of principles of so incontestable a character, who would refuse to condemn the proprietor, who having built on the side of his land, looking towards the church, the mill, or the town, should refuse to finish his front road on the other side of his land, under pretext that it was useless to himself, and who would thus leave the charge of it to his neighbour, obliging him even to pay the cost of it, and thus every one would encroach on the right of his neighbour.

It is, however, a similar system, which no individual would ever have dared to put in operation on a front road, because its absurdity is too striking, when applied to any private individual towards his neighbour, yet it has always been in force in the allotment of road-work, thus subjecting the concessions as well as the Parishes, to do alternately, each the work of the other.

It is only by an assessment, as imposed by section 51, that an end can be put to this unfair distribution of road allotments, put in force by so many *procès-verbaux*.

This provision is a great step towards justice, as it will have the effect of virtually revoking the old assessments, and of making all parties concerned contribute their quota equally throughout, as well in rear as in front, within their natural limits, and thus the occupants of each concession, and of each Parish, will be reinstated as well in their right as in their respective obligations.

These remarks are not made with the idea that the Honorable Members of the Committee will not themselves have already perceived, and understand the injustice of loading one part of the ratepayers with the burden of maintaining all the roads, neither are they offered in the fear that they should not use their authority to stop the evil if possible; but this is only urged, so forcibly, to show the necessity, more distinctly, of maintaining in any other municipal law, provisions similar to those contained in section 51, and also with the wish to suggest and submit to them, whether it would not be better to adopt some other more effectual measure, calculated to change the old allotment system, and prevent its extension to places where it is now unknown. For after all, this section 51 will hardly operate more effectually on the roads, than the law of voluntary commutation, on the rights of the Seigniories. A very small number will resolve to use it for some years to come, but many will continue to follow the old routine, and will extend it even further. It is not only in the *procès-verbaux* that the custom has been established of making the people in the furthest concession pay the expenses of maintaining the roads. This principle, subversive of all justice in the distribution of works, is even confirmed in the last law (section 25, paragraph 3,) in a distinct manner. It is legalising a pernicious abuse, which ought rather to be abolished. Doubtless, the legislature thought it imprudent to offend so many interests at once, it did much in allowing a change in the old allotments, but in my humble opinion it was wrong to establish, as a principle, that "the by-roads shall be made by the proprietors of the concession to which they lead."

The old road laws only enacted "that by-roads shall be made by those who are charged with them in the *procès-verbal*," (see 36 Geo. III, cap. 9.) This custom was only introduced by the *grand-voyers*, who were guided by false principles in their operations, by regulating that the new by-roads be made by those alone who live in a concession further in the rear.

By the above we see that the *grand-voyers*, who were only officers, had more latitude than the Councils, on whom devolves the power of establishing all sorts of by-laws for the administration of local affairs.

It appears that the legislator encroaches on the jurisdiction of the Councils in dictating too many private provisions, which takes away all liberty of action, and the choice of establishing rules to guide their officers.

In this point of view, the law is perhaps too explicit, and appears to enact of itself that which it is the exclusive province of the Councils to regulate.

To exercise all the power which belongs to the administration of the roads, it will be sufficient to confer their superintendence; this word alone comprises literally all the law, when it prescribes that Councils shall have power to build a Court of Justice, a Jail, &c., without entering into any detail as to the plans and estimates, either as to the quality of the materials, or the conditions of the terms of payment, leaving all to the care of the Councils.

It ought not to be otherwise with all matters put under their jurisdiction; the Councillors are the managers, who, in this qualification, should act of themselves, and regulate all which concerns their administration, as they find it most advantageous to the Municipality, whereas, they being obliged, as they are, to follow all the arbitrary and minute directions of the law, they have only to play the part of officers, often under the control of a subaltern of the Superintendent.

Qualification of Councillors and of voters. It cannot but seem strange that the same law which considers as liable to all the Municipal taxes, the members of the corporation, does not look upon them in the same light when it is a question of calling them to fill some post of honor.

The qualification of £150 is but an undue preference in favor of the rich, and often tends to deprive the Municipality of the services of able and instructed men. Everywhere there are young people, industrious and endowed with intelligence, who would not be indifferent to the honor of taking a seat in the Council, and where their information would be of great help.

But the legislator tells us, "You must choose your Councillors from among the rich; they alone have a knowledge of government." Since when has fortune assured to him that possesses it more talent and genius than to him that aspires to it? What necessity is there for landed qualifications among Councillors who have but a moral responsibility to incur? This provision cannot but prevent good from being done, without giving any guarantee that affairs will be better conducted, and besides, sins very evidently by putting under the exclusive control of the rich, the management of the affairs of all classes of society.

But since they found it well to exclude on one side the less easy classes, in the fear perhaps that they should put themselves in competition with the

rich, ought we not on the other hand to exclude those better off, in the belief as well that they would cause heavy charges to burthen the poor. But if we disqualify the two extreme classes of society, and only consider as eligible the rate-payers of the middle class, we should at least establish some sort of equilibrium, else where would be justice ?

The legislator makes every body contribute to improvements ; but he ought to know that the rich are not always the best disposed towards contributions. Why, then, does he establish them sole judges of the allotment of these same contributions ? What motive could he have for refusing to admit to the principal offices a large class, which includes many men possessing all the requisites, and deprive them of a deliberative voice in the Council ? What have they got to fear so much from their opinions ? Must we suppose perversity of heart or incapacity of head in the rate-payer, when he is not possessed of a fortune ?

All kinds of prejudice ought to fall through when we reflect that our self-love, which makes us always incline towards men of fortune, ought to protect us sufficiently from an inconsiderate tendency to choose men without fortune. That the people should determine to make such a choice, it is necessary that they should be well convinced of the probity of those they call upon ; it is necessary that they acknowledge them to be men of merit and of talent. But these men who are so well qualified, and whose services would be necessary to the Councils, are, in the meanwhile, formally excluded by the law, which insists especially on landed property as a qualification.

This provision acts as a prohibition to the young people from competing for offices calculated to exercise their intelligence, and excite their emulation, and to make them afterwards skilful in the administration of public affairs. It is necessary to perfect many things ; there is everywhere a want of improvement, and particular care is taken to get rid of the young, who would have a desire to undertake them, and the energy to accomplish them. We are frightened at progress.

In our country places, where our roads remain in the old state of wheel-ruts, there is no fear of any foolish enterprise on the part of the young men introduced into the Council, as there are always a sufficient number of slow-coaches kept in the rear to hold the reins. Their efforts would do no more than decide on a motion.

The qualification required of the electors is founded on no better principle, and is still a denial of justice.

All those called to the *corvée* ought to be called together to name those who should distribute the *corvées*.

An equality of duties comprises an equality in the rights.

It is making an odious distinction to restrict the right of voting to the richest, and to exclude the poor.

With such provisions, which give favor to one by humiliating the others, we need not be surprised if the Municipal law does not work to general satisfaction.

Tolls.

Can tolls be imposed upon a road that is neither macadamized nor planked at once? The answer is, no?

The road, in its natural and ordinary state, is a right everywhere without indemnity. It would be in vain to expect from the traveller any payment if we had not previously improved the road in such a way as to give him equivalent facilities of transport.

In not explaining the above, as in many other instances, the legislator gives proof of the good opinion he entertains of the intelligence of those who ought to order them. He would not have been blameable, far from it, if he had abstained from all enactments for the making of gates, and also of many other provisions connected with the roads, for this reason, that in giving the management of the roads, in leaving all, he also invests all parties with authority to make such regulations as may be requested.

Inter Municipal Roads.

Whether the law be more or less explicit we can always arrange any matter falling under the jurisdiction of our Counsel only; but if it be a road through one Municipality applied for by the inhabitants of another, a reasonable doubt arises as to the interpretation of the provision regulating the mode of convening the delegates. A case of this kind occurred between this Municipality and that of St. Raphael in the adjoining county which has not been yet decided.

If the Counsels of adjoining Counties could unite in passing by-laws relating to this matter, they might come to some determination which would facilitate proceedings in these matters, but at present those of the Councillors who act, only do so in the capacity of delegates that is to say as officers, and as such they are not qualified to make rules for their own guidance. Besides, it is the Superintendent who has the initiative in these proceedings, and who cannot either prescribe that which the law omits to explain, and which it ought to explain clearly, since it has not constituted any authority on that point to interpret the sense of particular provisions and by-laws; but besides this ambiguity no real obstacle has occurred to the law in this locality.

The Superintendents.

2nd. In making the County Municipalities, it was necessary at the time to appoint deputy *grand-voyers* as superintendents of roads, to visit and examine the localities, and supply by so doing the want of knowledge of particular localities in which the greater part of the Councillors resided. If we had not invested this officer with powers which he would exercise of his own accord, without the order of the Council, and without a requisition from the interested parties, he would not have incurred the censure which manifested itself as soon as he found it his duty to exercise them.

This appointment should be left to the choice of the Municipalities. There are some, the works of which necessitate this office, as there are many which have no need of it, and if there were only Municipalities of parishes this office ought to be abolished. All the Councillors of a Parish know the places sufficiently well to establish a *proces-verbal*. In all cases it is neces-

sary to take from him all the power he has of acting in an arbitrary manner, because it is this that has contributed to render this officer unpopular.

Inspectors.

Under the old system, there was but one *grand-voyer* for each of the large Judicial districts of the Province.

As this *grand-voyer* could not be in all the Parishes at the same time, the inspector of the Parish was appointed to represent him.

But now-a-days that we have Councils, which have the management on the roads, the office of the inspector is of no use; it is even prejudicial. One *sous-voyer* is enough to superintend the works of his division, under the order of the Council, when it is necessary. A multiplicity of superior and inferior officers, who might co-operate towards the execution of the same works, would only give rise to doubts on the amount of their respective jurisdictions, the cause of embarrassments and difficulties. It is necessary to simplify the machinery.

Municipal Organisation.

3rd. The triple County Parish and Village Municipalities of complicate business augment the expenses, and produce discontentment. At first, in the County Municipalities, the Councillors residing at a great distance, did not know the particular places they had to improve; they could but offend against the rules of justice in the works which they approved or rejected. Besides, the journeys of the Councillors, like those of the parties interested, to the chief place, caused considerable expense and loss of time. There is often no quorum, because the Councillors cannot leave their private affairs to go out in cold and stormy weather, and on the bad roads, to spend their money, and lose their time.

There are many men of information appointed, but the educated men also are more subject to turn a deaf ear to the call.

The Village Council takes the educated men of the Parish.

The Parish Councils, with the power of making by-laws for the Village according to the eleventh section of the Act of Amendment, would suffice to meet all the wants, and satisfy all the exigencies with much less expense.

There ought to be only large Villages that should have the power to establish a Council of their own, for as we now exist we cannot regulate the weight of bread out of the Village.

4th. The difference that would result among the rate-payers of one assessment, as to personal and moveable property, does not appear to be sufficiently important to merit a particular provision. It is only the merchants who find themselves leniently treated with regard to the stock of their shops; but their buildings are valued higher than property of equal value in their shops; besides, it is difficult to obtain the necessary information as to their furniture.

The best plan for establishing a uniform system of assessment in each County, is the assessment on the value, and it is also the most just; all other modes of assessment are productive of serious injustice.

- 5th. The Municipality of St. Martin has worked since the bringing into effect of the last laws, and has levied about £100 annually to keep in repair the by-ways.

There has been, moreover, this year a by-law passed, imposing a general assessment on the Parish, to pay the Secretaries, and other expenses, but which has not been signed by the Mayor, seeing that it has not been drawn up conformably to the resolution of the Council.

Corvée.

- 7th. In our Municipality, we understand by the expression "*corvée*," the obligation imposed on rate-payers to go in person, with their waggons and working tools, to any part of the roads, in the manner, and wherever, the authorities so order.

The *corvées* are scarcely in use, but it is the least expensive way to carry on the large works, such as the levelling of the hills, and to fill up the ravines and low grounds.

- 8th. The works of the by-roads are sold every six months, but highways are kept in repair by the respective proprietors.

Fencing of By-roads.

Meanwhile, for the fences of the by-roads, the law has not determined by whom they shall be made. The old laws made the two proprietors contribute each half, and the ratepayers of the by-roads the rest. But would it not be worth while to examine whether this allotment of the fencing, as carried out so far, would not be an unjust charge on the ratepayers, which ought to be supported entirely, only by the proprietors placed on each side of the road.

It would be objected to this new doctrine, that the ratepayers, who represent the public, ought to contribute towards the fences of the by-roads. First, because the fences are a joint work, as between neighbours; Secondly, because the by-roads occasion losses of fencing caused by travellers.

To these objections we must answer, that the proximity of the places is not sufficient to constitute a joint obligation; it is necessary to show the existence of a reciprocal advantage, as that which results from a ditch along the road, which would favour the public, as well as the proprietor.

But what want of fences can the traveller have? they are considered more prejudicial than useful to him, since we have them pulled down in winter to have a free and open passage.

It is only the proprietors of fields to whom fences are necessary to keep their cattle, and preserve their grain; and if even one kept his cattle in the stable, or in the yard, we should nowhere see the fields enclosed.

As to the breaking of fences by the travellers, this is not a damage to impose on ratepayers a fixed obligation; it can only at most be the subject of annual by-law, which will vary every year according to who has sustained most damage.

The ground taken for the public by-roads does not either cause a real loss, seeing that those who furnish it are exempted from making private roads to communicate, from one end to another of their property.

After these considerations, which are nearly the only ones which might be used by the proprietors charged with the public by-roads, we cannot see any reason for compelling those who contribute to the works on the public by-roads, to become chargeable with half the fencing.

Whilst on the contrary, all the reasons which compel the construction of the fence on the whole length of the road, is in favour of the proprietors, who receive, from the opening of these by-roads, considerable advantages, as much directly as indirectly. And these advantages, which ought to arise from the opening of a by-road, are well understood, because, very far from putting obstacles in the way, every one tries to have it by his own property.

- 1st. Indeed, by the simple fact that a back road is opened, are there not many chances of seeing the establishment of a shop, a forge, a hotel, shoemakers, or other trades-people who, together, form the centre of a population who mutually afford each other the necessaries of life?
- 2nd. By the public road the proprietors and neighbours have recourse to any part of their fields, to drive their cattle, carry manure, forage, grain, provisions, and wood.
- 3rd. In thus making use of the public road, they are exempt from making bridges over the water courses and ditches, as also the levelling of roads to cross the low and marshy places.
- 4th. And what facilities have they not got for driving their cattle when it is necessary, without having to incur any injury to the grain and the meadows, when they graze far from their houses.
- 5th. By entering their lands by the public road, these proprietors content themselves by filling up the ditches with the public rails, which they always break and never replace, so that in this respect they serve as a set off to the rails broken by travellers.
- 6th. By the opening of a new road, which serves them as well to cross to any part of their land, the proprietors on each side have no need to divide their properties into two equal parts, on the whole length of thirty arpents. That which we call the middle fence ceases to be of any use.
- 7th. In the present state of things, these proprietors save the wood of thirty arpents of fencing, which they can dispose of as they think fit, as it is their property,

And by the plan which I propose, each of these proprietors would have only fifteen arpents of fencing to make along the road. Supposing that he should have an additional cross fence to make, he will still have twelve arpents of fencing which he can dispose of otherwise.

By these different methods of meeting the question of fences along by-roads, it is easy to understand that ratepayers cannot, in equity, be subject to them for any portion; and there is no doubt that in compelling the two neigh-

bouring proprietors to maintain the whole fence all along the road, they will still be far from paying a tax proportionate to all the advantages from the opening of a new by-road.

So far, an equal proportion has been preserved, in the allotments of fencing along the by-roads, between the ratepayers on the one hand, and the two proprietors on the other. But where the advantages are all one side, should not the taxes be so likewise? In my humble opinion the ratepayers should be exempt from fencing.

And since a contrary system has always been persevered in, the authority of the Councils would not be always sufficient to maintain a fair equilibrium on this subject.

Municipality of the Township of Elgin.

- 1st. Our opinion of the Act is, that while it remains as now, the word Municipal ought to be erased out of it as inapplicable, because the Councillors have no power, by the said Act, to defend the interests, or maintain the rights and privileges of their different municipalities, nor yet the power to preserve order in the community which they represent, all of which powers are, in Britain and the United States, conferred upon municipal corporate bodies; except vested with such powers are not municipal institutions; therefore the office of County Superintendent has been and remains nullified in this County, especially in regard to his interference in any roads and bridges, and road officers in any local municipality, or road officers reporting to or receiving orders from him.
- 2nd. The dictatorial powers conferred by the said Act on County Superintendents, have, as above stated, led in this County to the nullification of the said office, by causing him to appoint deputies in every local municipality, for whose actions he is not responsible; that responsibility being assumed by each local Council respectively for their own Deputy, and also if the County Superintendent were to exercise all the powers, and perform the duties required of him by the said Act, the expenses would be more than the inhabitants would willingly pay. Of what use would his visit half-yearly be in June and January? The roads are generally good and dry in June, and all covered with snow in January. Or of what use would the monthly and costly reports of road Inspectors be? Could this not be done by the road Inspectors direct to the local Councils, say on 15th April, and in October, and making an estimate of the labor required, in order to enable them to lay a rate of labor to meet the said estimate? The powers of the County Superintendent might be safely placed in the local Councils, excepting charging fees, or being remunerated, and when more than one municipality is concerned, let the local Councils of the municipalities meet and decide how the work is to be done, and if they could not agree, to be left to the County Councils.
- 3rd. County Councils are useful in County concerns, such as Court Houses and Gaols, and to hear stray cases of appeal from local Councils, which, if not restricted, might become tyrannical, and no Council ought to have the power of borrowing money without the approval of the rate-payers.
- 4th. Including personal and moveable property in the assessment roll, would, we believe, be inadmissible, because, owing to the fluctuating nature of such

property, a just value would not be procurable, neither would such an assessment be willingly submitted; three County sworn Assessors would make the most equal valuation.

- 5th. The municipality has been in operation since the passing of the said Act, and in 1856 an amount was laid and paid in labor at the rate of two days upon the £100 value of property and annual income, but the law was modified, so as not to exact a full two days on the fractional parts of the £100, as that part of the Act was considered unjust, and the sum of £69 11s. 4d., or 3s. upon the £100 of £46,379. The total of the valuation roll was raised to pay the old debts, and for County purposes, viz: bridges and local expenditure, and this year a rate of 4s. on the £100, or £92 15s. 1d. for County bridges, County expenses and other local expenditure.
- 6th. Answered by the preceding.
- 7th. Statute labor is understood to be a poll tax of one day's labor on males from 18 to 60 years of age, and not contributing in any other way to the funds of the municipality.
- 8th. All roads, front and by-roads, have been kept in repair by the joint labor of the inhabitants, agreeable to the valuation roll, for two years previous to this Act, and since it came into operation have been continued, with the addition of a few days statute labor, as interpreted above.

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Lazare Boulanger, Mayor of Ste. Agathé.

- 1st. A repeal of the present Municipal and Road Act of 1855, and an Act established similar to the old French law regarding the maintaining of roads, and other municipal purposes.
- 2nd. A Superintendent for the County to be appointed, similar to the office of *grand-voyer*, to be called upon by any local Council wishing his services; to be paid only by the persons requiring his services; not to grant him any power to visit the roads twice in the year, as we consider such visit only an unnecessary business and expense on the several municipalities.
- 3rd. Local Council to be required to meet only once in every three months in each year, but with power to call a special meeting when necessary, with right and authority to give *procès-verbals* for roads in the municipality without reference to the County Council; with authority to compel Road Inspectors and overseers to perform their duty properly, and to impose fines for neglect thereof; the County Council to meet only twice in the year, to arrange and settle disputes between any two or more municipalities.
- 4th. For the re-establishment of the old French law without any assessment of property, either moveable or immoveable.
- 5th. Yes, without taxation.
- 6th. Municipality supported roads and bridges in the same manner as formerly, and funds raised necessary to pay expenses of Municipality by store licenses, viz: three pounds currency per annum.
- 7th. Such work as may be done on by-roads and bridges.

8th. Every land proprietor maintaining his front road, and the rest maintained as *corvée*.

H. L. Throof, Secretary-Treasurer of St. Arnaud West, County of Missisquoi.

- 1st. Satisfactory with two exceptions, which will be embraced in answer to the 2nd and 3rd queries.
- 2nd. That the office of County Superintendent be dispensed with, and that the Inspectors of roads perform the duties of said Superintendent, under the control of the Local Council.
- 3rd. That the County Council be abolished.
- 4th. It is the opinion of this Council that all personal property should be assessed, and that in order to cause an equal assessment, the valuation from the several municipalities should meet and compare their assessment rolls, and equalize them for County purposes.
- 5th. Yes, amount levied £55, together with sixpence on the pound of the annual value of real estate, for making and repairing roads.
- 6th. Yes, levied by taxation on real estate.
- 7th. We consider that Statute Labor consists partly of that which is required to be performed by persons from 18 to 60 years of age, not otherwise taxed, and also that which is required to be raised on real estate, each £100 value to be liable to one day's labor.
- 8th. All roads in this municipality are made and repaired by assessment and Statute Labor.

John Hough, Mayor of the Municipality of the Townships of Ireland and Coleraine, Megantic.

- 1st. As a whole the Act is good, and in general has worked well in this locality, but would, I think, be more efficient by giving to any inhabitant within County or Local municipality, the right to prosecute the road officers for neglecting to keep the roads and bridges in proper repair. It appears by the present Act, that the County Superintendent only has authority to prosecute road Inspectors, or any road officer; and the road Inspector to prosecute the road Overseer, but an inhabitant cannot prosecute except for damages.

If the County Secretary-Treasurer neglects to advertise, in the month of December, the lands on which arrears of taxes are due, as required by the sub-section 11th of the 74th section of the said Act, it ought then to become the duty of the Secretary-Treasurer, in the respective local municipalities, to advertise in January and sell in March.

- 2nd. We have found the office of the Superintendent to be the greatest obstacle to the satisfactory working of the Act, and would suggest, as being more simple, more expeditious, and less expensive, the appointment in each local municipality of a general Road Inspector; to act under the order of the Local Council; and for the performance of the duties which require professional skill, employ a Provincial Surveyor for the time; a reasonable

compensation to be allowed to the general Road Inspector for the time actually spent in the execution of the duties of his office.

Procès-verbals and other documents relating to the local municipalities to be deposited with the local Secretary-Treasurer, and those relating to County works, with the County Secretary-Treasurer. All contracts entered into by Corporation to be by resolution of the Council, and signed by the Mayor and Secretary-Treasurer, or Warden and Secretary-Treasurer, as the case might be.

- 3rd. Will work well if faithfully carried out.
- 4th. We deem it expedient to exclude personal and moveable property from assessment, among an agricultural population.
- 5th. The municipality in this locality has been in operation since the passing of the Municipal and Road Act of 1855; in the year 1856, there was levied £120 on the rateable property, being one-half per cent., to aid in repairing roads and bridges, and to meet the Council expenses of the year.
- 6th. Answered by the foregoing.
- 7th. We have understood "Statute Labor" to be a certain number of days' work, which certain parties are by law bound to perform annually on the public roads and bridges, as being distinct from *corvée* work, which we understand to be, a certain amount of work to be done, (or materials to be furnished,) without reference to the time taken in the performance.
- 8th. The roads within this municipality have been maintained in accordance with provisions of the 1st and 2nd sub-section of the 45th section of the afore-said Act, except such roads as were regulated by *procès-verbal* or by-law.

A portion of the assessment levied being appropriated to aid such roads as require it, the inhabitants having the choice to pay the cash, or to work under the direction of the road officers, on the public roads or bridges, to the amount of their respective taxes; the certificate of the road Inspector showing the number of days performed by the party, on account of his tax being received by the Secretary-Treasurer as cash, which mode we find works satisfactorily.

Under the provisions of a by-law which came into operation in January last, a general assessment of one and a half per cent. will be levied for the maintenance of roads and bridges, and to meet the current expenses of the year; this method being preferred by the people generally, as being less intricate.

Thomas Wood, J. P. of Woodside, Township of Halifax.

- 1st. The Municipal Act as a whole is good, and in general has worked well when acted upon, but unfortunately, in this township, it has not been carried out, no assessment roll having been made. True, a Council has been formed, but of men without capacity, few of them being able to read or sign their own names, the mayor without any property qualification. It would, I think, be much better if inhabitants had the power, instead of the County Superintendent, to prosecute the officers for neglect of duty, and also that each

- Magistrate should employ his own clerk in issuing summonses, instead of the Secretary-Treasurer, who, in a many cases, has to be prosecutor.
- 2nd. The office of County-Superintendent is not of the least use, and would suggest instead, the appointment of, in each Township, a general Road Inspector, by the local Council, and under their control.
 - 3rd. Can't be better, if only properly carried out.
 - 4th. Personal and moveable property should not be assessed.
 - 5th. The Act in this Township is a dead letter; the Council, as I remarked in No. 1, having been formed and stuck fast, no assessment made.
 - 6th. As no assessment is made nothing can be paid, and nothing is done.
 - 7th. Statute Labor, as I understand, is a certain amount of work to be done in each year, when wanted, and under the order of the road officer, by certain parties.
 - 8th. The roads in this locality are very bad, almost impassable, some few individuals keep their roads in repair, others do nothing, road officers have been appointed, but of no use.

C. E. Bailey, Mayor of Eaton.

- 1st. The Act in question gives general satisfaction.
- 2nd. The Superintendent of this County has a deputy in each local municipality, which is satisfactory, and I think cannot be better.
- 3rd. All right.
- 4th. Personal property should be excluded in the assessment rolls. As to causing an equal assessment in the County, the present plan in the amendment Act, I believe to be the best of any that I have ever thought of, or heard suggested by any person.
- 5th. In full operation since July, 1855; in 1856 road tax..... \$6,872
 Building and repairing Bridges, paying Secretary-Treasurer,
 &c., (Collected in Cash)..... 500
 For 1857, bridges, &c..... 250
 " " Road laid, (not collected)..... 4,582

Michael Quigly, J. P., Saint Malachy, East Frampton, Dorchester.

- 1st. As a whole, I am of opinion the Municipal and Road Act of 1855 is well calculated to meet the wants, and promote the progress and welfare of the inhabitants of the Country Districts of Lower Canada.

Has not up to this date been worked in this Municipality (Township of Frampton); seven Councillors were elected, July, 1855, two only of whom (then of East Frampton) would take the oath of office.

Without experience it would be rash or useless to suggest alterations or amendments, except perhaps, to enable the resident Magistrates to more

easily impose and levy the penalties provided by the law, on those officers or functionaries neglecting or obstructing its administration.

- 2nd. As the County Council has not, that I am aware of, been organised in this County, (Dorchester,) and consequently as no County Superintendent has been appointed, in the absence of all experience, I respectfully decline to express any opinion as to the extent, propriety or fitness of the powers intrusted by the Act to this officer. From the practical working of the law in other Counties some conclusion thereon might be arrived at. Here no satisfactory opinion, none of any value I think, can be given.
- 3rd. That Local Parish and Township Councils should remain entirely undisturbed; being in my opinion, the most satisfactory and important appendages of the law, as in addition to valuable experimental training schools, in which our people can learn, appreciate and practice their Municipal rights and obligations.
- 4th. To exclude personal and moveable property from assessment, would I think, operate unequally or unjustly towards the small proprietors or those whose property is but partially improved. and in the villages particularly, it would be assessing them (the small proprietors making them pay) for their more wealthy and thriving neighbours, in trade or business.

An equal assessment throughout each County of Lower Canada, particularly those Counties in which there are new settlements or townships, could not I think (if I understand the term of the query) be satisfactorily arranged or enforced. Assessment based as in the law, on valuation Rolls, made out in each Local Municipality by valuers of experience and integrity, could scarcely I think be modified or altered for the better.

- 5th. The Act of 1855 has not been in operation in this Municipality. We have no Municipal Officers whatever. We are in a happy state of nature and independence, every man making or repairing his roads as he finds it convenient, or feels disposed to do so.

There has not been one cent raised by assessment in virtue of the Act of 1855 in this Municipality; nor in any of the Municipalities of this County, that I can learn, up to this day.

- 6th. The answer to this may be fairly inferred from the preceding; a little explanation may not, however, be without some use.

There has been no assessment or taxation in this Municipality, because the elected Councillors (save two) would not take the oath of office, organise the Council, and appoint the proper officers to work out the law. This obstruction has been mainly the work of some half dozen turbulent, ill disposed men, aided by a number of others, whom by their clamour they were able to influence. All those who would work out the law or give it a fair trial were with these men, "enemies of the country, traitors who deserve neither indulgence nor tolerance." An effort was made to find out and bring home to some of these men, particularly the elected Councillors, the charge of neglecting and obstructing the administration of the law. The constable to whom the service of the summons was entrusted was violently assaulted and beaten, in the endeavour to perform this duty (in the immediate neighbourhood of one of the Councillors, and as is believed by some of his agents or friends) and he has been deterred from prosecuting his assailants by threats of violence against his life and property should he do so. No Bailiff

in these parts will go among these bullies, nor can friends be collected here to defray the expense of getting police or constables from Quebec (36 miles) to do so.

7th. The term "Statute Labor" is nearly unknown; among us it has no definite meaning here that I can ascertain.

8th. The by-roads and highways in this municipality have not for a number of years past been in such bad condition, or so ill attended to, as since the passing of the Municipal and Road Act of 1855. A few well disposed men perform the ordinary duties of repair on their front roads, the greater number do not; and the by-roads are in such a dangerous state, that it is with considerable risk to his own safety or that of his horse or vehicle, that any person will, without pressing necessity, travel over them.

May I venture to offer the following opinion as to the causes which operate to prevent and obstruct the working of this necessary and useful law in this municipality.

The principal cause operating against the working of the Municipal and Road Act of 1855 in this Township, appears to me to be the ill founded danger apprehended from the exercise of the power of taxation or assessment which it gives to the local municipalities, and the want of examination and reflection in its prejudiced opponents, preventing them from seeing and admitting, that if this power should be occasionally carried too far or abused, the fault is solely theirs, most interested to prevent it, and that the correction and remedy also is solely in their own hands. Holders of large tracts of lands and others, owners of well improved valuable properties extend and encourage this unjust and erroneous feeling, fearing the assessment will fall heavy on themselves, and wishing to avoid or evade the obligations involved in their position.

The corporations of some of our cities (Montreal and Quebec for instance) have been named to justify the reality of the danger feared by the immense debts they have contracted, which are yearly accumulating by improvements, salaries of officers, &c. &c., and the large amount raised from the citizens annually to pay the interest of these debts.

The natives of Ireland, who form the great majority of the inhabitants of this municipality, bring an additional stimulant to strengthen and fortify this adverse feeling, from the traditions and recollections, injuries, severity and irresponsibility of the government and tax-gatherers in their native country, and no reasoning as to the difference of position and circumstances in which they were placed at home and those which surround them here, can remove at present the conviction or the fear that the result of taxation under all circumstances must necessarily be the same. The Canadian *habitant*, believing or being persuaded that the Irishman's conclusion and fears are the consequence of dear bought experience, exhibits as obstinate and determined an opposition to the law as his unreflecting and impulsive fellow, subject. Under these impressions, and I have given the subject some attention, I do not think any alterations or modifications of the Act, leaving the principle of assessment intact, would to any great extent or to any satisfactory degree facilitate its working, for here very few will take the trouble to make themselves acquainted with its details.

I have noticed, however, within the last ten or twelve months, a marked change in the disposition of many of our people on this subject. A greater

readiness to admit their error, a sort of half desire to try the law, a feeling of shame at the folly and absurdity of their opposition, finding the inconvenience and trouble it has caused brought home so close to themselves and the whole municipality. This revolution of feeling if judiciously encouraged, will at the next municipal election effect a great change for the better.

If the resident large proprietors with the reverend clergy would unite to encourage this incipient feeling, and explain to the people the necessity and utility and safety of all uniting to work the law out, that without a fair and moderate assessment, judging from past and present experience, there can be no hope of good or tolerable roads in the country, all would go on well, but all this should rather spring from a feeling of kindness and duty, than be commanded or enforced by the provisions of law.

William Berczy, of Daillebout.

- 1st. My opinion in regard to the general tenor of the Act is, that it is too complicated for its proper understanding by the greater number of persons who have to give it effect; it does not therefore, as far as I am aware, work in a satisfactory manner in the County of Joliette, of which I am the Warden.

I would, as a first step, abolish the local municipalites, as not only useless, but obstructive of the purpose for which they were created, an opinion in which, I am convinced, I would be sustained by the great majority of the present members of these institutions, in this County at least. They cause an unnecessary expense for keeping up their establishments; they multiply without necessity the number of persons required to fill the place of Councillors, and consequently circumscribe the choice of competent individuals who must perform these duties; and as these must necessarily possess local interest more or less important, it would be too much to expect them to be impartial judges in matters wherein they are concerned; and as it is impossible, within such narrow limits, at all times to oppose a counterpoise of disinterested parties, to check any improper action, it too frequently happens that the public good is sacrificed to private ends. The sub-division of the community into such small sections frequently causes the interests of adjoining municipalities to clash, and often engenders much ill-will. It is also destructive of that feeling of interest for the general welfare which larger bodies would entertain, and by dividing the means of the people, they are prevented from being employed with the same advantage as when they are united.

Instead of local, I would establish County municipalities, with power nearly similar to those the whole of the present municipalities possess, excepting as regards any interference with the Superintendent of roads, and the right of borrowing money and issuing debentures as they are now authorised to do, a power which I consider dangerous and liable to abuse, and which I would take away from them.

I would restore the old road laws of the 36th George III., cap. 9, and the others which existed prior to the passing of the present Act, with such amendments as might give more effect to their execution. These laws were well understood and answered a very good purpose, while those now in force are so onerous to the public as well as to the officers who have to execute them, that in many respects, they are not put in force, and to a certain extent have become a dead letter, as by tacit consent.

I would have a Superintendent of highways and bridges over a given number of Counties, who should be appointed by the Executive, with power to name deputies in every County. His duty should be analogous to those of the former *grand-voyers*, and be obliged to submit his *procès-verbaux* to the Judges of the circuit for homologation. I would give this officer extensive powers, and a right of fining, on view, any of the officers under him for neglect of their duties. As for himself he should be responsible to the public for his own derelictions. Should it, however, be deemed advisable to continue the system at present in force, the law would require considerable amendments. As my time will not permit me to enter at large into the matter, I shall confine myself to such changes as have already occurred to me as necessary. As I have already observed, I would abolish the right of borrowing money, and of issuing debentures, as authorised by the 15th section of the Act of 1855, and confine the municipalities to raising means by direct taxation upon real estate, and upon certain callings, such as merchants, innkeepers, ferries, &c.

The 2nd paragraph of the 12th section should be amended, so as to fix some other day than the first Monday of each month for the sessions of the local Councils, as this interferes with the sittings of the Commissioners' courts, and it is consequently subject to much inconvenience, particularly as many Commissioners are also Councillors.

The principal officers of the Council should not be *ex-officio* Justices of the Peace, as many of them are not qualified by education to fill so responsible a situation.

The 8th section might be so modified as to leave it discretionary with each Council to publish its by-laws in the language it may deem proper.

The 16th section enacts that all by-laws shall be published. It would be well to define clearly what is understood by a by-law. Resolutions, rules, and regulations which concern only the good government of the Council themselves, or orders of a nature merely administrative, should not be liable to publication.

The 6th paragraph of the 19th section should be so altered as to authorise the County Councils to fix the remuneration to be received by the Superintendent, independently of the local Councils.

Appeals from local Councils should be made to the Circuit Court, and not as established by the 19th section of the amendment Act of 1856. The 39th section of the 10th and 11th Vict., cap. 100 might be substituted in its stead.

Doubts should be removed as to the effect of the 9th and 10th paragraphs of the 41st section regarding roads in use and not legalized so as not to include private roads notwithstanding the public may have been permitted to use them during the period mentioned in the Act.

By the 1st paragraph of the 44th section, hedges and fences not removable without great expenses, the County Superintendent shall allow to remain on such conditions as he may think proper. This power might be abused and should be restrained.

The 4th paragraph of the 45th section enacts "that every by-road leading to a mill, ferry or toll-bridge, shall be made and entertained by the occupant of mill, ferry or toll-bridge." This is giving too great a latitude, and

should be defined; a certain extent of such road should only be liable to such labor; indeed, only so much thereof as leads no where else; for otherwise, any highway on which a mill, ferry, &c., might be situated, no matter what its extent, would be at the charge of the owner of such mill or ferry.

A clause should be added for making and keeping in repair the fences and ditches of by-roads, similar to the regulation contained in the 4th clause of the 36th George III, cap. 9; a good deal of difficulty arises for the want of such a clause.

55th section. The duties imposed by this clause are too onerous to be performed by the Inspectors and overseers of roads, and in most cases impossible to be prosecuted from their incapacity to keep notes in writing. The consequence is, that these duties are entirely neglected, and not enforced by any one, by the tacit forbearance of the authorities as well as of the public.

57th and 58th sections. The fines imposed by these sections are too extravagant, particularly on those who do not keep their front roads in repair, as there are certain seasons during which it would be impossible to keep them in any kind of order; still, if they were required to do so, they would nevertheless be subject to a fine to the extent of twenty shillings per day—enough to ruin even wealthy people.

77th section, 3rd paragraph. Under this section the Secretary-Treasurers of local municipalities are constituted *ex-officio* clerks of Justices of the Peace for all trials for penalties, taxes, &c. imposed by this Act. This ought to be repealed, because it may happen that these persons are incompetent, and also because they may be absent, and not forthcoming when wanted. Besides, Justices have their own clerks, and frequently do their business without any. A copy of such records might be given to the Secretary-Treasurer, who should in that case be obliged to enter them in a register to be kept for that purpose.

2nd. In answer to this query I would say that, for the execution of the present law, I consider the County Superintendent necessary. A person properly qualified to fill this place is indispensable, particularly for laying out and altering of roads and bridges; no person temporarily appointed could fulfil these duties in a satisfactory manner.

Probably many of the duties imposed upon this officer might be dispensed with; but the clauses relating to them are so dispersed throughout the Act, that I have not time to enter into details on the subject.

3rd. I believe I have expressed myself clearly in regard to this query; I am altogether opposed to local municipalities.

4th. I have always been averse to taxing personal and certain moveable property, because it must more or less participate of a disagreeable inquisitorial character, and is an interference with domestic privacy. A species of income tax might be instituted, as the law now provides, but there is a great difficulty in ascertaining the value of incomes, and such a tax has a demoralizing tendency, by occasionally inducing the parties interested to give in false statements, to prevaricate and deviate from truth.

According to the present mode, it is impossible to equalize the valuation of property, as each municipality follows its own system or rather no system. To make these uniform in each County, assessors should be appointed by the County, and paid by it; for it is unfair and unjust to expect that qualified

- persons should devote their time and labor for such an undertaking without compensation.
- 5th. The municipality of Ste. Melanie, of which I am Mayor, has been in operation since the passing of the Municipal Act of 1855, and the only amount levied has been for the sum of £33 2s. 8½d.
- 6th. This query has been answered by the preceding.
- 7th. I understand by "Statute Labor" personal labor, called in French "*corvée*;" I believe it is in this sense that it is meant to be understood by the law. I disapprove of the rating of Statute Labor. From long experience, while a resident in Upper Canada, where this system prevailed, I have ascertained that such labor is generally wasted and misapplied.
- 8th. The by-roads, highways and bridges have been made and kept in repair in this County, since the passing of the present Road Act, under the system established by the 36th George III, chap. 9; a very good one as a whole, if properly carried out. But I must say that, since the municipalities have existed, and the *grand-voyers* have been done away with, judging from my experience, it it has been much neglected. It is still, however, maintained, under a certain prestige or custom, which has upheld it till now.

That law might have been amended with advantage; for example: the mode of keeping the by-roads in repair should be done under a provincial statutory enactment, by assessment in money, and given out by contract to the lowest bidder. As long as they are maintained by the personal labor of those to whom these roads are apportioned, as is now the custom, they will never be kept in good order, especially in winter.

I shall conclude by mentioning that the municipal Council of this Parish has voted a petition to the Legislative Assembly, pretty nearly in the sense of these answers, which I am directed to forward to the President of your Committee.

In corroboration that the opinions I have expressed in my present answers are pretty generally entertained, I may mention that the municipal Council of St. Ambrose, in this County, so far back as 1855, have passed resolutions very much to the same effect as these.

Municipal Council of Dunham.

- 1st. The general provisions of the Act, except that portion referring to County Councils and County Superintendents are good; with that exception it works well.

The power should be in the Local Councils to amend or revise the *procès-verbal* of any officer and to homologate or reject it.

- 2nd. The office of County Superintendent is entirely superfluous, there being in every Township and Parish, at least one person capable of doing all the duties pertaining to this office at far less expense, and much more satisfactorily to the people.

- 3rd. So far as local Councils are concerned it is well; the County Council, and all offices appertaining to it, should be abolished, as cumbrous and unnecessary.

4th. Let the entire property of each individual, personal and real, be valued deducting the amount of his indebtedness therefrom. This to be done by proper persons appointed by the local Councils.

Let one or more Commissioners be appointed from each locality in a County to meet and equalize the valuation rolls of the several townships and parishes.

- 5th. It has. Nothing has been levied in the form of taxes, except for road and bridge purposes.
- 6th. The revenue from tavern licences, fines and other sources has been sufficient to meet the current expenses of the Council.
- 7th. We understand by Statute Labor that which is liable to one day for every hundred pounds of value as assessed.
- 8th. They have to a great extent, been made by Statute Labor. The lands are also bound by the *procès verbaux* under the late Road Act.

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Colin Noble, Mayor of Winslow.

- 1st. It does work satisfactorily.
- 2nd. The office of County Superintendent, we right not to increase or diminish.
- 3rd. I am of opinion that the local municipalities are in the right way.
- 4th. That we ought to exclude personal and moveable property in the assessment rolls; we propose that each proprietor should be assessed the needed sum on the pound, on his real estate.
- 5th. It has been in operation since the passing of the Municipal and Road Act of 1855; our annual tax, in virtue of the provision of the said Act, is one penny farthing on the pound, on all the real estate in the municipality.
- 6th. In answer to this, we pay taxes to defray the expenses of the municipality.
- 7th. We understand the term "statute labor" by one day's work on every fifty acres of land, the work consists of repairs to the highway.
- 8th. The highways have been made first by the Government, and kept in repair by Statute Labor; since the passing of the said Act we have not done much to the by-roads.

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Edward Smyth, Secretary-Treasurer of St. Anicet.

- 1st. It is the opinion of the Council that it works well and satisfactorily.
- 2nd. It is the opinion of the Council that the office of the County Superintendent is superfluous, and of no use but only to create confusion, and that the management of the municipality should be left to the Councils of each municipality.
- 3rd. Works badly; the County Council should be abolished.
- 5th. It has been in operation since the commencement of the Act; the amount annually collected is £325.

- 6th. There has been a tax levied sufficient to defray all demands on the municipality.
- 7th. The road Statute Labor has been continued on the former road law, and works well in this municipality, except as regards newly laid out roads.
- 8th. The by-roads and public highways are worked on the same system, which works well in this municipality.

C. W. Prouty, Mayor of Hereford.

- 1st. It does not give as good satisfaction as the late municipal Act did ; it is more expensive, and does not work well.
- 2nd. We think that the office of Superintendent is needless, as it is attended with great expense, and the Inspectors are sufficient to see to the roads.
- 3rd. They are very good.
- 4th. That personal and moveable property should be included in the assessment rolls.
- 5th. The municipality has been in operation since the passing of the Municipal and Road Act of 1855, and we have raised only \$100 by taxation since that time, the rest of the expenses have been paid by shop licenses and small Magistrates' fines.
- 7th. We understand Statute Labor to mean, that persons within 18 and 60 years of age, whether otherwise liable to be taxed or not, bound to pay a certain amount of work on the roads, and that is the kind of labor we have included under that term.
- 8th. Our roads are all made and supported by assessment and statute labor, as provided by the 51st section of the Municipal and Road Act of 1855.

D. McCowan, Mayor of Metis.

- 1st. The Municipal and Road Act of 1855, in my opinion, is too complicated and difficult to be understood by those for whom it is intended. It does not work well in this locality ; many difficulties arise about the reading of it. There are also difficulties arising about the reserve of maple lands for sugaries, there being no limits to the number of acres to be kept on each farm, or on such a number of acres.
- 2nd. The County Superintendent is of very little use to the satisfactory working of the local Councils ; his work could be done by the Inspectors appointed by each Council, at much less expense to the inhabitants, and all records kept by the Secretary-Treasurer of the Council. In case of the inspector of a district being called to survey any new road, an allowance of five shillings per day should be made by law for him.
- 3rd. The local Councils are a benefit to the inhabitants of each locality, as it was inconvenient and expensive for those who had business to do to go to the County Council, some of the parishes being at a great distance from Rimouski,

where the County Council was held. The County Council is yet a great tax upon the Mayors of each locality, as they get nothing for time or expenses.

- 4th. With reference to the assessment upon moveable property, I think that it should be excluded from the assessment rolls. The plan that I suppose best to adopt to equalise the assessment in the County, would be for the Governor in Council to appoint the assessors, and pay them, not allowing them more than seven shillings and sixpence per day. Good honest men can be had to do the work at this rate per day.
- 5th. The municipal Council in this locality has been in operation since the passing of the Municipal and Road Act of 1855. The Council of Metis has only levied assessment to pay the Secretary-Treasurer and council rooms. The amount levied for last year was eleven pounds ten shillings.
- 7th. The kind of labor that I understood Statute Labor to be was work ordered by the Council where it was necessary for the public good; the kind of work done under the term are bridges, steep hills, and swampy pieces of road.
- 8th. The by-roads are contracted for during winter, and paid either according to the assessment roll or front of lot, as the *procès-verbal* describes. Front roads are kept by those whose farms they cross.

George Goodenough, Mayor of Ham (South.)

As to the Act in question I believe it works very satisfactorily in this locality.

As to the office of Superintendent we think that there must be a person in authority to perform the duties of his office, and to have such a one as we have cannot harm any party, he is paid by the day when actually employed, and by the parties employing him.

As to the present Municipal organisation into Local and County Municipalities, it may be a little less expensive if we had a County Council only, but we do not complain.

As to assessing personal and moveable property, we are not in favor of it.

The Municipality in this locality has been in operation since the passing of the Municipal and Road Act of 1855, and the amount levied annually by taxation has been five shillings on a hundred pounds.

We understand Statute Labor to be joint and public labor.

The roads in this locality have been kept in repair by every person keeping in repair his own front road, all other roads have been kept in repair by public labor. There have been no new roads made.

Chas. H. Harvey, Sec.-Treas. of Newport.

- 1st. The fundamental principle of said Act is good, and the working of it is well liked by the mass of the people. There are some slight objections to some

- clauses of said Act, as you will see by my answer to the other questions proposed.
- 2nd. I have to say that said office ought to be abolished. Think that his powers tend to hinder the good working of Municipal institutions, and I would suggest that the road Inspectors be invested with his powers.
 - 3rd. I have to say that, in my opinion, County municipalities ought to be abolished. I think the organization of local municipalities is good.
 - 4th. I have to say that all moveable and personal property should be excluded from the assessment rolls. As to securing an equal assessment throughout the county I should think that the present system worked well.
 - 5th. I have to say that it has. There has been levied annually the sum of five hundred and sixty dollars.
 - 7th. We understand all labor directly imposed by the statutes as one day's work on every hundred pounds, and such we have included under that term.
 - 8th. The by-roads and highways have been made and kept in repair by an assessment laid upon all the rateable property of the Municipality for this purpose.

John McMannis, Mayor of Bolton.

- 1st. The Act works quite satisfactorily in this Municipality, but would work much better if the basis of taxation was different. We think the only just principle is, that a man should pay taxes in proportion to what he is actually worth, including all property, money, &c., &c.; then the taxes would not fall on the real estate alone, as many farmers in the township are paying heavy interest on their purchase money and taxes on the same, while monied men go almost free.
- 2nd. I think the office of County Superintendent necessary and his powers are not too great, as we should have an efficient officer at the head of the roads with full powers.
- 3rd. As to the present organisation into Local and County municipalities, I think County municipalities are sufficient, and cheaper and better for many reasons.
- 4th. Personal and moveable property should be included in the valuation roll, and the valuers should be appointed for the whole county either within or without the county.
- 5th. The Municipality has been in operation since the Act came into force. Amount levied yearly £477 for roads and other purposes.
- 7th. By Statute Labor we understand labor provided by statute, that is, according to the Road Act, if the Council pass a by-law to make and repair all roads by assessment and statute labor, the statute labor is doubled from what it would be, one day to a hundred pounds, or fraction of a hundred, if there is no by-law, and two days if they do pass a by-law.
- 8th. The by-roads and highways have been kept in repair by assessment and statute labor.

A. P. Walburt, Mayor of East Farnham.

- 1st. I think the Act in question works well; it might perhaps be amended in some minor points so as to work more efficiently; yet its main principles I think very satisfactory in this Municipality.
- 2nd. I think the office of County Superintendent might be dispensed with by making other provisions for establishing roads in which more than one Local Municipality is interested, and important roads extending through the whole county, and authorizing Local Councils to appoint Township and Parish Superintendents of roads and bridges.

With reference to an increase or diminution of the powers of the County Superintendent, I think Local Councils should have power to adjourn the examination and revision of his reports and *procès-verbaux*, to one or more subsequent general sessions; and that a majority of two-thirds of the members of the Council ought to be allowed to reject or annul entirely any report or *procès-verbal* of the County Superintendent. Also those County Local Councils which provide for making and repairing roads, &c., by assessment, should have, through its officers, exclusive control of all the road tax. My reasons for recommending the abolition of the County Superintendent arise from the belief that its duties could be performed quite as efficiently and less expensively by an officer in each local municipality.

- 3rd. I am not prepared to give an opinion in answer.
- 4th. I think personal and moveable property should be included in the assessment rolls.

I know of no better plan for procuring an equal assessment throughout each county, than for the County Council to appoint a committee of its members to investigate the valuation of each local municipality and adjust them all to one standard, which course I think the Municipal and Road Amendment Act, 1856, authorises at present.

- 5th. This Municipality has been in operation since July, 1855, or since the said Act came into effect. The amount levied by taxation for the year ending May, 1857, for roads, bridges, salaries, &c., was £607; the amount for the present year will be £632, or £75 less than last year.
- 7th. "Statute Labor" we understand to mean a specific amount of road labor imposed by the Provincial Statute, to wit: one day's labor per £100 of rateable property, and one day for each additional £100 of valuation—reckoning in all cases any fraction of £100 equal to a full hundred. Also, one day's labor for each male inhabitant between the ages of 18 and 60 years. Our Council having ordered the roads made and repaired by assessment and statute labor, we have collected two days of statute labor instead of one, in all cases except from minors living with parents or guardians, whom we think it is not the intention of the Act to include, by virtue of the Act 18 Vic., cap. 100, sect. 51, sub-section 2.
- 8th. We consider the system of making and repairing roads by assessment, &c., decidedly the most efficient and equal, and most satisfactory to the people, hence we have adopted it from the first. I would suggest that in those Municipalities where the roads are made by assessment, &c., it would be better to dispense with the statute labor entirely, except as it relates to persons not liable to assessment, and that Parliament should make provision for the same.

I am also of opinion it would be an advantage, in our section at least, if the distinction between front and by-roads were expunged from the said Act, for the reason that our by-roads are as important as the front roads.

I would further recommend that there be an interpretation of that section of the said Act which relates to statute labor, defining whether minors living under parents or guardians, and persons liable to assessment in another Municipality, should be held liable to perform statute labor.

Also, that Local Councils should have power to fix the rate and determine under what regulations road labor may be commuted, as well as to establish the price to be paid for teams and implements employed in making roads.

O. P. Kemp, Mayor of St. Amand.

- 1st. That with a few amendments as mentioned below, I am of opinion it would be more efficient and satisfactory.
- 2nd. That the office of County Superintendent should be abolished ; that the powers and duties now vested in the Superintendent should be vested in the Inspector of each Local Municipality for the following reasons :
 - 1st. That in many instances the duties are now performed by deputies in the local municipalities.
 - 2nd. It would be a great saving of expense, time and trouble.
- 3rd. That the County Council should be abolished, said Council imposing a needless expense upon the County.
- 4th. I am of opinion that the assessment rolls should remain as at present, namely : including real estate, trades and professions. That in the event of any tax upon the whole County, the Mayors of the Local Councils should meet and choose a chairman from their number, and proceed to the examination and revision of the several assessment rolls.
- 5th. Yes ; the average amount of tax levied annually is about £300, in addition to road work and statute labour.
- 6th. Answered by previous question.
- 7th. The same which the law defined, namely : one day's work for every £100 of assessment, with power to increase by the Council.
- 8th. Roads have been made under the provisions of the By-law of the late County Council with the addition of the statute labour until the present time ; but the Council have now passed a By-law for allotting the roads into convenient portions in proportion to each persons assessment within this Municipality.

S. A. Hurd, Secretary-Treasurer of the Municipal Council of the County of Compton.

- 1st. and 3rd. While the Act in many respects is a good one, I don't think it works as well in many localities as the former Municipal Act. I am confident a

large number of the inhabitants of this County would prefer returning to County Councils, and of having local councils abolished.

- 2nd. The office of County Superintendent I consider unnecessary and ought to be abolished, and I know these views express the opinions of the people generally in this County.
- 4th. I believe all property, personal as well as real, is the true basis of all assessments. Yet, I doubt whether it would be satisfactory to the masses of the people to disturb the present order of things in this respect, and in reference to a plan for equalizing the assessment rolls throughout the County. I should suppose the appointment of three or more assessors by the County Council the most feasible plan.
- 5th. This County Municipality has been in operation since the commencement of the Act in question, and the only County tax levied as yet is one of seventy-five pounds for payment of the salary of the Secretary-Treasurer, account of the County Superintendent, and other incidental expenses of the Council. In this connection I would beg to say, that most of the townships in the county will collect by assessment their share of the county expenses, as the funds arising from tavern licences will pay such charges in several of the local municipalities.
- 7th. What I understand by "Statute Labor" is a certain rate of labor fixed by Statute, over and above what is fixed by the Local Councils as the ground rate for road purposes.
- 8th. Our highways and by-roads have been kept in repair by assessment, and in the rural districts since rates have generally been paid in work by the parties assessed.

I beg to submit the following suggestions:

1st. Let Local Councils be abolished, and their powers transferred to the County Councils, to consist of two members from each Township Municipality.

2nd. Office of County Superintendent abolished; a deputy *grand voyer* to be appointed by the Council, to be either a sworn Surveyor or any other person competent to make an accurate survey of roads, &c.

3rd. Councils power to make By-laws for keeping in repair winter roads.

5th. Sales of lands for arrears of taxes to be at the place of the meeting of County Councils.

Edward Brown, Secretary-Treasurer of Kingsey.

- 1st. That considering the Act to be yet but partially understood by the majority, and its application in many instances coming in contact with old customs and prejudices, in my opinion the Act works well and a few amendments simplifying its more complicated clauses, would I doubt not, make it fully meet the object it is intended for.
- 2nd. The office of County Superintendent has not met the expectation entertained, and should be abolished, and a Local Superintendent substituted for it, with sufficient powers to enforce the making and maintaining of roads; and all other powers invested in the Superintendent by the Act should be annulled.

- 3rd. If the County Superintendent has not been found to answer the purpose, the County Council has still less done so ; even if the expense attending that council was out of the question, it has proved here quite a failure, and it would be a boon to all concerned if it was cancelled, for any matter affecting the County at large could be settled by delegates named by the local councils, to meet by special notice when required, and a Secretary-Treasurer from one of the Councils concerned might attend and make out a *procès-verbal* of such meetings of delegates.
- 4th. Valuating personal property would in my opinion be attended with great inconvenience and create much discontent. I would assess only on immovable property, and for a more equal valuation through the County. Three valuers taken from different townships might value for the whole County.
- 5th. The Act has been in force here since July, 1855, and the amount levied up to 1st January, 1857, was £160, this was for general purposes.
- 7th. By Statute Labour I understand labour to be performed or commuted by money if not performed when required, and to be applied in help of parties who have a greater proportion of road to maintain than they should have, or by the nature of the ground have more difficulties to overcome than their just proportion. Statute Labour has in this township been applied as yet indiscriminately.
- 8th. I cannot say much in favor of the manner in which by-roads and other roads generally have been kept since the coming in force of the Municipal Act, although some improvements have been made, particularly in bridges, and there are fair prospects that the bridges will be all renewed before another year, and there are many here. Much indulgence has been shewn in enforcing the provisions of the Act, probably more than was required ; added to this the duty of the road officer is so complicated, and in many instances not properly understood, that some time must necessarily elapse before the Act is fairly tested.

T. Yale, of Kingsey, County of Drummond.

- 1st. My opinion of the Municipal and Road Act, 1855, is, that it was intended to meet the wants of Lower Canada, and notwithstanding its complicated character, it is looked upon in this locality as being the only satisfactory way in which our roads and bridges can be made and kept in repair, and I have no doubt that, after a few years, it will be found to work to the entire satisfaction of all intelligent and reasonable men.
- 2nd. My opinion relative to the office of County Superintendent is, that it is useless, and that no practical benefit can ever be expected to emanate from it. That the powers now vested in that functionary are, it would seem to me, calculated to deter the working of our local municipal institutions, and I hesitate not to say, that that office should be abolished.
- 3rd. I think the present organization of County Municipalities, and also the duties which are now incumbent on the County Superintendent, should be vested in the Local Councils, as that body is most competent to judge of the improvements, &c., which may be required within its limits.
- 4th. I think it would be inexpedient at present to include personal and moveable property in the assessment rolls.

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- 5th. The municipality in this locality has been in operation since the passing of the Municipal and Road Act, 1855; but I am not prepared to say the amount raised annually by taxation in virtue of its provisions. The rate-payers, however, have paid the amounts required of them without demurring.
- 7th. The term "Statute Labor" is, I believe, understood to mean in this municipality, labor to be done by every male inhabitant, from eighteen to sixty years of age, who have not rateable property in the Local Municipality where they reside, and an additional rate on all rateable property, of one day's work for every hundred pounds, for which such property may have been valued.
- 8th. By-roads and highways in this locality are made and kept in repair in accordance with *procès-verbaux* made previous to the passing of the Act in question. I am not aware of any other means having been adopted.

The *procès verbaux* referred to, provided that each proprietor or occupier of land shall do work in proportion to the superficial extent of the land which he may own or occupy.

Municipal Council of St. Patrick of Sherrington.

- 1st. It does not work satisfactorily.
- 2nd. Our opinion is that the County Superintendent is necessary.
- 3rd. We consider that a County Council is not necessary.
- 4th. We cannot answer.
- 5th. It was eighty pounds.
- 7th. We have not used it.
- 8th. By joint labor.

B. W. Bridges, Mayor of Coteau Landing.

- 1st. In regard to the working of the Municipal and Road Act of 1855, it work with our County Municipality very well; but the great expense attending Parish Municipalities, makes it very unpopular with the Parish Councils. I should suggest that the Parish Councils should be abolished, and let each parish send two members to represent them in the County Council.
- 2nd. In regard to the County Superintendent the Act requires to be amended; it is attended with great expense without realizing any benefit. That might be remedied by placing the power in the hands of the County Council to send where and when required to attend to the wants of the people. The expense (as it now is) of making two surveys throughout the county by the County Superintendent in each year, amounts to some £40 or £50, without producing any benefit.
- 3rd. The present organization under the Municipal and Road Act answers admirably well for the County purposes, but as I said before, it is too expensive for Parish Councils, for instance in each parish the expense attending it amounts to some £100.

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- 5th. The Municipal and Road Act has been in force since the passing of the Act, 1855. Seventy-five pounds have been levied on taxable property annually since the passing of the Act.
 - 7th. In our village municipality, there has been levied no Statute Labor, the roads are maintained according to the original laws provided for that purpose.
 - 8th. The by-roads, side-walks, and all other improvements in our village corporation have been maintained by moneys voted by the Council for this purpose.

The principal thing in the Act for amendment to give general satisfaction, is the abolishing the Parish Councils.

John Trenholm of Kingsey.

- 1st. The Act in question I consider good, it has worked well in this municipality, considering the short time it has been in operation.
- 2nd. It is my opinion that the office of County Superintendent should be abolished, and the powers (which I would not materially alter) placed in a Local Superintendent chosen by the Local Council.
- 3rd. The present organization of the Local Councils I consider good, but the County Council is attended with difficulty and great expense, and is of very little, if any, benefit.
- 4th. The personal and moveable property should not be included in the assessment roll, and to make an equal assessment roll, it should be made for the whole county by the same assessors, but not oftener than once in five years.
- 5th. The municipality has been in operation since the passing of the Act of 1855. The amount of taxes levied in money last year was about two hundred pounds.
- 6th. The funds necessary to defray the expenses of the municipality were raised by taxation.
- 7th. In this municipality the term Statute Labor is understood to mean the labor called out and applied by the road officers, by virtue of the 71st section of the Municipal and Road Act, and no other labor is included under that term.
- 8th. The by-roads have been made by the parties interested therein, by a tax in labor, levied according to their property. The highways, by the owners of the land through which they pass, and the bridges are made by a money tax levied on the whole municipality.

Winslow Pope, of Kingsey Falls.

- 1st. I approve the Act with amendments; it does not work satisfactorily in our locality.
- 2nd. My opinion as to the office of Superintendent is that it should be abolished.
- 3rd. I think that Local Municipalities would be enough, in being invested of the same power of the County Municipalities, and abolish the County Municipalities.

- 4th. I think that a general assessment should be made on personal property, the same as on real estate, so as to give an equal chance to defray the expenses of the Municipality; for many rich men pay very little taxes under the present system.
- 5th. It has been in operation since the passing of the Act. The amount raised yearly has been two hundred and seven pounds, not including labor for roads and highways.
- 7th. It is understood by statute labor, work done on roads and highways, and has been the practice of so doing,
- 8th. By statute labour.

Edward Quinn, Warden of the Municipality of the County of Hochelago.

- 1st. The Act has worked so far satisfactorily.
- 2nd. I consider the Superintendent of roads a very necessary officer, but am decidedly of opinion he should visit all roads in his County, at least four times in each year, instead of, as at present, only twice.
- 3rd. I do not consider it advisable to change the Law at present; I think it should get a longer trial. Indeed, the very frequent changes we have had in the Municipal Laws, have had a very bad effect in its organization, as there is no faith placed in its permanency. But my own opinion is, and has always been, in favour of County Councils, as being more effective and much less expensive.
- 4th. The present mode is perfectly satisfactory.
- 5th. The Act has been in operation since it came into force; there has been levied by taxation, in this Parish, the sum of eighteen pounds; the balance has been made up by fines, paid to the Secretary-Treasurer by the Magistrates.
- 7th. There has been no call made on statute labour in this Parish, nor am I aware that there has been in any of the Parishes in this County.
- 8th. There is only one by-road in this Parish. It has been kept in repair as usual, by the proprietors of lands in the rear concession, as per *procès-verbal*. The front roads are under the charge of the Montreal Turnpike Trust. And as regards all by-roads in the County, they are kept in repair as formerly, under the old *procès-verbal*.

*Gilbert Henderson, Wm. Henderson, Edward Ryan, John Duryes, Patrick Ryan,
of Frampton.*

- 1st. The period which has elapsed, since the passing of the Act of 1855, is too limited to test its working. We highly approve of Township Councils, but without any power of taxation. County Councils are strongly objected to, as being wholly unnecessary, except for the purpose of imposing odious taxation, to be wasted by paying useless officials.
- 2nd. Of the County Superintendent we know nothing whatever, nor what his duties are; we object to him and all other County officials.

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- 3rd. Answered by the first.
- 4th. There ought to be no assessment roll, nor any direct taxation whatever, either on moveable or immoveable property, however desirable and even necessary in the richer part of the Province, open to commerce and public works. Here, taxation of any kind, or for any purpose, would result in the most crushing misery, and if persisted in, would, without doubt, depopulate the township.
- 5th. Nothing has been done here under the Act of 1855, because it involves taxation.
- 7th. We have no statute labor in this township, and would be glad of any Act empowering Local Councils to assess labor in lieu of money for keeping up the roads.
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Jno. Nargan, of Frampton, Dorchester.

The Municipal and Road Act is disapproved of because it is considered coercive and oppressive, inasmuch as it tends to odious direct taxation. For that reason it does not and will not work in Frampton, where the roads shall not be kept in good repair; where no public improvements can be achieved, unless the law be repealed, to substitute to it the old Road Act passed in the Reign of Geo. III.

It is a fact well known, that the new settlements cannot afford to pay any money contribution, such as that which would be necessary to put the Municipal and Road Act in operation, according to its true meaning and intentions and purposes; that no tax could be raised without suits, which would entail costs, and be conducive to the expropriation of the generality of the settlers. Therefore, the said Act cannot contribute to our welfare.

Statute labour, such as that regulated by the old Road Act, is the only mode that Frampton would accept to apportion their road-work according to the extent of their immoveable property. No other system is desired but that one, to suit our interests.

Alex. Daly, of Rawdon.

- 1st. The act in question does not work satisfactorily in this locality. In amendment I would propose the abolition of local or Parish Councils, and that each Parish or Township send two members to a County Council.
- 2nd. The office of Superintendent is calculated to promote the well working of the municipal institutions, and his power ought to be increased.
- 3rd. My opinion is that the present organization of local municipal councils, is calculated to create local strife from the extent of their power, particularly when in the hands of ignorant and self-interested men.
- 4th. My opinion is that personal and moveable property should be excluded from the assessment roll in country parts, and that the assessment be based on real property.

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- 5th. The municipality in this locality has been in operation since July, 1855, with the exception of a short interval. The sum of £61 12s. 6d. is sought to be levied by taxation.
 - 6th. I believe there is no debt for expenses of municipality paid up to this time owing to the unsatisfactory working of the act in question by the Local Council.
 - 7th. Under the term "statute labor" in this municipality we understand extra work to be performed on hills or bad places, where the performance of the same might be too burdensome on those whose duty it would be to perform such work; but little of that kind of labor has been employed here.
 - 8th. The by-roads and high-ways in this locality have been made and kept in repair since the passing of the present act, under the old system of the grand voyer as it existed under the Act 36th George the 3rd, Chapter 9th.

*John R. Lambly, mayor of Leeds, and warden of the County of Megantic,
Division, No. 1.*

- 1st. In reply, I beg leave to state that the act in question is one in my humble opinion admirably adapted to the wants of Lower Canada.
- 2nd. I think the office of county superintendent of great importance and well calculated to aid in the good working of municipal institutions; his powers are in my opinion quite sufficient. I would however at the same time beg leave to state, that the gentlemen composing the council of this municipality are decidedly of opinion that the office should be abolished, and superintendents appointed for each local municipality, with the same powers as the present law invests the county superintendent.
- 3rd. I am of opinion that the present organization into local and county councils is suitably adapted for the end sought.
- 4th. I should decidedly exclude personal and moveable property from the assessment roll.

A. Stevenson, Secretary-Treasurer of Huntingdon.

- 1st. The act in question is, upon the whole, an improvement upon the previous municipal acts; especially because it is fuller and more complete in its details, and is accompanied with so many forms. Many amendments are, however, in my opinion, required to make it acceptable to the people generally, and to make it work well. It does not work very satisfactorily in this locality as far as I could learn or judge, and this chiefly owing to the great and almost unlimited powers conferred upon the County Superintendent and to vexatious formalities required to be observed in giving notices, before the Superintendent or Council can act about *procès-verbaux*. The amendments I would propose have already been made known to Mr. R. B. Somerville, M.P.P., one of the members of the Committee. I may, however, briefly recapitulate them, and also state some additional amendments: That as there is not at present "representation by population" in the County Coun-

cil, the largest and most densely peopled local municipality only sending one member, while the smallest local municipality has the same right. I would allow local municipalities having, say, 2500 or 3000 inhabitants, according to latest census, to elect a Deputy Mayor, who should also have a seat in the County Council. The County Councils at present are scarcely large enough.

1. County Councils should have power to try appeals from Town or Village Councils as well as from other local councils, and the Mayor of such towns and villages should be allowed to sit on appeals.

2. The Mayor of the Council appealed from should not be allowed to sit or vote upon appeal.

Appeals should be tried at regular as well as at special sessions, and the Secretary Treasurer should have power to give notice of trial of appeal or of consideration of any *procès-verbal*, &c., without requiring to be previously authorized by the Council.

2nd. I am of opinion that Councils should have powers to open, make, and keep in repairs roads and bridges—and having that power that they should have a right to appoint and pay such officers as they may find necessary to carry on their business. I am in favor of abolishing the offices of County Superintendent and of Road Inspector and Road Overseer. Such officers, under the present law hold an anomalous position, as part of their duties are defined by statute, and they are responsible for the discharge of them. Yet they are the mere servants of the Council, bound to obey their instructions, often not allowed to fulfil their duties according to the statute, and yet responsible to private persons. The Corporations in Cities employ what officers they like: why should a different rule prevail in the country. A person engaged by a local Council and paid say £20 to £40 or £50 a year, would look after the roads better and do more to carrying law out than a dozen road inspectors and overseers, and the people would be saved much annoyance and trouble; and the two offices of Secretary Treasurer and Road officer could be held by one person. Such an officer as I recommend would only do what the Council ordered, and the Council should have ample powers and be the only responsible party to the public. I do not suppose my views upon this matter are likely to be favorably entertained, but I have long held them and am convinced they are sound.

If you will retain the office of County Superintendent, then I would recommend that he be an officer for "county purposes only," and that a local Superintendent be appointed in each local Municipality for local purposes; this would, I am certain, remove many of the objections now urged against the office of County Superintendent.

Then next I would say let no *procès-verbal* of superintendent have force until homologated, under any circumstance, whether Council consider it or fail to meet to do so or not.

Next, that the Superintendent shall not give out any contract for any work until he has obtained previous sanction of Council; this it appears he does not at present require to do, at least for getting bridges repaired, the greatest source of expence in many municipalities.

I would also recommend that the fees of Superintendent be fixed by statute. At present, as far as I know, no salary has been voted in this or any of the adjacent counties, and the fees allowed have been such as make it not worth while for any fit or proper person to accept office; besides, he is often obliged to act without waiting for the permission of Council, and the Council then refuse remuneration.

- 3rd. I am in favor of present organization of County and Local Municipalities. If the County Municipalities were abolished, an appeal from local Councils to Circuit Court would be necessary, for local Councils often act arbitrarily and harshly towards individuals who displease them.
- 4th. I am in favor of excluding personal property from taxation, the present tax upon it is unjust. Why should a farmer not be taxed on his income as well as a trader or mechanic. The two latter pay taxes on their real estate as well as the farmer,—and besides it at present is a farce—in some local Municipalities the taxes on incomes do not amount to £2. The incomes of traders and others have been valued from £20 to £100, now, what does a tax of 2s. 6d. per £100 on say 20 incomes at £100 amount to? The tax is also very irregularly laid, as the valuers do not all understand the law in the same sense, and the law is not very happily worded.

As to equalizing County taxation, I would appoint a Board of three or five County valuers, or say, a Board of one local valuator from each township, but I think three individuals to be chosen by County Council would be best; they would probably be competent persons, and more disinterested than local valuers. The County valuers should not have power to alter the total amount of valuation for County, but should have power to reduce or increase that of any local Municipality, the total of County valuation remaining the same.

- 5th. The County Council for County of Huntingdon has levied about £75 since coming into force of the law.

The last three queries relate more to local than county matters.

There is one thing which I would in conclusion recommend, as being a very important thing in making any amendments or alterations, viz.: that in the amending statute you state the precise clauses and words repealed, and enact that the amendments and additions shall be incorporated and read with original law; if this be done the original statute as amended can be reprinted as one law. Where a law affects so many things and has to be read and acted upon by so many persons, many of them not very competent to read or understand a law, it should be clear and easily understood.

An example of what I recommend will be found in 14 & 15 Vic., c. 109, amending U. C. Municipal Act.

B. Tomroy, Mayor of Compton.

- 1st. I am of opinion that the Act is in itself too complex, extremely difficult to understand by a community, not having the benefit of extended education, that it requires many and great amendments, but that so far as it goes it has been carried out in a satisfactory manner in my locality.

The following are some of the amendments I would propose,*supposing the present system of Township as well as County Councils be retained :

1st. As all equitable taxation is based on equitable assessment, I would recommend that instead of having three valuers appointed for each Municipality, to be selected after the election of seven Councillors, there should be three valuers for the whole County, to be appointed by the County Council. Such valuers to be properly qualified men (say Provincial Land Surveyors, who by the nature of their profession are necessarily experienced as to the value of property, while by virtue of the examination they are obliged to undergo, and their oath of office, they afford a guarantee of respectability,) who may be reckoned upon to perform this most difficult and essential duty well and to the satisfaction of the public.

Under the existing law valuers are in too many instances men ignorant of even common reading and writing, and therefore peculiarly unqualified for such a duty, and in addition, from being resident rate payers in the very Township they are to value, are necessarily open to all the prejudices and influences that may be brought to bear on them, whilst the appeal being to the Local Council is a mere nullity.

Three competent men not necessarily resident in the County would satisfy all parties, and might be had at an expense very little if at all exceeding the present mode.

2nd. In the opening new roads through the country I would take away the option now given of having the work done either by frontage and statute labour or by general assessment.

If the assessment be equitable, the latter mode is the easiest and the most fair for all parties. Townships might be (under the direction of the Council) divided into "Road Districts," the proprietors in each district being bound only for the making and maintaining roads in their own district, but to give the option of different modes of making and maintaining roads is to engender difficulty and to create a want of uniformity of proceeding. The frontage system too is not equitable in itself, as it cannot be denied that a front road is beneficial to more than one or two ranges, even although the ranges not immediately on the road may not be settled, and the large expense of making these roads should not be borne by one range for the benefit of a whole district.

3rd. It should be expressly provided that no proprietor should be called upon to pay more than say 10 per cent at the outside of the actual valuation in the assessment roll of his land for any road in any one year. Some enactment is necessary with regard to this, as instances can be cited in different Townships where the proprietors have been called upon for a sum of money for a road amounting to 20 per cent above the actual valuation in the assessment roll. Such unlimited power of taxation is certainly most dangerous, if not unwarrantable.

4th. I would require that all By-laws of the Council should of necessity be published in some one newspaper in the County if there be one, or in a newspaper of the nearest adjoining County, in case there is none in the County itself.

By the present law the Councils may publish their By-laws, but I would make it imperative, as being a public check on their proceedings, and a warning to absentee proprietors, if any local injustice is contemplated.

2nd. I am of opinion that some such officer is required, but that he should be, for reasons that will be given below, always distinct from the Secretary-Treasurer.

As his duties are mostly connected with roads, and as in an unsettled country especially, the laying out of roads is a matter of no small difficulty, requiring the exercise of great surveying skill, it is impossible that the County Superintendent should be able to transact this most essential part of his business without the employment of a Surveyor to assist him. Indeed no *procès-verbal* of a road can be valid unless it describe exactly bearings and distances and a non-professional County Superintendent could not of himself make a legal *procès-verbal*.

The extra expense of a Surveyor weighs heavily on the Municipality, and for all these reasons it is submitted: 1st. That none but Provincial Land Surveyors be eligible for the office; 2nd. That they be appointed by, and subject to, the County Council, who should have the power of hearing appeals against their reports or *procès-verbaux*; and that no report or *procès-verbal* should be binding, until confirmed by the County Council, beyond the laying out of roads, and actions taken under orders of the Council, he should have no power.

3rd. I am of opinion that the organization into County Municipalities is amply sufficient for the wants of the country, and the concentration of the business would save great expense, would simplify the operations of the Act, and render the working of the law, by competent men, more conducive to the interests of the country, as well as more satisfactory to the public at large. Each township should be represented in the Council, so that special wants of townships should be brought under discussion; and whereas it is difficult, nay, quite impossible, in the present condition of the country, as regards education, to find men in every town, as well as a Secretary-Treasurer and 3 valuers, competent to carry out the Act; no difficulty could be experienced in finding one competent person to represent the town in the County Council, and the result would be, that instead of the proceedings exciting, but too often, a smile, (not to say worse,) they would be regarded with respect and interest. Another great danger of placing power in the hands of uneducated people is, that they will, from prejudice and ignorance, often entail great loss and inconvenience on the Municipality, by reason of laying themselves open to actions at law for illegal proceedings, and whatever the result, great loss and heart-burnings ensue.

4th. I consider the present mode of taxation the most equitable and fair.

5th. The Municipal and Road Act of 1855, has been worked in this Municipality since it came into force. Local tax for 1856 amounted to \$426; Road tax of one penny in the pound, together with statute labor, reckoning one day for every hundred pounds or parts of hundred pounds.

6th. There has been a tax raised in this municipality to defray the expenses of the township.

7th. We have raised, by statute labor, one day for every hundred pounds, or parts of hundred pounds, and our deputy Superintendent has ordered work on roads over the whole, or in their several districts.

8th. By tax and statute labor equally distributed over our Municipality.

L. K. Benton, Secretary-Treasurer of Stanstead.

1st It is our opinion that the Act in question, so far as relates to Local Municipalities, is in principle correct, and well adapted to the wants and requirements of this section of the Province, but, think in detail, too indefinite, ambiguous, and complicated; we will suggest some amendments.

Section 8th to be amended, that two insertions of any Public Notice in a weekly newspaper, published within the County, shall be deemed good and sufficient notice.

Section 12, sub-section 2nd altered, so that the General Sessions of the Councils be held once in two months, instead of monthly.

Section 44th amended, that the fences at the side of the road shall only be taken down at such places as the Inspector or Overseer shall direct, acting under a by-law of the Council, relating to winter roads.

Section 52nd, sub-section 11th, so amended as to allow a road to be made through a garden or orchard, when it shall be made to appear, to the satisfaction of the Council, that such garden or orchard was made or planted with a view to prevent the marking out and making said road.

Section 55th, so altered as to require the Inspector to pass over the road in his division once in each year.

3rd. Our opinion is, that the present Municipal organization into Local Municipalities is the only one required in this section of the Province.

4th. Our opinion is, that all moneys and monied institutions, banks and other stocks, can be included in the assessment roll.

5th. It has been in operation since the passing of the Act, and the sum of \$4063 for roads and bridges, and expenses, has been raised annually, after deducting the amount paid by trades and professions.

8th. By assessment upon the rateable property of the municipality, and one day's statute labor from every male inhabitant between the age of 18 and 60, and not otherwise liable to statute labor.

E. F. Chandler, Secretary-Treasurer of Brome.

1st. My opinion upon the Municipal and Road Act of 1855 is, that the general principles of the Bill are good, and that if properly administered, will prove for the welfare of the township. In this Municipality it works very well. The collections of the assessments in three of the towns in the County are fully made, and the people are generally favorable to the laws; some amendments are necessary.

2nd. I think the office of County Superintendent is unnecessary. A provision for the appointment of township Superintendents, invested with the powers now given to the County Superintendent, relative to local improvements, would be better for the people.

3rd. I think the organization of Local Municipalities in the Province a fine thing, but the organization of County Councils unnecessary.

-
- 4th. I think personal and moveable property should be included in the assessment roll, as well as professions and trades.
- 5th. Broome County Municipality has been in operation since the passing of the Municipal and Road Act of 1855 ; but one assessment has been made for the County, and that for the sum of twenty-five pounds, for payment of the County Superintendent's services. There is now levied by the County Council, the sum of three hundred and fifty pounds, for the payment of the officers of the Council, and for building a County house.

L. Pope, Mayor of Robinson.

The present Municipal Act works well. Our assessments for road purposes, and other expenses in carrying out the Municipal Law, have been collected without a single suit. The only objection to the present Act is the County Superintendent ; although we have had a deputy appointed here, he has been obliged to resign. We manage to do without that officer. We trust that that office will be abolished this Session.

 List of Municipalities in Lower Canada under the Municipal Law of 1855.

County Municipalities.	Local Municipalities.	Chef-lieux.
Argenteuil	Harrington. Grenville. Chatham. Gore. Mille-Isles. Morin. Wentworth. St. Jérusalem. St. Andrews.	Lachûte.
Arthabaska	St. Christophe..... St. Norbert. Warwick. Tingwick. Bulstrode. Stanfold. South Part of Chester. South Part of Blandford. South Part of Aston.	St. Christophe.
L'Assomption	Village of L'Assomption..... Parish of L'Assomption. L'Épiphanie. St. Roch. St. Lin, parish of. Mascouche. Lachenaie. Répentigny. St. Sulpice. St. Lin, village of.	Village of L'Assomption.
Bagot	Ste. Rosalie	Ste. Rosalie.
	St. Pie St. Dominique. St. Simon. St. Hugues. Ste. Hélène. Acton. St. Ephrem d'Upton.	
Beauce	Ste. Marie	Tring.
	St. Joseph. St. François. Linière. St. Elzéar. St. Frédéric. St. George. Aylmer. Lambton. Forsyth. Tring.	

 List of Municipalities in Lower Canada, &c.—(Continued.)

County Municipalities.	Local Municipalities.	Chef-liens.
Beauharnois	Ste. Cécile	Beauharnois.
	Village de Beauharnois.	
	St. Clément.	
	St. Timothée.	
	St. Stanislas de Kostka.	
	St. Louis de Gonzague.	
Bellechasse	St. Gervais	St. Michel.
	St. Charles.	
	St. Lazare.	
	Beaumont.	
	St. Michel.	
	St. Vallier.	
	St. Raphaël.	
Berthier	Village of Berthier	Village of Berthier.
	Parish of Berthier.	
	Isle Dupads.	
	St. Cuthbert.	
	St. Barthelemy.	
	St. Gabriel de Brandon.	
	Lanoraie.	
	St. Norbert.	
	Lavaltrie.	
Bonaventure	Cox	New-Carlisle.
	Hope.	
	Port Daniel.	
	Hamilton.	
	New-Richmond.	
	Maria.	
	Carleton.	
	Shoolbred and Nouvelle.	
	Mann.	
	Ristigouche.	
	Matapédia.	
Brome	Brome	Village of Knowlton.
	Farnham.	
	Potton.	
	Sutton.	
	Bolton.	
Chambly	Parish of Boucherville.....	Chambly.
	Village of Longueuil.	
	Parish of Longueuil.	
	St. Bruno of Montarville.	
	Parish of Chambly.	
	Village of Chambly.	
	Village of the Basin of Chambly.	
	Village of Boucherville.	

 List of Municipalities in Lower Canada, &c.—(Continued.)

County Municipalities.	Local Municipalities.	Chef-lieux.
Champlain.....	Ste. Geneviève de Bastican..... Ste. Anne de la Pérade. St. François-Xavier de Bastican. La Visitation de Champlain. Cap de la Magdeleine. St. Prosper. St. Stanislas. St. Narcisse. St. Maurice.	Batiscan.
Charlevoix.....	St. Louis, Isle-aux-Condres..... St. Hilarion, Settrington. Les Eboulements. Baie St. Paul. St. Etienne de la Malbaie. St. Fidèle. St. Irénée. Ste. Agnès. St. Urbain. Petite Rivière St. François-Xavier.	Baie St. Paul.
Chateauguay.....	Ste. Philomène..... Ste. Malachie. St. Jean-Chrysostôme. St. Urbain 1er. Ste. Martine. St. Joachim.	Ste. Martine.
Chicoutimi.....	Chicoutimi..... Bagot. Laterrière. Tremblay.	Chicoutimi.
Compton.....	Sherbrooke..... Ascot and Westbury. Compton. Eaton. Clifton. Newport. Orford. Lingwick. Winslow. Hereford. Bury.	Cookshire.
Dorchester.....	St. Bernard..... St. Isidore. St. Anselme. Ste. Claire. Ste. Hénédine. Cranbourne. Frampton. Ste. Marguerite.	Ste. Hénédine.

List of Municipalities in Lower Canada, &c.—(*Continued.*)

County Municipalities.	Local Municipalities.	Chef-lieux.
Drummond	Grantham	Drummondville.
	Wickham.	
	Durham.	
	Kingsey.	
	Upton.	
Gaspé	New-Port and Pabos.....	Percé.
	Grande-Rivière.	
	Percé.	
	Malbay.	
	Douglas.	
	Gaspé Bay and York.	
	North Gaspé Bay and Sydenham.	
	Cap-Rosier.	
	Fox.	
Hochelaga.....	Parish of Montreal.....	Longue-Pointe.
	Longue-Pointe.	
	Pointe aux Trembles.	
	Rivières des Prairies.	
	Sault aux Récollets.	
	Côte St. Louis.	
Huntingdon	Godmanchester	Durham Ormstown.
	Hemmingford.	
	St. Anicet.	
	Dundee.	
	Elgin.	
	Hinchinbrooke.	
	Village of Huntingdon.	
St. Hyacinthe	Parish of St. Hyacinthe.....	St. Hyacinthe.
	St. Damase.	
	La Présentation.	
	St. Barnabé.	
	St. Jude.	
	St. Denis.	
	St. Charles.	
Iberville	St. Athanase	St. Athanase.
	Christieville.	
	St. George de Henryville.	
	St. Alexandre.	
	Ste. Brigide.	
	St. Grégoire.	
Island of Orleans	St. Laurent	St. Laurent.
	St. Jean.	
	Ste. Famille.	
	St. François.	
	St. Pierre.	

 List of Municipalities in Lower Canada, &c.—(*Continued.*)

County Municipalities.	Local Municipalities.	Chef-lieux.
L'Islet	St. Roch	St.-Jean-Port-Joli.
	St. Jean.	
	L'Islet.	
	St. Cyrille.	
Jacques-Cartier	Isle-Bizard	Pointe-Claire.
	Parish of Lachine.	
	Village of Lachine.	
	Parish of Pointe-Claire.	
	Village of Pointe-Claire.	
	Ste. Anne.	
	Ste. Geneviève.	
	St. Laurent.	
St. Jean	St. Luc.....	St. Jean.
	Blairfindie.	
	Town of St. John.	
	Parish of St. John.	
	Lacolle.	
	St. Valentin.	
Joliette.....	St. Charles-Barromé.....	Village of Industrie.
	Ste. Elizabeth.	
	St. Thomas.	
	St. Ambroise de Kildare.	
	St. Félix de Valois.	
	St. Mélanie.	
	St. Alphonse.	
	St. Paul.	
Kamouraska.....	Ixworth	Kamouraska.
	Ste. Anne.	
	Rivière-Ouelle.	
	Mont-Carmel.	
	St. Denis.	
	St. Louis.	
	St. Paschal.	
	Ste. Hélène.	
	St. Pacôme.	
	St. Alexandre.	
	St. André.	
Laprairie	Village of Laprairie.....	Laprairie.
	Parish of Laprairie.	
	St. Constant.	
	St. Philippe.	
	St. Jacques le Mineur.	
	St. Isidore.	
Laval	Ste. Rose	Ste. Rose.
	St. Martin.	
	St. Vincent de Paul.	
	St. François de Sales.	

List of Municipalities in Lower Canada, &c.—(Continued.)

County Municipalities.	Local Municipalities.	Chef-lieux.
Lévi	St. Joseph de la Pointe Lévi..... St. Henry. St. Nicolas. St. Jean-Chrysostôme. St. Ramualde, Etchemin. Notre Dame de la Victoire. St. Lambert.	Pointe-Lévi.
Lotbinière	St. Jean-Deschailions Lotbinière. Ste. Croix. St. Antoine de Tilly. St. Appollinaire. St. Flavien. St. Gilles. Ste. Agathe.	Lotbinière.
Maskinongé	Rivière-du-Loup Maskinongé. St. Léon. St. Paulin. Ste. Ursule. St. Didace.	Rivière-du-Loup.
St. Maurice.....	Town of Three Rivers..... Paroisse des Trois-Rivières Pointe du Lac. Yamachiche. St. Barnabé. St. Sévère. Fief St. Etienne. Shawinigan.	Three Rivers.
Mégantic	Broughton Leeds and Thetford. Inverness. Halifax. Nelson. Somerset. Village of Plessisville. Ste. Julie de Somerset. Ireland and Coleraine.	Leeds.
Missisquoi	Dunham St. Armand, east. St. Armand, west. St. Romuald de Farnham. Village of Philipsburg. St. Thomas. St. George de Clarenceville. { Township of Stanbridge and Parish of Notre Dame des Anges.	Bedford.

 List of Municipalities in Lower Canada, &c.—(Continued.)

County Municipalities.	Local Municipalities.	Chef-lieux.
Montcalm	St. Patrick de Rawdon	St. Julienne.
	St. Liguori.	
	St. Esprit.	
	St. Jacques.	
	St. Alexis.	
	St. Julienne.	
	St. Calixte.	
Montmagny	St. Antoine, Isle-aux-Grues.....	St. Thomas.
	Cap-St. Ignace.	
	St. Thomas.	
	Village de Montmagny.	
	St. Pierre.	
	St. François.	
	Berthier.	
Montmorency	Laval	Chateau-Richer.
	L'Ange-Gardien.	
	Chateau-Richer.	
	St. Anne.	
	St. Joachim.	
	St. Féréol.	
Napierville	St. Cyprien	St. Cyprien.
	St. Patrick de Sherrington.	
	St. Edouard.	
	St. Michel-Archange.	
	St. Rémi.	
Nicolet.	Bécancour	Bécancour.
	St. Grégoire.	
	Nicolet.	
	St. Monique.	
	St. Pierre-Célestin.	
	St. Gertrude.	
	St. Pierre les Becquets.	
	Gentilly.	
Ottawa	Village of Aylmer.....	Aylmer.
	Hull.	
	Lochaber.	
	Township of Buckingham.	
	Village of Buckingham.	
	Masham.	
	Notre Dame de Bonsecours.	
	St. Angélique.	
	Wakefield.	
	Eardley.	
	Templeton.	
	St. André-Avelin.	

List of Municipalities in Lower Canada, &c.—(Continued.)

County Municipalities.	Local Municipalités.	Chef-lieu.
Pontiac.....	Onslow Pristol. Litchfield. Calumet. Mansfield. Clarendon. Allumettes.	Portage du Fort.
Portneuf	Cap-Santé } St. Raymond et townships de Gos- ford, Colbert et Roquemont. St. Augustin. Ecureuils. St. Casimer. Ste. Catherine. Pointe-aux-Trembles. } St. Alban et township d'Alton et Montauban. St. Bazile. Deschambault. Grondines.	Cap-Santé.
Quebec.....	St. Colomb de Sillery St. Sauveur de Boisseauville. Beauport. Charlesbourg. St. Ambroise. L'Ancienne-Lorette. Ste. Foye.	Charlesbourg.
Richelieu	Ste. Victoire St. Aimé. St. Robert. St. Pierre de Sorel. St. Marcel. Parish of St. Ours. Village of St. Ours. Town of William Henry.	Ste. Victoire.
Richmond.....	Brompton Cleveland. Wotton. Melbourne and Brompton Gore. Windsor and Stoke. Shipton.	Richmond.
Rimouski	St. Simon..... St. Fabien. Ste. Cécile du Bic. St. Germain de Rimouski. Ste. Luce. Ste. Flavie. Métis. St. Jérôme de Matane	Rimouski.

No official re-
turn from the
Registrar.

List of Municipalities in Lower Canada, &c.—(Continued.)

County Municipalities.	Local Municipalities.	Chef-lieu.
Rouville.....	St. Marie St. Césaire. L'Ange-Gardien. St. Paul d'Abbottsford. St. Jean-Baptiste. St. Hilaire. St. Mathias.	St. Marie.
Saguenay.....	No official return received.	
Shefford.....	Shefford Granby. Stukely, south. Stukely, north. Ely. Roxton. Milton.	Shefford.
Soulanges.....	Village de St. Joseph de Soulanges. Paroisse de St. Joseph de Soulanges. Coteau Landing. St. Clet. St. Zotique. St. Ignace du Côteau-du-Lac. St. Polycarpe.	Coteau-Landing.
Stanstead.....	Barnston Barford. Hatley. Magog. Stanstead.	Stanstead.
Témiscouata.....	St. Patrick, Rivière-du-Loup... Village of Frazerville. St. George de Kakouna. St. Arsène. Whitworth. Viger. Isle-Verte. St. Eloi. Trois-Pistoles.	Isle-Verte.
Terrebonne.....	Parish of Terrebonne..... Village of Terrebonne. Parish of Ste. Thérèse. Village of Ste. Thérèse. Village of St. Jérôme. St. Sauveur. Abercrombie. Ste. Adèle. Ste. Anne. Lacorne. St. Janvier.	St. Jérôme.

 List of Municipalities in Lower Canada, &c.—(*Continued.*)

County Municipalities.	Local Municipalities.	Chef-lieu.
Two Mountains.....	Parish of St. Jérôme. St. Placide. St. Augustin. Village of St. Eustache. Parish of St. Eustache. Village of St. Scholastique. Parish of St. Scholastique. St. Benoit. St. Columban. St. Joseph. St. Hermas.	Ste. Scholastique.
Vaudreuil.....	Village of St. Michel de Vaudreuil. Parish of St. Michel de Vaudreuil. Ste. Jeanne, Isle-Perrot. Ste. Marthe. Ste. Magdeleine de Rigaud. Newton.	Vaudreuil.
Verchères	Verchères..... Parish of Varennes. Village of Varennes. Ste. Julie. Belœil. St. Marc. St. Antoine. Contrecoeur.	Varennes.
Wolfe	Wolfstown	Dudswell.
	Dudswell. Ham. Garthby. Weedon.	
Yamaska	St. Antoine de la Baie-du-Febvre... St. Zéphirin de Courval. Ste. Thomas de Pierreville. St. François-du-Lac. St. Michel d'Yamaska. St. David.	St. François-du-Lac.

SECOND REPORT.

The Select Committee appointed to inquire into the working of the Municipal and Road Act for 1855, have the honor to report as follows, as their **SECOND REPORT** :—

Your Committee beg leave to report that they have inquired into the working of the Lower Canada Municipal and Road Act, and that in order to do it effectually, they addressed a number of questions to the secretaries, mayors and wardens of the different Municipalities of Lower Canada.

To these questions your Committee received 248 answers, some of them containing very valuable information on the subject. These answers, as well as the petitions presented to your Honorable House, complained bitterly of the amount of useless expense to which the Municipalities were subjected, in putting the law into full operation.

In analyzing them, however, your Committee found that there existed a very great diversity of opinion with regard to the present municipal system ;—some were in favor of the present system of County, Township and Parish Councils, while others desired the abolition of one or other of those organizations as burdensome and useless for the present wants of the population.

Opinions approach unanimity on one point only, that of abolishing the office of County Superintendent as being contrary to the spirit of local self government, useless in most cases, and tending to cause embarrassment and create unnecessary expenses to Municipalities.

The powers given to that officer, and his numerous duties extending over large Counties, seem to have had the effect of relaxing the efforts that should have been made by subordinate officers in the fulfilment of their duties for the good maintenance of Public Roads.

Every Road Overseer and Inspector seems to have depended too much on the County Superintendent, and as that officer could not be present in every locality in his County, at the proper time, in the large Counties especially, the roads were in many instances left in a bad state, or when they were properly attended to, it was not without an amount of expense and trouble that seemed to call for a remedy.

As an indication of this feeling, your Committee beg to state, that out of 248 answers already mentioned, 197 declared that the office of County Superintendent ought to be abolished, while only 46 were in favor of its continuance.

Economy in the management of public affairs is closely watched when the expenses incurred have to be supported by direct taxation, and no doubt the demand for abolishing one Council or the other was made in order to lessen, to great extent, the expenses attending the operation of both, as can be seen by many of the answers.

To arrive at a proper idea of the feeling on this matter, your Committee have classified the answers as follows :

For local Councils only.....	105
For County Councils only.....	98
For continuing both.....	40
Against the Municipal system	5
Total number of answers.....	248

In the Townships, where the territory is larger than that of Parishes, and not so densely settled, they unanimously desire Township or local Councils, while in the Seignories a large number desire County Councils only.

It is gratifying, however, to find that only five answers were sent to your Committee which went entirely against any Municipal system.

Your Committee are of opinion that it would be impolitic to make any great change in the organization of the Municipal Councils at the present time, and they feel confident that by amending the law so as to simplify and render its working more economical, that it would have the effect desired and prayed for by the numerous petitions presented to your Honorable House.

Your Committee therefore recommend that the following amendments be made, during this session :—1st. To give power to County Councils to fix the number of their sessions, provided it be not less than one in every year. 2nd. To give same power to local Councils, provided it be not less than four sessions in every year.

3rd. To abolish the office of County Superintendent and transfer his powers and duties to County and Local Councils.

4th. To allow Councils to cause roads to be made and kept in repair by shares, or as is now provided by law.

5th. To authorize Local Councils to collect, in certain cases, all taxes due as school-tax, and for the construction of fences, ditches, &c., &c., and such other amendments as your Honorable House may think proper.

They would also recommend that the municipal laws of Lower Canada be consolidated as soon as practicable, so as to reduce their length, simplify their details, and take away all causes of confusion, there now being three statutes amending one another on the same subject.

The answers received by your Committee will be found very useful to your Honorable House, should it think proper to have the Municipal laws consolidated at the next session of Parliament, as some of them contain valuable information on some points which your Committee did not insist upon taking up during the present session, and they beg to submit those answers with the present report for the information of your Honorable House.

Your Committee feel confident that were their recommendations to be adopted by the Legislature, it would give great satisfaction to the people of Lower Canada, and they would therefore hope that they will be acted upon as early as possible.

The whole, nevertheless, respectfully submitted.

Committee Room,
11th May, 1857.

R. B. SOMERVILLE,
Chairman.

TORONTO:

PRINTED BY JOHN LOVELL, YONGE STREET.

GENERAL STATEMENTS

OF

BAPTISMS, MARRIAGES, & BURIALS,

In the DISTRICTS of

QUEBEC, MONTREAL, THREE RIVERS, ST. FRANCIS, AND GASPE',

For the year 1856 ;

AND

SUPPLEMENTARY STATEMENT

FOR THE

DISTRICT OF MONTREAL,

FOR THE YEARS 1852, 1853, & 1855,

AND FOR THE

DISTRICT of GASPE', for the years 1854 and 1855.

TORONTO :

PRINTED BY ROLLO CAMPBELL,

CORNER OF YONGE AND WELLINGTON STREETS.

1857.

GENERAL STATEMENT and RETURN of BAPTISMS, QUEBEC, for

COUNTIES.	PARISHES NORTH OF THE RIVER ST. LAWRENCE.	RELIGIOUS DENOMINATIONS.	BAPT-
			Males.
QUEBEC	Notre Dame de Québec	Catholic	308
	St. Roch de Québec	do	623
	St. Patrick's Church	do	229
	Metropolitan Church	Church of England	53
	Mariners' Chapel	do do	14
	Garrison of Quebec	do do	18
	St. Peter's Chapel	do do	22
	St. Andrew's Church	Church of Scotland	29
	Wesleyan Church	Methodist	8
	Chalmers' Church	Presbyterian	17
	Hotel Dieu	Catholic	
	Hopital Général	do	
	Hopital de Marine	do	
	Asile des Aliénés	do	
	Beauport	do	66
	Charlesbourg	do	48
	St. Ambroise	do	72
	Ancienne Lorette	do	39
	Ste. Foye	do	30
	St. Colomb de Sillery	do	67
	Stoneham and Beauport	Church of England	2
	Valcartier and Stoneham	Presbyterian	6
			1651
PORTNEUF	St. Casimir	Catholic	42
	St. Charles des Grondines	do	32
	St. Joseph de Deschambault	do	53
	Cap Santé	do	62
	St. Bazile	do	30
	St. Raymond	do	57
	Ste. Catherine de Fossambault	do	27
	St. Jean Baptiste des Ecureuils	do	11
	Point aux Trembles	do	59
	St. Augustine	do	35
	Ste. Catherine and Bourg Louis	Church of England	9
			417
	MONTMORENCY ..	St. Pierre, Isle D'Orleans	Catholic .....	13
St. Jean, do		do	30
Ste. Famille, do		do	15
St. Laurent, do		do	15
St. François, do		do	17
St. Féreole		do	16
St. Joachim		do	30
Ste. Anne		do	18
L'Ange Gardien		do	23
Laval a Lac Beauport		do	10
Chateau Richer		do	25
			212

MARRIAGES, and BURIALS, in the DISTRICT of the year 1856.

-ISMS.	MARRIAGES.	BURIALS.		Total Baptisms.	Total Burials.	Increase.	Decrease.	Total Increase.
		Males.	Females.					
Females.								
272	96	177	162	580	339	241		
548	159	356	299	1171	655	516		
230	105	134	126	459	260	199		
54	36	39	38	107	77	30		
11	1	9	1	25	10	15		
23	5	13	10	41	23	18		
19	10	12	10	41	22	19		
32	37	17	16	61	33	28		
6	7	1	2	14	3	11		
22	20	8	2	39	10	29		
		19	21		40		40	
1	4	1	4	1	5		4	
		7	7		14		14	
		20	16		36		36	
53	14	31	40	119	71	48		
34	17	12	27	82	39	43		
46	17	27	38	118	65	53		
36	19	20	16	75	36	39		
36	13	21	28	66	49	17		
60	20	7	5	127	12	115		
1		2	2	3	4		1	
8	6	1	2	14	3	11		
1492	586	934	872	3143	1806	1432	95	1337
39	9	6	10	81	16	65		
30	7	13	6	62	19	43		
63	16	25	16	116	41	75		
40	9	30	28	102	58	44		
41	4	16	11	71	27	44		
58	9	17	9	115	26	89		
18	8	5	4	45	9	36		
11	3	5	8	22	13	9		
35	10	13	17	94	30	64		
22	10	11	21	57	32	25		
7	3	7	1	16	8	8		
364	88	148	131	781	279	502		502
21	6	7	14	34	21	13		
18	11	11	9	48	20	26		
13	6	9	13	28	22	6		
21	3	4	2	36	6	30		
8	5	11	10	25	21	4		
24	5	8	12	40	20	20		
37	7	12	13	67	25	42		
21	3	7	11	39	18	21		
21	11	11	8	44	19	25		
12	4	7	7	22	14	8		
32	6	12	14	57	26	31		
228	67	99	113	440	212	228		228

GENERAL STATEMENT AND RETURN OF BAPTISMS, MARRIAGES,

COUNTIES.	PARISHES NORTH OF THE RIVER ST. LAWRENCE.	RELIGIOUS DENOMINATIONS.	BAPT-
			Males.
CHARLEVOIX....	St. Louis, Isle aux Coudres	Catholic	9
	St. François, Petite Rivière	do	12
	Baie St. Paul	do	93
	St. Urbain	do	15
	Eboulemens	do	64
	St. Irénée	do	12
	St. Etienne de Malbaie	do	46
	Ste. Agnès	do	47
	St. Fidèle	do	26
CHICOUTIMI AND TADOUSSAC ..	Grand Brulé	Catholic	40
	Chicoutimi	do	91
	Grande Baie	do	80
			211

PARISHES SOUTH OF THE

LOTBINIÈRE	St. Gilles and Ste. Agathe	Catholic	47
	St. Sylvester	do	54
	St. Antoine de Tilly	do	104
	Ste. Croix and St. Flavien	do	65
	St. Louis de Lotbinière	do	67
	St. Jean Deschailons	do	46
			383
MEGANTIC	St. Julie de Somerset	Catholic	42
	St. Calixte de Somerset	do	53
	St. Ferdinand D'Halifax	do	76
	St. Jacques de Leeds and Broughton	do	28
	St. Sophie D'Halifax	do	42
	Leeds and other places	Presbyterian	10
	do do	Methodist	23
	Ireland and Upper Inverness	Church of England	21
	Mission of Leeds	do	7
			302

AND BURIALS, IN THE DISTRICT OF QUEBEC, &c.—(Continued.)

-ISMS. Females.	MARRIAGES.	BURIALS.		Total	Total	Increase.	Decrease.	Total
		Males.	Females	Baptisms.	Burials.			Increase.
15	10	6	12	24	18	6		
8	4	6	6	20	12	8		
71	26	26	28	164	54	110		
15	3	7	6	30	13	17		
70	24	24	15	134	30	95		
8	.....	8	11	20	19	1		
67	19	13	9	113	22	91		
42	10	5	2	89	7	82		
21	7	3	5	47	8	39		
317	103	98	94	641	192	449		449
30	10	4	4	70	8	62		
60	12	19	12	151	31	120		
97	18	21	15	177	36	141		
187	40	44	31	398	75	323		323

RIVER ST. LAWRENCE.

31	9	11	7	78	18	60		
50	20	18	12	104	30	74		
78	21	39	26	182	65	117		
58	10	18	17	123	35	88		
58	29	27	18	125	45	80		
39	6	12	9	85	21	64		
314	95	125	89	697	214	483		483
37	13	8	9	79	17	62		
61	10	25	13	114	38	76		
67	20	20	10	143	30	113		
29	11	5	7	57	12	45		
36	20	23	19	78	42	36		
10	12	.....	1	20	1	19		
27	20	2	2	50	4	46		
24	5	6	4	45	10	35		
9	1	.....	1	16	1	15		
300	112	89	66	602	155	447		447

GENERAL STATEMENT AND RETURN OF BAPTISMS, MARRIAGES,

COUNTIES.	PARISHES SOUTH. OF THE RIVER ST. LAWRENCE.	RELIGIOUS DENOMINATIONS.	BAPT-	
			Males.	
BEAUCE	St. Elzéar de la Beauce	Catholic	58	
	St. Marie do	do	76	
	St. Joseph do	do	72	
	St. Frédéric do	do	50	
	St. François do	do	72	
	St. George, Aubert Gallion	do	46	
	Lambton, Aylmer, and Price	do	47	
	St. Evariste de Forsyth	do	18	
	St. Victor de Tring and St. Ephraim	do	72	
	Frampton	Church of England	19	
				530
	DORCHESTER	St. Anselme de Lauzon	Catholic	53
		St. Isidore	do	56
		St. Claire de Joliette	do	63
St. Marguerite		do	31	
St. Bernard		do	42	
St. Hénédine de Joliette		do	31	
Frampton and St. Malachie		do	21	
			297	
LÉVIS	St. Joseph, Pointe Levy	Catholic	60	
	Notre Dame de Levy	do	151	
	St. Jean Chrysostôme	do	33	
	St. Henry de Lauzon	do	63	
	St. Romuald D'Etchemin	do	41	
	Mission of Pointe Levy	Church of England	7	
	do do do	Church of Scotland	8	
	St. Nicholas	Catholic	65	
	St. Lambert de Lauzon	do	44	
				478
BELLECHASSE ..	St. Vallier	Catholic	37	
	St. Raphaël	do	42	
	St. Michel	do	36	
	Beaumont	do	17	
	St. Charles	do	38	
	St. Gervais	do	75	
	St. Lazare	do	59	
			304	

AND BURIALS, IN THE DISTRICT OF QUEBEC, &c.—(Continued.)

-ISMS.	MARRIAGES.	BURIALS.		Total Baptisms.	Total Burials.	Increase.	Decrease.	Total Increase.
		Males.	Females.					
Females.								
53	16	29	32	111	61	50		
56	43	22	31	132	53	79		
62	23	37	27	134	64	70		
35	14	9	11	85	20	65		
59	30	25	17	131	42	39		
56	14	11	5	102	16	86		
54	20	16	14	101	30	71		
14	8	3	5	32	8	24		
39	15	18	10	111	28	83		
17	7	2	.....	36	2	34		
445	190	172	152	975	324	651		651
54	19	18	25	107	43	64		
54	11	12	12	110	24	86		
62	15	13	13	125	26	99		
31	9	1	6	62	7	55		
48	7	11	6	90	17	73		
28	5	9	10	59	19	40		
28	9	5	11	49	16	33		
305	75	69	83	602	152	450		450
58	27	20	28	118	48	70		
136	45	62	49	293	111	182		
31	17	15	11	64	26	38		
59	15	17	27	122	44	78		
46	15	20	17	87	37	50		
8	3	6	5	15	11	4		
6	5	.....	.....	14	.....	14		
52	21	21	16	117	37	80		
36	7	13	9	80	22	58		
432	155	174	162	910	336	574		574
29	6	11	13	66	24	42		
42	8	19	17	84	36	48		
47	12	10	18	83	23	55		
24	7	6	12	41	18	23		
41	13	15	22	79	37	42		
70	25	19	20	145	39	106		
47	17	15	11	106	26	80		
300	88	95	113	604	208	396		396

GENERAL STATEMENT AND RETURN OF BAPTISMS, MARRIAGES,

COUNTIES.	PARISHES SOUTH. OF THE RIVER ST. LAWRENCE.	RELIGIOUS DENOMINATIONS.	BAPT-	
			Males.	
MONTMAGNY ...	Grosse Isle	Catholic	2	
	St. Antoine, Isle aux Grues	do	9	
	Cap St. Ignace	do	63	
	St. Thomas	do	95	
	St. Pierre, Rivière du Sud	do	27	
	St. François	do	44	
	Berthier	do	24	
	Grosse Isle	Church of England	2	
				266
	L'ISLET	St. Roch des Aulnets	Catholic	55
St. Jean, Port Joli		do	103	
L'Islet and St. Cyril		do	117	
			275	

DISTRICT OF QUEBEC.—(Continued.)

COUNTIES.	BAPTISMS.		MARRIAGES.	
	MALES.	FEMALES.		
QUEBEC	1651	1492	586	
PORNEUF	417	564	88	
MONTMORENCY	212	228	67	
CHARLEVOIX	324	317	103	
CHICOUTIMI AND TADOUSSAC	211	187	40	
LOTBINIERE	383	314	95	
MEGANTIC	302	300	112	
DORCHESTER	297	305	75	
BEAUCÉ	530	445	190	
LEVIS	478	432	155	
BELLECHASSE	304	300	88	
MOTMAGNY	266	244	62	
L'ISLET	275	260	85	
		5650	5188	1746

BAPTISMS.—Males	5650
Females	5188
BURIALS.—Males	10838
Females	4394
Decrease	6559
Total Increase	115
Total Increase	6444

PROTHONOTARY'S OFFICE, Quebec, 17th March, 1857.

AND BURIALS, IN THE DISTRICT OF QUEBEC, &c.—(Continued.)

-ISMS.	MAR- RIAGES.	BURIALS.		Total Baptisms.	Total Burials.	Increase.	Decrease.	Total Increase.
		Males.	Females.					
2	.....	2	.....	4	2	2	.....	.....
7	2	4	3	16	7	9	.....	.....
48	10	29	25	111	54	57	.....	.....
91	18	27	32	186	59	127	.....	.....
23	10	8	10	50	18	32	.....	.....
41	13	12	17	85	29	56	.....	.....
30	9	6	9	54	15	39	.....	.....
2	.....	11	13	4	24	.....	20	.....
244	62	99	109	510	208	322	20	302
67	30	20	26	122	46	76	.....	.....
80	22	53	35	183	88	95	.....	.....
113	33	60	39	230	99	131	.....	.....
260	85	133	100	535	233	302	.....	302

— RECAPITULATION.

BURIALS.		TOTAL BAPTISMS.	TOTAL BURIALS.	INCREASE.	DECREASE.	TOTAL INCREASE.
MALES.	FEMALES.					
934	872	3143	1806	1432	95	1337
148	131	781	279	502	.....	502
99	113	440	212	228	.....	228
98	94	641	192	449	.....	449
44	31	398	75	323	.....	323
125	89	697	214	483	.....	483
89	66	602	155	447	.....	447
69	83	602	152	450	.....	450
172	152	975	324	651	.....	651
174	162	910	336	574	.....	574
95	113	604	208	396	.....	396
99	109	510	208	322	20	302
133	100	535	233	302	.....	302
2279	2095	10838	4394	6559	115	6444

.....	5650	
.....	5188	
.....	10838	
.....	2279	
.....	2095	
.....	4394	
.....	6559	
.....	115	
.....	6444	

BURROUGHS & Fiset, P.C.S.

GENERAL STATEMENT of BAPTISMS, MARRIAGES,
for the

COUNTIES.	PARISHES.	BAPT-
		Males.
MONTREAL	Montreal Parish Church, Catholic.....	1453
	do Hôpital Général, Sœurs Grises	2
	do Christ's Church, Protestant Episcopal	50
	do Montreal Garrison	10
	do St. George's Chapel	84
	do Trinity Chapel, Episcopal, Church of England	6
	do St. Luke's Church, Protestant Episcopal	13
	do St. Paul's Church, Presbyterian, St. Helen Street	10
	do Scotch Church, St. Gabriel Street	8
	do St. Andrew's Church, Presbyterian	35
	do Presbyterian Church, St. Lawrence Suburb	23
	do American Presbyterian Church, St. James Street	17
	do Côté Street Free Church, or Presbyterian Church	20
	do Wesleyan Methodist Congregation	19
	do do, Montreal Circuit	35
	do Second Congregational Church	8
	do Baptist Church, St. Helen Street	9
	do Jewish Church	4
	do Unitarian Church	10
	do Zion Church	10
	do German Evangelical Church	5
	do Methodist New Connexion Church	10
	do St. Stephen's Church	20
		2188
WEST DIVISION..	Lachine Catholic Church	23
	do Church of England	5
	do Church of Scotland	9
	St. Joachim de la Pointe Claire	49
	St. Anne du Bout de L'Isle	38
	St. Geneviève	60
	St. Laurent	52
EAST DIVISION ..	Sault au Recollet	50
	St. Joseph de la Rivière des Prairies	16
	Pointe aux Trembles, Catholic	20
	do do, Eglise Congregationelle François	3
	Longue Pointe, St. François D'Assise	12
		167
VAUDREUIL	St. Michel de Vaudreuil	8
	Ile Perrot	79
	Rigaud	54
	Vaudreuil Protestant Episcopal Congregation	16
	Presbyterian Church at Cavagnol	10
	Wesleyan Congregation at Cavagnol	10
		167

and BURIALS, made in the DISTRICT of MONTREAL,
year 1856.

-ISMS.	MARRIAGES.	BURIALS.		Increase.	Decrease.	Total Increase.	Total Decrease.	REMARKS.
		Males.	Females.					
1463	584	1045	942	929				
3		29	2	3				
52	23	29	24	49				
4	8	5	2	7				
27	31	13	18	30				
8	16	4	4	6				
5	2	4	1	13				
8	4	8	7	3				
7	12	11	4					
41	24	14	16	46				
15	64	4	4	30				
9	9	12	6	8				
15	22	4	4	27				
19	28	11	13	14				
31	14	16	5	45				
		3	3		6			
3	4	1	1	9				
	1	2	1	6				
10		5	6	3				
10	7	5	6	9				
4	11			9				
3	14	4		9				
18	11	10	5	23				
26	10	19	15	15				
4	3	4	1	4				
11	4	6	7	7				
50	20	22	18	59				
24	10	15	12	35				
54	20	22	12	80				
53	14	35	30	40				
54	27	29	19	56				
18	5	19	10	5				
29	8	13	19	17				
2	3			5				
20	3	9	15	8				
2100	1016	1403	1232	1609	6	1603		
								No Return.
11	6	6	6	7				
80	32	26	36	97				
59	17	24	22	67				
6		7	8	7				
8				10				No Return.
164	55	63	72	196		196		

GENERAL STATEMENT OF BAPTISMS, MARRIAGES, AND

COUNTIES.	PARISHES.	BAPT-
		Males.
SOULANGES	St. Ignace du Côteau du Lac	51
	St. Joseph de Soulanges	47
	St. Polycarpe	123
	St. Clet	44
	St. Zotique	40
	Church of England, Côteau du Lac	2
		807
LAC DES DEUX MONTAGNES ...	Mission du Lac des Deux Montagnes	15
	Patronage de St. Joseph do	31
	St. Eustache	84
	St. Augustin	44
	St. Benoit	45
	St. Scholastique	122
	St. Colomban	9
	Presbyterian Church, St. Eustache	
	350	
ARGENTEUIL	St. André D'Argenteuil	55
	Notre Dame de Pitié de Grenville	46
	St. Hermas	47
	St. Placide	31
	Lachute Scotch Presbyterian Church	24
	Baptist Church, St. Andrews	
	Church of England, Grenville and Chatham	
	Scotch Presbyterian Church, Grenville and Chatham	56
	Wesleyan Methodist Congregation at Lachute and St. Andrews	
	United Church of England and Ireland, North Gore	29
	Presbyterian Church, St. Andrews	8
		291
TERREBONNE	St. Jérôme	114
	St. Louis de Terrebonne	41
	Ste. Anne des Plaines	84
	St. Thérèse de Blainville	67
	Ste. Adèle	29
	St. Janvier	33
	St. Sauveur	46
	Ste. Sophie	23
	Presbyterian Church at St. Thérèse de Blainville	2
	Eglise Evangélique de St. Thérèse de Blainville	4
		393

BURIALS MADE IN THE DISTRICT OF MONTREAL, &c.—(Continued.)

-ISMS.	MARRIAGES.	BURIALS.		Increase.	Decrease.	Total Increase.	Total Decrease.	REMARKS.
		Males.	Females.					
Females.								
57	15	21	18	69				
46	13	18	19	56				
137	55	37	39	184				
45	14	11	14	64				
42	12	17	22	43				
2		5	4		5			
329	109	109	116	416	5	411		
27	3	10	7	25				
33	16	12	14	38				
79	22	29	23	111				
42	17	29	24	33				
52	13	24	22	51				
99	29	32	45	144				
12	6	2	2	17				
	1							
344	107	188	187	419		419		
52	11	17	15	75				
27	15	10	10	53				
26	20	22	21	30				
24	6	14	10	31				
10	12	3	1	30				
1	2	1						No Return.
47	41	5	9	89				No Return.
15	3	1		43				
1	1	3	1					
203	111	76	67	351		351		
101	24	37	31	147				
40	14	19	24	38				
43	8	9	8	60				
52	16	39	28	52				
47	6	12	14	50				
43	9	5	9	62				
39	9	20	16	49				
19	1	10	6	26				
	4	1		1				
3	1	2	1	4				
387	92	154	137	489		489		

GENERAL STATEMENT OF BAPTISMS, MARRIAGES, AND

COUNTIES.	PARISHES.	BAPT-
		Males.
LAVAL	St. Vincent de Paul	42
	St. Martin	75
	St. François de Sales de l'Isle Jésus	15
	St. Raphael de l'Isle Bizard	32
	Ste. Rose	50
	St. Stephen's Church, St. Martin	4
		218
MONTCALM	St. Jacques	74
	St. Ligouri	45
	St. Julienne	26
	St. Alexis	27
	St. Esprit	36
	St. Calixte	23
	Presbyterian Church, New Glasgow	
	Church of England, Kilkenny and parts adjacent	5
	Wesleyan Methodist Congregation, Circuit of Rawdon	16
	St. Patrice de Rawdon	33
	285	
JOLIETTE	St. Charles Borromée de L'Industrie	109
	St. Elizabeth	60
	St. Felix de Valois	69
	Sto. Melanie	51
	St. Ambroise de Kildare	40
	Conversion de St. Paul	31
	St. Thomas	49
	St. Jean de Matha	33
	St. Alphonse de Rodriguez	26
		468
	L'ASSOMPTION ..	Repentigny .....	40
L'Assomption		82
St. Henri de Mascouche		57
St. Roch		58
St. Charles de Lachenaie		23
St. Lin		73
St. Sulpice		18
Church of England, Mascouche		5
	356	

BURIALS, MADE IN THE DISTRICT OF MONTREAL, &c.—(Continued.)

-ISMS.	MARRIAGES.	BURIALS.		Increase.	Decrease.	Total Increase.	Total Decrease.	REMARKS.
		Males.	Females.					
57	18	27	38	34				
94	21	50	37	82				
14	5	12	9	8				
13	5	10	8	27				
64	18	35	36	43				
4		1		7				
246	67	135	128	201		201		
64	26	52	41	45				
31	4	23	25	28				
29	6	10	8	37				
22	10	34	28		13			
37	8	18	17	88				
26	7	9	2	38				
4	4	3	4	2				No Return.
12	2	1	1	26				
32	7	22	20	23				
257	74	172	146	237	13	224		
94	16	49	42	112				
54	18	46	38	30				
62	14	19	24	88				
46	11	11	10	76				
43	14	27	18	38				
43	15	40	50		16			
35	14	18	15	51				
29	6	9	9	44				
35	7	7	5	49				
441	115	226	211	488	16	472		
36	8	31	22	23				
86	23	52	58	58				
58	12	38	41	36				
53	22	22	26	63				
21	5	18	21	5				
69	14	31	30	31				
10	7	11	6	11				
3	3	4	1	3				
336	94	207	205	280		280		

GENERAL STATEMENT OF BAPTISMS, MARRIAGES, AND

COUNTIES.	PARISHES.	BAPT-
		Males.
BERTHIER	St. Geneviève de Berthier	76
	St. Gabriel du Lac de Maskinongé.....	68
	St. Outhbert.....	90
	St. Barthélemi.....	55
	Lanoraie	24
	Lavaltrie	27
	Isle du Pads.....	20
	St. Norbert.....	26
	Church of England at Berthier	
		381
RICHELIEU	St. Pierre de Sorel	177
	St. Aimé	85
	St. Victoire	47
	St. Robert.....	43
	St. Marcel.....	21
	St. Ours	72
	Christ's Church, Sorel.....	15
		460
ST. HYACINTHE..	St. Hyacinthe	128
	La Présentation	49
	St. Barnabé	25
	St. Damase	65
	St. Denis	60
	St. Charles	37
	St. Jude	46
	Notre Dame de St. Hyacinthe	44
	Church of England, St. Hyacinthe	5
		459
BAGOT	St. Dominique	74
	St. Pie	117
	St. Hugues	68
	St. Simon	52
	Ste. Helène	22
	Ste. Rosalie	85
	St. Ephrem d'Upton	3
	Eglise Congrégational de St. Pie	4
		375

BURIALS, MADE IN THE DISTRICT OF MONTREAL, &c.—(Continued.)

-ISMS.	MARRIAGES.	BURIALS.		Increase.	Decrease.	Total Increase.	Total Decrease.	REMARKS.
		Males.	Females.					
Females.								
73	33	33	37	79				
47	21	27	22	61				
55	17	24	20	101				
56	7	25	28	58				
42	12	21	18	27				
33	12	18	15	27				
24	5	17	11	16				
33	6	6	13	40				No Return.
363	113	171	164	409		409		
176	72	67	78	208				
79	24	18	23	123				
31	7	13	10	55				
29	6	11	12	49				
22	10	12	6	25				
71	28	34	32	77				
8	2	4	4	15				
416	149	159	165	552		552		
125	36	80	73	100				
32	17	20	25	36				
41	11	7	10	49				
61	25	30	27	69				
67	19	40	28	59				
31	9	15	13	40				
30	13	20	13	43				
51	16	39	26	30				
3	.....	2	2	4				
441	146	253	217	430		430		
60	13	25	22	37				
96	36	46	35	132				
65	20	39	26	68				
41	14	27	17	49				
17	3	16	13	10				
44	11	32	26	21				
1	.....	.....	.....	4				
4	3	1	.....	7				
328	100	186	139	378		378		

GENERAL STATEMENT OF BAPTISMS, MARRIAGES, AND

COUNTIES.	PARISHES.	BAPT-
		Males.
ROUVILLE	St. Césaire	175
	Ste. Marie de Monnoir	120
	St. Jean Baptiste	42
	St. Mathias	35
	St. Hilaire	33
	Church of England at Abbotsford and Rougenont	8
	Eglise Evangélique Baptist, St. Marie de Monnoir	3
	Protestant Congregation in Christieville	
		416
IBERVILLE	St. Athanase	96
	St. George	117
	St. Grégoire	57
	St. Alexandre	74
	St. Brigide	32
	Church of England at Henryville	
	do do at Sabrevois	8
	Wesleyan Methodist Church, Clarenceville	14
		398
VERCHÈRES.....	Verchères	70
	Varennas	62
	Contrecoeur	43
	St. Antoine	40
	Ste. Julie	24
	Belœil	47
	St. Marc	26
CHAMBLY	St. Joseph de Chambly	71
	St. Antoine de Longueuil	107
	Ste. Famille de Boucherville	55
	St. Bruno	54
	Church of England at Chambly	2
	Wesleyan Methodist, Chambly Circuit	
		289
ST. JEAN	St. Jean, Dorchester	82
	St. Valentin	65
	St. Bernard de Lacolle	57
	Ste. Marguerite de Blairfindie	54
	St. Luc	19

BURIALS, MADE IN THE DISTRICT OF MONTREAL, &c.—(Continued.)

-ISMS.	MARRIAGES.	BURIALS.		Increase.	Decrease.	Total Increase.	Total Decrease.	REMARKS.
		Males.	Females.					
Females.	61	83	73	187				
	35	52	43	117				
	17	22	20	39				
	12	7	16	27				
	5	12	13	45				
	2	2	3	7				
	4	1		5				No Return.
358	136	179	168	427		427		
Females.	32	29	34	99				
	29	56	42	125				
	30	7	13	95				
	16	25	22	85				
	6	8	6	46				
								No Return.
	2	12	6	3				do.
	3		3	24				
336	118	137	126	474	3	471		
Females.	22	43	39	40				
	31	54	39	13				
	16	16	20	47				
	16	22	23	31				
	12	14	20	24				
	17	14	20	55				
	12	11	7	37				
277	126	174	168	247		247		
Females.	25	25	20	83				
	47	78	65	92				
	20	31	44	41				
	15	23	20	51				
	2	6	1	1				
		1		1				
	290	109	164	150	267	2	265	
Females.	32	38	39	72				
	15	21	17	79				
	15	17	8	90				
	21	14	13	76				
	6	5	8	22				

GENERAL STATEMENT OF BAPTISMS, MARRIAGES, AND

COUNTIES.	PARISHES.	BAPT-
		Males.
ST. JEAN.—(Continued.)	Church of England, Lacolle	5
	Eglise Baptist, St. Valentin	3
	Episcopal Church, St. Johns	18
	Wesleyan Congregation at St. Johns and Circuit of St. John	7
		810
NAPIERVILLE....	St. Cyprien	94
	St. Remi	78
	St. Michel Archange	57
	St. Edouard	54
	St. Patrice de Sherrington	32
	Church of England at Sherrington	18
	Protestant Episcopal Congregation at St. Remi	2
		380
LAPRAIRIE	Nativité de la Magdeleine, de Laprairie	71
	St. Jacques le Mineur	57
	St. Constant	50
	St. Philippe	39
	Sault St. Louis	50
	St. Isidore	37
	Church of England at Laprairie	10
		314
HUNTINGDON....	St. Anicet	59
	St. Jean François Regis	27
	Mission d' Hemmingford	30
	Scotch Church, Huntingdon and Hinchinbrooke	18
	Church of England, Hemmingford and parts adjacent	
	Associate Presbyterian Church, Hemmingford and Hinchinbrooke	
	Church of England, Huntingdon Circuit	
Wesleyan Methodist Congregation, Hemmingford Circuit		
	184	
BEAUHARNOIS ..	St. Clement	99
	St. Louis de Gonzague	121
	St. Timothée	122
	Scotch Presbyterian Church at Beauharnois	6
	do do do at St. Louis	4
	do do do at Georgetown	8
	do do do at Beechridge	14
	Presbyterian Congregation at St. Louis	
	Wesleyan Methodist Congregation at Beauharnois	3
		877

BURIALS, MADE IN THE DISTRICT OF MONTREAL, &c.—(Continued.)

Females.	MARRIAGES.	BURIALS.		Increase.	Decrease.	Total Increase.	Total Decrease.	REMARKS.
		Males.	Females.					
5	2	1	2	7				
1		1	1	2				
17	8	2	5	28				
5	6	1	1	10				
270	105	100	94	386		386		
104	26	55	29	114				
72	18	30	34	86				
56	18	24	20	69				
45	10	24	23	52				
26	15	8	4	46				
	1	6	2	5				
1	2	1	2					
304	90	148	114	372		372		
63	39	30	31	73				
43	17	11	12	77				
45	17	23	15	57				
42	21	13	10	58				
38	22	26	29	33				
35	14	15	20	37				
9	5	3	2	14				
275	135	121	119	349		349		
33	18	12	11	69				
33	9	8	11	41				
22	3	2	2	48				
27	17	3	4	38				
								No Return.
								do.
								do.
								do.
115	47	25	28	196		196		
116	28	53	59	103				
119	32	48	24	168				
138	36	58	39	163				
2	1	1	5	2				
2								
15	3	2	3	18				
3	2	4	1	12				
								No Return.
		2		1				
395	97	168	131	473		473		

GENERAL STATEMENT OF BAPTISMS, MARRIAGES, AND

COUNTIES.	PARISHES.	BAPT-
		Males.
CHATEAUGUAY.	St. Joachim de Chateauguay	44
	St. Jean Chrysostôme.....	101
	St. Martine.....	76
	St. Philomène	31
	St. Urbain.....	53
	St. Malachie d'Ormstown and St. Patrice d'Hinchinbrooke.....	52
	Scotch Church, Ormstown	30
	Church of England, Ormstown	10
	Wesleyan Congregation, Russeltown Circuit	23
	New Connexion Church, Chateauguay.....	4
	Episcopal Congregation, Manningville	13
	Scotch Presbyterian Church, Russeltown.....	13
		487
MISSISQUOI.....	Notre Dame des Anges de Stanbridge	74
	St. Etienne de Bolton	18
	St. Romuald de Farnham	37
	Church of England at Brome	4
	do do at Farnham	7
	do do at St. Armand, East	3
	do do at Stanbridge	6
	do do at Dunham	7
	do do at Sutton	11
	do do at Armand, West	2
	do do at Cowansville	2
	Methodist New Connexion Church, Dunham	1
	Second Advent Church	11
	Baptist Church, St. Armand, East.....	2
	Wesleyan Methodist Congregation, Bolton	1
	Wesleyan Methodist Church, Dunham Circuit.....	11
	Congregational Church, Cowansville.....	2
	Wesleyan Methodist Church, Farnham Circuit.....	3
do do do, Sutton do	2	
	202	
STANSTEAD.....	Mission du Sacré Cœur de Jésus de Stanstead.....	58
		58
SHEFFORD	Mission de Notre Dame de Bonsecours à Stukely	67
	do St. Jean Baptiste de Roxton	33
	do Ste. Cécile de Milton	38
	do St. Valerien de Milton	9
	do du Sacré Cœur de Marie de Granby	38
	do de St. Joseph d'Ely	31
	Church of England, Waterloo and parts adjacent.....	8

BURIALS, MADE IN THE DISTRICT OF MONTREAL, &c.—(Continued.)

-ISMS.	MARRIAGES.	BURIALS.		Increase.	Decrease.	Total Increase.	Total Decrease.	REMARKS.
		Males.	Females.					
Females.								
42	12	20	23	43				
101	26	38	16	148				
65	27	29	22	90				
39	15	22	15	33				
59	18	7	15	90				
37	9	10	7	72				
2	8	13	8	11				
10		2	2	16				
20	3	1	2	40				
5		1	2	6				No Return.
8	1		2	19				
388	114	143	114	568		568		
54	19	20	12	96				
12	8	3		27				
34	9	16	10	45				
6	2	3	1	6				
3	3	2	5	3				
1	2	1	6		3			
8	2	2		12				
4	4	3	3	5				
4	4	5	4	6				
11	3	7	3	3				
3	4	3	5		3			
1	3			1				
10	2			21				
2	22	8			4			
1	3		1					
10	4	1	1	19				
3	3		1	4				
3		1	1	4				
	1			2				
170	98	75	53	254	10	244		
65	16	10	10	103				
65	16	10	10	103		103		
47	10	23	21	70				
52	12	21	14	50				
35	9	18	13	42				
11	1	4	3	13				
27	9	10		48				
19	3	3	3	44				
9	4	4	2	11				

GENERAL STATEMENT OF BAPTISMS, MARRIAGES, AND

COUNTIES.	PARISHES.	BAPT-
		Males.
SHEFFORD.—(Continued.)	Church of England, Granby	4
	do do, Milton and Roxton	4
	Wesleyan Methodist Church, Circuit of Shefford	11
	Church of England and Ireland, Stukely and Frost Village.	4
		247

DISTRICT OF MONTREAL.—(Continued.)—RECAPITULATION

COUNTIES.	BAPTISMS.		MARRIAGES.
	MALES.	FEMALES.	
MONTREAL	2138	2100	1016
VAUDREUIL	167	164	55
SOULANGES	307	329	109
LAC DES DEUX MONTAGNES	350	344	107
ARGENTEUIL	291	203	111
TERREBONNE	393	387	92
LAVAL	218	246	67
MONTCALM	285	257	74
JOLIETTE	468	441	115
L'ASSOMPTION	356	336	94
BERTHIER	381	368	113
RICHELIEU	460	416	149
ST. HYACINTHE	459	441	146
BAGOT	375	328	100
ROUVILLE	416	358	136
IBERVILLE	398	336	118
VERCHÈRES	312	277	126
CHAMBLY	289	290	109
ST. JEAN	310	270	105
NAPIERVILLE	330	304	90
LAPRAIRIE	314	275	135
HUNTINGDON	134	115	47
BEAUHARNOIS	377	305	97
CHATEAUGUAY	437	388	114
MISSISQUOI	202	170	98
STANSTEAD	58	65	16
SHEFFORD	247	224	67
	10472	9822	3606

BURIALS, MADE IN THE DISTRICT OF MONTREAL, &c.—(Continued.)

-ISMS.	MARRIAGES.	BURIALS.		Increase.	Decrease.	Total Increase.	Total Decrease.	REMARKS.
		Males.	Females.					
6	2	1	1	8				
6	1			10				
9	14	4	3	13				
3	2	3	3	1				
224	67	91	70	310		310		

OF THE GENERAL STATEMENT, FOR THE YEAR 1856.

BURIALS.		INCREASE.	DECREASE.	TOTAL INCREASE.	TOTAL DECREASE.	REMARKS.
MALES.	FEMALES.					
1403	1232	1609	6	1603		
63	72	196		196		
109	116	416	5	411		
138	137	419		419		
76	67	351		351		
154	137	489		489		
135	128	201		201		
172	146	237	13	224		
226	211	488	16	472		
207	205	280		280		
171	164	409		409		
150	165	552		552		
253	217	430		430		
186	139	378		378		
179	168	427		427		
137	126	474	3	471		
174	168	247		247		
164	150	267	2	265		
100	94	386		386		
148	114	372		372		
121	119	349		349		
25	28	196		196		
168	131	473		473		
143	114	568		568		
75	53	254	10	244		
10	10	103		103		
91	70	310		310		
4987	4481	10881	55	10826		

DISTRICT OF MONTREAL.—(Continued.)—

COUNTIES.	No. OF PARISHES IN EACH COUNTY.	BIRTHS.	MARRIAGES.	BURIALS.
MONTREAL		4238	1016	2635
VAUDREUIL		381	55	135
SOULANGES		636	109	225
LAC DES DEUX MONTAGNES.....		694	107	275
ARGENTEUIL		494	111	143
TERREBONNE		780	92	291
LAVAL		464	67	263
MONTCALM		542	74	318
JOLIETTE		909	115	437
L'ASSOMPTION.....		692	94	412
BERTHIER.....		744	113	335
RICHELIEU		876	149	324
ST. HYACINTHE		900	146	470
BAGOT		703	100	325
<i>Carried forward</i>		13003	2348	6588

PROTHONOTARY'S OFFICE,
Montreal, 9th April, 1857.

GENERAL RECAPITULATION.

COUNTIES.	No. OF PARISHES IN EACH COUNTY.	BIRTHS.	MARRIAGES.	BURIALS.
<i>Brought forward</i>		13003	2348	6588
ROUVILLE		774	136	347
IBERVILLE		734	118	263
VERCHÈRES		589	126	342
CHAMBLY		579	109	314
ST. JEAN		580	105	194
NAPIERVILLE.....		634	90	262
LAPRAIRIE		589	135	240
HUNTINGDON		249	47	53
BEAUHARNOIS		772	97	299
CHATEAUGUAY		825	114	257
MISSISQUOI		372	98	123
STANSTEAD		123	16	20
SHEFFORD.....		471	67	161
		20294	3606	9468

MONK, COFFIN, & PAPINEAU,
Prothonotary, S.C.

SUPPLEMENTARY STATEMENT of BAPTISMS, MAR-
for the years 1852, 1853, & 1855, taken from the Registers deposited

COUNTIES.	PARISHES.	Years.	BAPT-	
			Males.	Females.
MONTREAL	St. Luke's Chapel	1855..	15	
	Wesleyan Methodist Congregation, Montreal Circuit.....	do ..	10	
			25	
LAC DES DEUX MONTAGNES ..	Baptist Church	1852..	5	
			5	
ST. HYACINTHE..	Notre Dame de St. Hyacinthe	1855..	60	
			60	
MISSISQUOI	Church of England, Stanbridge.....	1853..	8	
	Wesleyan Methodist Congregation, Dunham Circuit	do ..	17	
	Church of England, Stanbridge	1855..	1	
	Wesleyan Methodist Congregation, St. Armand Circuit.....	do ..	8	
			29	

PROTHONOTARY'S OFFICE,
Montreal, 9th April, 1857.

-RIAGES, and BURIALS, in the DISTRICT of MONTREAL,
in the Prothonotary's Office, since the last Return, from the year 1855.

-ISMS.	MARRIAGES.	BURIALS.		Increase.	Decrease.	Total Increase.	Total Decrease.	REMARKS.
		Males.	Females.					
6	5	5	3	13				
9	6	4	7	8				
15	11	9	10	21		21		
7	2			12				
7	2			12		12		
57	22	36	38	43				
57	22	36	38	43		43		
7		1	6	8				
14	6	8	8	15				
8			1	8				
5	1	1	1	6				
34	7	10	16	37		37		

MONK, COFFIN, & PAPINEAU,
Prothonotary, S.C.

**GENERAL STATEMENT and RETURN of BAPTISMS,
THREE RIVERS;**

COUNTIES.	PARISHES, SEIGNORIES, TOWNSHIPS, OR CITIES.	BAPT-		
		Males.		
ST. MAURICE	Three Rivers, Catholic	171		
	do, Anglican Church	10		
	do, Wesleyan Congregation	2		
	do, Presbyterian do	3		
	Pointe du Lac	33		
	Yamachiche	78		
	St. Barnabé	54		
MASKINONGÉ	Maskinongé	94		
	Rivière du Loup	55		
	St. Léon	52		
	St. Paulin	41		
	St. Ursule	54		
	St. Didace	21		
CHAMPLAIN	Ste. Anne, near Batiscan	65		
	St. François Xavier de Batiscan	22		
	St. Geneviève	49		
	Champlain	55		
	Cap la Magdeleine	21		
	St. Maurice	59		
	St. Stanislas	72		
	St. Prosper	24		
	St. Narcisse	28		
NICOLET	St. Pierre Les Becquets	76		
	Gentilly	56		
	Ste. Gertrude	30		
	Bécancour	63		
	St. Grégoire	62		
	Nicolet, Catholic	51		
	do, Protestant	6		
	Ste. Monique	69		
	Blandford	16		
	St. Pierre Celestin	40		
YAMASKA	St. David	87		
	Yamaska	43		
	St. François, Catholic	46		
	do, Congregational Church	1		
	La Baie	68		
	St. Zephirin	34		
	St. Thomas de Pierreville	53		
DRUMMOND	St. Guillaume	63		
	Drummondville, Catholic	52		
	do, Protestant	6		
ARTHABASKA	Stanford	46		
	St. Norbert d'Arthabaska	51		
	St. Christopher do	110		
		2192		

PROTHONOTARY'S OFFICE, Three Rivers, 13th March, 1857.

**MARRIAGES, and BURIALS, in the DISTRICT of
for the year 1856.**

-ISMS.	MARRIAGES.	BURIALS.		Increase of Popu- lation ascertain- ed by the differ- ence between the Baptisms and Burials.	Increase per County.	REMARKS.
		Males.	Females.			
151	46	86	66	170	432	
7	3	6	5	6		
12	2			4		
12				15		
37	9	13	11	46		
77	32	24	29	102		
54	4	11	8	89		
81	22	44	44	87		
65	20	31	24	65		
48	10	25	16	59		
28	11	15	15	39		
41	15	22	23	50		
22	5	5	7	31		
39	16	16	29	59	331	
17	6	3	2	34		
39	11	27	21	40		
32	3	12	13	62		
15	8	9	9	18		
60	11	18	23	78		
57	13	25	18	86		
18	13	13	13	16		
17	6	19	12	14		
87	14	34	20	109		
60	20	18	12	86		
40	5	7	11	52		
60	23	21	26	76		
65	27	18	21	88		
59	13	20	15	75		
1	2	1	2	4		
58	36	23	12	92		
12	3	4		24		
38	4	11	9	58		
89	22	41	23	112	664	
49	26	18	18	56		
42	16	15	17	56		
	1	1				
44	22	24	13	75		
26	9	11	6	48		
43	23	17	18	61		
55	18	32	33	53		
39	8	14	12	65		
19	4		1	24		
40	10	10	7	69		
48	13	21	22	56		
119	22	28	26	175		
2012	612	813	712	2679	2679	800

Certified.

N. A. DuBERGER, Deputy P., S.C.

**GENERAL STATEMENT and RETURN of BAPTISMS,
SAINT FRANCIS, LOWER**

YEAR.	COUNTIES.	TOWNSHIPS.	Clergymen keeping Registers.	Denominations.	BAPT-		
					Males.		
1856..	STANSTEAD	Stanstead.....	L. P. Adams ..	Congregational .....	.....	
			R. V. Hall	do .....	.....	
			J. Hay	do	1		
			M. McDonald ..	Methodist	4		
			Wellington Sou- berger	Adventist.....	2		
			E. Mitchell	Baptist.....	.....	
			Henry Burrage..	Church of England...	10		
			Barnston	J. P. Moulton..	Baptist.....	
			COMPTON	Eaton	John Dalziel ..	Church of England...	8
					A. Gillis	Baptist.....
	R. Wilson	Methodist			4		
	E. J. Sherrill ..	Congregational .....			.....
	Bury	J. Kemp			Episcopal.....	6	
	Compton	A. A. Allan.....			do	2	
		T. Pennefather ..			do	1	
	J. B. Selby	Methodist			11		
		C. E. Fortin.....			Roman Catholic	25	
	WOLFE.....	Dudswell.....			Thomas Chap- man	Episcopal.....	7
			G. Duhaut	Roman Catholic	91		
	RICHMOND	Cleveland	L. Trahan	do	64		
			Melbourne	Robert C. Swin- ton	Presbyterian	8	
		Danville	—Constable ..	Methodist	16		
			Thomas Barnes..	Congregational	10		
			Dr. Falloon	Episcopal.....	36		
			A. J. Parker	Congregational	10		
			Durham	J. O. Prince.....	Roman Catholic	51	
				—Dunkerley ..	Congregational	3	
TOWN OF SHER- BROOKE.....			Sherbrooke	C. P. Read	Episcopal.....	19	
				J. Robertson ..	Congregational	3	
	A. E. Dufresne..	Roman Catholic	67				
	Wm. D. Brown..	Methodist	8				
	Benjamin Slight.	do	6				
	Lennoxville.....	T. Pennefather ..	Episcopal.....	9			
		Ascot	C. P. Mallory ..	Universalist.....	.....	
	Travelling Mis- sionary, W. V. Lloyd	Episcopal.....	18				
						484	

 PROTHONOTARY'S OFFICE,
 Sherbrooke, 15th April, 1857.

**MARRIAGES, and BURIALS, in the DISTRICT of
CANADA, for the year 1856.**

-SMS.	MARRIAGES.	BURIALS.		Increase of Popu- lation as ascer- tained by differ- ence between Births and Bur- ials.	Decrease of Po- pulation as as- certained by dif- ference between Births and Bur- ials.	Increase exceeds decrease by
		Males.	Females.			
4	3	1	4	.....	1	.....
.....	10	.....	2	.....	2	.....
.....	4	2	.....	.....	1	.....
4	3	2	3	3	.....	.....
3	4	2	3	.....	.....	.....
.....	2	3	2	.....	5	.....
5	4	5	5	5	.....	.....
.....	10	6	6	.....	12	.....
3	2	4	3	.....	1	.....
.....	3	1	2	.....	3	.....
14	3	.....	.....	18	.....	.....
.....	4	1	.....	.....	1	.....
.....	9	1	4	10	.....	.....
4	2	1	1	4	.....	.....
2	.....	1	.....	2	.....	.....
18	5	7	8	14	.....	.....
28	8	10	3	40	.....	.....
4	4	3	2	6	.....	.....
79	22	6	7	157	.....	.....
48	16	19	7	86	.....	.....
13	8	1	.....	20	.....	.....
24	8	.....	2	38	.....	.....
5	7	2	.....	13	.....	.....
42	6	12	10	56	.....	.....
15	19	11	6	8	.....	.....
44	11	11	13	71	.....	.....
5	2	3	.....	5	.....	.....
13	8	6	6	20	.....	.....
9	6	.....	.....	12	.....	.....
67	19	21	18	95	.....	.....
2	1	1	.....	9	.....	.....
5	2	.....	1	10	.....	.....
15	1	1	1	22	.....	.....
.....	13	1	2	.....	3	.....
13	.....	.....	.....	31	.....	.....
486	222	145	121	754	29	726

 SHORT & MORRIS,
 P., S.C.

GENERAL STATEMENT and RETURN of BAPTISMS, GASPE', for

YEAR.	COUNTIES.	PARISHES, SEIGNIORIES, TOWNSHIPS, OR CITIES.	BAPT-	
			Males.	
1856..	BONAVENTURE..	Restigouche, Roman Catholic Mission	33	
		Carleton, do do	50	
		New Richmond, do do	21	
		Hamilton, do do	22	
		Cox, do do	22	
		Port Daniel, do do	25	
		Cox, Church of England Mission	33	
		Restigouche, Church of Scotland	12	
		New Richmond, do do	12	
		GASPE'	Grand River, Roman Catholic Mission	49
	Percé, do do		35	
	Douglas Town, do do		24	
	Fox River, do do		23	
	St. Anne des Monts, do do		34	
	Percé, Church of England do		6	
	Sandy Beach, do do		5	
	Gaspé Basin, do do		14	
	Magdalen Islands, Notre Dame de la Visitation, Roman Catholic Mission			
	do do, St. Magdeleine, Roman Catholic Mission			
	do do Protestant Episcopal Mission			
		420		

MARRIAGES, and BURIALS, in the DISTRICT of the year 1856.

-ISMS.	MARRIAGES.	BURIALS.		Increase of Population ascertained by the difference between Baptisms and Burials.	Total per Counties. — Increase of Population.	REMARKS.	
		Males.	Females.				
22	8	19	15	21	331		
68	22	23	19	76			
15	1	5	3	28			
23	14	2	3	40			
22	16	2	6	36			
15	4	3	3	34			
21	3	6	3	45			
14	.....	1	.....	25	
18	8	2	2	26			
42	12	13	8	71			
38	14	11	9	53			
27	12	5	7	39			
24	7	7	5	35			
28	7	4	7	51			
7	4	4	3	6			
7	5	3	2	7			
17	14	4	4	23			
							No Return for 1856.
							do do.
							do do.
				285			
408	151	114	99	616	616		

**SUPPLEMENTARY STATEMENT and RETURN of
DISTRICT of GASPE,**

YEAR.	COUNTIES.	PARISHES, SEIGNORIES, TOWNSHIPS, OR CITIES.	BAPT-
			Males.
1854 & 1855.	GASPÉ	Magdalen Islands, Notre Dame de la Visitation, Roman Catholic Mission, 1854.....	29
		Magdalen Islands, Notre Dame de la Visitation, Roman Catholic Mission, 1855.....	27
		Magdalen Islands, St. Magdeleine, Roman Catholic Mission, 1854	20
		Magdalen Islands, St. Magdeleine, Roman Catholic Mission, 1855	17
		Magdalen Islands, Protestant Episcopal Mission, 1855	
			98

NEW CARLISLE.

21st April, 1857.

**BAPTISMS, MARRIAGES, and BURIALS, in the
for the years 1854 and 1855.**

-ISMS. Females.	MARRIAGES.	BURIALS.		Increase of Population ascertained by the difference between Baptisms and Burials.	Total per Counties — Increase of Population.	REMARKS.
		Males.	Females.			
18	2	7	9	31	69	The Registers from the Magdalen Islands cannot be returned in winter, and are generally forwarded after the opening of the navigation.
20	14	5	4	38		
20	5	4	3	33		
18	6	4	2	24		
.....	.....	.....	.....	.....	57	No Return.
71	27	20	18	126	126	

WILKIE & WINTER,
P., S.C.

PRINTED BY ROLLO CAMPBELL, CORNER OF YONGE AND WELLINGTON STREETS, TORONTO.

RETURN

TO AN ADDRESS FROM THE LEGISLATIVE ASSEMBLY TO HIS EXCEL-
LENCY THE GOVERNOR GENERAL, DATED THE 3RD ULTIMO, PRAYING
HIS EXCELLENCY TO CAUSE TO BE LAID BEFORE THE HOUSE "COPIES
" OF ANY REPORTS MADE BY COMMISSIONERS APPOINTED TO ENQUIRE
" INTO THE CONDUCT OF THE LATE JOHN CLARKE, AS AGENT FOR PUBLIC
" LANDS IN HURON, AND COPY OF ANY REPRESENTATIONS OR REPORTS
" FROM THE COMMISSIONER OF CROWN LANDS TO THE EXECUTIVE
" GOVERNMENT, RELATIVE TO THE CONDUCT AND ACCOUNTS OF THOMAS
" BAINES, LATE AN AGENT FOR PUBLIC LANDS AT TORONTO, TOGETHER
" WITH A LIST OR SCHEDULE OF CROWN LANDS AGENTS IN BOTH CA-
" NADAS, DEFAULTERS, OR IN ARREAR, AND SHOWING THE SUMS THEY
" ARE SEVERALLY THUS DUE AND IN ARREAR FOR."

By Command,

T. LEE TERRILL,

Secretary.

Secretary's Office,

Toronto, 17th April, 1857.

SCHEDULE

Of Crown Lands Agents in Canada West and East, defaulters or in arrear on the 31st December, 1856, in accordance with a resolution of the Legislative Assembly, dated 3rd March, 1857.

Names of Agents.	Dates of Appointment.	Agencies.	Amounts.	Remarks.
A. Campbell.....	Agency terminated, June, '48	Canada West	258 7 4	Late Agent.
J. H. Cumming, Estate of.	Do do 9th March, '49.	do	61 0 22	do
W. Hawkins.....	Do do 26th Nov., '46.	do	4 15 5	do
J. Gilchrist.....	Do do May, 1845.	do	6 2 5	do
W. E. Painter, Estate of.	Do do 6th June, '50.	do	1 19 8	do
Joseph Wilson.....	Agency terminat., April, '49	do	207 12 4	Present Agent.
F. Ferguson.....	Do do January, 1851.	do	29 1 5	Late Agent.
P. McMullin, Estate of.	Do do 16th April, '45.	do	103 5 7	do
Thomas Steers.....	Do do 20th Nov., '44.	do	12 5 5	do
A. Munahan, Estate of.	Do do 19th April, '45.	do	357 7 10	do
J. Lyons, Estate of.	Do do June, 1845.	do	22 19 3	do
J. Durand.....	Do do May, 1841.	do	43 9 4	do
P. Carroll.....	Agency terminated, July, '54	do	183 7 7	Present Agent.
Samuel Clarke.....	Agency terminated, July, '54	do	283 17 2	do
Francis McAnnany.....	Agency term. 15th Oct. '56.	do	52 6 0	Late Agent.
J. P. Roblin.....	Agency terminated, July, '46	do	346 6 10	Present Agent.
J. B. Askin.....	Agency term. 15th Oct. '56.	do	48 5 2	do
John Alexander.....	Agency terminated, July, '46	do	191 9 4	Late Agent.
John Clarke, Estate of.	Agency terminated, July, '46	do	68 18 2	Present Agent.
Alexander Scott.....	Agency term. 27th April, '53	do	10 9 0	Late Agent.
William Roche.....	Agency term. 9th Feb., '56.	do	15 13 3	Present Agent.
William Harris.....	Agency term. 4 Sep. '56	do	183 2 5	do
Dennis Moynahan.....	Agency terminated, July, '46	do	231 16 7	do
Allan McPherson.....	Agency term. 27th April, '53	do	45 6 3	do
John E. Brooke.....	Agency term. 9th Feb., '56.	do	25 0 5	Late Agent.
J. T. Gilkison.....	Date of suspension, 4 Sep. '56	do	11 16 8	Present Agent.
Norman Ballard.....	Agency term. 9th Feb., '56.	do	6280 18 0	Late Agent.
Peter Eby.....	Agency term. 9th Feb., '56.	do	27 8 2	Present Agent.
T. A. Ambridge.....	Agency term. 9th Feb., '56.	do	9497 17 0	Suspended.
Thomas Baines.....	Agency term. 9th Feb., '56.	do	25 13 7	Present Agent.
John Durie.....	Agency terminated, July, '46	do	25 13 7	Present Agent.
G. Bichel, Estate of.....	Agency terminated, July, '46	do	25 13 7	Present Agent.
R. Bourdages.....	Agency terminated, in 1849	Prev. to Union, Montreal District	19 11 4	do
W. Hargrave.....	Do do in April, 1851.	St. Thomas District	0 17 2	do
G. L. Marler.....	Do do in April, 1850.	Chaudiere West District	7 9 2	do
J. B. Martin.....	Do do in 1849.	Three Rivers District	164 2 2	do
W. Wilson.....	Do do in Feby, 1852	County of Kamouraska.	32 7 5	do
J. O. C. Arcand.....	Agency terminated, Jan. '48	Part of County of Megantic	0 7 4	Present Agent.
S. Wood, Estate of.....	Do do in 1848.	15th Dec, 1849.	18 5 11	Late Agent.
Edmund Peel, Estate of.....	Do do in 1845.	17th April, 1846.	30 2 10	do
Cyprien Blanchet.....	Do do in 1845.	4th Aug, 1846.	68 16 0	do
G. A. Bourgeois.....	Do do in 1845.	July, 1843.	43 10 5	Present Agent.
N. A. Beaudet.....	Do do in 1845.	1st March, 1846.	0 6 10	do
Alex. Daly.....	Do do in 1845.	23rd March, 1850	21 0 5	do
F. Deguee.....	Do do in 1845.	7th April, 1864	16 14 0	do
A. B. Lavallee.....	Do do in 1845.	12th June, 1844	35 16 5	do
Bazile Lupien.....	Do do in 1845.	25th May, 1850.	2 1 2	do
John Lynch.....	Do do in 1845.	12th Aug, 1843.	46 11 5	Late Agent.
Henry Lar.....	Do do in 1845.	31st May, 1852.	4 5 8	Present Agent.
J. S. Lewis.....	Do do in 1845.	20th June, 1849.	137 11 2	Late Agent.
Donald McLean.....	Do do in 1845.	4th March, 1848	2 15 1	Present Agent
John Starks.....	Do do in 1845.	16th Dec., 1848.	21 7 3	do
Evancois Tetu.....	Do do in 1845.	4th Aug., 1845.	172 14 3	Late Agent.
George Kazis.....	Do do in 1845.	5th June, 1853.	118 2 5	Present Agent.
A. T. Gibean.....	Do do in 1845.	26th May, 1850.	10 0 1	Acting Agent.
W. Radford.....	Do do in 1845.	5th May, 1855.	42 19 1	Present Agent.
John Felton.....	Do do in 1845.	4th Aug., 1845	51 19 1	do
J. B. Le Page.....	Do do in 1845.	30th June, 1843.	109 17 11	do
		Parts of Counties of Sherbrooke, Staunstead and Drummond.	0 1 3	do
		County of Rimouski.....		

JOSEPH CAUCHON,
Commissioner.

CROWN LANDS DEPARTMENT,
Toronto, 10th March, 1857.

R E P O R T .

To the Honorable Joseph Cauchon, Commissioner of Crown Lands, &c. &c. &c.

SIR,—On the fourth of April last, we had the honor to receive from you, a communication, stating that His Excellency the Governor General had been pleased to appoint us Commissioners, “to investigate the mode in which the lands in the newly surveyed Townships, in the united Counties of Huron and Bruce, had been disposed of, at a remuneration of two pounds and ten shillings per diem each,” and adding, that we would “be furnished with further instructions in a few days.”

On the 14th of the same month, we were honored by a further communication from you, in which in reference to your letter of the 4th, you inform us, “that the object the Government had in view, in appointing a Commissioner, was to obtain information regarding complaints continually being made by persons represented to be settlers in the newly surveyed Townships, of the manner in which the lands have been disposed of, to their prejudice.”

Accompanying the last named communication were a variety of Petitions, Memorials, Affidavits, Certificates, Letters, and other documents, forwarded at various times, to His Excellency the Governor General in Council, to the Head of the Department of Public Lands, and to other Members of the Government, “into the particulars of which” you express a desire, “that we should enquire.” And further, that we should “investigate all disputes and complaints that may be brought under our notice,” and upon which you require, that we should “report to you, for the information of His Excellency the Governor General” you add also your wish, that “arrangements should be made by us, for visiting the several Townships, it being understood, that the investigations should be made, where the lands in dispute are situated, upon notice being given to the parties interested.”

In pursuance of those requirements, and of the instructions accompanying them, we have now the honor to report, that we have endeavored to fulfil the duties imposed upon us, with as little delay as possible, and with a firm desire to arrive at the facts in each particular case, without reference to the persons, or to the parties, that might be affected thereby.

Our attention was first directed to the complaints emanating from the Townships in the County of Huron, and which were, up to the period of our appointment, within the local agency of John Clarke, Esquire, of Goderich.

Before proceeding with the enquiry in this County, we called upon Mr. Clarke, made him fully acquainted with our instructions, copies of which we offered to furnish to him, and we added that he should be informed of our meetings, that he might be present either personally, or by Counsel, interrogate the witnesses that might be examined, and take all such further and other reasonable and fair proceedings in reference to the matter, as he might be advised; of which invitation Mr. Clarke at once availed himself.

The County of Huron consists of seventeen Townships, namely Ashfield, Biddulph, Colborne, Goderich, Grey, Hullet, Hay, Howick, McKillop, McGillivray, Morris, Stephen, Stanley, Tuckersmith, Turnberry, Osborne, and Wawanosh. Of these seventeen Townships, eleven, namely, Biddulph, Colborne, Goderich, Hullet, Hay, McKillop, McGillivray, Stephen, Stanley, Tuckersmith, and Osborne were originally settled by the “Canada Company,” and did not consequently come within the scope of our inquiries. Of the other six Townships, three, namely, Ashfield, Morris, and Wawanosh, had been for several years open for settlement, and but few complaints

were found to exist in them. In the remaining three Townships, namely, Grey, Howick, and Turnberry, the complaints were numerous, and the discontent of the resident inhabitants all but general.

Nor were the complaints confined to any particular class or classes of the people; to any national, religious, or political parties, but embraced nearly the whole resident population, of all nations, of all shades of religious faith, and of all political parties.

Prior to opening the commission, we requested and obtained from your Department, copies of the conditions of sale, and of the instructions issued to the Agent. These we deem it necessary, briefly, to refer to.

The conditions under which the lands within the Huron Agency were sold, were fully set forth by publication in the local newspapers, in printed Hand bills, and in the "Canada (Official) Gazette" (*vide* "Gazette" dated "Quebec, 27th July, 1854") Those conditions were nine in number, and are as follows: First. The price was fixed at ten shillings currency per acre, payable in ten equal annual instalments with interest. The first instalment to be paid on receiving authority to enter upon the land.

Second. Actual occupation to be immediate and continuous.

Third. The land to be cleared at the rate of two acres annually for each hundred acres during the first five years.

Fourth. A dwelling house at least sixteen by eighteen feet to be erected.

The timber to be reserved until the land shall be paid for in full and patented, and to be subjected to any general timber duty thereafter.

Sixth. No License of occupation to be assignable without permission.

Seventh. The sale and License of occupation to become null and void, in case of neglect or violation of any of the conditions.

Eighth. The settler to be entitled to obtain a patent, upon complying with all the conditions.

Ninth. Not more than two hundred acres to be sold to any one person on these terms.

Under those conditions were offered for sale 630 lots in the Township of Grey, 706 lots in the Township of Howick, and 353 lots in the Township of Turnberry; making a gross aggregate of 168,900 acres of land. The whole was publicly advertised for sale, at the agent's office, at Goderich, on and after the thirty-first day of August, 1854.

For at least two weeks previous to the opening of the commission for the hearing of complaints, and the transaction of business, we caused public notice to be advertised in the Toronto City, and in the Huron County newspapers, and also to be printed and posted up through the most public parts of the several Townships of the County, stating that the Commissioners would meet at the "Exchange Hotel, in the Town of Goderich, and County of Huron, at twelve o'clock noon, on the sixth of June, 1856, and continue their sittings daily, until further notice, for the purpose of receiving and hearing complaints from parties who might consider themselves aggrieved."

We met at Goderich on the day named, viz: the 6th of June, pursuant to the public notice already alluded to. There was present a large number of the Petitioners, and of other settlers from the newly surveyed Townships of the County. Mr. Clarke, the resident agent, was also present, attended by his Counsel, Malcolm C. Cameron, Esq., Attorney at law.

For the greater perspicuity of this Report, and for facility of reference, we have taken each Township in alphabetical order; placing each Concession in the order of seniority, and again subdividing the Concessions into lots, as they were subdivided and numbered in the original survey; with our report upon the facts, and our recommendations thereon on such separate lot and number.

Where time and opportunity permitted, we availed ourselves of them, to make

an actual inspection of the lots. In all other cases, we have been obliged to resort to the best information we could procure. Doubtless in some cases we may have been deceived, or misled, but we apprehend such cases are too few and "far between," to interfere with the conclusion at which we have arrived, or to cause any material change in the recommendations which we have felt it to be our duty to make.

To ensure greater accuracy, we had recourse to the Assessment Rolls of each Township, for the year 1856. And as each of those documents is made out by an Officer annually elected by, and directly responsible to the people, and sworn to the faithful discharge of his duties; we conceived they were the best criterions to which we could have referred, for comparison with our own views; more particularly in all cases of actual occupation and settlement.

In the great majority of cases the complaints may be said to consist in the disregard by the agent, of the pre-emption rights of the actual settlers, and of the sale of the lands which they occupied to non-resident speculators. The truth of these complaints admits of no doubt. It was established in so many instances, and by such a variety of unquestioned evidence and circumstances, as to leave no room for doubt or hesitancy. Indeed, to such an extent was this system carried, that the agent himself was obliged to admit, and did admit to us, that he permitted certain parties to select such lots as they chose to point out, to the extent of many thousands of acres of land, to pay the first instalment upon them, and to secure them by the entry for them, of the names of the parties, wholly unknown to the agent, and whose names were used merely to evade the ninth clause in the conditions of the sale, which declares "that not more than two hundred acres can be sold to any one person, on these terms." We have found upon reference to the sales, as marked upon the plan, in the agent's office, that the members of his own family were all permitted to speculate in these lands. His children (male and female,) his sons-in-law, his brother, his nephew, the clerks in his office, and in the office of his brother in this City, many of the merchants, traders, lawyers, clerks, Insurance Brokers, and even cabmen, well known residents of this City; yea, even residents of the British Isles, and of the United States of America, have had their names used for this purpose, and now remain of record upon the agent's maps. Is it any wonder then, that the resident settlers should complain of the adoption of such trickery and fraud, to defeat the patriotic and benevolent intentions of the Legislature and of the Government, and to deprive them of the hard-earned fruits of their industry and toil?

As proofs of the extent to which the system of land jobbing and speculation was carried on in the Township of the County of Huron, documents were exhibited to us, some in manuscript and some in print, of lands offered for sale by non-resident speculators, the titles to which are yet vested in the Crown, and upon most of which settlements have been made by actual residents.

Number 1, is stated to be in the hand-writing of Mr. Colin Clarke, (son to the resident Agent,) and which commences in these words "List of lands belonging to one person." Then follow the names of the Townships, and the numbers of the lots and Concessions, amounting in Howick to 94 lots; in Turnberry to 10 lots; and in Grey to seven lots; numbering in the whole 111 lots, or eleven thousand one hundred acres of land.

Number 2, is a letter from Francis H. Caley & Co., dated Toronto, 9th November, 1855, and addressed to Francis W. Irvine, Esq. of Turnberry. In this communication they offer, (naming the lots and concessions,) 400 acres of land in Howick, and 400 acres in Turnberry, "at \$8 per acre, one third down, and the balance in two equal instalments, with interest."

Number 3, is said to be in the hand-writing of Mr. Adams, Clothier and Tailor, Goderich, and on the outside is an endorsement, "John Adams, Goderich, C W." It contains the numbers and Concessions of 17 lots in Turnberry, and 32 lots in Howick, making together, four thousand nine hundred acres of land.

Number 4, is a letter from "Gildstone and Maddison," Land Agents, dated Hamilton, 31st March, 1856, and addressed to Mr. Irvine, of Turnberry, offering for sale 16 lots in the Township of Greenock, (County of Bruce,) amounting to 1655 acres, at fifteen shillings per acre "for the right," (or twenty-five shillings per acre, including the Government price); 33 lots in the Township of Elma, (County of Perth,) amounting to three thousand three hundred acres, at four dollars and a half per acre, for the right, (or thirty six shillings and sixpence per acre, including the Government price); 23 lots in the Township of Grey; and 18 lots in the Township of Turnberry, amounting to four thousand one hundred acres, at twenty-one shillings per acre, for the right, (or thirty-one shillings per acre, the Government price included.)

Number 5 is a letter from Rich and Maddison, Land Agents, dated Toronto, Nov. 24, 1854, and addressed to Mr. Alexander Thompson, offering 5 lots for sale in Wawanosh, containing five hundred acres, "\$5 per acre"; 8 lots in Minto (County of Wellington), containing eight hundred and two acres, "at \$4 per acre"; 4 lots in Turnberry, containing four hundred acres, "at \$4 per acre"; 9 lots in Howick, containing eight hundred and forty-four acres, "at \$4 per acre"; and 12 lots in Grey, containing one thousand two hundred and two acres, also at \$4 per acre.

Number 6, is a paper (the hand-writing not known) received by one of the settlers, at the office of Mr. Colin Clark, endorsed on the back, "bought by C. W. from Dr. C." It contains a return of 12 lots in Turnberry, and 32 lots in Howick, amounting together to four thousand four hundred acres of land.

Number 7, is a printed paper headed "Wild lands for sale in following Townships," and at the foot, "apply to G. M. Trueman, Land Agent, Goderich." This paper contains a list of 21 lots in Morris, "at two pounds per acre"; 32 lots in Howick, 11 lots in Turnberry, and 21 lots in Grey, amounting altogether to eight thousand three hundred and seventy-one acres.

Number 8, is a printed advertisement published in the "Barrie Herald" of the 21st May, 1856, and signed "Wm. Boys, Land Agent," offering "one thousand acres of good farming land for sale (in Howick) County of Huron at \$8 per acre, one fourth in 15 months, and the balance in three equal instalments, with interest, in lots of 100 acres each."

Number 9, is a written paper given by Mr. Boys, of Barrie, to James Wiggins, of Howick, offering 54 lots in the Township for sale, many of them marked "settled." Numbers and Concessions all given.

Number 10, is a paper written and signed by W. G. Walker, Esq., of Howick, offering 88 lots in Howick, 1 in Morris, 1 in Wawanosh, and 1 in Minto, for sale. Numbers and Concessions all given.

Number 11, is a letter from Wm. Boys, Esq., of Barrie, County Simcoe, addressed to John McFairsh, Esq., of Perth, dated 23rd July, 1855, offering 56 lots for sale in Howick (numbers all given), "at twenty-two shillings and six pence per acre, one-half cash, and the balance in one year."

The above 11 lists (and they are not all we have seen, though they are all we have been permitted to copy,) sum up as follows:

Township of Elma,.....	33	Lots —	3,300	Acres.
“ Greenock,.....	16	“ —	1,655	“
“ Grey,.....	63	“ —	6,300	“
“ Howick,.....	411	“ —	41,100	“
“ Minto,.....	9	“ —	900	“
“ Morris,.....	22	“ —	2,200	“
“ Turnberry,.....	76	“ —	7,600	“
“ Wawanosh,.....	6	“ —	600	“
Totals,.....	636		63,655	

Here then are not less than sixty-three thousand six hundred and fifty-five acres of land, all held by non-resident land jobbers and speculators; and of this immense quantity, fifty-five thousand acres are in the three Townships of Grey, Howick, and Turnberry! Is it any wonder then, that the resident inhabitants of these Townships should be clamorous, or their feelings exasperated to the highest pitch of discontent? Better the lands should never have been disposed of than that settlement should be thus obstructed, the County blocked up, the roads unmade, and the few scattered inhabitants left to brood over their wrongs, and to raise up their children in ignorance and discontent.

The whole quantity of land in these three Townships (supposing every lot to contain one hundred acres, and every one to be fit for cultivation.) amounted to 168,900 acres. In the above eleven lists are contained in these three Townships alone, 55,000 acres, being over thirteen thousand acres more than the one-fourth of the whole quantity. And if to this amount should be added the large quantities sold to Mr. Sheriff McDonald, Mr. Horace Horton, Mr. Thomas McQueen, Mr. Pyper, Mr. Haldon, (all of Goderich), Mr. Stayner, (of Toronto City), Mr. Wilson, (of London, U. C.) and others, (partial lists of which were shewn, but not given to us), we have every reason to believe that very nearly one-half of the whole lands were disposed of to non-resident speculators.

Some of the lots mentioned in the above lists are duplicates, but those are not sufficient in amount to alter the general features of the transactions connected with them. Under such circumstances, how can the country prosper, or the resident inhabitants feel otherwise than discontented?

In no single case, that we are aware of, have these absentee speculators complied with the conditions of sale. In some few instances they have endeavored to evade the conditions under pretence of complying with them; while in the great majority of cases, they have acted as if no such conditions ever had an existence!

It has been the practice of the Canadian Government to discountenance grants of the public domain unaccompanied by "settlement duties." From the days of the old U. E. Loyalists—the pioneers of the primeval forest—and their children, down through successive years, to the gallant soldiers and seamen, whose valor and heroism entitled them to lands as a reward for their patriotism and their suffering, successive Governments have frequently imposed "settlement duties," in a variety of forms, as an essential condition to the alienation of the public domain. The emigrants from the United States of America, who availed themselves of the advantages of Governor Simcoe's proclamation, and all of those who, in later years, swelled the great tide of emigration from the parent State to this Colonial dependency, were subjected in their grants to the condition of settlement and occupation. Indeed, in our opinion, no Government having the interest of the country at heart, ought to depart from a principle so distinctly recognized by the Legislature, and at once so wise, so salutary, and so patriotic. Nor need we add our conviction that the present Government will reap a rich reward in the gratitude of posterity for their strenuous endeavors to discountenance land speculation and jobbing, and to secure the public domain as the heritage of the industrious and laborious resident.

No thoughtful mind can for a moment contend that the money which may be obtained for the land will bear any comparison to the value or importance of actual settlement. The one is not merely temporary and trifling, but often not equivalent to the first expenditure, while the other is not only a source of annually increasing wealth, but carries with it so many elements of power and greatness, monetary, political, commercial, military and social, as to counterbalance all considerations, whether of a few shillings, or it may be, of a few dollars, an acre, in the selling price of the public lands.

Nor indeed can it be said with truth, that the granting of these lands to actual settlers, in preference to absentee speculators, takes from the public revenue one

farthing. All lands sold, whether to residents or absentees, were sold at a uniform rate per acre, and produced therefore, the like amount to the public Treasury, while those remaining unsold were deteriorated in value by the blocks held by absentees; but enhanced in value to more than double their original price by the improvements of the resident settlers.

In the course of the visit and inspection which, as commissioners, we made, we passed over large blocks of the finest and most fertile lands in Canada, yet remaining in their primeval state, the abode of the bear and beaver, inviting the energy and industry of the people, but shut out from that energy and industry by the cupidity of heartless speculators, who in violation of every principle of good government, if not of positive law (for in this matter, an Order in Council has the force of law) have locked up for their own gain, what was intended for the heritage of the whole people, the strength of the Government, and the prosperity of the Colony.

In some places we found perhaps three or four settlers, before whose stout hearts and strong arms, the native forest thicket had yielded "openings" to light and vegetation, still separated by miles upon miles of dense "bush," from some other three or four settlers similarly situated, no roads for ingress or egress, social intercourse cut off, ignorant of the passing events of the day, and all hope of churches for their own instruction, and of schools for the instruction of their children, for many years hopelessly cut off. Who could but feel pity, on visiting the settlements, and on hearing the complaints of settlers so situated? What mind not wholly steeled against every feeling of philanthropy, that would not sympathize with them in their isolated and "cut off" condition, or fail to exert its energies for the amelioration of that condition? Who could witness settlement cut off from settlement, by a wilderness barricade, without a hearty desire to remove it? Or who could witness our young and hardy and vigorous population springing up in ignorance, without a church or a school house, and not make an effort in their behalf. Labour is said to be the true foundation of the wealth and greatness of nations. To procure labour, the Country must possess labourers. As population increases, the consumption of dutiable articles increases, and the public revenue is enriched. Hence also it may be said that population is the foundation of all our internal prosperity.

To population are we indebted for our rising Cities, and our thriving Towns, for our improved Agriculture, and our extending commerce, for our imports and our Exports, our public Roads and Bridges, our Factories and our Workshops, our progress at home, and our respect and influence abroad. Can that man then, be a friend to his country, who would willingly see it shut up in large wilderness blocks, until it may suit the cupidity of the land speculator to part with them? Nor is it just to the industry of the actual settler, that absentee speculators should be permitted to traffick in the public lands. The resident is compelled not only to pay his taxes upon the property which his industry has improved, to perform his statute labour, and all other duties incident to his residence, but his labour is also employed to make the public highways through the lands of the absentees, and to enhance the value of that absentees property, at the cost of his own labour! No wonder then, that the Governments of Canada have sought to check an evil so monstrous, by the imposition of "Settlement duties," and the enforcement of "immediate and continuous residence," as a necessary condition to the obtaining of the Public Lands. No wonder that Parliament after Parliament should have passed laws recognizing the principle or that Order in Council should have followed Order in Council, detailing how the principle should be most effectually carried out.

We have not deemed it necessary to burthen this report, by detailing at length the actual or supposed extent of clearing or improvements made upon each lot; in most cases however, these will be found detailed at length, upon reference to the Appendix. We have deemed "actual continuous residence" to be, if not the only, at least the main condition of settlement, and virtually to include all others. For if a

settler is resident upon his lot for a year, he must, as a work of necessity for the sustenance of himself and family, possess a house, and clear at least two acres of land. Residence then, may be said to be the *primum mobile* upon which the whole conditions of sale and settlement turn.

It has been stated to us, that since we passed over the lands in Huron, the absentee speculators have, in some few cases, sent men to make improvements upon their lands, hoping thereby to evade the stringent and explicit conditions which were promulgated at the sale. In other cases, some persons were sent to the lands by the absentees, who had purchased, to "slash down" (as it is called,) a few acres of the wood, and to pile up a few logs in the shape of a "Shanty," (though without an occupant) in the hope thereby, to evade the conditions of sale. We trust however, that such pretences will not for a moment, be permitted to prevail. "Actual occupation must be immediate and continuous," and no more sham, such as we have been just alluding to, can be allowed to set aside a condition so explicit, so beneficial, and so precise.

Nor should any parties now be permitted nominally to comply with a condition which circumstances compel them to respect, and which for over two years they have openly violated. If the lands were purchased—which they undoubtedly were—subject to the conditions of "immediate and continuous occupation," it would be obviously unjust, after the lapse of over two years, now when the conditions are found to be unfulfilled and the land forfeited, that the parties should be permitted to redress their own wrongs by inflicting still greater wrongs upon others. Actual settlement had been made upon most of those lands prior to the sale in 1854, and even after the resident agent (Mr. Clarke) had most unjustly, and in violation of his instructions, refused to recognize the rights of the settlers, and had sold the lands they occupied to non-resident speculators, in whose names, or in the names of their nominees, they now stand. Many of the original settlers still continue in the occupation of them, have paid the taxes upon them, and possess them to this day.

To permit the non-resident speculators now to redress their own wrongs, would be practically to sanction their neglect, and to inflict still greater evils on the hardy and industrious settlers, by depriving them of the result of their labours, and turning them homeless upon the world, out of the clearings and dwellings which they have hewed out of the forest and rendered comfortable by years of toil and industry. This is a course which we feel confident no Government will either directly or indirectly suffer to be adopted.

Another mode, not less objectionable, was more early adopted by the non-resident speculators. After securing, through the negligence, if not by the connivance of the resident agent, the nominal right to some of the finest lands in the country, they would send on a labourer or two for a few days to put up a "shanty," (as the forest dwelling is called,) and to "chop" a couple of acres of land. This nominally to comply with the conditions of sale, but in reality to evade and defeat them. In many cases we saw in the "busi," as we passed through it during our inspection, the few logs piled up to constitute the "shanty," without any other appearance of an owner or a tenant than perchance a nimble squirrel, or a chattering tomtit, such "*dwellings*," and such "*improvements*" as these we could not view as coming within the conditions of "immediate and continuous occupation," but rather as an evidence of a full knowledge of the conditions, and of a studied attempt to evade them.

It may be said, and doubtless it will be said, by the speculators and their friends, that to cancel the sales to so great an extent as the commissioners recommend, would be practically to contravene the sales altogether.

To a certain extent this will be the result, should our recommendations be adopted. We respectfully submit, however, that the advice we tender is not only in strict conformity with equity—that not only will its adoption be just and fair,

and honest in principle and in practice, that it will not only accord with the printed conditions upon which the lands were sold—but that it is also what the purchasers were distinctly informed would be the result, under the circumstances which have been so clearly established. A reference to any one of the “receipts” for payment, will at once establish this fact. They were all filled in by the agent, from printed forms, of which the following is a copy :

CROWN LAND OFFICE.
Goderich of 18 ..

Received from the sum of £ currency, as a deposit (or as first instalment, as the case may be), on account of Lot , Concession , in the Township of , in the County of Huron, the same being Crown Land, containing acres, more or less, at currency per acre.

This sale is made on the express understanding, that no previous claim exists on account of occupation and improvements, and should such a claim be established, the sale will be cancelled.

JOHN CLARKE, C. L. A.

The terms of these receipts remove all ground of complaint on the part of the purchaser; for when the claim of occupation or improvement was established, it was clearly agreed that the sale should be cancelled. The purchaser cannot, therefore, now complain that the conditions under which he bought, and which were so emphatically recited in his receipt, should be carried out.

A very great number of the complaints are from parties who originally settled by occupation and improvement upon two lots, containing altogether two hundred acres. To the actual settler, the agent (as appears by his own admission) constantly refused more land than the one hundred acres, without enquiry or compunction, thus establishing as a clear and admitted rule of his office, that the non-resident was entitled to greater privileges, and afforded enlarged facilities to purchase, which were denied to the resident.

In most cases of departure from duty, the agent pleaded in extenuation of his extraordinary conduct towards the resident settlers, his “instructions from the Department.” The Commissioners desired to be informed what the “instructions” were to which the agent referred?

In reply they were furnished with a copy of the 13th section of the “General Instructions to Agents, dated, Crown Lands Department, Montreal, November, 1854; and a copy of a letter dated Crown Lands Department, Quebec, 15th September, 1854, and signed “J. C. Tarbutt, for the C. C. L.” That the true purport of these documents may be fairly understood, they are here inserted.

“Section 13. Squatters and others in unauthorized possession of public lands, must be informed, that the only way for them to secure the property thereof, is to purchase them at once. Occupants in good faith, however, or with improvements on the same, should not be sold to any other than the occupant, without first communicating with the Department on the subject.”

“CROWN LANDS DEPARTMENT,
Quebec, 15th September, 1854.

“SIR,—In reply to your letter of the 10th ult., I am to inform you that the list of squatters sent to you on the 29th of July, was intended merely to make you aware that certain lots were occupied, in order to put you on your guard against selling the lands to other persons than those reported to be in possession.

“With regard to the system to which you allude, of persons claiming land upon trivial pretences, I beg to state that such has been invariably discountenanced by this Department. The claims of persons only, who have been in actual occupation, with a certain extent of improvements, being respected.

"And, also, in cases where persons have taken possession prior to the land being surveyed, as occurred in the Township of Grey.

"The claim of a squatter must be limited to the lot or parts of lots upon which his improvements are found to be. All persons too, who put forward claims to pre-emption, should be required to establish them without loss of time, and pay the first instalment of the pre-emption money.

"I have the honour to be, Sir,

Your obedient servant,

"J. C. TARBUTT.

"For the C. C. L.

"John Clarke, Esq., &c. &c. &c.

"Goderich, U. C."

There may be some ambiguity of expression, though we think not of meaning, in that portion of the preceding letter, which speaks of limiting the resident settlers to the lots or parts of lots upon which their improvements may be found. But whatever meaning it might have been intended to convey by the terms here used, we scarcely think that the agent could have misconceived the general scope and bearing of the instructions. When taken as a whole they were clearly intended to make exceptions in favour of the resident settler, to guard the home and improvements of the actual occupant, against the over-reaching and avarice of the non-resident speculator. No conceivable ingenuity or perversion could construe these "instructions" as designing to concede to the non-resident, rights of which the resident was to be deprived.

If by the reading of those "instructions," A. B., because he resided in one of the Townships of the County of Huron, was to be limited in his purchase to a part of one lot; while C. D., because he resided in some Township of another County, was to be freely allowed to purchase two entire lots. Then, were the exemptions in favour of squatters a "mockery and a snare," and the claim to pre-emption but a bar to equal rights? Not only the tenor of the instructions, but also the conditions upon which every lot was sold, show that the Government contemplated no sales *except to actual settlers*. Indeed so precise are the conditions upon this head that it is provided, not only that the occupation shall be "immediate" but "continuous" also; and even the very section (the 13th) to which the agent referred as his authority, clearly provides, not alone that opportunity should be afforded to occupants of effecting their purchases, but that no improved lot should be sold to any other than the occupant, without first communicating with the Department upon the subject. The list of squatters' names furnished to the agent on the 29th of July, and referred to in the letter of Mr. Tarbutt of the 15th of September, was "intended to put him on his guard against selling the lands to other persons than those reported to be in possession." What possible excuse then can be urged for selling the lands of those who had their names, and even the extent of their improvements, registered in the agent's books, and who were charged by him for such registry?

What else was the agent's conduct in this matter than a practical nullification of the instructions from the department, whose servant he was?

Though in reference to this matter we cannot admit the plea of Department instructions as set up by the agent, yet there are other circumstances which appeared to us to indicate a secret influence at head quarters, not very favourable to the actual settlers. In some cases of sales made to speculators, and which, upon after consideration, appeared to the agent to be too glaring to be passed over, he (the agent) desired to cancel the sales himself (*vide* the case of George Gough, lot 15, in the 7th Concession of Howick), and to give the lot to the party in possession. In the case alluded to (Gough's), instructions were sent from the department to the agent, informing him that the sale to the wrong party could not be

cancelled, unless the receipt was given up by the original purchaser (nominally Thos. Wray). This was an indirect but most effectual mode to secure the absentee speculator in his ill-gotten purchase, and so frustrate the agent in his laudable desire to do justice to the actual settler. If policy such as is here referred to was adopted by the chief of the department, the commissioners are at a loss to conceive the wisdom of it; and if put forward without his direct order, steps should be taken to prevent a repetition of it.

One fruitful cause of discontent on the part of the resident settlers, was the practice constantly indulged in by the agent, of giving vacant lots to actual settlers in exchange for the lots on which they had previously resided and improved. Lot number five, in the seventh concession of the Township of Howick (claimed by Robert Grier), is one of this kind. It was taken from Grier and given to John Hassard, in exchange for one of three lots (nine and ten in the eleventh, and fourteen in the tenth concession), which Hassard claimed and had improved upon, but which the agent sold to other parties. This system of forced exchange of lots we found to have been one of ordinary occurrence on the part of the agent.

In many instances we found that actual residents, attending the sale for the purpose of purchasing their lots, were informed by the agent, or by the clerks in his office (all of whom speculated in the lands to a large extent), that they must retire and bring with them satisfactory proof of their actual occupation of the lots claimed, and of the extent of improvements made upon them. The settlers were thus compelled either to return home, or to hunt up in some other and nearer place, parties acquainted with the particular locality, who would be willing to go before some Justice of the Peace or some Commissioner for taking affidavits, to testify on oath as to the residence and improvements. We need not say that no such demand was made by the agent or by his clerks from any one of the very numerous absentee speculators, who were allowed to purchase without restriction of settlement, and almost without limit in extent. Nor was this the only unfairness and injustice which this course entailed on the resident settlers. It appears to have been resorted to only as a colouring, to afford a better pretext for the disposal of their lands to others; for we found in numerous instances of this kind, that when the settlers returned with the proofs required, they were coolly told they were too late, and that their lands had been sold. This conduct appears to us inexcusable, and to have greatly aggravated the original wrong.

Mr. Colin Clarke (son to the resident agent), appears to have acted as a clerk in his father's office, and also to have opened, and kept in the same room, a private Land Agency Office of his own. This gentleman speculated largely in these lands, and the settlers, whose lands had been sold, upon application to the agent, were constantly referred to his son for further information touching their lands. On enquiring from him, they were at once told the names of the parties who had purchased their lands, and that he (Mr. Colin Clarke) was their agent. The settlers were thus compelled either to abandon their lands, or to pay to Mr. Colin Clarke such advanced prices upon the original costs as he pleased to demand. As one instance of the extent to which this practice of land jobbing and speculation was carried by Mr. Colin Clarke, we may mention that a sheet of paper is now in our possession, stated to be in the hand-writing of Mr. Colin Clarke, and which is headed in these words, "List of lands belonging to one person." Then follows the Townships, Lots, and Concessions, in detail: amounting, in Howick to 94 lots, in Turnberry to 10 lots, and in Grey to 7 lots, making a gross aggregate of 111 lots, containing altogether *eleven thousand one hundred acres of land.*

In many cases of non-resident speculators we found their prices to vary from four to twelve dollars an acre advance upon the original selling price of the lots. The prices demanded varied, according to the soil and situation of the land.

In numerous instances we found lots sold twice, and receipts passed to two dif-

ferent parties. This was the cause, and most justly so, of great discontent, and clearly proved the irregularity with which the business of the agency was conducted.

To show more clearly the irregular, if not corrupt manner, in which the business of the local agency was conducted, we will here detail a few cases of hardship and injustice, the strict truths of which were established beyond reasonable doubt, and the full particulars of which will be found at length in the appendix to this report.

Number 1, is the case of Allen Larmount. Briefly, it is as follows: In the month of October, 1852, Allen Larmount called upon the agent at Goderich, stated that he had a large family, and was anxious to go into the Township of Grey, and settle there. The agent took down his name and the names of his two sons (Dougald Larmount, and Allen Larmount, Junr.) Dougald had his name entered for lot number seven, in the eighth Concession of Grey; and Allen for lot number twelve, in the seventh Concession of the same Township. Six respectable inhabitants of the Township attest, that immediately after this interview, viz: in the latter end of the month of October, 1852, both those men entered upon their respective lots, as above mentioned, erected "shanties" upon them, held actual occupation, wrought their statute labour, and were assessed for them. Hearing from a private party that Mr. McQuinn, of Goderich, (the editor of the *Huron Signal* Newspaper), had been offering many lots for sale, and amongst others, the lots occupied by his sons, old Mr. Larmount went to the agent at Goderich to enquire about the matter. He was then assured by the agent that no person had any claim upon the lots except his sons, and that they should have them. Hearing a second time, not only that Mr. McQuinn had offered to sell them to other parties, prior to the general sale of lands in September, 1854, but that he had actually sold them subsequently, to two persons, named John McLaughlin and John McIntosh, both residents near Harphey, in another Township, he addressed a letter to Mr. Clarke on the 28th of September, 1854, upon the subject, and received from him a reply in the following words:

"CROWN LAND OFFICE,
"Goderich, 6th October, 1854.

"SIR,—In reply to yours of the 28th September, I cannot understand what you mean by charging me with having deprived Dougald and Allen Larmount of their lots; seven, Concession eight, and twelve, Concession seven. If money was offered in my office for these lots, I am not aware of it. I only know that these lots have been kept for them, and that they can have them by at once paying the first instalment, with rent for two years' occupation. You will please furnish me with the name of the person you say offered to sell these lots on the 27th of September. This I have a right to know, else I cannot put a stop to the practice.

"I am, Sir,

"Your obedient servant,

"JOHN CLARKE, C. L. A.

"Mr. Allen Larmount, Grey."

Strange as it may appear, at the very time this letter was written, and for some time previous to it, these lands had not only been sold to Mr. McQueen, but resold by him at a large advance, to McLaughlin and McIntosh, and the name of McLaughlin entered on the agent's map as the original purchaser from the Crown. Assuredly, if ever there was a case of fraud and duplicity, this is one. In the explanation offered by the agent, he thus accounts for the letter written by him to Larmount. "I handed this letter (Larmount's of the 28th of September) to the person (Mr. McQueen) whom I found it necessary to employ as an assistant during the hurry of the sales, and asked him to ascertain when, and to whom they had been sold. After looking over the sales book, he said he could not find that

“ they had been sold to any one, but that they were marked on the printed lists as sold, which he believed was owing to my own order, that all the lots returned on the surveyors’ list as occupied, should be so marked off, to prevent their being sold to others. In consequence of this I wrote the note (the letter to Larmount of the 6th of October).” It thus appears, upon the agent’s own testimony, not only that those lots had been long occupied by the Larmounts, that the surveyors found them in possession when surveying the Township, but that they had been marked off as occupied in agent’s office, “ to prevent their being sold to others.” Yet, in defiance of all this, Mr. McQueen, of whom the agent states in a subsequent part of his explanation, “ he had availed himself of his able assistance during the first few days of the sale,” sold the lots to himself, resold them to others, pocketed the profits, entered the name of his son for one of the lots, and the name of one of the parties to whom he sold for the other, as the original purchasers from the Crown; and when asked by the agent to find out “ when and to whom they had been sold,” said, “ after looking over the sale books, he could not find they had been sold to any one!” We abstain from remarks upon conduct such as this. It speaks for itself. The agent closes his explanation in these words: “ Mr. McQueen positively “ refuses to yield his right to what he considers an attempt at gross imposition: and “ if actual occupation and improvements are necessary to establish a pre-emption right, I respectfully submit that these lads (Dougald and Allen Larmount), have “ no claim whatever to the lots in question.” Here are two important admissions made by the agent himself. *First*, that the sale was made in reality to Mr. McQueen, while upon the face of his own books, John McLaughlin appears as the original purchaser. *Second*, That he set aside the claim of the Larmounts, because the “ actual occupation and improvements necessary to establish a pre-emption right did not exist,” while he granted the claim of McQueen, whom it was not attempted to be shown ever had the shadow of a claim, on account of either “ occupation or improvement.” Notwithstanding the agent’s assertions, it is abundantly proved by the Larmounts, by six respectable residents of the Township, by the report of the surveyors, and by the entries in the agent’s own office, that the Larmounts were at the time, and for two years previous, in actual occupation of the lots.

Number 2, is the case of Abel Tyndall, as follows: One year prior to the land sale at Goderich, held in September, 1854, Henry Tyndall (father to Abel) called upon the Crown Land’s Agent at his office in Goderich, and caused the name of his son (Benjamin) to be entered in the agent’s books as the occupant of lot number seventeen, in the eighth Concession of the Township of Grey. Benjamin being unable from sickness to clear and cultivate the lot, transferred the right of possession to his brother Abel, who immediately entered upon the lot, and still occupies it. In 1853 he chopped and cleared upon the lot and erected a “ shanty.” At the general sale at Goderich he attended and paid the first instalment, which the agent received and granted a receipt for. When he attended the agent’s office in the following year to pay the second instalment, the agent refused to receive the money, stating that he had sold the lot to another party (a Mr. John Adams, a clothier and tailor, resident in Goderich), and that he (Adams) should have it. The agent persists in giving the lot to Adams, though he has never occupied it, nor made the slightest improvement of any kind upon it. Tyndall still occupies the lot, he has made considerable improvements upon it, is assessed for it, and has paid all taxes with which it stood charged. The fidelity of Tyndall’s statements was clearly established before the Commissioners, and in presence of both the agent and Mr. Adams, by over twenty respectable inhabitants, resident in the Township.

Number 3, is the case of Denis Barton, and is as follows: In the months of July and August 1854, he erected a shanty upon, and took actual possession of lots twenty seven and twenty-eight in the eighth Concession of the Township of Grey, upon which he then made some clearing and improvements, and which he still con-

tinues to improve and reside upon. He attended the general sale at Goderich, in the month of September following, for the purpose of purchasing those lots. He was unable to procure an interview with the agent until the eighth day, when, upon paying five shillings to Mrs. Clarke, he obtained the privilege of getting into the office, and speaking to her husband. (Mrs. Clarke states that this five shillings was paid by Mr. Barton for refreshments). When he obtained admission to the office, he informed the agent of his claims to the lots, and his readiness to pay the first instalment upon them. The agent then sold him one of the lots (28), but refused the other. Barton's occupation and improvements are testified to by over twenty resident inhabitants of the Township. Mr. Clarke's son has since offered the lot (27) for sale, and the name of a female (Marian Pearson) stands upon the agent's books as the purchaser from the Crown. No person of the name of Pearson (male or female) is known in the Township.

Number 4, is the case of Alexander McNair, and is as follows: In the month of December, 1853, he went into the Township of Grey for the purpose of making a permanent home for himself. He found lots thirty and thirty-one, in the ninth Concession, entirely vacant and unoccupied, and he selected them for settlement and purchase. He raised a "shanty" or dwelling house, 18 by 16 feet, and chopped between two and three acres upon the lots, prior to the general sale in September, 1854. He attended at the sale, and on or about the fifth day he rendered the first instalment to the agent, which he refused to receive. The agent told him to return to the office in about a week, as his books were so much confused it would take him that time to ascertain who was down for the lots. He accordingly retired, and again returned as directed. When he came to the office a second time, he was informed the lots had been sold to a person named John Torrance, (who had also had his name entered as the purchaser of another lot, number four, in the tenth Concession). He was then directed by the agent to try and find out who this person Torrance was, where he resided, and to make known his pre-emption right to him, and obtain a relinquishment. He endeavoured to do so, but was unsuccessful. He returned to the office and informed the agent of the result. He was then told by the agent, that Torrance, the original purchaser, had transferred his right to Robert Hays, of the Township of McKillop, and that he must apply to him. He, applying to Hays, and stating his pre-emption right, was told by him that he (Hays) had parted with the lots to one Robert Walker, and that he could not, therefore, relinquish. Thus was McNair not only deprived of his labour and land, but literally "humbugged and befooled" by the agent, by being put to the loss of time, expense and trouble of many journeys far and near, for no other earthly purpose, as appears by the sequel, than to harass and deceive him. When the Commissioners called upon the agent for an explanation of his conduct in this matter, his reply in substance was, that McNair was not a person of character for truth and veracity. His main statements, however, are fully admitted both by the agent and by Mr. Hays; and they are also vouched for by Messrs. John Bickell, Duncan Avery, Thomas Barton, Rosswell Sedan, William McLunis, Robert Tyndall, James McNair, Charles Thomas, and Dennis Barton, all resident inhabitants of the locality, and well acquainted with the facts. Mr. Hays' explanation of the facts of the case will be found in the appendix. His statement is in substance as follows. "The lots were bought on the sixth day of the sale by John Torrance, a friend of mine. In about three months after my purchase, a man (McNair) came to my house and told me he had a claim upon the lots, and a shanty on them. He afterwards came to me in company with his brother, to know if I would allow him to have the boards in the shanty. I said he might take them, or if he wished I would pay him for the shanty, whatever any two of the neighbours would say it was worth. He said he was satisfied, and gave up his claim. I am in no way interested in these lots, as I have sold them to Robert Walker, Esq., the present Reeve of Stephen, who paid a high figure for them (stated to be seven hundred and fifty dollars), and it would

"be a pity he should come to such a loss." Divesting Mr. Hays' explanation of its hearsay and irrelevant statements, the above is its substance. From this it appears: *First.* That the lots were not purchased till the sixth day of the sale, although McNair was in attendance from the first, and tendered the first instalment to the agent on the fifth day of the sale. *Second.* It appears that Mr. Hays did not purchase the lots from Torrence till about three months after the sale, although, strange as it may appear, on the agent's map of the Township, Torrence's name does not appear upon those lots, but Hays is entered as the original purchaser! *Third.* The lots ultimately passed into the ownership of Mr. Walker, though neither he (Walker) nor Mr. Hays (the original purchaser) were then, nor are they yet, residents of the Township. *Fourth.* The previous occupancy of McNair is admitted by Mr. Hays, who offered to pay him the value of his shanty. And *lastly,* The value of the lots are admitted, for Mr. Hays states that Mr. Walker "paid a high figure for them" (\$750), and it is a pity he should come to such a loss;" not reflecting at the same time that the person who "came to such a loss," or rather the person who lost, if not robbed of both the money and the land, was poor McNair, who appears to have been the victim throughout.

Number 5, is the case of John Bradly, Junr., the particulars of which are as follows: On the 19th of March, 1853, he located himself on lot number five, in the twelfth Concession of the Township of Grey, with the intention of clearing the land and settling thereon. Before going on the land, he attended at the agent's office at Goderich, represented to the agent what he was about doing, and had his name entered in the agent's books for the lots. After this he went on to improve the land. He cleared, fenced and chopped over eight acres, and has regularly paid the taxes and performed the statute labour chargeable against the lot. He always understood that settlers in good faith would, at the time of sale, be allowed priority in purchase. With this understanding he entered upon the land, made the improvements mentioned, and still resides upon it. Though he has frequently since tendered his money for the lot, it has been as frequently refused, the alleged ground being that it has been reserved for mill purposes. The agent it appears, has taken the levels of the water upon this lot, and finds there is not sufficient head to be used for mill purposes. In his explanation of the case before the Commissioners, he concurred in all Bradly's statements, and regretted that he had not the power of disposing of the lot to him. It is clear that Bradly should not be deprived of the lot upon such a pretext.

Number 6, is the case of William Shire, which is, in substance, the same as Bradly's, the one occupying lot number five, the other lot number six, both in the same Concession and Township, and both being withheld from sale under the name of being reserved for mill purposes. Shire entered upon his lot (No. 6) in October, 1852, and had up his shanty with two acres and a half cleared, and four acres underbrushed previous to the general sale in September, 1854. He has now large clearances and other improvements on the lot, including a dwelling house, barn, and stables. He has several times tendered his money to the agent, but he has refused to receive it, under the plea that he had no instructions to sell. Cases like these, which rest with the Government rather than with the agent, should, in the opinion of the Commissioners, be at once disposed of, and the discontent arising out of them allayed.

Number 7, is the case of David Breakenridge, and is as follows: In the month of September, 1853, he entered upon lots one and two, in the second Concession of the Township of Grey, and erected a "shanty" or dwelling house thereon. In the following month, there being then no roads in the Township, he carried in provisions on his back, and underbrushed three acres on lot number two, and remained till his stock of provisions were exhausted. In the month of March, 1854, he again returned to his shanty with a fresh supply of provisions, and resumed work on both

lots. On the first of May following, Breakenridge went to the agent's office at Goderich. He informed Mr. Clarke that he was living on those lots, and the improvements he had made upon them. The agent then entered Breakenridge's name in a book in his office for both lots. The first instalment was then tendered to the agent, but he refused to receive it, stating that the Township was not yet open for sale, but that, as he had entered Breakenridge's name for the lots, no other person could get them. He again went to the office on the first day of October, 1854, and was there told by the agent that the lots were sold, but to return again in about three weeks, when the throng of the sale would be over, and he would settle the matter for him. Breakenridge again returned at the time directed by the agent, and was then told by him that his land was sold, and he (the agent) would do nothing for him. Breakenridge then enquired who the lots had been sold to, that he might represent to him the particulars of the case, and if possible, secure his land. The agent replied to him rather tartly, that "it was none of his business to whom he had sold them." Breakenridge then retired from the agent's office, and upon making enquiry, he was informed in Goderich that Mr. Thomas McQueen, editor of the "*Huron Signal*" Newspaper, who was employed by the agent as a clerk in his office, had got his lots, and also the three adjoining ones, numbers one, two, three, four, and five, in the second Concession; also, that he had got one half of lots eighteen and nineteen, in the first Concession; number twelve in the seventh Concession, and numbers twenty-five and twenty-six in the fourteenth Concession; making in all nine hundred acres in this one Township, picked lots, with water power on them, and with industrious settlers to be turned out of their houses and improvements. Breakenridge not being willing thus to be robbed of his lands and improvements, and supposing that the agent would still be open to reason, went to several of the neighbours who were cognizant of the facts, and procured affidavits from them of his improvements and other particulars connected with the case. With these affidavits Breakenridge went to Goderich, and on going into the agent's office he handed them to the agent's son-in-law, Mr. Newman, who was then acting as a clerk in his office. The agent asked Mr. Newman what the papers were, to which he replied "affidavits." Mr. Clarke then took them up and looked at them, after which he said "d—n the affidavits!" Breakenridge then tendered the money to pay the first instalment, and hoped the proofs of his pre-emption rights were satisfactory. The agent replied the lots were already sold, and he would not be further troubled about them. Breakenridge then asked for his affidavits, that he might make application to the Government, and furnish proofs of the truth of his assertions. The agent then got angry, refused to return his affidavits, and ordered him out of his office. In the month of January following, Breakenridge went round and procured fresh affidavits, which he enclosed in a petition to the then Commissioner of Crown Lands, and to which he received no reply. Again in August, 1855, he presented himself to the agent, at Goderich, begged to bring his case before him, and hoped he would do him justice. The agent's reply was, that as he (Breakenridge) had thought fit to apply to the Government, he would do nothing for him. Thus was Breakenridge robbed out of his land and hard earnings, after taking every necessary step within his power to secure them. In about a month after his last application to the agent's office at Goderich, Mr. McQueen, of the "*Huron Signal*," came to the lots, accompanied by three men, stated that he was going to put up a mill upon them, and that if Breakenridge would give him up possession, he would give him lot number five, which was worth fifty pounds, and added, that if he would not accept those terms, he (McQueen) would come on him for all damages, as he had bought the lots, and had the tickets for them in his pocket. Breakenridge was now puzzled what to do, he had applied to the Government, but his application was not noticed; he had five times applied to the agent, had been five times refused and driven from his office, and now threatened with the penalties of the law, he sought the advice of his neighbours in his distress. Their advice was

to avoid the law and settle with McQueen. Poor Breakenridge thus forced to terms, agreed to accept lot number five and twenty dollars, and to leave the lots peaceably. This is a plain statement of the facts of Breakenridge's case, and clearly proves the heartless collusion practised against him by the agent and Mr. McQueen, of whose "able assistance (as the agent states) he availed himself during the first few days of the sale." Upon referring to the agent's plan of the Township of Grey, we found Breakenridge's information, touching the quantity of lands given to Mr. McQueen, to be correct. James G. McQueen is entered on the plan for the north halves of lots eighteen and nineteen in the first Concession. Thomas McQueen, Junr., is down for lots one and two in the second Concession; Thomas McQueen, Senr., entered for lots three and four (it appears to have been subsequently blotted on number three); Hugh McQueen is down for number five, all in the second Concession. Allen McQueen is entered for lot twelve in the seventh Concession; and Betsy McQueen for lots twenty-five and twenty-six in the fourteenth Concession. Most assuredly if any case requires redress, prompt and effectual, this one does.

Number 8, is the case of Isaac Johnston, and is as follows: On the 11th of November, 1853, Hugh Caldwell, then residing at Galt, applied to the agent, Mr. Clarke, to purchase lots number nineteen and twenty, in the first Concession of Grey. In reply to this application he received a letter from the agent, of which the following is a copy.

"GODERICH, 17th Nov., 1853.

"SIR,—In reply to yours of the 11th inst., I have to inform you that I have entered your name for lots nineteen and twenty, Concession one, of Grey. The Township is not yet for sale, and I cannot say when it will be. It is all school land, under the management of the Government, and when it is in the market, I expect to have the sale.

"Your obedient servant,

"JOHN CLARKE.

"Mr. Hugh Caldwell, Galt."

In pursuance of this, the written pledge of the agent, Caldwell entered upon the lots, and chopped about an acre in the spring of 1854, as is fully proved by the affidavits of John Adams and Duncan McPherson, both residents of the vicinity, but he did not erect a shanty or other residence upon them. In the month of May following, Robert Garvy (finding no resident settler upon either lot) entered into possession of lots twenty and twenty-one. At the public sale of the lands, which followed in the month of September following, neither Garvy nor Caldwell were permitted to purchase, but all three lots were disposed of to absentee speculators, one being a female, the daughter of Mr. McQueen, editor of the *Huron Signal*. Caldwell subsequently sold his right of possession to Isaac Johnston, who is now a resident settler, and for which right Johnston paid the sum of ten pounds. In this case the agent could not plead ignorance of the occupancy of Caldwell, as his own letter states that he had entered his name for the lots. The Commissioners have recommended the cancelling of the sales made by the agent; that lot nineteen be sold to Johnston as the assignee of Caldwell, and that lot twenty be sold to Garvy.

These, it is hoped will be sufficient to show the character of the complaints in the Township of Grey, and the "mode in which the public lands were disposed of therein, to the prejudice of the resident settlers."

We will now proceed to give a few instances of how matters were managed in the Township of Howick.

Number 9, is the case of John Irwin, and is as follows: In the month of June, 1854, he wrote to Mr. Clarke, C. L. A., at Goderich, that he had entered into possession of lot No. 1, Concession A., Township of Howick; that he then had about

half an acre chopped, and that he wished to be considered as the first applicant for the lot, whenever the Township would be opened for sale. To this letter he got no reply. On the 21st of August following, he again wrote to the agent, and received an answer in the following terms :

“ CROWN LAND OFFICE,
“ Goderich, 29th August, 1854.

“ SIR,—In reply to yours of the 21st instant, I have to state that the lands in Howick will be open for sale on and after the 31st day of this month, and if you wish to secure the lot you refer to, you had better be here, as your having chopped some on it and then left it, gives you no claim, if any one else has occupied it since. Each purchaser is required to sign a form of application. Culross and Carrick will be for sale on the 27th of next month.

“ Your obedient servant,

“ JOHN CLARKE.

“ Mr. John Irwin, ^{of} Wellesley.”

John Irwin being at the time unable to go to Goderich himself, sent his brother Thomas, with the first instalment ; but before he could get into the office he was informed that the lot was sold in the name of Peter Robinson, but in reality to Mr. Boys, of Barrie, there being no such man as Peter Robinson there. In a few days afterwards, he returned to the office, and brought with him a number of affidavits (numbered 1, 2, 3, 4, 5, 6, and 7, in the appendix), showing what improvements had been done on the lot, when done, and by whom, but the agent refused to receive them. John Irwin was residing on the lot at the time of the sale, and still resides upon it, and no other person has ever made the slightest improvement of any kind upon it. Since the sale Irwin went to Barrie to try and purchase from Boys, but he refused to sell, saying the land had not yet come to its value. He offered Boys seven hundred dollars over the Government price for the lot, but he refused to take it. Boys recently visited the Township of Howick, and sent a message to Irwin by Thos Playford, that he (Boys) was going to lay out the site of a village upon the lot, and that if Irwin would give him one hundred pounds per acre, he would sell to him.

Number 10, is the case of William Hamilton, as follows :

A person named Robert C. Watson was the first settler upon lots twenty-six and twenty-seven, Concession A, Howick. On the 21st of May, 1854, Watson sold his right of possession and all claim to the lots to Hamilton ; the consideration paid being one hundred and twenty-five dollars. The day previous to the sale, viz : the 30th of August, 1854, Hamilton's brother called upon the agent, informed him of the transfer, and tendered the first instalment for the lots. The agent refused the money, but entered Hamilton's name for the lots in a book kept in his office, and for which entry he charged a quarter of a dollar. Notwithstanding this, however, the agent sold the lots nominally to another person, but in reality to Mr. Boys of Barrie. Neither Mr. Boys, nor the nominal purchaser, nor any other person, except Watson and Hamilton, ever entered upon the lots, or made the slightest improvements upon them. Hamilton procured affidavits, showing the extent of his improvements upon the lots, and three times waited upon the agent with them, but all to no purpose ; he could obtain no redress. Last winter Mr. Boys came to the lots, and threatened Hamilton with proceedings at law if he would not give up his possession and improvements ; he added, that he would fence him (Hamilton) in, and prevent intercourse with him. Hamilton being poor, and unable to defend himself at law, was forced into Mr. Boys' terms, which were to surrender his lots, house and improvements, and to accept of another lot, with one quarter of an acre of his own in lieu of them ; and which equivalent Hamilton considers of not one fourth the value of the property taken from him.

Number 11, is the case of James Cowley, as follows: He settled on lots twenty-five and twenty-six, Concession C, in the Township of Howick, in the month of March, 1854. Owing to a chronic disease affecting his knee joint, caused by a fall from his horse, while serving in Her Majesty's seventh dragoon guards, Cowley was unable to attend the sale of lands himself, in the month of September, 1854, but sent the money to the agent by a neighbour (Joseph Hainstock), for the purpose of paying the first instalment on the lots. At that time he (Cowley) had a house built on the lots, 16 by 26 feet, and three acres cleared and under crop. The agent refused to receive the money, or to sell him the lots. In June, 1855, Cowley was sufficiently well to go to Goderich himself; he then offered the money to Mr. Clarke, and also tendered to him certain affidavits, to prove his residence and improvements. The agent again refused to take the money, but asked Cowley what he would be willing to give for the lots. Cowley replied, he would be willing to give the Government price, and all back rent, but nothing more. Mr. Clarke then told him he should not have them, and gave him some abusive language. No person save Cowley has ever entered upon the lots, or made the slightest improvement of any kind upon them; and in addition to the improvements made by him prior to the sale, and heretofore mentioned, he has now a log barn, 18 by 28 feet; and over seven acres of land under crop. He has regularly paid the taxes, and performed the statute labour for the lots, though he cannot get a title for them. Lot twenty-five has been sold in the name of N. J. Colvin, and twenty-six in the name of William Float, both names evidently put in by Mr. Colin Clarke, as a cloak to cover the sale to himself, as he has advertised both lots for sale, as has his agent, Mr. W. G. Walker.

Number 12, is the case of John McLeod. In June, 1854, McLeod entered upon lot thirty-six, Concession C, Township of Howick. On the 10th of September following, he sent in the money to the agent by his father-in-law, with instructions to pay the first instalment. The agent refused the money, and stated the lot was sold. In June last McLeod again applied to the agent, stating the improvements he had made, and his residence on the lot. The agent then looked over his books, and said his (McLeod's) was a hard case. The agent's son, Mr. Colin Clarke (who was in his father's office at the time), then looked at the book, and having done so, said to McLeod, that if he (McLeod) would pay fifty-five pounds over and above the Government price, he should have the lot. Mr. Clarke, the agent, was present at this conversation, but made no remark upon it. No person has ever made any improvement upon the lot except McLeod. It was sold in the name of Edward G. O'Brien, who is a well known resident of Toronto; and is advertised for sale by Dr. Clarke, brother to the Crown Lands Agent.

Number 13, is the case of John Webb. It is as follows: John McGee was the original purchaser of lots nine and ten, in the first Concession of Howick. He sold his interest in the lots to John Webb, for the sum of £50 over and above the Government price. On his (Webb's) going to Goderich, to make payment of the second instalment, he was told by the agent, that the land had been sold to another person, a Mr. John Halden, of Goderich; and that the sale to McGee (although the original one), was invalid. Mr. Clarke told Webb to leave him his receipt for the first instalment, together with the transfer from McGee, and he (the agent) would furnish him (Webb) with other lands in lieu of them. With this request Webb complied, and the agent charged him £2 10s. for making the promised change. The agent then handed Webb some printed forms of application to be filled up, together with a list of lands in Turnberry. Webb went to Turnberry, found the lands very inferior in quality, and refused to take them. Upon further investigating the matter, in the presence of the agent and of Mr. Halden (the party to whom the lots had been last sold), Halden admitted that he had purchased the lots from Mr. Colin Clarke, the agent's son, and for which he gave him (Colin Clarke) the sum of £50.

Colin Clarke stated at the time of the sale to Halden, that he was acting as agent for the original purchaser. Mr. Halden's name is entered on the agent's map of the Township as the original purchaser from the Crown.

Number 14, is the case of John Armstrong. At the sale of the 8th of September, 1854, Mr. Armstrong purchased for his son, lot number eleven, in the first Concession of Howick. He paid the first instalment on the lot, and took a receipt for it. In about a year after this sale, namely, in the month of December, 1855, a letter from the agent's son (of which the following is a copy), came to the knowledge of Mr. Armstrong.

“ CROWN LANDS OFFICE,
“ Goderich, December 6, 1855.

“ MR. CHARLES W. PICKFORD,—Would you be kind enough to examine lot eleven, Concession one, Howick, and ascertain if there is a man by the name of Armstrong living on it, if any improvements, and what amount? By letting me know with the least possible delay, you will much oblige me.

“ I feel uneasy at not hearing from you before this time, with reference to the other matters you took in hands for me.

“ I will apprise you when your location ticket arrives. Hoping to hear from you soon, I remain, yours truly,

“ COLIN CLARKE.

“ P. S.—I wrote to you on the 20th ult., but received no answer.

“ C. C.”

The knowledge of this letter naturally alarmed Mr. Armstrong, and he immediately proceeded to Goderich to pay the second instalment on the lot. This occurred in the month of July, 1856. On his going to the agent for that purpose, he was told by him that he could not take the second instalment upon the lot, as it had been previously sold to another person. Mr. Armstrong asked the agent to whom it had been sold, but he declined to tell him. He (Armstrong) then returned, called upon Pickford, and obtained from him the information contained in the following letter:

“ Howick, October 27, 1856.

“ At the request of John Armstrong, Esquire, I beg to state, that in or about February last, one Mr. Halden, of Goderich, requested of me to inform him what sort of a lot number 11, concession 1, Howick, was. I stated what I knew about said lot. During my time in Goderich, I again met Mr. Halden at the Crown Lands Office. He (Mr. Halden) said to Colin Clark, that he did not like said lot, as there was considerable swamp upon it. Colin Clark told Mr. Halden at the same time, that if he did not like the lot, he would give him another lot in its stead.

“ C. W. PICKFORD.”

This clearly satisfied Mr. Armstrong that the agent trafficked in the public lands, and that he suffered his son to be the instrument of robbing men out of their money and their lands, by selling the same lot to different parties at advanced prices, and allowing one, or it might be, both parties to be the sufferers. Mr. Halden is returned to the department as the original purchaser of the lot from the Crown.

Number 15 is the case of James Orton. This man went into the Township of Howick in May, 1854. He attended the sale of lands in September following, and on the 20th he purchased lots 16 and 17 in the first concession, paid the first instalment to the Agent, and took his receipt for the same. Returned home, went on improving upon the lot, and it was only last week (the first week in July, 1856) that he discovered that the Agent had since sold his lot to another party, the Rev. W. T. Stewart of Goderich, who has since been returned to the Government as the original purchaser from the Crown.

Number 16 is the case of Robert McDonald, and is as follows: Robert McDonald entered upon lots 29 and 30 in the Second Concession of Howick, and having improved thereon, he applied to the agent at the sale in September, 1854, to purchase. The agent refused to sell, alleging as the cause of his refusal, that the lands had been previously sold to one Alice Newman, the agent's daughter. After some conversation upon the subject, the agent agreed to sell McDonald the lots, which he did, at an advance upon the Government price, of eighty-four pounds currency, which sum was paid by McDonald to the agent, and for which he holds Mr. Clark's receipt. Upon the agent's map of the Township, Robert McDonald's name stands as the original purchaser from the Crown.

Number 17 is the case of Alexander Murray, and is as follows: In the month of September, 1855, Murray went to Goderich, and applied to the agent to get lands to purchase. The agent informed Murray that he had no lands of the Crown for sale, as they had been all bought up, but that he was empowered to sell by certain parties who had purchased from the Crown, and who were then disposed to sell. Murray being anxious to obtain lands, agreed to purchase, when the agent sold to him (Murray) lot No. 10 in the fifth concession of Howick, for the sum of £57 10s. over and above the Government price, at the same time paying two instalments on the lot. Mr. Colin Clark (son to the agent) being in the office at the time, then prepared a transfer, called in Miss Isabella Clark (the agent's daughter) and she signed the transfer, and Colvin Clark handed it to Murray. When Murray went to take possession of the lot thus sold to him, he found that the lot had been previously sold to a person named Robert Mosgrove. He immediately communicated with the agent, who wrote him a letter in reply, stating that his transfer was a mistake, and that it should have been lot No. 10 in the third, instead of lot No. 10 in the fifth concession, which should have been inserted in the transfer. On going to take possession of lot No. 10 in the third concession, as directed, Murray found it occupied by one Hugh Dockett, who had resided upon it since the month of March, 1854; had a house upon it, and over six acres under crop.

Murray was thus deprived not only of his land, but also of his money, amounting to two instalments of the lot and a premium of £57 10s. for his supposed purchase.

Number 18 is the case of John Hassard, as follows: At the public sale of land on the 2nd day of September, 1854, John Hassard purchased from the agent lots 9 and 10 in the eleventh concession of Howick, paid the first instalment and took a receipt for the same. Two days after the sale to Hassard, the agent sold the same lots to a person named George Green, who entered into immediate possession, and who still holds the lots. Hassard called upon the Agent, and informed him of the double sale. The agent admitted the fact, that he (the Agent) must only give him (Hassard) two other lots in lieu of those previously sold to him. Mr. Clark then sold him lots 5, concession 7, and 15, concession 10, for which he took a receipt, a copy of which will be found in the appendix. On Hassard's proceeding to take possession of the lots last sold to him, he found they had previously been sold to, and long occupied by a man named Robert Grier, who refused to surrender his claim. Hassard still remains without his money paid to the agent, and without the lands sold to him in either instance.

Number 19 is the case of William Hassard (son to number 17) and is as follows: On the 2nd of September, 1854 (the third day of the sale of lands) William Hassard purchased from the agent lots 14 in the 9th and 10th concessions of Howick, and took a receipt for the first instalment; a copy of which will be found in the appendix.

Young Hassard erected a house on lot 14, in the 9th concession, in which he now resides, and he has ten acres cleared and under crop upon the lot. He always supposed his title good to this lot, till the Commissioners, on examining the agent's map of the Township, found it had been sold to one James Robertson, and that it is inserted in the list of lands advertised by Mr. Colin Clark. The

other lot (14 in the 10th concession) has also been sold to another party named George Rolls, who is an absentee, but who has sold his right to one William Burns. It is now over two years since Hassard paid for both lots and is not yet returned as the purchaser of either.

Number 20 is the case of William Walker, as follows: On the 2nd of September, 1854, Walker purchased, at the public sale, lot 3 in the 9th and lot 3 in the 10th concessions of Howick, paid the first instalment to the agent, and took a receipt. He has ever since resided upon the lots, erected a house 20 by 30 feet, upon 3, in the 9th concession, and has about eight acres under crop upon it. The agent subsequently sold the lot (3 in the 9th) to Mr. Boys of Barrie, in the name of Samuel Blakee, as admitted in his own letter to Walker, dated the 22nd of November, 1855, and lot 3 in the 10th to Thomas Gregory, another of Mr. Boys' men. Both those men are returned to the Department as the purchasers, instead of Mr. Walker.

Number 21 is the case of James Walker, and is as follows: On the 2nd of September Walker purchased from the agent, and paid the first instalment upon lot 4 in the 9th concession of Howick. The agent (as admitted by himself) subsequently sold the same lot to Mr. Boys of Barrie, in the name of William Creighton, and returned Creighton's name to the Government as the original purchaser, though he (the agent) admits, under his own hand, that Walker was the original purchaser. Walker occupies the lot, has made considerable improvements upon it, and neither Boys, who purchased in the name of Creighton, nor any person for him, has ever cut a stick upon it.

Number 22 is the case of William Strong, as follows: On the 2nd of Sept., 1854, Strong purchased from the agent, at the public sale, lots 9 and 10 in the 10th concession of Howick, upon which he had previously resided and improved. He has now 21 acres chopped upon the lots, of which over eleven are under crop. When Strong sent the second instalment to the agent, he refused to receive it, stating that the lots had been sold a second time, and the name of the second purchaser forwarded to the Department. On the Commissioners asking the agent for an explanation of the matter, he admitted the double sale, stated it was an error, and that he would do what he could to have it adjusted.

The cases here quoted will, it is presumed, be sufficient to exhibit the nature of the complaints in the Township of Howick. A large number of similar cases might be cited, particularly those of Hugh Hollinshead, lots 26 and 27, concession B; George Inland, lots 19 and 20, concession C; John Mackie, lots 31 and 32, concession C; Matthew Sharpin, lots 33 and 34, concession C; James Davidson, lot 19, concession 2; Allen Inland, lots 1 and 2, concession 3; Leonard Lampkin, lot 14, concession 3; Peter Cooke, lot 16, concession 3; George Bolton, lots 19, 20, and 21, concession 3; John Robinson, lots 4 and 5, concession 4; William Armstrong, lots 28 and 29, concession 6; John Carter, lots 11 and 12, concession 7, and 12, concession 8; William Gilkinson, lots 13 and 14, concession 7; Joseph Copeland, lots 11, concessions 9 and 10; and George and Robert Hainstock, lots 13 and 14, concession 13.

The particulars in all these cases will be found detailed at length, in the appendix; and the Commissioners do not deem it necessary to lengthen this portion of their report, by setting them forth in it otherwise than by mere reference.

A few cases may now be cited from the Township of Turnberry, to show "the mode and manner in which the public lands were disposed of therein," and the nature of the complaints and grievances which the people of that Township have advanced.

Number 23 is the case of Elijah Martin; his statement is in substance as follows: On the first day of March, 1854, he settled on lots 39 and 40, in the first concession of Turnberry; so constantly and laboriously did he work upon those lots, that prior to the sale, which was in the month of September following, he had eight acres cleared and

under crop, and at the present time he has over 35 acres fenced and cropped. On the 20th of August, 1854, (ten days before the lands of the Township were opened for sale) he went to the office of the agent at Goderich; informed Mr. Clark of his improvements upon those lots, and had his name entered for them, for which he paid the sum of one shilling and three pence to the agent; at the same time he obtained from the agent six months, within which time he was to pay the first instalment. The day previous to the sale, namely, the 13th of August, he again returned to the agent's office, carrying with him the money to pay the first instalment, which he had obtained in the meantime, and which he rendered to Mr. Clark's son-in-law, Mr. Newman, who was then acting as a clerk in the agent's office. Mr. Newman then informed Martin, that he could have but one of the lots, again recorded his name for them, and again demanded and received from him one shilling and three pence for recording his name. On the second day of the sale, Martin was informed that the agent had privately sold the north halves of both lots (which were rendered valuable by the River Maitland crossing them) to his brother in Toronto, who had used the name of some friend in that City in order to cloak the sale. It is certain the lot was not publicly offered for sale. As Martin's crops, then growing on these lots, were suffering for want of care, he gave the money which he had to pay for them to a person named John Miller, with whom he was acquainted, who was a resident of the Township of Morris, and whom the agent had selected as the door-keeper of his office. When Miller applied to pay the money, he was informed by the agent that Martin must first furnish affidavits to prove what claim he had to the lots. On Miller conveying this information to Martin, he procured the required proof, and returned to the agent's office with the proof and with the money, both of which he tendered to the agent, but Mr. Clark was then too much hurried, and refused all satisfaction except for the south halves of the lots, which he then agreed to let Martin have. In the month of November following, Martin again returned to the agent's office and again tendered payment for the remainder of the lots (the north halves.) Instead of giving Martin any satisfaction, the agent knocked the money he had tendered him about the office and summarily turned him out of it. To this day Martin remains the only occupant of either lot. This is a brief summary of Martin's case, the accuracy of which is not denied, and the only explanation offered by the agent is that he could not give Martin two lots, that he divided them for Martin's accommodation and that when he was last at the office, he was rude and insolent. We apprehend however, that the true cause will be found in the fact, that the north halves of the lots were valuable and were purchased for the benefit of the agent's brother, in the name of W. H. Staineton, Esq., of this city. The lot is now advertised for sale by Mr. Trueman, a private Land Agent at Goderich.

Number 24, is the case of Nathaniel Holmes; his statement is briefly as follows: Holmes was one of the original settlers of the Township of Turnberry, having settled upon lot number ten in the fourth concession of that Township, previous to the lands in it being open for sale. A few days prior to the sale, he went to the office of the agent at Goderich, stated his desire to purchase lot number ten in the fourth concession of Turnberry, and mentioned the improvements he had made thereon. He was then informed by the agent that he could have the lot as there was no other claimant for it, that he (the agent) could not then take the first instalment, as the lands were not at the time open for sale; but that he would enter his (Holmes') name for the lot, in a registry book kept for that purpose. Holmes then had his name entered for the lot, paid the agent one shilling and three pence and left the office. On the first day of the sale, again attended at the office, tendered his money for the lot, but was informed by the agent that it was sold. No other person but Holmes has ever resided upon the lot, cut a stick, or made the slightest improvement of any kind upon it. Holmes still occupies the lot, and is assessed for it. When he remonstrated with the

agent, all the excuse he offered was, that he would give him another lot in exchange for it, and he accordingly assigned him lot number eleven, which was a smaller lot, worse situated and of much less value. The lot which Holmes was then deprived was sold in the name of John Billings, a non-resident and unknown in the Township, and presumed to be used only as a cloak for another party, for whose benefit the lot is now advertised for sale by Mr. True-man, a well known Land Agent at Goderich.

Number 25 is the case of Andrew Miller and Thomas Brazill. It is briefly as follows: In the month of May, 1854, four months before the Township was opened for sale, Andrew Miller entered upon lots seventeen and eighteen, in the sixth concession of the Township of Turnberry, and made considerable improvements upon them; he subsequently informed the agent of his residence and improvements, and had his name entered or registered, as it was called, in the agent's book for pre-emption right. For this service he paid the agent two shillings and six pence, the agent promising at the same time that he should have the lots when the Township should be opened for sale. When the period for the sale arrived, Miller attended, tendered his money for the lots, and was refused them. Subsequently, on the sixth day of the sale, Thomas Brazill tendered the money for both lots, and was allowed them by the agent. He then paid the first instalment upon them, which the agent received and granted a receipt for (vide appendix to this report.) Miller then abandoned his improvements and Brazill entered into possession of the lots, upon which he still continues to reside and improve, and for which he is assessed. When Brazill subsequently attended, to pay the second instalment, his money was refused by the agent, upon the alleged ground that the lots had been previously sold to another party (John Saul). Brazill was then offered two other lots (12 and 13 in the fourth concession) in exchange for his right to these, and which exchange he refused. Saul is a non-resident and unknown in the Township. Thus it appears that these lots were pledged to three different parties (Miller, Brazill and Saul) sold to two of them (Brazill and Saul) and ultimately given to the only one of the three who was a non-resident and had no claim whatever upon them.

Number 26 is the case of William Burnett. It is as follows: On the 15th of March, 1854, six months before the Township was open for sale, he entered upon lots numbers five and six, in the seventh concession of the Township of Turnberry; upon which he had erected a dwelling house, in which he resided, and he had chopped five acres, three of which were cropped prior to the sale in September of that year. He attended the sale for the purpose of purchasing those lots upon which he resided with his family. When he tendered his money, he was informed by the agent, that he must procure affidavits to establish his claim to the lots. On Burnett's return to the office with the affidavits required, he was informed by the agent that the lots were sold, and that the affidavits must be sent to the Government at Toronto. He again attended at the Agent's office on the 8th of December following, when the agent received the first instalment upon both lots (five and six) in presence of Mr. Robert S. Duff. The agent subsequently sold the lots to some more favored party, under the feigned name of John Shanty, and absolutely denied that he had received the instalment on lot No. 5 from Burnett, and in which denial he persisted in the presence of the Commissioners, though positively contradicted by both Burnett and Duff. The agent was subsequently sued for the amount by Burnett, in the Division Court at Goderich, on the 18th of August last, when he paid the money into Court and stopped the suit. The Agent paid into Court at the same time, five dollars, which, it appears, was Burnett's portion of twelve dollars and a half, paid by Burnett and Duff to Mrs. Clark (the wife of the agent) to secure her interest and good services with her husband. Burnett has now large improvements on the lots, but they are held by some favoured speculator in the name of Shanty.

Number 27 is the case of John Hastings. It is as follows: Hastings entered upon lot eleven, concessions eight and nine, in the Township of Turnberry, prior to the sale of lands, in September, 1854, at which time he had ten acres chopped and five cleared up and under crop. On the 9th of November, 1854, he paid the agent the first instalment on lot number eleven in the eighth concession, as appears by his receipt produced to the Commissioners, and on the 19th of December following, he paid the first instalment on number eleven in the ninth concession. When he attended the agent to pay the second instalment, it was refused on number eleven in the eighth concession; which had in the mean time, been sold to some more favored party, who holds the lot under the name of James Redford. Thus, then, did the agent cancel the sale made to Hastings, confine him to one lot, and give the benefit of his hard labour and improvements to some favored speculator, who probably to this day has not seen the lot. Hastings still occupies, and pays the taxes upon it.

Number 28 is the case of James Holmes, and which is briefly as follows:— On the first day of May, 1854, he entered upon lot number twenty-three, in the tenth concession of Turnberry, and before the sale in September of that year, he had put up a dwelling-house, chopped two acres and a half, planted five bushels of potatoes, and sowed a large quantity of turnip seed upon the lot. After he had made these improvements, and previous to the sale, he went to the agent's office at Goderich, and informed Mr. Clark of what he had done on the lot. The agent then entered his name in a book in his office, and told him he should have the lot. He returned to the office at the time appointed for the sale. He watched closely from the first to the fifth day, to hear when his lot would be called. Not finding it named, he went into the office and offered his money for the lot to the agent. He was then told that the lot was sold. Holmes then reminded the agent of his improvements and residence upon the lot, and of the entry of his name. The agent then informed him that he must go and procure two affidavits to show the extent of his improvements. Holmes went and procured the two affidavits required, (copies of which were exhibited before the Commissioners,) and handed them to Mr. Clark. The agent replied it was all right, he might go and live on the land, and he would get it. Holmes then offered the money to pay the first instalment, but the agent said, "never mind, go back to your lot, and I will write you word when to come in and pay the instalment." Hearing of so much trickery been played upon other settlers, and fearing lest all would not be right with himself, he again went to Goderich, and called upon the agent with the money to pay the first instalment. The agent then became quite violent, told Holmes he was "a liar," and ordered him out of his office. Holmes is the only person who ever entered upon the lot; he still resides upon it; has made large improvements, which were inspected personally by the Commissioners; and he has also regularly paid the taxes upon it. The strict accuracy of these facts was clearly established before the Commissioners, and in the presence and hearing of the agent. The lot was sold by Mr. Clark to some favored absentee speculator in the name of John Cross, whose residence or whereabouts is unknown in the Township.

Number 29, is the case of Alexander Beckett, who is a merchant and steam mill owner at "Zetland," in the Township of Turnberry,—it is the lot next adjoining his steam saw-mill. The father went to the agent's office at Goderich, in September, 1854, and there purchased for his son, at the public sale, the lot which he now claims. He paid the first instalment for the lot at the time of the sale, and took the agent's receipt for it. When the period arrived for the payment of the second instalment, he again went to the agent's office at Goderich, for the purpose of paying it. When he offered the money, he was informed by Mr. Clark that the lot had been sold to another party, whose name had been returned to the Government as the purchaser. Mr. Beckett then drew from his

pocket the agent's receipt for the payment of the first instalment, to show that he was the first purchaser, as well as the only person in occupation, and that he was justly entitled to the lot. The agent thereupon took possession of the receipt, which he refused to return to Mr. Beckett, and placing the amount of the first instalment upon the table, he insisted upon Mr. Beckett's taking it. Thus was the original sale made to young Beckett, a resident settler, cancelled, without cause assigned, and the lot sold to some favoured absentee speculator, in the name of John Hamilton, who is utterly unknown in the Township, and who, up to this day, has not cut a stick upon the lot.

Number 30, is the case of Jacob Cantlan, and is as follows:— On the 13th of December, 1854, he applied to the Agent, Mr. Clark, for the purpose of purchasing some lands. In reply to his application, the agent told him that he had no Government lands for sale, as all had been sold. The agent then added, that if he (Cantlan,) would apply to Mr. Henry Newman, he would direct him where he could get lands to purchase. (Mr. Newman was the agent's son-in-law, and employed as a clerk in his office.) On application to Mr. Newman, he said he could have lots 31 and 32, in the first concession of Turnberry, by paying three hundred dollars over and above the Government price. This sum Cantlan agreed to pay. Mr. Newman then referred him back to the agent, to whom he paid down £15 in money, being a portion of the said \$300, and gave the agent two notes of hand for the balance; one for £20, payable in one month from date, and the other for £40, payable in twelve months from date. Cantlan got no transfer from Newman or any other person, but paid the first instalment upon the lots, took a receipt for it, and his name was entered upon the map, and subsequently returned to the Department, as the original purchaser from the Crown. The £15 first advanced by Cantlan was paid to the agent; both the notes of hand given by him were drawn by the agent, and made payable to himself, and when they arrived at maturity, they were both paid by Cantlan to the agent. The original notes and receipts, in the agent's hand-writing, will be found in the Appendix.

The above cited cases, selected from the ordinary run of complaints, made by the inhabitants of the Township of Turnberry will it is hoped be sufficient to show "the mode and manner in which the public lands were disposed of to the prejudice of the settlers," in that Township. If farther details should be required, reference can be had to the Appendix to this Report.

Having thus briefly stated some of the evils under which the settlers have laboured; the nature of the complaints which they have from time to time made to his Excellency the Governor General, and "the mode in which the public lands were disposed of to their prejudice," we shall now shortly refer to the course which we have taken in preparing the following more detailed report upon each lot in the newly surveyed Townships of Grey, Howick, and Turnberry.

In all cases where purchases have been made by non-residents, the sales are recommended to be cancelled, as being in violation of the conditions upon which the lands were sold, and which required "immediate and continuous occupation." In no instance known to us, have we departed from this rule; and we earnestly urge its adoption, as the only true principle upon which settlement should be made, the Country improved, and general discontent allayed.

Where a "squatter," or resident settler has claimed a lot, which he entered upon prior to the sale in September, 1854, or has claimed one on account of actual occupation and improvements made prior to that date, his claim is recommended to be allowed. This course we conceive, justice to the parties, as well as to the public interest, unite in demanding. It is plain that under the conditions of sale, all such parties were in equity entitled to pre-emption right. And indeed it appears to us that in the case of a resident settler, who is willing to pay the full price demanded by Government, and to comply with all the conditions attached to the sale, he should be entitled to preference.

In each case where the original purchaser was a non-resident, and some other party had subsequently entered upon the lot, or was assessed for it, but has not claimed it before the commission, we have recommended that the sale to the original purchaser be cancelled, and the land resumed by Government, unless the party in occupation, or under assessment, (as the case may be,) can show that he is acting for or under the original nominee. This course, while complying with the conditions of sale, will afford ample room to protect the interest of all those who became actual settlers, under assignments made in good faith from the original purchasers.

In each case where a lot has been sold to an absentee, and the lot remains unoccupied, unassessed, and unimproved, we have recommended the sale to be cancelled, and the land resumed by the Government. As these lands are now much more valuable than when originally sold, this course will be productive of a large increase to the public revenue, and will also materially conduce to the immediate settlement of the Townships.

Settlers who have gone on and improved vacant lots, subsequent to the general sale in September, 1854, are recommended for pre-emption right, but not at the original price, but at the present actual value to be determined by the resident agent. This course, under all the circumstances, we believe to be the most just and equitable, as well to the Government as to the settlers.

We now proceed to lay before you in detail, a synopsis of the facts and evidence as they presented themselves before us, in relation to each particular lot, concession and Township: together with the course which we respectfully recommend for adoption in each case.

(Signed,) OGLE R. GOWAN,
MORGAN HAMILTON,
Commissioners.

TOWNSHIP OF ASHFIELD.

The Township of Ashfield was, it appears, originally settled under instructions issued so long back as the year 1842, to William Hawkins, Esquire, the then local agent for the Huron District, the Honorable Mr. Morin being at that period Commissioner of Crown Lands. By those instructions, which bear date "Crown Lands Department, Kingston, 30th December, 1842," and which were subsequently transferred to Mr. Clark, as the successor in office of Mr. Hawkins, the agent was directed, that "where any any of the lands might be occupied or improved without authority," he was "to communicate the fact to the department and to withhold them from sale, until further instructed in each individual case." By the second clause of these instructions, the agent was further directed to observe, that "where parties occupied or improved particular lots, but who by his (the agent's) own knowledge, or by their own admission, had no reasonable claim thereto, their claim to pre-emption was to be entertained on condition of actual payment only." The third clause instructed the agent, that, "before making sale of any occupied lot, to require the occupant, by notice in writing, to prefer within a day to be fixed by the agent, any claim he might have upon the same for pre-emption or otherwise."

These instructions (which applied also to the Township of Wawanosh) explicitly acknowledged the right of squatters to pre-emption, and were so framed as to include a tender regard for the interest of those claimants who, even upon their own admission, or from the agent's knowledge of the facts, had no reasonable claim to pre-emption. Happily, however, matters were so managed in the Townships of Ashfield and Wawanosh, that but few claims were advanced and but little discontent found to exist.

The complaints from the Townships are about seven in number, and are as follows:

Number 1 is from Joseph Cline, who resides on the one half of lot 41, on the Lake Shore Range. The other half of the same lot is held by an absentee speculator, who never made any improvements on the lot, and as Cline has a large family he

desires to be allowed to purchase the whole lot. The Commissioners are of opinion that where the Government can do so without violation of good faith, the actual settler should have a preference over the non-resident speculator. They therefore recommend, that if the patent has not issued for this lot, the money paid be restored to the original purchaser, and that Cline be permitted to purchase the lot at the valuation of the resident agent.

Number 2 is the complaint of Robert Johnston, who is the purchaser of lot number nine, concession one, in the eastern division of Ashfield. The last instalment on his land was paid to the agent, on the 21st of April, 1854, (two years and a half ago) and though he has since frequently applied for his patent, he cannot obtain it. The explanation given by the agent is, that he made application to the department within the last month for the deed, but did not obtain it. If the agent forwarded the payment for this lot when made (the 21st of April, 1854) the Department is to blame for not having forwarded the patent long since. If the agent did not forward the money till recently, then is he the party to blame. In either case we recommend that the patent be at once made out, and forwarded to the resident agent for delivery.

Number 3 is the complaint of Thomas Kelly, from which it appears that one Matthew Furlong, of the Township of Seneca, in the County of Haldimand, was the original purchaser of lot number three, in the 8th concession, eastern division of the Township of Ashfield, having paid the first instalment thereon. On the 2nd of November, 1852, Furlong sold his right, title and interest in the lot for the sum of twelve pounds and ten shillings, to Thomas Kelly, the complainant, and executed on the same day a quit claim deed of conveyance, in Kelly's favor, delivering over to him at the same time, his receipt for the payment of the first instalment. Kelly took possession of the lot, was the only actual settler on the land, and now has ten acres chopped upon it, and three acres of wheat, and half an acre of potatoes sowed upon it. The quit claim from Furlong to Kelly appears to have been properly drawn and executed, and is duly proved by one of the witnesses. Furlong died in about three months after the execution of the quit claim conveyance to Kelly, and the agent (Mr. Clark) refuses to receive Kelly's instalments, or acknowledge his right, without there be produced an acknowledgment in writing from the widow of Furlong, that he, Kelly, had purchased the lot. We recommend that as the conveyance has been legally executed and duly proved, it be at once acted upon, and the instalments received from Kelly.

Number 4 is the case of Donald McDonald, who paid the last instalment upon his land, number 10, in the 9th concession, western division of Ashfield, containing twenty-nine acres, on the 6th July, 1855, and took the agent's receipt therefor, which he exhibited to us. This case may be classed with number 2, and exhibits a degree of neglect, either on the part of the agent or of the Department which ought not to exist. We recommend that McDonald's patent be forwarded without further unnecessary delay, to the resident agent for delivery.

Number 5 is the case of Donald McKenzie, who, it appears, entered upon the south half of lot eight, concession thirteen, in the Township of Ashfield, on the 16th of January, 1852, and upon which he still resides. In the month of May following he informed the resident agent, Mr. Clark, that he was settled on the lot and improving it. In about a year after, he called upon the agent to pay the first instalment, which he refused to take, alleging that he had sold the lot in the mean time, to one William Newton, of the City of Toronto. McKenzie is the only resident settler upon the lot, and the only one who ever made any improvements upon it. Newton is a well known resident of this city, whose name has been used by an absentee but more wealthy speculator. We recommend that the sale to Newton be cancelled, and the pre-emption right of McKenzie be allowed.

Number 6 is the case of John McKenzie, which is a complaint rather against his son than against the government or its agent. His statement is, that in the year 1852 he gave his son money to pay the first instalment on lot 13, in the 14th concession of Ashfield; that owing to a dispute between the father and the son, the latter, instead of having one half of the lot entered in his father's name, and the other half in his own name, got himself entered as the purchaser of the whole lot of two hundred acres. In this case the Commissioners addressed a letter to the son, upon the impropriety of his conduct, and recommended a compliance with the father's wishes, and with justice. Should he not comply, we recommend that payment be taken from the son upon one half the lot only.

Number 7 is the case of John Hawkins, Jr., who, it appears, purchased in the month of October, 1841, a mill privilege in the village called Port Albert, in the Township of Ashfield. The following is a copy of Mr. Hawkins' application to purchase :

PORT ALBERT, ASHFIELD, Oct. 29, 1841.

SIR,—I propose to purchase the whole of the Government Mill privilege in this Town, containing about 14 acres, the wide road not included, and have privilege for a tail race to the navigable part of the river, so as that boats could load and unload at the mills, for which I will pay £200 currency in 4 years, with interest.

I engage to erect a good, substantial flour mill, the building to be of stone, and have one run of stones in operation in two years, and another run of stones so soon as the country will require such; to commence the work forthwith. I will also erect another saw mill and tannery when the town and township is sufficiently settled to support.

Have the goodness to submit this proposal to the proper authorities, and oblige your obedient servant,

(Signed,)

JOHN HAWKINS.

To William Hawkins, Esq.,
Government District Agent, &c.,
Ashfield, Huron District.

In the month of April of the following year, six months after his offer, Mr. Hawkins' tender was accepted by the then Commissioner of Crown Lands, as appears by an official communication made to him, of which the following is a copy :

CROWN LANDS' DEPARTMENT,
KINGSTON, 21st April, 1842.

SIR,—I have to inform you that your application to purchase the mill site in Ashfield has been favourably entertained by the Honorable the Executive Council.

The Committee recommend a sale of the mill site to you for £200, payable in four instalments, the first to be paid down, and all payments to be forfeited, unless the mill be completed, so as to have one run of stones in operation in two years.

I therefore have to request, that you will inform me whether you are willing to comply with the conditions, and if so, to complete the purchase at your earliest convenience.

I am, Sir,

Your obedient servant,

(Signed,)

JOHN DAVIDSON.

To Mr. John Hawkins,
Care of Mr. Wm. Hawkins, Ashfield.

It appears that Mr. Hawkins completed the purchase as required in terms of the foregoing letter, in the month of January following, and in the month of December next ensuing he received an official letter, of which a copy follows

below, announcing to him that the balance due had been remitted by order in Council, that steps would be taken for the issue of the patent.

CROWN LANDS DEPARTMENT,
MONTREAL, 11th Dec., 1847.

SIR,—By Order in Council of the 4th of August, the balance due by you on the mill reserve at Port Albert, purchased by you in January, 1843, having been remitted, steps will be taken for the issue of the patent.

I have the honor to be, Sir,

Your most obedient servant,
(Signed,)

T. BOUTHILIER.

To John Hawkins, Esq.,
Goderich, U. C.

When the patent subsequently issued, it appears it covered but seven acres and three quarters of an acre, instead of fourteen acres, leaving six acres and one quarter of an acre in the hands of the Crown. This appears to be a juggle, for which, in the absence of further evidence or explanation, the Commissioners are at a loss to account. Part of the six acres and one-fourth yet remaining unpatented to Hawkins, has been since sold to other parties, these of course, cannot now be granted. We recommend that the portion yet remaining in the hands of the Crown be at once conceded to Mr. Hawkins, so as to insure him free access to the navigable portion of the river, which free access appears to be a *sine qua non* to the rafting of lumber for the saw mill, and to the approach of boats laden with wheat and other corn to the first mill; and further, we recommend that Mr. Hawkins be granted other lots as an equivalent for the portion taken from him and sold to other parties.

TOWNSHIP OF GREY.

First Concession.

1 and 2. Sold in the name of James Orr, a non-resident and unassessed. Both lots occupied and assessed by Donald Scotts. Recommended that the sale made in the name of Orr be cancelled for non-compliance with the conditions, and the land resumed by the government, unless it shall appear that Scott is acting for or under him (Orr.)

3 and 4. Number 3 sold in the name of Henry Obrine, and number 4 in the name of John Connoly, both non-residents and unassessed, and number 3 is advertised for sale by Girdstone and Maddison, Land Agents and Speculators at Hamilton, at 21s. per acre for right lots vacant. Recommended that the sales to Obrine and Connoly be cancelled, and the lands resumed by the Government.

5 and 6. Sold in the name of John Kirkland, a non-resident and unassessed. Claimed by Robert Conyningham the second, who was resident before the sale in 1854, had made considerable improvements, but was refused at the time of the land sale. Recommended that the sale made in the name of Kirkland be cancelled for non-compliance with the conditions, and the claim of Conyningham allowed.

7 and 8. Sold in the name of George Kirkland, a non-resident and unassessed. Claimed by George Devor who had occupied the lots prior to the sale in 1854; tendered his money for them, but was refused them by the agent. Recommended that the sale made in the name of Kirkland be cancelled for non-compliance with the conditions, and the claim of Devor allowed.

9 and 10. Sold in the name of James Kirkland, a non-resident and unassessed. Claimed by George Devor who had entered on them, erected a house, and had made improvements, prior to the sale in 1854, but was then refused them by the resident agent. Recommended that the sale made in the name of Kirkland be cancelled for non-compliance with the conditions, and the claim of Devor allowed

10 and 12. Sold to James Anderson, a resident settler and assessed for both lots. Recommended that the sale be confirmed.

13 and 14. Sold in the name of James Lang, a non-resident and unassessed. Claimed by Hugh Montgomery, who was a resident settler before the lands were opened for sale in 1854, and had made improvements thereon. Recommended that the sale made in the name of Lang be cancelled, for non-compliance with the conditions, and the claim of Stewart allowed.

15. Sold in the name of Adam Spears, a non-resident and unassessed. Recommended, that the sale made in the name of Spears be cancelled for non-compliance with the conditions, and the land resumed by the Government.

16 and 17. Sold in the name of Elijah Hall, a non-resident and unassessed. Claimed by William Montgomery, who entered upon them in June, 1854, erected a house, and wished to purchase them at the sale in September of that year, but was refused by the agent. Recommended that the sale made in the name of Hall be cancelled for non-compliance with the conditions, and the claim of Montgomery allowed.

18 and 19. One half of each of those lots in the name of William Lynn, and the other half of each in the name of Janet G. Queen. Both are now residents, and unassessed. Janet G. McQueen is reputed to be a daughter of Thomas McQueen, Editor of the Huron Signal newspaper, who is a resident near Goderich, and who acted as a Clerk in the Agent's Office at the time of sale. Both lots are vacant. Recommended that the sales made in the name respectively of Lynn and McQueen be cancelled for non-compliance with the conditions, and the land resumed by the Government.

20 and 21. One half of each of those lots sold in the name of James Orr, and the other half in the name of Thomas Mott, both non-residents, unknown and unassessed in the Township, claimed by Robert Garry, who entered upon them in May 1854, and made improvements, attended the sale at Goderich in September following, but was refused the lots by the Agent. Recommended that the sales made in the name of Orr and Mott respectively, be cancelled for non-compliance with the conditions, and the claim of Garry allowed.

22 and 23. One half of each lot sold in the name of Thomas Mott, who is a non-resident and unassessed in the Township. The other half of each lot is returned upon the Agent's map of the Township as unsold. A person named William Wattring resides upon and is assessed for lot No. 22, and John McNab is assessed for No. 23. Recommended that the sale made in the name of Mott be cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that Wattring is acting for or under him, Mott.

24 and 25. Number 24 is sold to John McNab, who is assessed for the lot (vide 23). Number 25 is returned by the Agent as unsold. It is claimed by Jacob Wynne, who recently moved upon it and is now improving it. Recommended that the sale of No. 24 to McNab be confirmed, and that Wynne be permitted to purchase No. 25 at the valuation of the resident Agent.

26 and 27. Both sold in the name of Ellen Olive a non-resident, unknown and unassessed in the Township. Claimed by Andrew Underwood, who entered upon them before the Township was surveyed, and who attended the sale at Goderich in September 1854, tendered his money for the lots to the Agent but was refused. Both lots are advertised by Girdlestone & Maddison, Land Agents and speculators at Hamilton, at the rate of 21 shillings per acre for the right. Recommended that the sale made in the name of Oliver, be cancelled for non-compliance with the conditions, and the claim of Underwood allowed.

28 and 29. Sold to Robert Sheam, a resident settler and assessed. Recommended that the sale be confirmed.

30. Sold in the name of John McDonald, a non-resident and assessed, claimed by George McGee, who has resided upon the lot for some time past, and has made

improvements upon it. Advertised for sale by Girdlestone & Maddison, Land Agents and speculators at Hamilton, at 21 shillings per acre for the right. Recommended that the sale made in the name of McDonald be cancelled, and that McGee be allowed to purchase the lot at the valuation of the resident Agent.

31 and 32. One half of each of those lots sold to A. Erwin, and the other half of each sold to Joseph Armstrong. Armstrong is a resident settler and assessed for his own portion of both lots, and a person named John Anderson resides on the part sold to Erwin, and is assessed for it. Recommended that both sales be confirmed.

33. Sold to A. Erwin (vide 31 and 32). John Anderson (who acts for Erwin) resides on the adjoining lot and works upon, and is assessed for this one. Recommended that the sale be confirmed.

34 and 35. Sold to William Armstrong, a resident settler and assessed for lot No. 35, is claimed by Peter Morin, who resides on No. 36 and has made improvements. Recommended that the sale to Armstrong be confirmed, and that Morin be permitted to purchase another lot in the Township in lieu of No. 35.

36. Sold to John Armstrong, a resident settler and assessed. Peter Morin also resides on the lot and claims it, with lot 35. Recommended that the sale to Armstrong be confirmed, and that Morin be permitted to purchase a lot in the Township in lieu of No. 36.

37 and 38. The first sold to James Walker, and the other to John Page. James Walker also claims lot 38 as the original settler upon it, both resident settlers and assessed. Recommended that the sales be made to Walker and Page, both be confirmed, and that Walker be permitted to purchase another lot in the Township, in lieu of No. 38.

39 and 40. Sold in the name of James Link, a non-resident, unknown and unassessed in the Township, claimed by George Mitchell, who has recently gone to work upon them. Recommended that the sale made in the name of Link be cancelled for non-compliance with the conditions, and that Mitchell be permitted to purchase at the valuation of the resident Agent.

41 and 42. Sold to George Clark, who is a non-resident and unassessed, but who has sold his right to Henry Burnett, who is the Assignee of Clark, and is a resident settler and assessed. Recommended that the sale be confirmed.

43 and 44. Sold in the name of John Hefferman, a non-resident unknown and unassessed in the Township; lot 43, claimed by Hugh Spence, who chopped an acre and underbrushed two acres in June, 1854, who attended the sale at Goderich, offered his money for the land to the Agent but was refused. Lot 44 claimed by Samuel McKee (vide 45). Recommended that the sale made in the name of Hefferman be cancelled for non-compliance with the conditions, and the claims of Spence and McKee both allowed.

45. Sold to Samuel McKay, a resident settler and assessed (he also claims lot 44, upon which he made the first and only improvement). Recommended that the sale be confirmed.

46 and 47. Both sold to George McKay, a resident settler and assessed. Recommended that the sale be confirmed.

48 and 49. Sold in the name of Robert Cristie, a non resident and unassessed. A person named Richard Hazer resides on the lots and is assessed for them. Recommend that the sale in the name of Cristie be cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that Hazer is acting for or under him, Cristie.

50. Sold in the name of John McMullin, a non-resident, unknown and unassessed in the Township. Claimed by Joseph Page, Jr., who entered upon it and made improvements before the Township was opened for sale, and who tendered his money at the agent's office, at the sale in September, 1854, but was refused the lot by Mr. Newman, (son-in law to the agent) and who was then acting

as Clerk in his office. It is also claimed by James Mitchell, who has recently gone to work on it. Recommended that the sale made in the name of McMullen be cancelled for non-compliance with the conditions and the claim of Page allowed. And that Mitchell be permitted to purchase a lot in the Township in lieu of this one.

51 and 52. The South halves of both lots sold to Robert Mitchell, and the North halves to John Mitchell. Both resident settlers and assessed. Recommended the sales be confirmed.

53 and 54. The south halves of both sold to Robert Mitchell, and the north halves to John Mitchell. Both resident settlers and assessed. Recommended that the sales be confirmed.

55 and 56. Sold to Peter Graham, a resident settler and assessed. Recommended that the sale be confirmed.

57 and 58. South halves of both lots sold to Robert Ellicott, and the North halves to William Graham, both resident settlers and assessed. Recommended that the sales be confirmed.

59 and 60. South halves sold to Robert Elliott, and the north halves to William Graham, both resident settlers and assessed. Recommended that the sales be confirmed.

61 and 62. Sold to Alexander Scott, a resident settler and assessed. Recommended that the sale be confirmed.

63 and 64. Number 63 sold to John Graham, and No. 64 to William Campbell: is a resident and assessed for both lots, and is understood to be the assignee of Graham. Recommended that the sale be confirmed.

65 and 66. Sold to Samuel McGeorge, a resident settler and assessed. Recommended that the sale be confirmed.

67 and 68. Sold to John Campbell, who is a non-resident and unassessed, but his interest, it is stated, has been sold to Hector McLean and John Smith, the former of whom occupies the north halves and the latter the south halves. Both are assessed for their respective portions. Recommended that the sale be confirmed.

69 and 70 Sold to Timothy McIvat, a resident settler, who, with Robert McKee, resides upon the lots and are assessed for them. Recommended that the sale be confirmed.

Second Concession.

1 and 2. Sold to Thomas McQueen, Jr., (son to the Editor of the Huron Signal published at Goderich). Mr. McQueen is a resident and assessed. David Breakenridge claims these lots, as reference to his statements in the appendix shows, and appears to have been very hardly treated by the Agent (Mr. Clark). He is clearly entitled to pre-emption right. Recommended that the sale to McQueen be cancelled for No. 2, as being made fraudulently and in violation of the conditions, and the claim of Breakenridge allowed, and that the sale of No. 1 to McQueen be confirmed.

3 and 4. Sold in the name of Thomas McQueen, Sen'r, who resides near Goderich, and edits the 'Huron Signal' published in that town. Is a non-resident and unassessed. Recommended that the sale made in the name of McQueen be cancelled for non-compliance with the conditions, and the land resumed by the Government.

Note.—The name on No. 3 appears to have been erased on the plan in the Agent's office, and the lot to be vacant.

5. Sold to Hugh McQueen (son to Thomas McQueen of Goderich). David Breakenridge appears to be the only resident upon the lot, and he is assessed for it. Recommended that the sale made in the name of McQueen be cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that Breakenridge is acting for or under him (McQueen).

6 and 7. Sold in the name of John Jamieson, a non-resident and unassessed. No. 6 is occupied by Alexander McDonald, and No. 7 by James McCracken, both of whom are assessed. Recommended that the sale made to Jamieson be cancelled for non-compliance with the conditions, and the land resumed by Government, unless it shall appear that McDonald and McCracken, or either of them, are acting for or under him, Jamieson.

8 and 9. Sold No. 8 to John Reilley, and No. 9 to Peter Fitzgerald, both resident settlers and assessed. Recommended that the sales be confirmed.

10. Sold to John Halliday, a resident settler and assessed. Recommended that the sale be confirmed.

11. Sold in the name of Michael Halliday, a non-resident and unassessed. Recommended that the sale be cancelled for non-compliance with the conditions, and the land resumed by the Government

12 and 13. Sold to Gilbert McCollum, who is a resident settler and assessed for No. 12. James McDonald the first, being assessed for No. 13. Recommended that the sale be confirmed.

14 and 15. No. 14 sold to Duncan McDonald, and No. 15 to James McDonald, both resident settlers and assessed. Recommended that the sale be confirmed.

16 and 17. Sold to Archibald McDonald, who is assessed for the lot. Recommended that the sale be confirmed.

18. Sold to Duncan McDonald, who is a non-resident, but John McDonald is assessed for the lot. Recommended that the sale be confirmed.

19 and 20. Sold to Duncan McDonald, who is assessed for both lots. Recommended that the sale be confirmed.

21 and 22. Sold to Alexander McDonald, Jr., who is assessed for both lots. Recommended that the sale be confirmed.

23 and 24. Sold to Alexander McDonald, Senr., who is assessed for both lots. Recommended that the sale be confirmed.

25 and 26, No. 25 sold in the name of James Robertson, and No. 26 in the name of Thomas Robertson. They are both non-residents, the lots vacant and the land unassessed. Lot 26 is claimed by Richard Hassard, who entered upon it about the middle of August, 1854, but was prevented by sickness from attending the land sale that year. Recommended that the sale made in the name of Robertson be cancelled for non-compliance with the conditions, that lot 25 be resumed by the Government, and the claim of Hassard to lot 26 allowed.

27 and 28. Lot 27 sold in the name of William Robertson, and lot 28 to Timothy Halliday. Robertson is a non-resident and unassessed. Halliday is a resident settler and assessed. Recommended that the sale to Robertson be cancelled for non-compliance with the conditions, and the land resumed by Government, and that the sale made to Halliday be confirmed.

29. Sold to Morgan Layne, a resident settler and assessed. Recommended that the sale be confirmed.

30 and 31. Both sold to James Moore, a resident settler and assessed. Recommended that the sale be confirmed.

32 and 33. Lot 32 sold to Robert Fagan, and lot 33 to George Birch. Fagan has made some improvements on the lot and is occasionally resident; though not in the strict sense of the terms an "actual and continuous" resident: he is assessed for the lot. Birch does not reside on lot 33, and John Reynolds is assessed for it. Both lots are claimed by John Elliott, who entered upon them in the month of April, 1854, and chopped about two acres of land. Recommended that the sale made to Fagan be confirmed, that the sale made to Birch be cancelled for non-compliance with the conditions, and the land given to Elliott, unless it shall appear that Reynolds is acting for or under Birch, and that should the sale to Birch be confirmed, that Elliott be permitted to purchase a lot in another part of the Township.

34 and 35. Lot 34 sold to William Ford, and lot 35 to Thomas Gager. Ford is a non-resident, and John Cozens is assessed for the lot sold to him. Gager is a resident settler and assessed. Recommended that the sale made to Ford be cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that Cozens is acting for or under him; and that the sale of lot 35 to Gager be confirmed.

Third Concession.

1. Sold to Thomas Strachan, a resident settler and assessed. Recommended that the sale be confirmed.

2 and 3. Sold to John Strachan, a resident settler and assessed. Recommended that the sale be confirmed.

4. Sold to James Strachan, a resident settler and assessed. Recommended that the sale be confirmed.

5 and 6. No. 5 sold in the name of John McLeod, and No. 6 in the name of Thomas Howard, both non-residents and unassessed, claimed by Ezekiel Robinson, who entered upon them long prior to the survey of the Township, and though a resident settler, was refused them by the Agent at the sale in 1854. Recommended that the sales made in the name of McLeod and Howard respectively, be cancelled for non-compliance with the conditions, and the claim of Robinson allowed.

7. Sold in the name of Thomas Howard (vide No. 6) a non-resident and unassessed. Recommended that the sale be cancelled for non-compliance with the conditions, and the land resumed by Government.

8 and 9. No. 8 sold to James Kerr, and No. 9 to Robert Hutcheson, both resident settlers and assessed. Recommended that the sale be confirmed.

10 and 11. The first to Robert Binger, and the second to Richard Roe. Joseph Friend occupies No. 10, and is assessed for it on behalf of Binger, and Roe occupies No. 11 and is assessed for it. Recommended that the sale be confirmed.

12 and 13. No. 12 sold to Robert Laighland, and No. 13 to Hector McKay. Neither are residents nor assessed. No. 12 is vacant and unassessed. No. 13 is assessed in the name of Joseph Walsh, who purchased and who occupies the adjoining lot (14). Recommended that the sales be cancelled and the lands resumed by the Government.

14 and 15. Lot 14 sold to Joseph Walsh, and lot 15 to James McDonald. Walsh is a resident settler and assessed (vide 13). McDonald is a non-resident and unassessed, but Donald McFarlane is assessed for his lot. Recommended that the sales be confirmed.

16 and 17. Sold to Archibald McDonald, who is assessed for both lots. Recommended that the sale be confirmed.

18. Sold to Duncan McDonald, a resident settler and assessed. Recommended that the sale be confirmed.

19 and 20. Sold in the name of John Miller, a non-resident and unassessed, claimed by William Moore, who settled on them prior to the sale in 1854, but who was refused them at the sale held in the fall of that year at Goderich, advertised for sale by Girdlestone and Maddison, Land Agents and speculators, Hamilton, at 15 shillings per acre for the right. Recommended that the sale made in the name of Miller be cancelled for non-compliance with the conditions, and the claim of Moore allowed.

21. Sold in the name of Henry Carroll, a non-resident and unassessed. Recommended that the sale be cancelled and the land resumed by the Government.

22 and 23. Sold to John Savage, a resident settler and assessed. Recommended that the sale be confirmed.

24 and 25. Number 24 is returned upon the Agent's Map as vacant and unsold, and number 25, as having been sold to Joshua Triers, a non-resident and unas-

sessed. They are claimed by Robert Smith, who resided and made improvements upon them, prior to the sale in September, 1854. Recommended that the sale made in the name of Triers, be cancelled for non-compliance with the conditions, and the claim of Smith allowed.

26 and 27. The first sold in the name of William Conner, and the other in the name of Oliver Grace, both non-residents and unassessed. They are claimed by James Rooney, who went in upon them in the month of June, 1854, put up a house and made improvements, attended the land sale at Goderich that year with the intention to purchase, but was refused the lots by the Agent. Recommended that the sales made in the name of Conner and Grace, respectively, be cancelled for non-compliance with the conditions, and the claim of Rooney allowed.

28 and 29. Number 28 sold in the name of Elias Dow, and number 29 in the name of Oliver Grace. (vide 27.) both non-residents and unassessed. Recommended that the sales be cancelled, for non-compliance with the conditions, and the land resumed by the Government.

30 and 31. Both sold in the name of William C. Belly, a non-resident and unassessed, lot 31 is assessed in the name of Robert Perry. Recommended that the sale of lot number 30 be cancelled for non-compliance with the conditions, and that lot 31 be also cancelled for a like cause, unless it can be shown, that Perry is acting for or under Beatty.

32. Sold to Joshua Travers, who is a non-resident and unassessed. James Burgess is assessed for the lot, and resides on it. Recommended that the sale to Travers be cancelled for non-compliance with the conditions, and the lot resumed by the Government, unless it should appear that Burgess is acting for or under him (Travers.)

33 and 34. Both sold to John Christie, a resident settler and assessed. Recommended that the sale be confirmed.

35. Sold to James Bowes, a resident settler, and assessed. Recommended that the sale be confirmed.

FOURTH CONCESSION.

1. Sold to Thomas Strachnan, a resident settler, and assessed. Recommended that the sale be confirmed.

2. Sold to Patrick Hallisay, a resident settler, and assessed. Recommended that the sale be confirmed.

3. Sold to Dennis Hogerty, a non-resident and unassessed. Lot claimed by Smith and Martin (vide lot No. 3 in the 5th con.) as the first and only settler. Recommended that the sale to Hogerty be cancelled for non-compliance with the conditions, and the claim of Martin allowed.

4. Sold to Patrick Hallisay, a resident settler, and assessed. (vide No. 2.) Recommended that the sale be confirmed.

5 and 6. Sold to Donald Forsyth, a resident settler and assessed. Recommended that the sale be confirmed.

7. Sold to Thomas Forreman, a non-resident and unassessed; Thomas L. Smith resides on the lot, and is assessed for it. Recommended that the sale to Forreman be cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that Smith is acting for or under him (Forreman.)

8 and 9. Sold to Mathew Herbertson, a resident settler and assessed in the name of his son Robert Hutcheson. Recommended that the sale be confirmed.

10. Sold to James Kerr, a resident settler and assessed. Recommended that the sale be confirmed.

11 and 12. Number 11 sold to John McDougall, and number 12 to Hector McQuaine. McQuaine claims both lots, as being the original settler, but it appears he subsequently made an arrangement with McDougall under the sanction of the Agent, by which he relinquished his prior claim to 11. Recommended that both sales be confirmed.

13. Sold to Hector McKay, a resident settler and assessed. Recommended that the sale be confirmed.

14. Sold to Neil McKay, a non-resident and unassessed, Henry Walsh resides on the lot, and is assessed for it. Recommended that the sale to McKay be cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that Walsh is acting for or under him (McKay.)

15. Sold to Thomas Savage, a resident settler and assessed in the name of Henry Savage. Recommended that the sale be confirmed.

16. Sold to Robert Foster, a resident settler and assessed. Recommended that the sale be confirmed.

17. Sold to Samuel Ames, a resident settler and assessed. Recommended that the sale be confirmed.

18. Sold to Henry Savage, who is a resident settler and assessed. Recommended that the sale be confirmed.

19. Sold to Alexander McEwan, a resident settler and assessed. Recommended that the sale be confirmed.

20. Sold to William Cameron, a non-resident and unassessed; James Simpson occupies the lot and is assessed for it. Recommended that the sale to Cameron be cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that Simpson is acting for or under him (Cameron.)

21 and 22. Both sold to Robert Pearson, a resident settler, who is assessed for them. Recommended that the sale be confirmed.

23. Sold to Robert Oliver, a resident settler and assessed. Recommended that the sale be confirmed.

24 and 25. 24 sold to Malcolm McCorish, and 25 to Murdock McCorish, both resident settlers and assessed. Recommended that the sale be confirmed.

26 and 27. The first sold to Malcolm McNicholl and 27 to Murdock McCorish. Both resident settlers and assessed. Recommended that the sales be confirmed.

28. Sold to Murdock McCorish who is not resident upon this lot. It is occupied by John McPherson, and assessed in his name. Recommended that the sale to McCorish be cancelled and the lot resumed by the Government, unless it shall appear that McPherson for or under him (McCorish.)

29 and 30. Sold to Samuel Holmes, a resident settler and assessed. Recommended that the sale be confirmed.

31. Sold to Joseph Duke and occupied and assessed by his son David Duke. Recommended that the sale be confirmed.

32 and 33. The former sold to David Dunbar, and the latter (33) to Robert Perry, both resident settlers and both assessed. Recommended that the sale be confirmed.

34 and 35. Both sold in the name of Andrew Henderson, a non-resident and unassessed, an inhabitant of Toronto, and well known as an auctioneer in the City. Claimed by Joseph Page, Senior, who was one of the earliest settlers of the Township, and whose money was refused for the lots, at the time of the land sale in Goderich, in September, 1854, advertised for sale by Girdlestone and Maddison, Land Agents and Speculators in Hamilton at 21s. per acre for the right. Recommended that the sale made in the name of Henderson be cancelled for non-compliance with the conditions and the claim of Page allowed.

FIFTH CONCESSION.

1. Sold to Alexander Forsyth, a resident settler and assessed. Recommended that the sale be confirmed.

2, 3 and 4. Number 2 sold to Henry Baker, No. 3 to Patrick Whelan, and No. 4 to William Gillard, all three non-residents and unassessed; lots 2 and 4 are claimed by George Catley, as the first and only settler, made improvements by clearing and residence prior to the sale in 1854, and money refused by the Agent at the time of sale. Lot 3 is claimed by Smithson Morton, (who resides on 3 in the 4th Concession,) and who made clearing and improvements prior to the sale at Goderich in September, 1854. Recommended that the sales made to Baker, Whelan and Gillard, be cancelled for non-compliance with the conditions, and the claims of Catley and Morton, to their respective lots allowed.

5 and 6. No. 5 sold to Donald McLaughlin, and No. 6 to Robert Harrison, both non-residents and unassessed, claimed by James McMartin, who had entered upon them prior to the survey of the Townships, tendered his money for them at the sale, in 1854, but would not be allowed to purchase by the resident Agent. Recommended that the sales made in the name of McLaughlin and Harrison respectively be cancelled for non-compliance with the conditions, and the claim of McMaster allowed.

7 and 8. Sold to William McGuin, a resident settler and assessed. Recommended that the sale be confirmed.

9 and 10. Sold to Duncan McLaughlin, a resident settler upon No. 9 and William Low on No. 10. Recommended that the sale be confirmed.

11 Sold to Henry McKay, a non-resident and unassessed. William Malloy resides on the lot and is assessed for it. Recommended that the sale to McKay be cancelled for non-compliance with the conditions and the lot resumed by the Government, unless it shall appear that Malloy is acting for or under him (McKay.)

12. Sold to Michael Larin, a non-resident and unassessed; claimed by Thomas Vanston as the first and only settler who had made improvements prior to the sale in 1854. Recommended that the sale be cancelled for non-compliance with the conditions, and the claim of Vanston allowed.

13 and 14 Sold to Duncan McNab a non-resident. The lots are occupied by Mrs. Bishop and assessed in her name. Recommended that the sale to McNab be cancelled, and the land resumed by the Government, unless it shall appear that Mrs. Bishop has an assignment from him (McNab.)

15. Sold to Thomas Fruwatton, a non-resident and unassessed. Claimed by Thomas Vanston (*vide* No 12) at the first, and settler. Recommended that the sale be cancelled for non-compliance with the conditions, and the claim of Vanston allowed.

16. Sold to John Baker, a resident settler and assessed. Recommended that the sale be confirmed.

17 and 18. The first (17) sold to George Fowler, and the other (18) to William Fowler, both non-residents, unknown and unassessed in the Township. Claimed by Robert Vanston, who had entered upon them prior to the sale in September 1854, and made some improvements. Recommended that the sales made to George and William Fowler be cancelled for non-compliance with the conditions, and the claim of Vanston allowed.

19 and 20. The first lot returned by the Agent as unsold, and the other lot (20) sold in the name of William Gordon, who is a non-resident, unknown and unassessed in the Township. Both lots claimed by Thomas Abraham, who resided upon them prior to the sale in 1854, and still resides upon them, having made considerable improvements. Recommended that the sale of No. 20 to Gordon be cancelled for non-compliance with the conditions, and that the claim of Abraham to both lots be allowed.

21 and 22. Both sold in the name of John McDonald, Jr., a non-resident, unknown and unassessed in the Township. Claimed by James Kennedy, who was the first and only settler having entered into possession and made clearing and improvements prior to the sale in September, 1854, when his money was refused by the Agent, saying the lots had been sold. Recommended that the sale made in name of McDonald be cancelled for non-compliance with the conditions, and the claim of Kennedy allowed.

23 and 24. Sold to John McDonald, Sen., a non-resident, unknown and unassessed in the Township. Claimed by Charles Copeland as the only settler, having gone upon them in the month of May 1854, and made improvements prior to the sale in the month of September of that year, but was refused them by the resident Agent at the time of the said sale. Recommended that the sale to McDonald be cancelled for non-compliance with the conditions, and the claims of Copeland allowed.

25. Sold to Thomas Faulkner, a non-resident, unknown and unassessed in the Township. Claimed by David B. Johnson, who had settled upon it, and had made considerable improvements on lots 25 and 33, long prior to the sale in September 1854, at which period he was refused them by the Agent. Recommended that the sale made to Faulkner be cancelled for non-compliance with the conditions, and the claim of Johnston allowed.

26 and 27. The first named sold to David Holmes, and the second to Joseph Kelnat, both resident settlers and assessed. Recommended that the sales be confirmed.

28 and 29. No. 28 sold to David Mitchell, and 29 to Thomas Collingwood. Neither appear to be residents or to be assessed. Joseph Hensey occupies both lots, and is assessed for them. Recommended that the sales made to Mitchell and Collingwood be cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that Hensey is acting for or under under them (Mitchell and Collingwood).

30. Sold to William Longford, who is a resident, though the lot is unassessed, and also occupied by Joseph Killnot (vide lot 27). Recommended that the sale to Longford be confirmed.

31 and 32. Sold 31 to William Hobson and 32 to Jacob Hobson, both non-residents and unassessed. Recommended that the sales to Hobson be cancelled for non-compliance with the conditions, and the land resumed by the Government.

33. This lot is returned by the Agent as unsold. It is claimed by David B. Johnston (vide lot 25). Recommended that the claim be allowed.

34 and 35. Both returned by the Agent as unsold. Claimed by James Pick, who has been for over two years resident upon them, and had made the necessary improvements prior to the sale in 1854. Recommended that the claim of Pick be allowed.

SIXTH CONCESSION.

1 and 2. Sold to Margaret McLaughlin, a resident settler and assessed.— Recommended that the sale be confirmed.

3. Sold to Andrew Arnott, a resident settler and assessed. Recommended that the sale be confirmed.

4. Sold to John McLaughlin, a non-resident and unassessed. The lot is occupied by William Cameron, who is assessed for it. Recommended that the sale to McLaughlin be cancelled for non-compliance with the conditions and the land resumed by the Government, unless it shall appear that Cameron is acting for or under him, (McLaughlin.)

5 and 6. The first sold to James Richardson, and the other (6) to James Simpson, both resident settlers and both assessed. Recommended that the sales be confirmed.

7 and 8. No. 7 sold to Walter Alexander, and number 8 to William Malloy, both resident settlers and assessed. Recommended that the sales be confirmed.

9 and 10. Sold to Robert Jones, a resident settler and assessed. Recommended that the sale be confirmed.

11 and 12. The first sold to John Johnston, and the last to William Chapman, both resident settlers and assessed. Recommended that the sale be confirmed.

13 and 14. Number 13 sold to James Trutta, and number 14 to Robert Moore, both non-residents and unassessed. Claimed by Hugh O'Neill, who has been long resident upon them, and whose money was refused by the Agent at the period of the sale in September, 1854. Recommended that the sale made to Trutta and Moore be cancelled for non-compliance with the conditions, and the claim of O'Neill allowed.

15 and 16. The first sold to Mr. Chapman and the latter to George Yeoman both resident settlers and assessed. Recommended that the sales be confirmed.

17 and 18. Both sold to Abraham G. Welsh, a resident settler and assessed. Recommended that the sale be confirmed.

19. Sold to John Somerville, a non-resident and unassessed. Recommended that the sale be cancelled for non-compliance with the conditions, and the land resumed by the Government.

20. Sold to John Holland, a resident settler and assessed. Recommended that the sale be confirmed.

21 and 22. No. 21 sold to Lawrence Dobson, and 22 to David Dobson, both residents and assessed. Recommended that the sales be confirmed.

23 and 24. Lot 23 sold to Thomas Sanderson, and 24 to James McKelvey, both non-residents and unassessed. Claimed by James Horton, who had settled on them prior to the land sale in 1854, but who was refused them by the Agent. Recommended that the sales made to Sanderson and McKelvey be cancelled for non-compliance with the conditions, and the claim of Horton allowed.

25 and 26. No. 25, sold to William Somerville, and No. 26 returned by the Agent as unsold. Claimed by William Beatty, who had cleared and improved, and was a resident settler upon them prior to the sale in 1854, when the Agent refused them to him. Recommended that the sale of No. 25 to Somerville be cancelled for non-compliance with the conditions, and the claim of Beatty to both lots allowed.

27. Sold to Joseph Kelnant, a resident settler and assessed. Recommended that the claim be allowed.

28 and 29. Both sold to Joseph Hensey, a resident settler and assessed. Recommended that the sale be confirmed.

30. Sold to Joseph Kelnant, (vide 27), who occupies both lots and is assessed for them. Recommended that the sale be confirmed.

31 and 32. Sold to Richard Young, a resident settler. Recommended that the sale be confirmed.

33 and 34. Returned by the Agent as unsold. Claimed by Christopher McInerim, who has resided upon them since May, 1854, and made considerable improvements. Recommended that McInerim's claim be allowed.

35. Returned by the Agent as vacant. Claimed by Robert Beatty who resides upon it, and who improved upon this lot (and also upon lot 35 in the 7th Concession) prior to the sale in September, 1854. Recommended that the claim of Beatty be allowed.

SEVENTH CONCESSION.

1 and 2. The first sold to Donald McLaughlin, and the second to John McLean, both resident settlers and assessed. Recommended that the sales be confirmed.

3. Sold to John Arnott, resident settler and assessed. Recommended that the sale be confirmed.

4. Sold to Thomas A. Tisdall, who is a non-resident; the lot is occupied by Peter Sinclair, who is also assessed for it. Recommended that the sale to Tisdall be cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that Sinclair is acting for or under him (Tisdall.)

5 and 6. Sold to James Richardson, and lot 6 to Alexander Ferguson, both resident settlers and assessed. Recommended that the sales be confirmed.

7. Sold to Malcolm Larmount, a non-resident, the lot is occupied by Robert Ingles who is also assessed for it. Recommended that the sale made to Larmount be cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that Ingles is acting for or under him (Larmount.)

8 and 9. Sold to Allen Larmount, a resident settler and assessed for both lots. Recommended that the sale be confirmed.

10 and 11. Number 10 sold to Duncan McDougall, and 11 to Annabella McKinnon, both resident settlers and assessed. Recommended that the sale be confirmed.

12. Sold to Allen McQueen, a non-resident and unassessed. The lot is now vacant, but assessed in the name of John McIntosh, who is a resident of McKillop, near Harper Hay. The lot is claimed by Allen Larmount, who, it appears, has been settled upon the adjoining lot (and improved upon this one,) long prior to the survey of the Township. The whole matters in dispute respecting this lot, were fully discussed before the Commissioners and the resident Agent (Mr. Clark,) all parties interested being present, Mr. Clark admitted McQueen, editor of the Huron Signal, to become the purchaser, knowing that he was a non-resident, while he refused the lot to Larmount, whom he knew to have been a resident with his father, upon the adjoining lot, prior to the opening of the Township for sale. Recommended that the sale to McQueen be cancelled for non-compliance with the conditions and the claim of Larmount allowed.

13 and 14. Sold to John Larmount, a resident settler and assessed. Recommended that the sale be confirmed.

15 Sold to Thomas Taylor, a resident settler and assessed. Recommended that the sale be confirmed.

16 and 17. The first sold to Jacob Keefer and the last (17) to John Crumbash, both non-residents and unassessed. Claimed by James Wallace, who resided upon them prior to the sale in 1854, and whose money was refused by the Agent on the second day of sale. Recommended that the sales made to Keefer and Crumbash be cancelled for non-compliance with the conditions, and the claim of Wallace allowed.

18. Sold to Elijah Beatman, a resident settler and assessed. Recommended that the sale be confirmed.

19. Sold to Henry Conner, a non-resident and unassessed. Claimed by Irwin Wallace (*vide* 23 and 24), who resided upon it prior to the sale in 1854, and who then offered to purchase it from the Agent, but was refused. Recommended that the sale to Conner be cancelled for non-compliance with the conditions, and the claim of Wallace allowed.

20, 21 and 22. The first sold to John Holland (*vide* 20 in 6th concession), the second to Lawrence Dobson, and the third to David Dobson, all three resident settlers and assessed. Recommended that the sales be confirmed.

23 and 24. Number 23 sold to Thomas Sanderson, and 24 to James McKelvey, both non-residents and unassessed. Claimed by James Wallace, of lot 19, who

improved upon both lots, prior to the sale in 1854. Recommended that the sales made to McKelvey and Sanderson be cancelled for non-compliance with the conditions; that the claim of Wallace to one of the lots be allowed, and that the other be resumed by the Government.

25 and 26. Sold to William Sharp, a resident settler and assessed. Recommended that the sale be confirmed.

27 and 28. Sold to Alexander Henry, resident settler and assessed. Recommended that the sale be confirmed.

29. Sold to John Hogan, Junior, a non-resident and unassessed. The lot is occupied by John Grant, who is assessed for it as the assignee of Hogan. Recommended that the sale be confirmed.

30 and 31. Number 30 sold to Robert Laurie, and 31 to James Buchanan, both non-residents, unknown and unassessed in the Township. Number 30 claimed by John Hogan, Junior, and 31 claimed by Edward Gamble, as the first and only settler, and whose claim to purchase was refused by the Agent, at the sale in 1854. Both lots are contained in a "list of lands belonging to one person," in the handwriting of Colin Clarke (son to the agent). Recommended that the sales to Laurie and Buchanan be cancelled for non-compliance with the conditions, and the claims of Hogan and Campbell allowed.

32. Sold to Frederick Bannister, a non-resident and unassessed. Claimed by John Gamble (*vide* 34) who improved on this lot, and also on lot 34, prior to the sale in 1854, and who has been a resident settler up to the present, advertised for sale by Girdlestone and Maddison, land agents and speculators, Hamilton, at 21s. per acre for the right. Recommended that the sale to Bannister be cancelled for non-compliance with the conditions, and the claim of Gamble allowed.

33. Sold to David Mitchell, a resident settler. Recommended that the sale be confirmed.

34 and 35. The first sold to Robert Moore, and the last-named to John Douglas, both non-resident and unassessed. 34 is claimed by John Gamble (*vide* that lot), and 35 by Robert Beatty (*vide* 35 in the 6th concession). Recommended that the sales made to Moore and Douglas respectively be cancelled, for non-compliance with the conditions, and the respective claims of Gamble and Beatty allowed.

EIGHTH CONCESSION.

1 and 2. The first sold to Robert Work and the second to Alexander Stewart, both resident settlers and assessed. Recommended that the sales be confirmed.

3. Sold to John Fergusson, a non-resident and unassessed. The lot is occupied by Colin McDonald, who is also assessed for it. Recommended that the sale to Fergusson be cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that McDonald is acting for or under him (Fergusson).

4 and 5. The first sold to George Bellow and the last to Walter Gumlock, both resident settlers and assessed. Recommended that the sales be confirmed.

6 and 7. Number 6 sold to James Fergusson, and number 7 to John McLaughlin. Fergusson is a resident settler and assessed, McLaughlin is not. Dugald Larmont claims this lot, and is justly entitled to it, even upon Mr. Clark's own admission, as contained in his letter of the 6th October, 1854. Recommended that the sale made to Fergusson be confirmed, that the sale made to McLaughlin be cancelled for non-compliance with the conditions, and the claim of Larmont allowed.

8 and 9. Number 8 sold to John Bishop, and Number 9 to John McDougald, both resident settlers and assessed. Recommended that the sales be confirmed.

10 and 11. Both sold to Donald Larmont, a resident and assessed. Recommended that the sale be confirmed.

12 and 13. The first sold to Thomas Logan and the last named to Robert McKay, both non-residents and unassessed. Mordica Millard resides on lot number 12 and William Kay on lot number 13, and are both assessed for their respective lots. Recommended that the sales made to Logan and McKay be cancelled, for non-compliance with the conditions, and the lands resumed by the Government, unless it shall appear that Millard is acting for or under Logan, and Kay for or under McKay.

14 and 15. Number 14 sold to Joseph Chidley and 15 to Malcolm Larmont. Chidley is a non-resident and unassessed, but Solomon Peterbrough resides upon the lot and is assessed for it. Larmont is a resident settler and assessed for his lot. Recommended that the sale to Chidley be cancelled for non-compliance with the conditions and the land resumed by Government, unless it shall appear that Peterbrough is acting for or under him, Chidley, and further, recommended that the sale made to Larmont be confirmed.

16. Sold to John McIntyre, a resident settler and assessed. Recommended that the sale be confirmed.

17. Sold to John Adams, a non-resident and unassessed, claimed by Abel Tindall, who resides upon the lot and is assessed for it. This case was thoroughly examined by the Commissioners in the presence of both the parties interested, (Adams and Tindall) and also in the presence of the resident agent, (Mr. Clark,) whose report upon it will be found in the Appendix. The lot is advertised for sale by Girdlestone and Maddison, land agents and speculators, Hamilton, at 21s. per acre for the right. The Commissioners have no hesitation in recommending that the sale to Adams be cancelled for non-compliance with the conditions, and the sale to Tindall allowed as a righteous and just one.

18. Sold in the name of Robert B. Reynolds, a non-resident, unknown, and unassessed in the Township, claimed by Robert Tindall, (brother to Abel Tindall of No. 17,) as the first and only settler, and whose claim to pre-emption was fully established before the Commissioners, as a reference to the document in the appendix will show. Recommended that the sale made in the name of Reynolds be cancelled for non-compliance with the conditions, and the claim of Tindall allowed.

19 and 20. Sold to Henry Tindall and 20 to Michael Shine, junr. Tindall is a resident settler and assessed, and Charles Sparling occupies No. 20 for Shine, and is assessed for it. Recommended that both sales be confirmed.

25 and 26. Sold No. 25 to Whillet Bowman and number 26 to Marian Pearson, both non-residents, unknown, and unassessed in the Township. 25 is claimed by Thomas Barton, who purchased the right of possession held by James Buchanan, who it is alleged was the original settler upon the lot, at the period of the sale in October 1854. A person named Tanner purchased the lot in the name of Bowman, and now holds it, though knowing at the time that Barton was entitled to the right of pre-emption. James Smith, who resides on Park lot No. 1, in the village plot of the Township called Cambrook, claims number 26, as being the only person who had ever made any improvements upon it, he has about one acre cleared; lot 26 is advertised for sale by Girdlestone and Maddison, Land Agents and Speculators, Hamilton, at 21s. per acre for the right. Recommended that the sales made to Bowman and Pearson be cancelled, for non-compliance with the conditions, and that Barton and Smith be permitted to purchase at the valuation of the resident agent.

27 and 28. Lot 27 sold to Marian Pearson and lot 28 to Dennis Barton. Marian Pearson, who is also entered in the Agent's books, as the purchaser of lot 26,) is a female, unknown and unassessed, in the Township, and believed to be merely fictitious; Dennis Barton is a resident settler on lot 29, and is assessed for

it, he claims 27 in right of possession, and his statement of facts is supported by the testimony of thirty-one of the respectable inhabitants of the Township. Recommended that the sale made in the name of Pearson be cancelled, for non-compliance with the conditions, that the sale of 28 to Barton be confirmed, and that his claim to 27 be also allowed.

29 and 30. Number 29 sold to George Seely and 30 to Robert Laurie, both non-residents and unassessed. Henry J. Hunter resides on the lots and has made large improvements upon them, both lots are contained in a "list of lands the property of one person," in the handwriting of Colin Clark (son of the agent). Recommended that the sales made to Seely and Laurie respectively, be cancelled, for non-compliance with the conditions, and that Hunter be permitted to purchase at the valuation of the resident agent.

31. Lot 31 sold to James Buchanan who is a non-resident, and unassessed. This lot is contained in a "list of lands the property of one person," in the handwriting of Colin Clarke, (son to the agent). Recommended that the sale be cancelled for non-compliance with the conditions, and the land resumed by Government.

32 and 33. Both sold in the name of George Perkins, a non-resident, unknown and unassessed in the Township. Claimed by William Wilson, as the first and only settler, and who was refused them, at the sale in September, 1854, advertised for sale by J. A. Truman, a Land Agent and speculator at Goderich. Recommended that the sale made in the name of Perkins be cancelled for non-compliance with the conditions, and the claim of Wilson allowed.

34 and 35. Lot 34 sold to Thomas Oliver and 35 returned by the Agent as unsold. Oliver is a non-resident, unknown and unassessed in the Township. Lot 34 advertised for sale by Girdlestone & Maddison, Land Agents and speculators, Hamilton, at 21s. per acre, for the right. Claimed by John White as the only settler who ever made improvements upon either lots, and to whom the Agent refused them, at the September sale, in 1854. Recommended that the sale to Oliver be cancelled for non-compliance with the conditions, and the claim of White allowed.

NINTH CONCESSION.

1, 2 and 3. The first sold to Alexander Stewart, the second to John Vincent, and the third to John Knightall, all three resident settlers and assessed. Recommended that the sales be confirmed.

4. Sold to George Bellew, a non-resident, and unassessed. David Whitton occupies the lot and is assessed for it. Recommended that the sale to Bellew be cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that Whitton is acting for or under him (Bellew.)

5, 6, 7, 8 and 9. Number 5 sold to Rolland McNaughton, 6 to James Ferguson, 7 to Donald Ferguson, 8 to Thomas Robertson, and 9 to Henry Roe. All five are resident settlers and assessed. Recommended that the sales be confirmed.

10, 11 and 12. Number 10 sold to Henry Roe, and number 11 and 12 to William McGregor; both resident settlers and assessed. Recommended that the sales be confirmed.

13 and 14. Sold to William F. Collins, a non-resident and unassessed. Claimed by John Balfour, who was resident upon them, and had made improvements prior to the sale in 1854, and whose money was refused by the resident Agent. Recommended that the sale made to Collins be cancelled for non-compliance with the conditions, and the claim of Balfour allowed.

15. Sold to Thomas Dawson, a non-resident, unknown and unassessed in the Township. Claimed by Alfred Philps, who was the only settler, and who had cleared and improved upon it prior to the sale in 1854. Recommended that the sale to Daw-

son be cancelled for non-compliance with the conditions, and the claim of Philps allowed.

16 and 17. Number 16 sold to John McIntyre, and 17 to Charles F. Carroll.—McIntyre is a resident settler and assessed; Carroll is a non-resident who was improperly allowed to purchase the lot on speculation; Benjamin Tindall, who was an actual settler upon the lot, subsequently purchased Carroll's right for the sum of \$50, and now occupies the lot and is assessed for it. Recommended that the sales be confirmed.

18 and 19. Lot 18 sold to Robert Tindall and 19 to Henry Tindall, both resident settlers and assessed. Recommended that the sales be confirmed.

20, 21, 22 and 23. Number 20 sold to John Hunter, 21 to Miles Barton, and 22 and 23 to John Slemmon, all resident settlers and assessed. Recommended that the sales be confirmed.

24, 25, 26 and 27. The first named sold to Samuel Jones, the second to Miles Barton, and the two last to Michael Shine, Jr. They are all resident settlers and assessed. Recommended that the sales be confirmed.

28 and 29. Sold to Robert Oxbaby, a resident settler and assessed. Recommended that the sales be confirmed.

30 and 31. Sold to Robert Hayes, a non-resident, unknown and unassessed in the Township; the lots are vacant, but are assessed in the name of William Walker, Alexander McNair claims the lots, as the only person who ever entered upon them, or ever made any clearing or improvements upon either. Recommended that the sale to Hayes be cancelled for non-compliance with the conditions, and the claim of McNair allowed.

32 and 33. Sold to Herbert Jarvies, a non-resident and unassessed; 32 is occupied by Francis DeWolf, and 33 by Hugh Campbell, both of whom are assessed.—Recommended that the sale to Jarvies be cancelled for non-compliance with the conditions, unless it shall appear that DeWolf and Campbell are acting for or under him, (Jarvies.)

34 and 35. Sold to Charles Burrows, a resident settler and assessed. Recommended that the sale be confirmed.

TENTH CONCESSION.

1. Sold to William Ainsly, a resident settler, and assessed. Recommended that the sale be confirmed *Note*.—This lot may be said to constitute a village in itself. Besides the purchaser from the Crown, there is living on it, William Grant, John Kingstall, Archibald Currie, John Burgess, John Robertson, Daniel Brady, Alexander Stewart and other settlers.

2. Sold to Henry Ainsly, a resident settler and assessed. Recommended that the sale be confirmed.

3 and 4. Number 3 sold to William Hope, and number 4 to John Torrance.—Hope is a non-resident and unassessed; Torrance is a resident settler and assessed. Thomas Taylor occupies number 3, and is assessed for it. Recommended that the sale to Hope be cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that Taylor is acting for or under him, (Hope,) and that the sale to Torrance be confirmed.

5. Sold to Peter Fergusson, who is a non-resident, but who is assessed for the lot. John Brady, Jr., claims this lot, and is most justly entitled to it, even upon the admission of the Agent (Mr. Clark,) whose only pretence for not selling it to Brady was that he (Mr. Clark) was unauthorized to dispose of it, as there was a mill site upon it, while it appears by his books that he has disposed of it to Fergusson, though pretending to Brady he had no power to sell. Recommended that the sale to Fer-

gusson be cancelled for non-compliance with the conditions, and the claim of Brady allowed.

6. Sold to Robert McNaughton, a non-resident and unassessed. Claimed by William Shine, who has resided upon it since October, 1852, and has made large and valuable improvements. This lot, like the last, was claimed by the occupants at the time of the sale in 1854, but refused by the Agent (who has since frequently refused it,) upon the plea that it, with the two adjoining lots, has been reserved by the Government, and that he had no power to sell; though it really appears he had sold to McNaughton. Recommended, that the sale to McNaughton be cancelled for non-compliance with the conditions, and the claim of Shine allowed.

7, 8, 9, 10, 11, 12, 13, 14 and 15. Number 7 sold to Thomas Morton, 8 to John Hill, 9 to John Jones, and 10 to John Gorinlock, 11 to George Tanner, 12 to John Vincent, Jr., 13 and 14 to Moses Edmonds, and 15 to David McIntyre. They are all right resident settlers, and assessed for their respective proportions. Recommended that the sales be all confirmed.

16 and 17. Sold to Henry Philipps, a non-resident and unassessed. These lots are occupied by John McIntyre, who is also assessed for them. Recommended that the sale made to Philipps be cancelled for non-compliance with the conditions, and the lots resumed by the Government, unless it shall appear that McIntyre, is acting for or under him, (Philipps.)

18 and 19. Sold to Henry White, a resident settler and assessed. Recommended that the sale be confirmed.

20, 21 and 22. No. 20 Sold to Thomas Percy, 21, to Alexander Barton, and 22 to John Hunter. Percy and Hunter are resident settlers upon, and assessed for, their respective lots; Barton is a non-resident, and unassessed, and Percy has possession of his lot 22, and is assessed for it. Recommended that the sales made to Percy and Hunter be confirmed, and that the sales made to Barton be cancelled for non-compliance with the conditions, and the land resumed by Government, unless it shall appear that Percy is acting for or under him, (Barton.)

23 and 24. The first sold to Charles Lusher, and the second, 24, to Coleman James. Lusher is a non-resident and unassessed; William Kerr occupies the lot and is assessed for it. James is a resident settler and assessed. Recommended that the sale made to Lusher be cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that Kerr is acting for or under him, (Lusher,) and that the sale to James be confirmed.

25. Sold to Joseph Gill, a resident settler, and assessed. Recommended that the sale be confirmed.

26 and 27. Both sold to Alexander Miller, a non-resident, unknown, and unassessed in the Township. Claimed by William Stewart as the first and only settler, who was refused at the sale in 1854. Recommended that the sale to Miller be cancelled for non-compliance with the conditions, and the claim of Stewart allowed.

28 and 29. The first sold to William C. Stephenson, and the other to Andrew Gourinlock, both resident settlers and both assessed. Recommended that the sales be confirmed.

30 and 31. Number 30 returned upon the Agent's map as vacant, and number 31 as sold to Denis Howard, who is a non-resident and unassessed. Claimed by William Balfour as the only settler, and whose claim was refused by the Agent in 1854. Recommended that the sale made to Howard be cancelled for non-compliance with the conditions, and the claim of Balfour allowed.

32. Sold to John Morrison, a non-resident and unassessed. Claimed by Edward Gamble, (vide 31 in 7th cou.) Recommended that the sale made to Morrison be cancelled for non-compliance with the conditions, and the claim of Gamble allowed.

33 and 34. Sold to Adam Crooks, a non-resident, unknown and unassessed in the Township. Claimed by William Connell as the only person who ever made

any improvements upon either lot, and who was refused them by the resident Agent, at the sale in 1854, advertised for sale by George M. Truman, a land agent and speculator, at Goderich. Recommended that the sale to Crooks be cancelled for non-compliance with the conditions, and the claim of Connell allowed.

35. Sold to Robert Dalby, a non-resident, unknown, and unassessed in the Township. Claimed by John Connell as the only settler who ever entered upon the lot and whose money was refused at the sale in 1854. Recommended that the sale to Dalby be cancelled for non-compliance with the conditions, and the claim of Connell allowed.

Eleventh Concession.

1, 2, 3, 4, and 5. Number 1 sold to William Ansley, 2 to Christian Hewmin, 3 to John Glopon, 4 to Philipp Butts, and 5 to Peter Ferguson, all resident settlers and assessed. Recommended that the sales be confirmed.

6, 7, 8, 9 and 10. Number 6 sold to Robert McNaughton, 7 to Thomas Yeo, 8 to William Squires, 9 to George Dack, and 10 to Andrew Gouinlock; all five resident settlers and assessed. Recommended that the sales be confirmed.

11, 12, 13, 14 and 15--These five lots are reserved for a Town plot, and are not yet open for sale. They are occupied by Obediah Gager, George Tanner, William Tanner, Robert Gordon, James F. Smith, John Lackie, James Tuck and other squatters.

16, 17, 18, 19 and 20. Numbers 16 and 17, sold to Robert McIntyre, 18 to Henry White, 19 to Hiram White, and 20 to Michael Raymond. They are all resident settlers, and all assessed. Recommended that the sales be confirmed.

21, 22, 23, and 24. Lot 21 sold to Samuel Oster, 22 to Andrew Falick, 23 to Isaac Gray, and 24 to Coleman James, all resident settlers, and all assessed. Recommended that the sales be confirmed.

25, 26, 27, and 28. Number 25 sold to Joseph Gill, 26 and 27 to William Clark, and 28 to George Cox. They are all resident settlers, and all assessed. Recommended that the sales be confirmed.

29 and 30. Lot 29 sold to John Ferguson, and 30 to George Hopson, both non-resident and unassessed. Claimed by John Morrison as the only person who made improvements upon either lot, and who was refused them by the Agent at the sale in 1854. Recommended that the sales to Ferguson and Hopson be cancelled for non-compliance with the conditions, and the claim of Morrison allowed.

31 and 32. 31 sold to Joseph Dunbar, and 32 to John Hall, both non-residents and unassessed, claimed by Robert Shannon, who made improvements upon them, prior to the sale in 1854, and whose offer to purchase was at that time refused by the Agent. Recommended that the sales made to Dunbar and Hall be cancelled, for non-compliance with the conditions, and the claim of Shannon allowed.

33 and 34. Lot 33 sold to John Hall, (vide 32,) and 34 to William Hall, both non-residents and unassessed, claimed by John Lemon, who had entered upon them and improved three acres, prior to the sale in 1854, and attended the sale that year at Goderich, and offered to purchase, but was refused by the Agent. Recommended that the sales made in the name of the Halls be cancelled for non-compliance with the conditions, and the claim of Lemon allowed.

35. Sold to William Hall, (vide 34,) a non-resident and unassessed, claimed by John Connell, (vide 35 in the 11th concession.) Recommended that the sale made to Hall be cancelled for non-compliance with the conditions, and the claim of Connell allowed.

Twelfth Concession.

1, 2, and 3. Number 1 sold to John Burgess, No. 2 to John Johnston, and 3 to Robert Johnston; they are all resident settlers and assessed. Recommended that the sales be confirmed.

4. Sold to John Fenninson, a non-resident, and unassessed. David Ross resides on this lot, and is assessed for it. Recommended that the sale made to Fenninson be cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that Ross is acting for or under him, (Fenninson.)

5, 6, and 7. These three lots have been reserved from sale, upon a supposition that there is a sufficiency of water upon them to answer for mill purposes. From the report of Mr. Clark, (the resident Agent,) and also from the report of the Surveyor made to the Crown Lands Department, dated 4th of October, 1854, it appears the presumption that they would suit the purposes of mill site, is unfounded. The report of the 4th of October says: After carefully taking the levels and survey of the River Maitland through lots 5, 6, and 7, concession 12, report as follows: Total fall from the west side of lot 5, to the east side of lot 7, three feet three inches, breadth of the water stream at high water, 90 feet; at the side line, between 5 and 6, a dam could be made to give about seven feet of head, which would cause the water to flow back to a great distance, and render useless the mill-site reported to be on the reserve for a Town plot. John Bradley, Jr., occupies No. 5; William Shine, No. 6, and James Aghvard, No. 7. They are all resident settlers and assessed; have been occupants since 1852; attended the land sale to purchase in 1854; they have made large improvements, and the agent (Mr. Clark,) states that he "entirely concurs in the prayer of their petition, and regrets that he had not been authorized by the Crown Lands Department to sell them lots." Recommended that the claim of Bradley to lot No. 5, of Shine to Lot No. 6, and of Aghvard to Lot No. 7, be allowed.

8, 9, and 10. Number 8 sold to John Walker, 9 to Obediah Gager, and 10 to William Gager; they are all resident settlers and assessed. Recommended that the sales be confirmed.

11. Sold to Jurdon Fulton, a non-resident and unassessed. George Gager resides on this lot, and is assessed for it. Recommended that the sale made to Fulton be cancelled for non-compliance with the conditions, and the claim of Gager (which is vouched for by the most abundant testimony) be allowed.

12, 13, 14, and 15. Number 12 sold to William Panson, 13 to George Ramsay, 14 to Samuel Stemon, and 15 to William Tanner; they are all four resident settlers and assessed. Recommended that the sales be confirmed.

16. Sold to William McKay, who resides on lot 16, in the 13th concession, and claimed by William Tanner, who resides on part of the Town plot of the Township, and is the post-master thereof; there are a number of affidavits and certificates, as well as verbal statements, accompanying their applications, of both McKay and Tanner's, that are not merely conflicting, but absolutely contradictory in many material points. Recommended that the sale made to McKay be cancelled, and the lot sold at public auction to the highest bidder.

17, 18, 19, 20, and 21. Numbers 17 and 18 sold to Walter Tanner, 19 to James Watson, and 20 and 21 to John Ducklon. They are all resident settlers, and all assessed. Recommended that the sales be confirmed.

22, 23, 24 and 25. Lots 22 and 23 sold to Robert Leckie, 24 to Trueman James, and 25 to Hiram White, Senior, all resident settlers and assessed. Recommended that the sales be confirmed.

26, 27, and 28—No. 26 sold to David Millard, 27 to John Evans, and 28 to John Whitefield, all resident settlers and assessed. Recommended that the sales be confirmed.

29. Sold to Nelson Hilboro, a non-resident and unassessed. James Meagher occupies the lot and is assessed for it. Recommended that the sale made to Hilboro be cancelled for non compliance with the conditions, and the land resumed by the Government, unless it shall appear that Meagher is acting for or under him, Hilboro.

30, 31. Number 30 sold to James Carroll, and 31 to Robert Pearson, both non-residents and unassessed, and lots vacant. The original receipt for number 31 was granted in the name of Robert Dalby, and Mr. Clark, Jr., (son to the Agent,) since sold the right to John McIntyre. Recommended that both sales (30 and 31,) be cancelled for non-compliance with the conditions, and the lands resumed by the Government.

32 and 33. Both these lots sold in the name of John G. Carroll, a non-resident unknown and unassessed in the Township. Claimed by William Page as the only settler who ever made any improvements upon either lot, and whose money was refused at the sale in September, 1854. Recommended that the sale made to Carroll be cancelled for non-compliance with the conditions, and the claim of Page allowed.

34 and 35. Sold in the name of James A. Carroll, a non-resident unknown and unassessed in the Township. Claimed by Henry Montgomery, who made a settlement upon them, prior to the Township being opened for sale, and whose money was refused by the Agent at the sale in 1854. Recommended that the sale to Carroll be cancelled, for non-compliance with the conditions, and the claim of Montgomery allowed.

Thirteenth Concession.

1, 2, 3, 4, 5 and 6. Numbers 1 and 2 sold to Thomas Blackie; 3 and 4 to John Gary; 5 to John Bradley; and 6 to Thomas Blake. They are all resident settlers and assessed. Recommended that the sales be confirmed.

7. Sold to Patrick Dugan, who is a non-resident, unknown and unassessed in the Township. Thomas Blake, who resides on the adjoining lot (6) occupies this one also, and is assessed for it. Recommended that the sale made to Dugan be cancelled for non-compliance with the conditions, and the land resumed by Government, unless it shall appear that Blackie is acting for or under him (Dugan).

8, 9, 10, 11 and 12. No. 8 sold to John Walker, 9 to Obediah Gager, 10 to William Gager, 11 to George Gager, and 12 to John Robertson, all resident settlers and all assessed. Recommended that the sales be confirmed.

13, 14, 15 and 16. Number 13 sold to John Ramsy, 14 and 15 to Iraigh Hall, and 16 to William McKay, all resident settlers and assessed. Recommended that the sales be confirmed.

17 and 18. Sold to Hugh Philps, a non-resident and unassessed, claimed by Robert Cunningham, who had made a clearing and improvements upon them prior to the sale in 1854, but who was refused them by the Agent at that sale.— Recommended that the sale to Philps be cancelled for non-compliance with the conditions, and the claim of Cunningham allowed.

19 and 20. Sold to Archibald McNeil, a resident settler and assessed.— Recommended that the sale be confirmed.

21, 22 and 23. No 21 and 22 sold to William McInnis, and 23 to Duncan Avery. They are both resident settlers and assessed. Recommended that the sale be confirmed.

24. Returned upon the Agent's map as vacant,—claimed by James Miller, who has been settled upon it and made considerable improvements prior to the sale in 1854. Recommended that his claim be allowed.

25, 26, 27 and 28. Number 25 sold to Hiram White, Senr., 26 to David Millard, and 27 and 28 to John Leckie. White and Millard are resident settlers and assessed. Leckie is a non-resident and unassessed. Mordica Millard resides on lot 27, but occupies both lots (27 and 28,) and is assessed for them.— Recommended that the sales made to White and Millard be confirmed, and that the sale made to Leckie be cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that Mordica Millard is acting for or under him (Leckie.)

29 and 30. Sold in the name of George Forbes, a non-resident, unknown and unassessed in the Township. Claimed by George Montgomery who had cleared, and improved upon them prior to the sale in 1854, when he was refused them by the Agent. Recommended that the sale to Forbes be cancelled for non-compliance with the conditions, and the claim of Montgomery allowed.

31 and 32. Sold in the name of Francis R. Bell, a non resident, unknown and unassessed in the Township. Claimed by Thomas Stewart, a resident settler since 1852, and whose claim to purchase was refused by the Agent at the sale in 1854. Recommended that the sale to Bell be cancelled for non-compliance with the conditions, and the claim of Stewart allowed.

33, 34 and 35. The two first sold to John Marshall, and the last to William Marshall, both non-residents, unknown and unassessed in the Township. 33 and 34 are claimed by Thomas Underwood, and lot 35 by James Miller. These claimants appear to have been amongst the earliest settlers of the Township, and to have been refused their pre-emption rights by the Agent at the sale in 1854.—Recommended that the sales made in the name of the Marshalls be cancelled for non-compliance with the conditions, and the claims of Underwood and Millard allowed.

Fourteenth Concession.

1. Sold Michael C. Gorman, a non-resident, unknown and unassessed in the Township. George McKay resides on the lot and is assessed for it. Recommended that the sale made to Gorman be cancelled for non-compliance with the conditions and the land resumed by the Government, unless it shall appear that McKay is acting for or under him (Gorman.)

2, 3, 4, 5 and 6. Number 2 sold to John Hyslop, 3 to James Hyslop, 4 to Denis Blake, 5 to Thomas Blake, and 6 to William Alcock. They are all resident settlers and assessed. Recommended that the sales be confirmed.

7. Sold to Edward Lamb, a non-resident and unassessed. John Whelan resides on the land and is assessed for it. Recommended that the sale made to Lamb be cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that Whelan is acting for or under him (Lamb.)

8 and 9. Lot 8 sold to John McDonald, and 9 to Donald Stewart, both resident settlers and assessed. Recommended that the sales be confirmed.

10 and 11. Number 10 sold to James Carroll and 11 to James Logan. Carroll and Logan are non-residents upon these lots; though Logan is assessed for number 11; George Horton Wornica resides upon them, is assessed for No. 10, and has done the statute labour for both lots for the past year. He claims both lots as the first settler; and upon a full hearing of both parties before a Justice of the Peace, Wornica's prior claim was fully established. Recommended that the sales made to Carroll and Logan be cancelled for non-compliance with the conditions, and the claim of Wornica allowed.

12 and 13. Lot 12 sold to William Logan, and 13 to Alfred Tanner. Both are residents and both assessed. Tanner claims 12, and it will be found upon reference to his papers in the appendix, has clearly established his right to pre-emption, and that the sale made to Logan was in violation of the agent's instructions and of justice. Recommended that the sale made to Logan be cancelled, and the claim of Tanner allowed.

14 and 15. Sold to Peter Sinclair, who is assessed for them. Number 14 is claimed by John Brennon, who has clearly established his right to pre-emption. Recommended that the sale of lot 14 to Sinclair be cancelled, and the claim of Brennon allowed, and that the sale of 15 to Sinclair be confirmed.

16, 17, 18, 19 and 20—Number 16 sold to Hugh McNeil, 17 and 18 to Laughlin McNeil, and 19 and 20 to John Shields, they are all resident inhabitants, and all assessed. Recommended that the sales be confirmed.

21 and 22. Lot 21 sold to Duncan McNeir and 22 to James McNeir, both resident settlers and both assessed. Recommended that the sales be confirmed.

23 and 24. Sold to Hugh McNeill, the second, who is a non-resident and unassessed. Donald McNeir occupies these lots and is assessed for them. Recommended that the sale to McNeill be cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that McNeir is acting for or under him (McNeill.)

25 and 26. Sold to Betsey McQueen, a non-resident and unassessed. Mordica Millard (of 27 and 28 in the 13th concession) is assessed for number 26. Recommended that the sales made to McQueen be cancelled for non-compliance with the conditions and the lands resumed by Government.

27. Sold to John Spearin, a resident settler. Recommended that the sale be confirmed.

28 and 29. Sold in the name of John A. Callender, a non-resident, unknown, and unassessed in the Township, claimed by George Clyne, who had entered upon them and made improvements prior to the Township being opened for sale, and whose money was refused by the Agent at the sale in 1854. Recommended that the sale made in the name of Callender be cancelled for non-compliance with the conditions, and the claim of Clyne allowed.

30 and 31. Returned on the Agent's map as unsold. Claimed by Hugh Matheson, junior, as the only settler prior to 1854. Recommended that the claim of Matheson be allowed.

32 and 33. Returned by the Agent as unsold. Claimed by Robert Gilmore, as the only settler prior to 1854. Recommended the the claim of Gilmore be allowed.

34 and 35. Number 34 returned to the Agent as unsold, and 35 as sold to William Marshall, a non-resident, unknown and unassessed. Claimed by Nicholas O'Neill, as the only settler prior to 1854, when the lands were first opened for sale. Recommended that the sale made to Marshall be cancelled for non-compliance with the conditions, and the claims of O'Neill to both lots allowed.

Fifteenth Concession.

1, 2, 3, 4 and 5. Number 1 sold to Peter McDonald, 2 to William Haislop, 3 to John Haislop, and 4 and 5 to John Sillers. All resident settlers and assessed. Recommended that the sales be confirmed.

6, 7, 8, 9 and 10. Number 6 sold to John Stewart, 7 to William Douglas, 8 to Robert McCartney, 9 to James Douglas, and 10 to William Douglas, all resident settlers and assessed. Recommended that the sales be confirmed.

11, 12, 13, 14 and 15. Numbers 11 and 12 sold to David Logan, 13 to Alexander Stewart, junr., and 14 and 15 to John McDonald. They are all resident settlers and assessed. John Brennan (*vide* 14 in the 14th concession) claims No. 14 as the first settler, and no doubt his claim is correct, though most improperly set aside by the Agent. But considering that the actual purchaser is a resident settler, has made improvement upon the lots and has not violated the conditions of sale, it is recommended that the sales be all confirmed and that Brennan be allowed a lot in another part of the Township in lieu of No. 14.

16, 17, 18, 19 and 20. Number 16 sold to Hugh McNeill, 17 to Peter McIntosh, 18 to Donald McIntosh and 19 and 20 to George Sheilds, all resident settlers and assessed. Recommended that the sales be confirmed.

21, 22, 23, 24. Number 21 sold to Duncan McNeir, 22 to James McNeir, 23 to Nicholas Brisu and 24 to Alexander Stewart. These are all resident settlers and assessed, except Brisu. Recommended that the sales be confirmed.

25, 26, 27 and 28. Number 25 sold to Joseph Ashe, 26 to John C. Copeland, 27 to Johnston Adair, and 28 to Hartwell Sparin. These are all resident settlers, though Ashe and Adair are unassessed. Recommended that the sales be confirmed.

29 and 30. Sold to John Barr, a non-resident and unassessed. Claimed by Hugh Matheson, senr., as the first and only settler upon either lot. Both lots advertised for sale by Girdlestone and Maddison, land agents and speculators, Hamilton, at 15s. per acre for the right. Recommended that the sale made to Barr be cancelled for non-compliance with the conditions, and the claim of Matheson allowed.

31 and 32. Number 31 returned by the agent as unsold, and 32 as sold to Patrick Clinn, a non-resident and unassessed. Claimed by Thomas Irwin, as the only person who ever made a settlement upon either lot, and whose claim was disregarded by the Agent at the sale in 1854. Recommended that the sale made in the name of Clinn be cancelled for non-compliance with the conditions, and the claim of Irwin allowed.

33. Sold to William Clinn, a non-resident and unassessed. Recommended that the sale be cancelled for non-compliance with the conditions, and the land resumed by the Government.

34 and 35. The first sold to Murphy Shea and 35 to Peter Colgan, both non-residents and unassessed. Claimed by Thomas Armstrong, as the only settler upon prior to the sale in 1854, had located upon either lot or made improvements upon them. Recommended that the sales made to Shea and Colgan be cancelled for non-compliance with the conditions, and the claim of Armstrong allowed.

Sixteenth Concession.

1, 2, 3, 4 and 5. Number 1 sold to Peter McDonald, 2 and 3 to Hugh Stewart, and 5 to William Douglas, all resident settlers and assessed, except Hugh Stewart. Recommended that the sales be confirmed.

6, 7, 8, 9 and 10. Number 6 sold to John Douglas, 7 and 8 to Donald Buchanan, 9 to Duncan Buchanan, and 10 to James Clark, all resident settlers and assessed, except Duncan Buchanan. Recommended that the sales be confirmed.

11, 12, 13, 14, 15, and 16. Number 11 sold to Alexander Murchison, 12 to Alexander Learmont, 13 and 14 to Alexander Stewart, 15 to Thomas Learmont, and 16 to Alexander Learmont. They are all resident settlers and assessed. Recommended that the sales be confirmed.

17 and 18. Returned by the agent as unsold; claimed by John Fullerton, as the only person who had ever made a settlement upon either lot, and who had cleared nearly 3 acres prior to the sale in 1854. Recommended that the claim of Fullerton be allowed.

19 and 20. Sold to John McIntosh, a non-resident and unassessed. William Fulton resides on these lots and is assessed for them. Recommended that the sale made to McIntosh be cancelled for non-compliance with the conditions, and the lands resumed by the Government, unless it shall appear that Fulton is acting for or under him, McIntosh.

21 and 22. Sold to Thomas McKenzie, a non-resident and unassessed, occupied by Thomas Cornfeet, who is also assessed for them. Recommended that the sale made to Mackenzie be cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that Cornfeet is acting for or under him, (Mackenzie.)

23 and 24. Sold to Thomas Pollock, a resident settler and assessed. Recommended that the sale be confirmed.

25, 26, 27, 28 and 29. Number 25 sold to John McCallum, 26 to Alexander Eaton, 27 to George Shields, 28 to William Dean, and 29 to Anna Dean; they are all five non-residents and unassessed, except Shields, who is a resident settler and assessed. Number 25 is vacant and unassessed. John Campbell resides on 26 and is assessed for it, and Nathaniel Pearson occupies 28 and 29 and is assessed for them. Both the last named lots are advertised by Rich and Maddison, Land Agents, Toronto, at 25s. per acre for the right. Recommended that the sales made

to McCallum, Eaton, and Dean, of lots 25, 26, 28 and 29, be cancelled for non-compliance with the conditions, and the land resumed by Government, reserving to Campbell and Pearson to show to the satisfaction of the Agent that they have been acting for or under McCallum, Eaton, or Dean, respectively, and that the sale of 27, made to Sheilds, be confirmed.

30. Sold to George Tremble, a non-resident and unassessed. Recommended that the sale be cancelled for non-compliance with the conditions, and the lands resumed by the Government.

31 and 32. Sold to James Ironside, a non-resident, unknown and unassessed in the Township; claimed by John Williamson, as the only occupant who ever entered on either lot, and who was refused them at the sale in September 1854. Recommended that the sale made in the name of Ironside be cancelled for non-compliance with the conditions, and the claim of Williamson allowed.

33 and 34. Sold in the name of John Ironside, a non-resident, unknown and unassessed in the Township; claimed by James Tweedy, who entered upon the lot before the Township was laid off for sale, and whose claim was disregarded by the agent at the sale in 1854. Recommended that the sale made in the name of Ironside be cancelled for non-compliance with the conditions, and the claim of Tweedy allowed.

35. Sold in the name of Peter Colgan, (*vide* 35 in the 15th Concession,) a non-resident, unknown and unassessed in the Township; claimed by Mark Cardiff, who has been a resident settler for nearly four years, and whose just claim for pre-emption was improperly set aside by the agent at the sale in 1854. Recommended that the sale made in the name of Colgan be cancelled for non-compliance with the conditions, and the claim of Cardiff allowed.

Seventeenth Concession.

1, 2 and 3. Number 1 sold to Charles Marchie, and 2 and 3 to John McFaddyn, both resident settlers and assessed. Recommended that the sales be confirmed.

4 and 5. Sold to William Burke, a non-resident and unassessed in the Township. No. 4 is claimed by Thomas McFaddyn, as being settled upon by him and largely improved prior to the land sale in 1854, when his right to pre-emption was refused by the Agent. McFaddyn's right to pre-emption is clearly proved in the papers attached to his case in the appendix, he yet resides on the lot and is assessed for it. Recommended that the sale made to Burke be cancelled for non-compliance with the conditions, that McFadden's claim to lot No. 4 be allowed, and that lot No. 5 be resumed by the Government.

6, 7 and 8. Numbers 6 and 7 sold to James Campbell, and number 8 to John McPhial, both resident settlers and assessed. Recommended that the sales be confirmed.

9 and 10. Number 9 sold to George Bignall and 10 to Samuel Beaton, both non-residents and unassessed; 9 is vacant, and 10 occupied by one Donald McMartin. Recommended that the sales made to Bignall and Beaton be cancelled for non-compliance with the conditions, and that both lots be resumed by the Government, unless it shall appear that McMartin who resides on number 10 is acting for or under him, (Beaton.)

11, 12 and 13. Lot 11 sold to Malcolm Beaton, 12 to Archibald Duncanson, and 13 to Roderick McKenzie; they are all three resident settlers and assessed. Recommended that the sales be confirmed.

14. Sold to Henson Gibson, a non-resident and unassessed. Recommended that the sale be cancelled for non-compliance with the conditions, and the land resumed by the Government.

15 and 16. Sold to Roderick McLeod, a resident settler and assessed. Recommended that the sale be confirmed.

17 and 18. Number 17 sold to Robert Melton, a non-resident, unknown and unassessed, and 18 returned by the Agent as unsold. Claimed by Alexander Kyle, as the only person who ever made improvements upon them. Recommended that the sale of 17 to Melton be cancelled for non-compliance with the conditions, and the claim of Kyle to both lots allowed.

19, 20, 21 and 22. Number 19 sold to William Birch, 20 to William Miller, and 21 and 22 to James Bird, Jr., all non-residents and unassessed; 21 and 22 advertised by Girdlestone and Maddison, land agents and speculators, at 15s. per acre for the right. Recommended that the sales be cancelled for non-compliance with the conditions, and the land resumed by the Government.

23, 24, 25, 26, 27 and 28. Numbers 23 and 24 sold to William Henderson, 25 to John Donney, 26 returned upon the Agent's map as unsold, 27 sold to Thomas Nicholson, and 28 to Robert McCregue; they are non-residents and unassessed. 25 and 26 are claimed by James Williamson, who entered upon them in 1852, chopped three acres, and erected a house, agreeable to the regulations. Lot 24 is occupied by a man named Thomas Mosson, who is also assessed for it, and both it and 23 are advertised for sale by Girdlestone and Maddison, land agents and speculators, Hamilton, at 15s. per acre for the right. Recommended that the sales made to Henderson, Donney, Nicholson, and McCregue be cancelled for non-compliance with the conditions, and the whole lands resumed by the Government, except 25 and 26, to be allowed to Williamson, and also except 23 and 24, if it shall appear that the occupant (Mosson) is acting for or under Henderson.

29, 30, 31 and 32. Numbers 29 and 30 sold to George Leith, and 31 and 32 to James Taylor, both non-residents, unknown and unassessed in the Township. 29 and 30 are claimed by John Smith, and 31 and 32 by Thomas Earl, as the only settler who had entered upon either lot, and whose improvements and occupation extended to one year prior to the lands of the Township being opened for sale. Recommended that the sales made to Leith and Taylor be cancelled for non-compliance with the conditions, and the claims of Smith and Earl allowed.

33, 34 and 35. Lots 33 and 34 sold to William Taylor, a non-resident, unknown and unassessed, and lot 35 returned upon the Agent's map as unsold. The two first named lots are yet unoccupied, and Mark Cardiff (*vide* 35 in the 6th Concession) claims lot 35. Recommended that the sale made to Taylor, of 33 and 34, be cancelled for non-compliance with the conditions, and the land resumed by the Government, and that the claim of Cardiff to lot 35 be allowed.

Eighteenth Concession.

1, 2, 3, 4 and 5. Number 1 sold to John Hewit, 2 to James Gamble, 3 to John Hewit, and 4 and 5 to John Blair; they are all resident settlers and assessed. Recommended that the sales be confirmed.

6, 7, 8, 9 and 10. Number 6 sold to Hugh McPhee, 7 and 8 to Duncan McPhee, 9 to Hugh McDonald, and 10 to Agnes Buchanan, all resident settlers and assessed. Recommended that the sales be confirmed.

11, 12, 13 and 14. Numbers 11 and 12 sold to Hugh McDonald, and 13 and 14 to James Hueston; they are both non-residents and unassessed. Angus McMillan occupies 11 and 12, and Adam Fergusson 13 and 14, and are assessed for them respectively. Recommended, that the sale made to McDonald and Hueston be cancelled for non-compliance with the conditions, and the land resumed by Government, unless it shall appear that McMillan and Ferguson are acting for or under them (McDonald and Hueston)

15 and 16. Sold to Joseph Gibson, a non-resident and unassessed, and lots vacant. Recommended that the sales be cancelled and the lands resumed by Government.

17 and 18. Sold to Joseph Watson, a resident settler and assessed. Recommended that the sale be confirmed.

19, 20 and 21. Number 19 sold to Robert McKinley, 20 to William Miller, and 21 to Robert McKinley; they are both non-residents, and the lots vacant and unassessed. Recommended that the sales be cancelled and the lands resumed by the Government.

22, 23, 24. The first two sold to William Tough, a non-resident, and unassessed; the last (24) returned by the Agent as unsold. They are all three vacant. Recommended that the sale made to Tough be cancelled for non-compliance with the conditions, and the land resumed by the Government.

25, 26, 27. Sold to Adam Akam, a non-resident, unknown and unassessed in the Township. Claimed by James Peck, who is the only occupant, and whose right to pre-emption was disregarded by the Agent at the sale in 1854. Recommended that the sale made to Akam be cancelled for non-compliance with the conditions, and the claim of Peck allowed.

28 and 29. Sold to Henry Akam, a non-resident, unknown and unassessed in the Township, and lots vacant. Recommended that the sales made to Akam be cancelled for non-compliance with the conditions, and the land resumed by the Government.

30, 31, and 32. Sold to William Barbour, a non-resident, unknown and unassessed in the Township. Claimed by Thomas Lambert, as the only settler who improved upon either lot, and whose money was refused by the Agent at the general sale in 1854. Recommended that the sale to Barbour be cancelled for non-compliance with the conditions, and the claim of Lambert allowed.

33, 34, 35. Sold to John Saunders, a non-resident, unknown and unassessed in the Township. Claimed by Thomas McKinney, who was the only settler upon the land prior to the sale in 1854, and whose claim to pre-emption was disregarded by the Agent at the sale held that year. Recommended that the sale made to Saunders be cancelled for non-compliance with the conditions, and the claim of McKinney allowed.

HOWICK.

Concession A.

1. Sold in the name of Peter Robertson, a non-resident, unknown, and unassessed in the Township. John Irvin claims the lot, having first settled upon it in June 1854, from which date up to the present, he has continued to improve upon it. This lot was sold in reality to Mr. Boys, a land speculator at Barrie, in the County of Simcoe, who made use of the name of Peter Robertson, as a cloak to cover his own, and who has since advertised it for sale. Irvin notified the Agent (Mr. Clark) in writing, on the 21st August 1854, of his residence and improvements on the lot, and of his desire to become the purchaser, which desire he attempted to carry out at the land sale in September following, by tendering the money for the lot, which the Agent refused. Recommended that the sale to Robertson be cancelled for non-compliance with the conditions, and the claim of Irvin allowed.

2. Sold to Thomas Nicholls, who is a non-resident, and unassessed. This lot is occupied by one William Anderson, who is also assessed first. Recommended that the sale to Nicholls be cancelled, and the land resumed by the Government, unless it shall appear that Anderson is acting for or under him (Nicholls.)

3. Sold in the name of Peter Robertson, (vide No. 1.) who is a non-resident, unknown and unassessed in the Township. Mr. Boys, of Barrie, County of

Simeoe, being the *bona fide* purchaser. The lot is unassessed, but one William Dunlop is now residing upon it, and claims pre-emption right in it. Recommended that the sale made nominally to Peter Robertson, but really to Mr. Boys, be cancelled for non-compliance with the conditions, and the land resumed by Government.

4. Sold in the name of John Anderson, a non-resident, unknown, and unassessed in the Township. John A. Callender, Esquire, a resident in England, and for whom Mr. Colin Clark acts as Agent, is believed to be the real purchaser. Thomas McNicholl claims pre-emption right; is a resident upon the lot, and has made some improvements upon it. Recommended that the sale made nominally to Anderson be cancelled for non-compliance with the conditions, and the land resumed by the Government.

5 and 6. Sold in the name of Frederick Hollis, a non-resident, unknown, and unassessed in the Township, and whose name was used by Mr. Boys, of Barrie, as a "stalking horse" to cloak the sale to himself. Claimed by Richard Jones, who entered upon them in the month of October, 1853, and continued to chop and improve up to the sale in September, 1854, when he tendered his money for them, but was refused by the Agent. They are also claimed by James Dunlop, who appears to be a recent settler. Recommended that the sale to Hollis be cancelled for non-compliance with the conditions, and the claim of Jones allowed.

7 and 8. Sold to Richard Anderson, Jr., a resident settler and assessed. Recommended that the sale be confirmed.

9. Sold in the name of John Adamson, (vide No. 4,) a non-resident, unknown and unassessed in the Township. The real purchaser is believed to be John A. Callender, Esquire, a resident of England, and for whom Mr. Colin Clark acts as Agent. The lot is unassessed, but claimed by one Joseph Anderson, who now resides upon it. Recommended that the sale made in the name of Adamson be cancelled for non-compliance with the conditions, and the land resumed by the Government.

10 and 11. Sold William Anderson, a resident settler, and assessed for both lots. Recommended that the sale be confirmed.

12. Sold to James Bell, a non-resident, unknown and unassessed in the Township. The lot is vacant, unassessed, and unclaimed, but is contained in Colin Clark's list of "lots owned by one man." Recommended that the sale to Bell be cancelled for non-compliance with the conditions and the land resumed by Government.

13 and 14. Sold to Donald McNeill, a non-resident, unknown, and unassessed in the Township. Neither lots are assessed, but a man named Jeremiah Collins resides on Number 13; and 14 is occupied by one John Abbott; both men have made some improvements, by way of chopping, &c., and express a desire to be permitted to purchase. Both lots are in the lists of John Adams, Dr. Clark, and G. W. Tremain. Recommended that the sale made in the name of McNeill be cancelled for non-compliance with the conditions, and the land resumed by Government.

15. Sold to Thomas Mosgrove, but occupied and assessed by William Orton, who is understood to derive from Mosgrove. Recommended that the sale be confirmed.

16 and 17. Sold to John Gallagher, who is a resident settler and assessed. Recommended that the sale be confirmed.

18 and 19. Number 18 sold in the name of Mrs. A. Murray, and number 19 in the name of George A. McLeod, both non-residents, unknown and unassessed in the Township. Number 18 is advertised in the lists of Colin Clark and W. G. Walker, and is no doubt one of the speculators' lots, claimed by William Ekins, who had made improvements upon them prior to the sale in September, 1854.

attended at the sale and tendered the first instalment to the Agent, but it was refused. Recommended that the sales made to Murray and McLeod respectively, be cancelled for non-compliance with the conditions, and the claim of Ekins allowed.

20 and 21. Sold in the name of Henry Horton, Senr., a non-resident, unknown and unassessed in the Township. A man named Alexander McDougall resides on 21, and is assessed for it. Recommended that the sale made in the name of Horton be cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that McDougall is acting for or under him (Horton.)

22 and 23. Sold in the name of George McLeod, who is a non-resident, unknown, and unassessed in the Township. John McTavish occupies number 22, and is assessed for it. Recommended that the sale made to McLeod be cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that McTavish is acting for or under him (McLeod.)

24 and 25. Sold in the name of William Dunlop, a non-resident, unknown, and unassessed in the Township, and believed to be "a stalking horse," (as the fictitious names put in by the absentee speculators are usually called.) These lots are claimed by Samuel Whittaker who had entered upon them in October, 1853, and continued to improve upon them up to the land sale in the month of September of the following year, when he attended to purchase, but was refused them by the Agent. Recommended that the sale made in the name of Dunlop be cancelled for non-compliance with the conditions, and the claim of Whittaker allowed.

26 and 27. Sold in the name of Henry O'Brien, a non-resident, unknown and unassessed in the Township, and undoubtedly another "stalking horse" for Mr. Boys, in whose list of lands for sale both lots appear. The lots are claimed by William Hamilton, who purchased the pre-emption right of Robert C. Watson, the original and only settler upon either lot, to whom he paid \$125 for his improvements, and subsequently had his name entered in the Agent's book as the only occupant. At the sale his brother attended, and tendered the first instalment for the lots, but it was refused by Agent, who most improperly sold to Mr. Boys, of Barrie, under the feigned name of O'Brien, as above stated. Recommended that the sale made in the name of O'Brien be cancelled for non-compliance with the conditions, and the claim of Hamilton allowed.

28. Sold in the name of Joseph Leslie, another "stalking horse" used by Mr. Boys, of Barrie, in the County of Simcoe; the lot though unassessed is occupied by James R. Scott, who claims pre-emption right in it. Recommended that the sale made in the name of Leslie be cancelled for non-compliance with the conditions, and that Scott be permitted to purchase at the valuation of the resident Agent.

29, 30 and 31. The two first sold in the name of Edward Hooper, and the last (31) in the name of Joseph Leslie (vide 28) both "stalking horses," non-residents, unknown and unassessed in the Township. Number 31 is advertised in Mr. Boys' list of lands for sale. Twenty-nine is claimed by Richard C. Scott, who is a resident settler and claims pre-emption right; 30 and 31 is claimed by John Ferguson, who settled upon them twelve months before the land sale, offered his money for them at the sale, but was refused by the Agent; 31 was given by Mr. Boys, of Barrie (who was the *bona fide* purchaser) to William Hamilton, in consideration of his abandoning his occupancy and pre-emption right to 26 and 27, and which consideration Hamilton was most unjustly forced to accept. Recommended that the sales made in the name of Hooper and Leslie, respectively, be cancelled for non-compliance with the conditions, that number 29 be resumed by Government, and that the claim of Ferguson to 30 and 31 be allowed.

32 and 33. Sold in the name of Thomas N. Warnock, a non-resident and unassessed; 32 is occupied by John Woht, and 33 by George Woht, both of whom are assessed for their respective lots, but neither of whom have claimed before the Commissioners. Mr. Boys, of Barrie, was the real purchaser, and both lots are inserted in his list of lands for sale. Recommended that the sale made to Warnock be cancelled for non-compliance with the conditions and the land resumed by the Government, unless it shall appear that the Woht's are acting for or under him (Warnock.)

34, 35, 36 and 37. Number 34, sold to Patrick O'Brien, 35 to Charles Sibbald, and 36 to John Ritchey, all three non-residents, unknown and unassessed in the Township, and believed only to have their names used to cloak the *bona fide* purchaser. Numbers 36 and 37 are contained in Mr. Boy's list of lands for sale. Numbers 35, 36 and 37 (small lots) are claimed by Arthur Whittaker, who had entered upon them and made improvements prior to the sale in September, 1854, and whose money was then refused by the Agent; 34 is claimed by William Hair, who more recently entered upon it. Recommended that the sales made in the names of O'Brien, Sibbald and Ritchey, respectively, be cancelled for non-compliance with the conditions; that 34 be resumed by the Government, and that the claim of Whittaker to 35 and 36 be allowed.

Concession B.

1 and 2. Sold in the name of James McKill, a non-resident, unknown and unassessed in the Township; Mr. Boys of Barrie being the real purchaser, and in whose lists of lands for sale they appear. William Anderson is assessed for those lots, and is a resident upon them. Recommended that the sale made in the name of McKill be cancelled for non-compliance with the conditions, and the land resumed by Government, unless it shall appear that Anderson is acting for or under him (McKill.)

3 and 4. Number 3 sold in the name of Martin Snider, and 4 in the name of James D. Purcell, both non-residents and unassessed. Claimed by George Fergusson, who had entered upon them prior to the land sale in September, 1854, and had made some improvements, attended the sale to purchase, but the agent refused the first instalments from him. Recommended that the sale made in the name of Snider and Purcell respectively, be cancelled for non-compliance with the conditions, and the claim of Fergusson allowed.

5 and 6. Lot 5 sold to Charles Snider and 6 to Francis Stokes, both non-residents and unassessed. Mr. Colin Clark was the true purchaser of No. 6, it is inserted in his list and also in Mr. W. G. Walker's who appears to have acted as his agent. Claimed by Joseph Farrell, who entered into occupancy and possession in the month of July, 1853, and continued to occupy up to the sale in September, 1854, when the first instalment was refused from him by the agent. Recommended that the sales made in the names respectively of Snider and Stokes be cancelled for non-compliance with the conditions, and the claim of Farrell allowed.

7, 8 and 9. Numbers 7 and 8 sold in the name of Thomas Martin, and 9 in the name of William B. Nichols, both non-residents, unknown and unassessed in the Township. Mr. Boys of Barrie is the real purchaser of these three lots, and they stand advertised in his lists. 7 is occupied by Joseph Anderson, and 8 and 9 is claimed by John Purdy, who improved upon them before the sale in September, 1854, and tendered his money for them at that time, but was refused them by the Agent. Recommended that the sales be cancelled and the lands resumed by the Government, except 8 and 9, to which Purdy's pre-emption right is good.

10 and 11. Sold in the name of Henry H. Croft, a non-resident, unknown and unassessed in the Township, but really owned by Mr. Boys, in whose list of lands for sale they appear. Claimed by Thomas Plunkett, who had improved upon them long before the Township had been opened for sale, and who had temporarily aban-

done them owing to his pre-emption rights having been disregarded by the Agent at the sale in September 1854. Recommended that the sale made in the name of Croft be cancelled for non-compliance with the conditions, and the claim of Plunkett allowed.

12 and 13. Sold in the name of Thomas Kennedy, a non-resident and unknown in the Township, and used as a "stalking horse" for Mr. Boys of Barrie, who was the true purchaser, and in whose list of lands for sale they appear. Neither of the lots are assessed or occupied. Recommended that the sales be cancelled and the lands resumed by the Government.

14 and 15. Like the last two, sold to Mr. Boys of Barrie, in the name of Michael Kennedy, who is a non-resident, unknown and unassessed in the Township. William Grier lately entered on those lots, but Robert Ferguson entered into possession of them prior to the general sale in 1854, at which time the Agent refused from him the first instalment. Recommended that the sale made in the name of Kennedy be cancelled for non-compliance with the conditions, and the claim of Ferguson allowed.

16 and 17. Sold in the name of George Caverly, a fictitious name used by Colin Clark, to cloak the same to himself; both lots appear in his list of "lands belonging to one person." They are claimed by Thomas Davis, who had entered into the possession of them long prior to the sale in September, 1854, and who had twice tendered his money for them (once at the sale, and once subsequently) to the Agent, but was refused. Recommended that the sale made in the name of Caverly be cancelled for non-compliance with the conditions, and the claim of Davis allowed.

18 and 19. Sold in the name of Isaac Holliday, whose name was used fictitiously by Colin Clark, to cloak the sales to himself. They are claimed by Edward King, who entered into the occupation of them in June 1854; attended the sale in September following; tendered the money for the first instalment to the Agent, who would not grant his pre-emption right. Recommended that the claim of Holliday be cancelled for non-compliance with the conditions, and the claim of King allowed.

20, 21 and 22. Number 20 is returned by the Agent as unsold, and 21 and 22 as sold to George J. Boyd, a non-resident, unknown and unassessed in the Township, and clearly a name used by Mr. Boys of Barrie to cover the sale to himself, as both lots appear in his list of lands for sale. Lots 21 and 22 are claimed by a man named John Farrell, who it appears was the first and only settler upon either lot, having gone on them in the month of September 1853, and attended the sale, intending to purchase at Goderich, in September 1854, when he was forced to abandon his possession by the Agent's selling to another person (Boys) and refusing Farrell's money. Recommended that the sale made to Boyd be cancelled for non-compliance with the conditions, that lot 20 be resumed by Government, and that the claim of Farrell to 21 and 22 be allowed.

23, 24, and 25. Numbers 23 and 24 sold in the name of Christopher Harrison, and 25 in the name of William Hay. Harrison and Hay are both non-residents, unknown and unassessed in the Township, and their names have been used by Mr. Boys of Barrie, who was the real purchaser, as a cloak for the sale to himself. Number 23 is vacant, but 24 and 25 are claimed by Mark Forester, who it is proved entered upon them in the month of June, 1854. Erected a house and made clearing and other improvements. At the sale in September following, he offered the first instalment for them, (vide his claim in the Appendix) but they were refused by the Agent. Recommended that the sale made in the names respectively of Harrison and Hay be cancelled for non-compliance with the conditions; that number 23 be resumed by the Government, and that Forester's claim to 24 and 25 be allowed.

26 and 27. The first sold in the name of William Hay, (vide 25,) and the second in name of George Palmer, both non-residents, unknown and unassessed in

the Township. The names of Hay and Palmer have both been used by Mr. Boys, of Barrie, as "stalking horses," to cloak the sales to himself, as both lots appear in his list of lands for sale. Both lots are vacant and unassessed. Timothy McEvitt has put in a claim for them before the Commissioners, on behalf of his son, John McEvitt, whom he states entered upon them in April, 1854, and had cleared an acre upon them, prior to the sale in September of that year, when he offered to purchase them, but was refused. They have also been claimed by Hugh Hollingshead, (as also number one in the eighth concession,) who states he entered upon them in March, 1854, and on whose behalf it is proved satisfactorily the money was tendered to the Agent, but refused at the sale that year. Recommended that the sales made to Hay and Palmer respectively, be cancelled for non-compliance with the conditions, and the land resumed by Government.

28 and 29. Both sold in the name of Richard Anderson, Sen'r, a non resident, unknown and unassessed in the Township. Claimed by Edward Weeks, who entered upon them in June, 1854, (as did also a man named William Ekins, who subsequently changed to 18 and 19, in concession A,) and who tendered the first instalment to the Agent at the sale at Goderich, in September, 1854, but was refused the lots. Recommended that the sale to Anderson be cancelled for non-compliance with the conditions, and the claim of Weeks allowed.

30 and 31. Sold in the name of James Somerville, a non resident, unknown and unassessed in the Township, and whose name was used by Colin Clarke to cloak the sale to himself. Both lots are inserted in the list of Colin Clark, and of his agent, W. G. Walker. They are claimed by James Ferguson, who had entered into possession of them in March, 1854, and who attended as a purchaser at the sale at Goderich, in September following, but was refused them by the Agent. Two men (James Muir, Jun'r, and George Grey,) have lately entered on those lots also. Recommended that the sale made in the name of Somerville be cancelled for non-compliance with the conditions, and the claim of Ferguson allowed.

32 and 33. Number 32 sold in the name of George Palmer, (vide lot 27,) and number 33 in the name of John E. Murphy, both non-residents, unknown and unassessed in the Township. Both lots are occupied by Nesbitt Bigger, who has made considerable improvements upon them. 32 is inserted in Mr. Boys' list of lots for sale. Recommended that the sales to Palmer and Murphy be cancelled, and the lands resumed by the Government.

34 and 35. Lot 34 sold in name of Alexander Henderson, and 35 in the name of Francis Wynn. Henderson is a resident settler and assessed. Wynn transferred his right to Michael Barlow, and Barlow to John Heritage, who is also a resident settler. Recommended that the sales to Henderson and Wynn be confirmed.

36 and 37. Number 36 sold in the name of John E. Murphy, (vide 33,) and 37 sold to John Adams. Murphy is a non-resident, unknown and unassessed in the Township. Adams is a resident settler, assessed for both lots, and had cleared and otherwise improved upon them prior to the general sale in September, 1854. Recommended that the sale of 36 be cancelled, for non-compliance with the conditions, and the claim of Adams to that lot be allowed, and that the sale of 37 be confirmed.

38 and 39. Sold to Alexander Ireland, a resident settler, and assessed for both lots. Recommended that the sale be confirmed.

Concession C.

11 and 12. Sold in the name of Richard Miller, a non-resident, unknown and unassessed in the Township. Both lots are occupied by John McPherson, who first entered upon them in March, 1854. He attended the general sale in Goderich, in January, 1855, and offered the first instalment to the Agent, but it was refused, the lots having been sold at the general sale in the month of September previous. McPherson still occupies the lots, is assessed for them, and claimed them before the

Commissioners. Recommended that the sale to Miller be cancelled, for non-compliance with the conditions, and the land resumed by Government.

13 and 14. Sold in the name of Henry Rowsell, the well known bookseller and stationer in this city, whose name was doubtless used by the Agent, to cloak the sale to his brother Dr. Clark, who was the true purchaser, and in whose list of lands, and his agents', Mr. John Adams and Mr. G. W. Truman, they appear. The lots are claimed by William Ferguson, who entered upon them in the month of September, 1853, and continued to occupy them up to the sale in September of the following year, when he attended at Goderich, and tendered the first instalment for them, which the Agent refused to receive, alleging that they had been sold. Recommended that the sale to Rowsell be cancelled for non-compliance with the conditions, and the claim of Ferguson allowed.

15 and 16. One half of each of these lots sold in the name of James Blair, and the other halves sold in the name of S. W. Roberts, both non-residents, unknown and unassessed in the Township, and doubtless like the two last, used by the Agent to cover the sale to his brother, in whose list, as well as in the lists of his agents, Messrs. Adams and Truman, they appear for sale. They are vacant and unassessed. Recommended that the sales be cancelled for non-compliance with the conditions, and the land resumed by Government.

17 and 18. Number 17 sold in the name of John Ritchie, (*vide* 36 in letter A,) and 18 in the name of Francis Callender, both non-residents, unknown and unassessed in the Township, and whose names doubtless were used to cloak the sales to the real purchasers. Mr. Ritchie is a well known builder in this city, and the lot, of which he is the nominal purchaser, appears in the list of lands advertised for sale by Dr. Clark and his agents, Messrs. John Adams and Mr. Truman. Mr. Callender is said to be a resident of the United Kingdom, for whom Colin Clark acted, and the lot now under consideration, appears in the list of Mr. Colin Clark, and of his agent, W. G. Walker. Both lots are claimed by John Hawly, who entered upon them in May, 1854; had an acre cleared and a shanty raised before the general sale in September of that year. The agent refused every application to purchase made by Hawly. Recommended that the sale made in the names respectively of Ritchie and Callender be cancelled, for non-compliance with the conditions, and the land resumed by the Government.

19, 20, 21 and 22. Number 19 sold in name of Francis Callender, (*vide* 18.) Number 20 marked as vacant upon the Agent's map; 21 sold to Duncan McPherson, and 22 to A. T. Colvin. Callender is reputed to be a non-resident of the Province, and to be one of those speculators for whom Colin Clark acts as agent. The lot (19) of which he was the reputed purchaser, is in Mr. Colin Clark's list of lands, and in that of his agent W. G. Walker. Duncan McPherson is a resident settler and assessed for 21. A. T. Colvin is doubtless a feigned name used by the agent to cloak the sale of 22 to his son, Colin, in whose list of lands it appears. George Ireland claims 19, and purchased lot 20, (though returned as vacant) and has clearly made out his pre-emption right to both lots. Duncan McPherson claims lot 22 and has also clearly made out his pre-emption right. Recommended that the sales made to Callender and Colvin respectively be cancelled for non-compliance with the conditions, and that the claim of Ireland to 19 and 20 and of McPherson to 21 and 22 be allowed.

23 and 24. Sold to Peter Patrick, a resident settler and assessed; claimed by Duncan McPherson, Junr., who also resides upon them and is assessed for them. Recommended that the sale to Patrick be confirmed.

25 and 26. The first sold in the name of A. T. Colvin, (*vide* 22) and the second in the name of William Float, both names evidently used as mere "stalking horses" to cloak the sale to Mr. Colin Clark, in whose list of lands they appear, as also in the list of his agent, W. G. Walker. They are both occupied by James Cowley, formerly of the 7th Dragoon Guards, who settled upon them in March,

1854, is assessed for them, and has clearly established his pre-emption right to them. Recommended that the sales made nominally to Colvin and Float be cancelled for non-compliance with the conditions, and the claim of Cowley allowed.

27 and 28. Sold nominally to John Kennedy, but in reality to the Agent's brother, Dr. Clark, in whose list of lands as also in his Agent's, Mr. Truman, they appear. They are claimed by Hezekiah Belton, who has resided upon them and whose pre-emption rights were disregarded by the Agent. Recommended that the sales made nominally to Kennedy be cancelled for non-compliance with the conditions, and the claim of Belton allowed.

29 and 30. The first sold in name of Robert Spratt, and the second in the name of Alexander Robertson. Spratt is a non-resident and unassessed, understood to be a Clerk in an Insurance Office in this City, over which Dr. Clark presided. The lot is advertised in the list of Dr. Clark, and of his agent, Mr. Truman. Robertson is a resident settler and assessed. A person named John Campbell finding 29 vacant has recently entered into possession of it and is making improvements upon it. Recommended that the sale made to Spratt of 29 be cancelled for non-compliance with the conditions, and the land resumed by Government, and that the sale of 30 be confirmed.

31 and 32. Number 31 returned by the Agent as vacant, and 32 as sold to William McCrea, who is a non-resident, unknown and unassessed in the Township, and no doubt used by the Agent to cover the sale to his brother, Dr. Clark, in whose list of lands for sale as also in his agent's, Mr. Truman, it appears. John Mackay claims both lots, the Agent having allowed him one, (31) but has clearly proved his pre-emption right to both. Recommended that the sale of 32 made in name of McCrea be cancelled for non-compliance with the conditions, and that the claim of Mackay to both lots be admitted.

33 and 34. North half of each of those lots sold to W. J. Fry, and the south half of each sold to Mathew Sharpin; the name of Fry was used by the Agent merely as a sham to cover the sale to his son Colin Clark, who was the true purchaser. Sharpin is a resident settler, assessed for both lots, and has large improvements upon them; his pre-emption right was disregarded by the Agent, who sold nominally to Fry, but in reality to his son. Recommended that the sale to Fry be cancelled for non-compliance with the conditions, and that the claim of Sharpin to both lots be allowed.

35 and 36. Number 35 sold to William Leiper, and 36 to Edward G. O'Brien. Leiper is a resident settler and assessed. The O'Brien whose name was used by the Agent, is Colonel Edward G. O'Brien of this City, who, at the time of the sale was an officer in the Insurance Company over which Dr. Clark, the Agent's brother, presided, and who was in reality the true purchaser. The lot is inserted in his list of lands for sale, and also in the list of his agent, Truman. It is claimed by John McLeod, a resident settler, who is assessed for the lot, and who has clearly established his pre-emption right to it. Recommended that the sale to Leiper be confirmed, and that the sale to O'Brien be cancelled for non-compliance with the conditions, and the claim of McLeod allowed.

37 and 38. Both sold in the name of George A. Hine, a non-resident, unknown and unassessed in the Township, and evidently used by the Agent to cloak the sale to his brother, in whose list of lands for sale it appears, as also in the list of his agent, Truman. Both lots are claimed by John Page as the original settler, and who tendered the first instalment for them at the sale in September, 1854. Number 37 is also claimed by Abraham Farrell, who appears to have been the original settler upon that lot, and who (as well as Page) tendered the first instalment at the land sale. Recommended that the sale made in the name of Hine be cancelled for non-compliance with the conditions, and that the claim of Farnell to lot 37 and of Page to lot 38 be allowed.

39 and 40. Both sold to William McKee, a resident settler and assessed. Recommended that the sale be confirmed.

HOWICK.

First Concession.

6 and 7. Both sold to J. Campbell, a non-resident, unknown and unassessed in the Township. Claimed by James H. Eaton, who had been settled upon them prior to the Township being opened for sale, but who was refused them at the general sale in September 1854, by the Agent. Recommended that the sale to Campbell be cancelled for non-compliance with the conditions, and the claim of Eaton allowed.

8, 9 and 10. Number 8 sold in name of Henry Boys, jun., and 9 and 10 in the name of John Holden, senr. They are both non-residents, unknown and unassessed in the Township. Number 8 was really sold to Colin Clark, in whose list of lands as well as in that of his agent, W. G. Walker it appears; the lot is vacant and unassessed. 9 and 10 are claimed by John Webb, who purchased from John McGee, who was truly the original purchaser, (the lots were twice sold by the agent.) Holden, though entered as the purchaser, in reality purchased from the Agent's son after they had been sold to McGee, and for which he paid £50 to him (Colin Clark.) Holden is a resident of Goderich, and speculated pretty largely in these lands. Recommended that the sales made to Boys and Holden be cancelled for non-compliance with the conditions; that lot 8 be resumed by the Government, and that Webb's claim to lots 9 and 10 be allowed.

11, 12 and 13. Number 11 sold in the name of John Holden, senr., (vide 9 and 10); number 12 to Robert Armstrong and 13 to Charles Armstrong. The sale of number 11 to Holden was but a sham sale to cover the sale to Colin Clark, for whose benefit the lot was sold to Holden (after having first been sold to Armstrong); number 12 is claimed by Jacob B. Cooke, who states he made some improvements, but did not reside on the lot, prior to the general sale. John Archer claims lot 13 as the original settler upon it; he does not, however, reside upon it, nor did he make application to purchase till March 1855 (six months after the lot had been sold.) Recommend that the sale of number 11, made in the name of Holden, be cancelled for non-compliance with the conditions, and the claim of John Armstrong to purchase it be allowed, and that the sales of numbers 12 and 13 be confirmed.

14 and 15. Sold to Joseph J. Smith, a resident settler and assessed. Recommended that the sale be confirmed.

16 and 17. The first sold to William Orton, and the second to William J. Stewart, both non-residents and unassessed. Orton claims both lots as he occupies them, had made large improvements upon them prior to the sale, and were sold to him (for which he holds the receipts) by the Agent, as also to the Rev. Mr. Stewart, (being a double sale). Mr. Stewart not being a resident, and not having made any improvements, the Commissioners recommend that the sale made to him be cancelled, and the sale to Orton confirmed.

18 and 19. Lot 18 sold to Jonathan Leopard, and 19 to Charles Armstrong, both residents and assessed. Leopard claims both lots from being the first settler. Recommended that both sales be confirmed.

20 and 21. Number 20 sold to James Orton, and 21 to William Leopard. Orton is a resident and assessed. A person named James Davidson occupies 21, and is assessed for it. Recommended that the sale to Orton be confirmed, and that the sale to Leopard be cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that Davidson is acting for or under him (Leopard).

22 and 23. The first sold to Lucy Bolton and the second to Arnold Aldrick. Bolton is a resident settler and assessed. Aldrick is not assessed, and is believed to be a non-resident, whose name was used to suit the object of the real purchaser. A man named John Franklin occupies the lot; claimed it before the Commissioners and has made large improvements upon it. Recommended that the sale to Bolton be confirmed, that the sale to Aldrick be cancelled for non-compliance with the conditions, and the land resumed by the Government.

24 and 25. Lot 24 sold to William Hurlbut, and 25 to William Deeman, both resident settlers and assessed. Recommended that the sale be confirmed.

26 and 27. Number 26 sold to Peter McGaw, and 27 to Delman Baker. McGaw is a non-resident and unassessed, but Baker occupies his lot and is assessed for it. Baker's lot (27) is occupied by one Silas Wood, who is also assessed for it. Recommended that both sales be confirmed.

28 and 29. Lot 28 is returned upon the Agent's map as unsold, and 29 as sold to Elizabeth Newbiggin. Mrs. Newbiggin is a non-resident and unassessed, and understood to be a resident of this city, whose name was used as a cloak to the sale made to the agent's brother, Dr. Clark, in whose list as well as in that of his agent, Mr. Truman, the lot appears for sale. Silas Wood claims lot 28 and Stephen Wood to 29 be admitted.

30, 31 and 32. Number 30 sold to Robert Young, 31 to John Armstrong, and 32 to Mrs. A. Murray. Young is a resident settler and assessed. Armstrong and Murray are non-residents and unassessed. Mrs. Murray, if not Armstrong's name, was used to cloak the sale to the real purchaser, who is understood to be Mr. Colin Clark, as the lot appears in his list of lands, and also in the list advertised by John Adams and W. G. Walker. 31 is occupied by a person named Thomas Wallae, who is also assessed for it. Recommended that the sale made to Young be confirmed and that the sale made in the names of Armstrong and Murray respectively, be cancelled for non-compliance with the conditions, and the lands resumed by the Government, unless it shall appear that Wallace, on lot 31, is acting for or under Armstrong.

Second Concession.

2 and 3. Number 2 is a very small gore, and No. 3 was sold to Adolphus W. McMahon who is a non-resident and unassessed. A man named John Page occupies No. 2 and is assessed for it. Thomas Wakeford who resides on the adjoining lot (4) also claims the lot as the first settler upon it. Recommended that the sale to McMahon be cancelled for non-compliance with the conditions, and the land resumed by the Government.

4 and 5. Lot 4 sold to Thomas Wakeford, and No. 5 to Francis Quickfall, both resident settlers and assessed. Recommended that the sales be confirmed.

6, 7, and 8. Number 6 sold to John Sharpin, No. 7 returned on the Agent's plan as unsold, and 8 sold to Elizabeth Anderson. Sharpin is a resident settler and claims No. 7 as well as No. 6, for which see his proofs in the appendix. Elizabeth Anderson is a non-resident, unknown and unassessed in the Township, and the name has evidently been used by the Agent's son, Mr. Colin Clark, to cover the sale to himself. The lot appears in his list of lands before referred to. Recommended that the sale of No. 8 to Elizabeth Anderson be cancelled for non-compliance with the conditions. That Sharpin's claim to No. 6 and No. 7 be allowed, and that No. 8 be resumed by the Government.

9 and 10. Both sold to Chipman Jacques, a resident settler and assessed. Recommended that the sale be confirmed.

11. Sold in the name of William T. Stewart (vide 17 in first concession) who is a non-resident and unassessed. The lot is vacant. Recommended that the sale be cancelled for non-compliance with the conditions, and the land resumed by the Government.

12 and 13. Both lots sold to James McDermid, a resident settler and assessed. Recommended that the sale be confirmed.

14 and 15. Both sold to Michael R. Andrew who appears to be a non-resident and unassessed. The lots are claimed by Joseph William Cooke, and by Charles William Pickford, the latter claims to have purchased the lots in the name of his friend Michael R. Andrew, and to have subsequently sold them to Cooke for a consideration which was not fulfilled by him (Cooke). Cooke claims them as well by original occupation as by purchase. Recommended that the sale of both lots to Andrew be confirmed, and that Cooke be allowed No. 15 as the assignee of Andrew.

16. Sold to Colin Clarke (vide 16 in the third concession also,) son to the Agent, a non-resident and unassessed. Peter Cooke and Charles W. Pickford occupy this lot and are both assessed for it. Recommended that the sale to Clarke be cancelled for non-compliance with the conditions, and the land resumed by Government, unless it shall appear that either Cooke or Pickford is acting for or under him (Clarke.)

17 and 18. Both sold to John Roe, a resident settler and assessed. Recommended that the sale be confirmed.

19, 20 and 21. 19 sold to William Walker, 20 to Henry Miller, and 21 to Frederick Johnston. Walker is a non-resident and unassessed. He resides at or near the City of Kingston, in the County of Frontenac. The lot is occupied by one James Davison who is assessed for it, and who purchased the possession of Henry Miller who was the original settler, and to whom the Agent should have sold the lot upon his application. Davison now claims the lot as assignee of Miller. Miller (who is the purchaser of No. 20,) is a resident settler and assessed. Johnston is a resident and assessed. Recommended that the sale of No. 19 made in name of Walker, be cancelled for non-compliance with the conditions, and the claim of Davison allowed, and that the sale of No. 20 to Miller and of 21 to Johnson, be both confirmed.

22, 23 and 24. Lot 22 sold to Arnold Aldrick, and 23 and 24 to Mary Ann Clark. Aldrick is a resident settler and assessed. Miss Clarke is understood to be a daughter of the local agent at Goderich, and of course is neither resident nor assessed. Joseph Leadbeater claims lot 24 as the first settler upon it and as the present occupant and assessed for it. Aldrick, who purchased 22 also occupies 23, and is assessed for it also. Recommended that the sale of 22 to Aldrick be confirmed, and that the sales of 23 and 24 to Miss Clark be cancelled for non-compliance with the conditions, and the land resumed by the Government.

25, 26, 27 and 28. Number 25 sold to Thomas Wallace, 26 to Arnold Aldrick (vide 22), 27 to Paul Aldrick, and 28 to Elijah Ellis. Wallace is not a resident of 25 but of number 3 in the first concession, and the lot purchased by him is occupied by one Benjamin Darcy, who is also assessed for it. The two Aldricks (Arnold and Paul) are both resident settlers. Ellis is a non-resident settler and unassessed, and his lot (28) is occupied by one Peter Auker who is also assessed for it. Recommended that the sale of 25 to Wallace be cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that Darcy is acting for or under him (Wallace), that the sale of 26 and of 27 to the Aldricks be confirmed, and that the sale of 28 to Ellis be cancelled for non-compliance with the conditions, and the land resumed by Government, unless it shall appear that Auker is acting for or under him (Ellis.)

29 and 30. Both sold to Robert McDonald, a resident settler and assessed. Recommended that the sale be confirmed.

31 and 32. No. 31 sold to Patrick McIlhargy and 32 to Robert Kerr. McIlhargy is a non-resident, and the lot unassessed. Kerr is a resident settler and assessed. A man named Mark Ellis has lately entered upon lot 31, and though not assessed for it, has made and continues to make improvements upon it, in the hope of ultimately being allowed to purchase. Recommended that the sale of 31

to McIlhargy be cancelled for non-compliance with the conditions, and the land resumed by Government, and the sale of 32 to Kerr be confirmed.

Third Concession.

1 and 2. Sold in the name of James Mahon, a non-resident, unknown and unassessed in the Township, and supposed to have been used to cover the sale, which was made in reality to a speculator residing at London, in the County of Middlesex, U. C., by whom the lot was subsequently sold at a large advance to one Mary Quickfall, who now occupies the lots and is assessed for them. Allen Ireland claims the lot as the original settler, and was most unjustly refused them by the Agent, whose conduct was very reprehensible. The Commissioners would gladly advise the cancelling of the original sale, had not the lots been subsequently sold in good faith, and the *bona-fide* purchaser became an actual settler. They therefore recommend the sale to be confirmed, and that Ireland be permitted to purchase a lot in some other part of the Township.

3, 4, 5, 6 and 7. Number 3 sold to Francis Quickfall, 4 to Hugh Hollinshead, 5 to Thomas Thompson, 6 to William Dunham, and 7 marked on the Agent's map as vacant and unsold. Quickfall and Hollinshead are residents and assessed. Thompson is a non-resident and unassessed. Dunham's son, (Jonathan) is assessed for number 5, and John Wiggins for number 6, number 7 is vacant. Hugh Hollinshead claims 5 as being the first settler under agreement with Dunham; and William Dunham claims 7, as the first and the only settler. This last lot (7) though marked unsold on Agent's map, was in reality sold to his brother, Dr. Clark, and now stands in the list of lands advertised by him, and by his agents Messrs. Adams and Truman, at Goderich. Recommended that the respective sales of Nos. 3 to Quickfall, 4 to Hollinshead and 6 to Dunham be confirmed, that sale of No. 5 to Thompson be cancelled, and that Hollinshead's claim to number 5 and Dunham's to number 7 be allowed.

8, 9 and 10. Number 8 sold in the name of Elizabeth Newbiggin, and numbers 9 and 10 in the name of Isabella Clark. These are, doubtless, feigned names to cloak the true purchaser, who was the Agent's son, Colin Clark, in whose list of lands both 8 and 10 appear. Isabella Clark is the daughter of the Agent, and Mrs. Newbiggin a well-known resident of this city. Jonathan Dunham claims No. 8, upon which he had entered and made improvements prior to the sale, and at which he was refused the lot by the Agent. Hugh Dockett claims 9 and 10 as the first and only settler upon them, as being refused them at the sale, and being still an occupant and assessed for them. Recommended that the sales to Newbiggin and Clark be cancelled for non-compliance with the conditions, and the claims of Dunham and Dockett allowed. Colin Clark has lately sold No. 10 to a person named Alexander Murray for £75.

11, 12, 13 and 14. Numbers 11 and 14 sold to Charles Pickford, and 12 and 13 to John McDermid. Pickford is not a resident upon either of those lots, but he is assessed for No. 11. His name was clearly used by Colin Clark, and that too with the knowledge and connivance of the Agent to conceal the purchase to him (Colin Clark) and to deprive Leonard Sampkin, as the assignee of Jacob Cooke (the first settler) as also of Pickford (the nominal purchaser) of his just claim to lot 14. Simpkins resides on 14, is assessed for it, and has made considerable improvements upon it. McDermid is a resident settler and assessed. George Biggar claims No. 11 as having improved upon it in June 1854. Recommended that the sale of 11 and 14 to Pickford be cancelled for non-compliance with the conditions, and the claim of Biggar to 11, and of Sampkin to 14 be allowed, and that the sale of 12 and 13 to McDermid be confirmed.

15 and 16. The first sold to Jacob Cooke, and the second to Colin Clark (vide 16 in second concession). Cooke is a resident settler and assessed. Clark is the son of the Agent and resident at Goderich. The lot 16 is occupied by Cooke's son,

who has made large improvements upon it, and who had occupied it previous to the land sale in September 1854, and was most improperly refused it at that time by the Agent. Recommended that the sale of No. 15 to Jacob Cooke be confirmed, that the sale of 16 to Clark be cancelled for non-compliance with the conditions, and the claim of Peter Cook allowed.

17 and 18. Seventeen sold to Arthur Johnston, and 18 to William Majoribanks. Johnston is a resident settler and assessed for both lots. Majoribanks is a mere fictitious name, used by the Agent to cloak the sale to his son (Colin Clark) in whose list of lands as well as in that of his Agent (W. G. Walker) it appears. Johnston claims the lot from actual residence and improvements made prior to the sale in September 1854, and from having been refused it by the resident Agent. Recommended that the sale of 17 to Johnston be confirmed, that the sale of 18 to Majoribanks be cancelled for non-compliance with the conditions, and the claim of Johnston allowed.

19, 20 and 21. Number 19 sold in name of Alexander S. Cambie, 20 in the name of William Majoribanks, (vide 18,) and 21 in the name of William Malcolm. Cambie, Majoribanks and Malcolm are all non-residents and unassessed. Cambie resides in Toronto, and Malcolm in Goderich. George Bolton claims those lots for himself and family, is assessed for them, resides upon them, and has made large improvements upon them. He purchased the pre-emption rights of the first settlers, and was unjustly refused them at the time of sale in September 1854. The Agent preferring to give them to his son and to his brother to speculate out of them. Recommended that the sales made in the names of Cambie, Majoribanks and Malcolm respectively, be cancelled for non-compliance with the conditions, and the claim of Bolton allowed.

22, 23, and 24. Number 22 sold to George Bolton, and 23 and 24 to Joseph Williamson, both resident settlers and assessed. Recommended that the sales be confirmed.

25 and 26. Number 25 sold to Silas Williams, and 26 to Duncan McDonald. Williams is a resident settler and assessed. McDonald is a well known merchant and Bank Director in this city, whose name was used by the Agent to cloak the sale to his brother, Dr. Clark, in whose list of advertised lands, as well as in that of his Agent, (Truman,) it appears. The lot is claimed by William M. Ellis, who purchased from the original settler his right of possession, who occupied and improved it prior to the sale in September, 1854, and who now occupies and is assessed for it. Recommended that the sale of 25 to Williams be confirmed; that the sale of 26 made in the name of McDonald be cancelled for non-compliance with the conditions, and the claim of Ellis allowed.

27 and 28. Both sold in the name of John McIlhargy, a non-resident, unknown and unassessed in the Township. James M. Ellis has occupied 27 since October, 1854; is assessed for it, and claimed it before the Commissioners. 28 is claimed by George Bigger, who had entered upon it prior to the sale, tendered his money for it at that time, but was refused it, and in consequence thereof abandoned it till now, when he claimed before the Commission. Recommended that the sale made in the name of McIlhargy be cancelled for non-compliance with the conditions; that lot 27 be resumed by the Government, and that Biggers' claim to 28 be allowed.

29, 30, 31 and 32. Lot 29 sold in the name of James Nicholl, 30 to Henry Boys, Sen'r, 31 to Henry Boys, Jun'r, and 32 returned on the Agent's map as unsold. Nicholl and Boys are both non-residents and unassessed. Nicholl resides in Goderich, and Boys in Barrie. Arthur Johnston occupies 29, and is assessed for it; 30 and 32 are vacant, and 31 is occupied by William Spence, who is also assessed for it. William Young claims 30 and 32, having entered upon them prior to the land sale in September, 1854; offered at that period to purchase them, but was refused by the Agent. Recommended that the sale to Nicholl of

29 be cancelled, and the land resumed by the Government, unless it shall appear that Johnston is acting for or under him (Nicholl); that the sale to Boys of 30 and 31 be cancelled for non-compliance with the conditions; that Young's claim to 30 and 32 be allowed, and that 31 be resumed by Government.

Fourth Concession.

1, 2, 3, 4 and 5. Numbers 1 and 2 sold in the name of William McKerriker, 3 and 4 in the name of John Mahon, and 5 sold to John Robinson. McKerriker and Mahon are non-residents, unknown and unassessed, reside at London, County of Middlesex, and are believed to be used to cloak the real purchaser. Robinson is a resident settler and assessed, and claims number 4 upon which he had settled prior to the sale in 1854, when the lot was refused him. William Tweedy claims 1 and 2, upon which he entered and improved in March 1854, expecting to get it at the sale in September following, but was refused it by the Agent. A man of the name of John Doud resides on No. 3, and is assessed for it. Recommended that the sales of 1 and 2 made in name of McKerriker be cancelled for non-compliance with the conditions, and the claim of Tweedy be allowed, that the sale of 3 and 4 to Mahon be cancelled, for non-compliance with the conditions, that No. 3 be resumed by the Government, unless it shall appear that Doud is acting for or under him (Mahon) on number 3, that Robinson's claim to No. 4 be allowed, and that the sale of number 5 be confirmed.

6, 7, 8 and 9. The two first sold to Henry Smith, Senr., and the two last to Henry Smith, Junr., both resident settlers and assessed. Recommended that the sales be confirmed.

9 and 10. Both sold in the name of William Edmonds, a non-resident and unassessed. Number 10 appears upon Dr. Clark's list of lands as one of his lots; it is occupied by a man named David Lusk, who is assessed for it and also for No. 11. Recommended that the sale to Edmonds be cancelled for non-compliance with the conditions, unless it shall appear that Lusk is acting for or under him, (Edmonds.)

12, 13 and 14. Number 12 returned on the Agent's map as unsold, and 13 and 14 as sold to Francis Edmunds. No. 12 is occupied by Joseph Oliver, who is also assessed for it, 13 by Thomas R. Gilpin, and 14 by Leonard Lampkin, both of whom are assessed. Recommended that the sale of 13 and 14 to Edmunds be cancelled for non-compliance with the conditions, and that all these lots be resumed by Government, unless it shall appear that Oliver, Gilpin or Lampkin are acting for or under the original purchaser.

15 and 16. Number 15 sold to Jacob Cook and 16 to John L. Walker, both resident settlers and assessed. Recommended that the sales be confirmed.

17, 18 and 19. Number 17 sold in the name of Joseph Carroll, and 18 and 19 sold to John Armstrong. Carroll is a non-resident and unassessed, and a man named Joseph Arnold occupies the lot and is assessed for it. Armstrong is a resident settler and assessed. Recommended that the sale to Carroll be cancelled for non-compliance with the conditions, and the land (lot 17) resumed by the Government, unless it shall appear that Arnold is acting for or under him, (Carroll) and that the sale of 19 to Armstrong be confirmed.

20, 21, 22, 23 and 24. Number 20 sold to Walter Hossie, 21 to John Bloomily, 22 to Charles Harrison, 23 to Peter McGraw, and 24 to Archibald McDonald. Bloomily, McGraw, and McDonald are resident settlers and assessed. Hossie and Harrison are non-residents and unassessed, and supposed to be fictitious names used by the Agent to cloak the sale to his son. No. 20 appears upon Colin Clark's list of lands. John Bloomily claims lot 21 as an original settler, which claim is well sustained. Recommended that the sales made to Hossie and Harrison be cancelled for non-compliance with the conditions, that lot 22 be resumed by the Government, that Bloomily's claim to 21 be allowed, and that the sales of 22, 23 and 24 be confirmed.

25, 26, 27 and 28. Number 25 sold to James Kerr, 26 and 27 to Thomas Wallace and 28 to William Darcy, all resident settlers and assessed. Recommended that the sales be confirmed.

29, 30, 31 and 32. Lots 29 and 30 sold to John Wiggins, 31 to John Spence, and 32 to William Spence, all resident settlers and assessed. Recommended that the sales be confirmed.

Fifth Concession.

1, 2, 3, 4 and 5. Number 1 sold to Alexander Collin, 2 and 3 to John H. Swan, 4 to George A. Dezeny, and No. 5 to John Donnoly. Collin, Swan, and Dezeny are non-residents and unassessed. Donnoly is a resident settler and assessed. 1 and 4 are claimed by John Grant, who had entered upon them seven months before the sale in September 1854, and continued to improve upon them till refused them at the sale; numbers 1 and 4 are inserted in Colin Clark's list of lands, and 1 is also in the list of his Agent, W. G. Walker. Mr. Dezeny is a resident of Goderich, and Mr. Swan of Toronto. William Summerville claims 2 and 3, and has produced satisfactory proof of the justice of his claim. They are also claimed by Francis McDermott, who has had assigned 400 acres to him (12 and 13 in the 2nd and the 3rd concession.) Number 4 is claimed by John Donnoly, who resides upon it and has been allowed No. 5. Joseph Overand claims Number 1, upon which he has lately entered into possession. Recommended that the sales made to Collin, Swan and Dezeny be cancelled for non-compliance with the conditions, that the claim of Grant to 1 and 4, and of Summerville to 2 and 3 be allowed, and that the sale to Donnoly of number 5 be confirmed.

6 and 7. Sold to Alexander Morrow, who is a non-resident and unassessed. John R. Gilpin occupies both lots and is assessed for them. Recommended that the sale to Morrow be cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that Gilpin is acting for or under him (Morrow.)

8, 9, 10 and 11. Numbers 8 and 9, sold to John Mosgrove, number 10 to Robert Mosgrove, and 11 to Stewart Mosgrove. John Mosgrove is a non-resident and unassessed, and it is alleged (as the Commissioners believe truly,) that the lots really sold to him were 8 and 9 in the sixth instead of 8 and 9 in the fifth concession, the entry in the receipt is for the sixth concession, while upon the Agent's map it is for the fifth. Robert and Stewart Mosgrove are resident settlers and assessed, Charles Lewis Smith claims lots 8 and 9 as well by original occupation and improvements, as by transfer from John Mosgrove. John Gallagher also claims them by subsequent transfer from Mosgrove. Recommended that the sales to John, Robert, and Stewart Mosgrove be confirmed, and that Charles Lewis Smith's name be substituted for John Mosgrove's, for lots 8 and 9.

12, 13, 14 and 15. Numbers 12 and 13 sold to George Glynn, 14 to John Horton, and 15 to William Boys. Glynn is reputed to be a convict confined in the Provincial Penitentiary for horse stealing. Horton is a non-resident and unassessed; and Boys is the well known land agent and speculator residing at Barrie in County of Simcoe; lot 14 is in Colin Clark's list of lands and also in the list of his agent W. G. Walker. Joseph D. Faucett claims 12 and 13 from original settlement and improvements, first commenced in June 1854. John Rutledge claims 14 as being for some time past a resident settler thereon. John Lampkin has also put in a claim for lot 14, founded upon subsequent occupation and clearing. A person named Andrew Hunter resides on 13 and is also assessed for it. Lampkin resides on 14 and Simon Little on 15, and both are also assessed. Recommended that the sales made respectively to George Glynn, John Horton, and William Boys, be cancelled for non-compliance with the conditions, and the land resumed by the Government, except in the case of 12 and 13, to which lots the claim of Joseph D. Faucett is allowed.

16, 17, 18 and 19. Numbers 16 and 17 sold to John Southern, Senr., 18 to William Southern and 19 to John F. A. Southern, all are resident settlers and assessed. Recommended that the sales be confirmed.

20, 21, 22, 23 and 24. Number 20 sold to William Malcolm, 21 and 23 to Ezra Rogers, 22 to Richard Rogers, and 24 to Catharine Darcy. Malcolm is a non-resident, unknown, and unassessed. Rogers and Darcy are both resident settlers and assessed. Arthur Mitchell occupies 22 and is assessed for it. William Curren claims number 20, having entered upon it long before the township was opened for sale, and been refused it by the Agent at the sale. Recommended that the sale of 20 to Malcolm be cancelled for non-compliance with the conditions, and the claim of Curren allowed, and that the sales of 21, 22, 23, and 24 to Ezra Rogers, Richard Rogers, and Catharine Darcy be confirmed.

25, 26, 27 and 28. Lots 25 and 26 sold to William Hodges, and 27 and 28 to Michael Jordan, both non-residents, unknown and unassessed in the Township. Lot 25 is claimed by William Curren, and 26 and 27 by John Curren, who entered upon their lots in the month of October, 1853, attended the sale at Goderich to purchase in September, 1854, and was then refused the lot by the Agent. Lot 28 was first sold to George Armstrong who resides upon it, but the sale was improperly cancelled in favor of Jordan. Recommended that the sales made in the names of Hodges and Jordan respectively, be cancelled for non-compliance with the conditions; that the claim of William Curren to 25, of John Curren to 26 and 27, and of George Armstrong to 28 be allowed.

29, 30, 31 and 32. Number 29 sold to William Spence, 30 to Betsey Archibald, 31 to John Wiggans, and 32 to Campbell Hyndman. They are all resident settlers and assessed, except Archibald, and her lot is occupied by William Spence, who is also assessed for it. Recommended that all the sales be confirmed, except as to number 30 which is recommended to be cancelled for non-compliance with the conditions, and the land resumed by the Government.

Sixth Concession.

1, 2, 3 and 4. Lots 1 and 2 sold to John Manderson, 3 to Joseph Manderson, and 4 to Harrington Lewis, they are all non-residents and unassessed. Lots 1 and 2 are occupied by Alexander Sanderson, who is also assessed for them. No. 3 by Alexander Walker, and 4 by James Mitchell, both of whom are assessed. Recommended that the sales to the Mandersons and Lewis be cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that Sanderson, Walker or Mitchell are acting for or under the original purchasers.

5, 6 and 7. Number 5 sold to Thomas Boyer, and 6 and 7 to Charles Fawcett, both resident settlers and assessed. Recommended that the sale be confirmed.

8, 9, 10 and 11. Number 8 sold in the name of James Beswick, 9 returned on the Agent's map as unsold, 10 sold to Robert Mosgrove, and 11 to Stewart Mcsgrove. Beswick is a non-resident, unknown and unassessed in the Township, and clearly used by Mr. Boys, of Barrie, to cover the sale to himself. The lot 8 appears in the list of advertised lands. The Mosgroves are resident settlers and assessed. A man named Thomas McLaughlin occupies No. 8, and John Gallagher number 9. Both are assessed. Recommended that the sale of No. 8 made in the name of Beswick be cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that McLaughlin is acting for or under him (Beswick) and that the sales of 10 and 11 be confirmed.

12 and 13. No. 12 returned on the Agent's map as unsold, and 13 sold to John Wood, who is a resident settler and assessed for both lots. Wood claimed 12 as well as 13 before the Commissioners, but the Agent, Mr. Clark, induced him to withdraw the claim on the 20th June, 1856, and sold him No. 12, upon con-

dition he would say no more about the matter, and not again appear before the Commissioners. Recommended that the sale be confirmed.

14 and 15. No. 14 sold in the name of David Jno. Thompson, and 15 to Thos. Wade. Thompson is a non-resident, unknown and unassessed in the Township. Wade is a resident settler and assessed. A man named Thomas McLaughlin is assessed for No. 14; he is also assessed for No. 8. Both lots are claimed by Mr. W. C. Little who was the head Chairman in the survey of the Township, who applied to the Agent prior to the sale for the lots, had a promise of them, but was refused them at the sale. No. 14 appears in the list of lands of Mr. John Adams of Goderich, one of Mr. Clark's agents. Recommended that the sale of No. 14 to Thompson, be cancelled for non-compliance with the conditions, and the claim of Little to the lot allowed, and that the sale to Wade of 15 be confirmed.

16, 17, 18 and 19. Nos. 16 and 17 sold to Edward Southerin, 18 to William Southerin, and 19 to John Southerin, junr., all resident settlers and assessed. Recommended that the sales be confirmed.

20 and 21. These two lots are reserved as Town lots, in the village called "Jordwick" which is recommended to be continued.

22, 23 and 24. No. 22 sold to William J. Walker, and 23 and 24 to William A. Walker. Lot 22 was first occupied by William Millsop in the beginning of the month of August, 1854, and claimed by him from the Agent at the sale, on the 9th of September following, when the claim was refused. On the 12th of October following, he again demanded it from the agent and was again refused it, on the sole ground (as alleged by the Agent on the back of the affidavit of occupation presented to him by Millsop.) Claim of William Millsop to Lot 22, Concession 6, Howick, disallowed; took possession after the land was advertised for sale,—John Clark, C. L. A. The Commissioners not conceiving this to be any ground whatever, to disqualify Millsop's claim, and the more especially as the lot was sold to a person not then in possession at all, recommended that the sale to Walker of lot number 22 be cancelled, and the claim of Millsop allowed, and that the sale of 23 and 24 to Walker be confirmed.

25, 26 and 27. Lot 25 sold to Thomas A. Stewart, and 26 and 27 to Henry Villie, both non-residents and unassessed; 25 is claimed by James Johnston who entered upon it in June 1854, and who was improperly deprived of it at the general sale in September, 1854, and who abandoned the occupation of the lot in consequence of its being then refused him. 26 is occupied by one James Downie, and 27 by Joseph Elwood, both of whom are also assessed; 27 is inserted in Mr. John Adams's list of lands for sale. Recommended that the sales to Stewart and Villie be cancelled for non-compliance with the conditions, and the land resumed by Government, unless it shall appear that Downie or Elwood are acting for or under the original purchasers.

28, 29 and 30. Nos. 28 and 30 sold to George Armstrong, and 29 to Catherine Darcy. They are both resident settlers and assessed. William Armstrong claims 29, which he states was sold to Darcy eight days after it had been refused to him, upon the plea of its being "sold." Both 28 and 29 appear upon Mr. John Adams' list of lands for sale, as however, the original purchasers are in actual possession and assessed for the lots, the Commissioners feel unwilling to advise the sales to be cancelled, and therefore recommend that they be confirmed.

31 and 32. No. 31 sold to William Wallace, and 32 to Joseph Wallace; Joseph Wallace is a resident settler and assessed also, William Wallace is not. Recommended that the sale to William Wallace be cancelled for non-compliance with the conditions, and the land resumed by the Government, and that the sale to Joseph Wallace be confirmed.

Seventh Concession.

1, 2, 3 and 4. Nos. 1 and 2 sold to Thomas Boyer, 3 to James Walker, and 4 to Robert Walker. They are all resident settlers and assessed. Recommended that the sales be confirmed.

5, 6, 7, 8 and 9. No. 5 sold in the name of John Hassard, 6 and 7 in the name of John Cookson, 8 in the name of Edward Green, and 9 returned on the Agent's map of the Township as unsold. Cookson and Green are non-residents and unassessed. Hassard is for lot No. 5 assessed. Robert Grier claims No. 5, George Grier 6, Moses Grier 7, John Grier 8, and Samuel Grier 9. They are all resident settlers, and are all assessed for the lots named respectively to each. The facts of Hassard's case are, that on the 22nd of September, 1854, he purchased lots 9 and 10, in the 11th concession, which two lots the Agent again sold on the 4th of September, (but two days intervening) to one George Green. On the 5th October following, the Agent sold Hassard Lot 5, concession 7, and Lot 15, concession 10, in lieu of lots 9 and 10 in the 11 concession. Lot 5 in the 7th being in possession of Robert Grier, he refused to surrender his preemption right to it, and Hassard remains without any return for the instalment paid. On the same day (the 2nd Sep., 1854) that the Agent sold 9 and 10 in the 11th concession to the father, he sold lots 14 in the 9th, and in the 10th concessions to his son, William Hassard, he sold both the same lots to other parties, viz: 14 in the 9th to James Robertson, and 14 in the 10th to George Rolls, to that Hassard, junior, as well as Hassard, senior, remain to this day, without any certainty of either getting their money or their land. So far as lot 5 in the 7th concession is concerned, the Commissioners cannot advise the sale to Hassard to be confirmed, (nor did he indeed himself ask it,) as they conceive Grier has a prior claim to it. The lots claimed by the Griers were entered upon by them in the month of Nov., 1853, they were among the earliest settlers who went into the Township, and they have made large clearings and improvements. The lots upon which they settled as above described, were most improperly refused them at the sale by the Agent, and sold, most of them, to non-resident speculators, Mr. Boys of Barrie, in the County of Simcoe, being the principal. The Commissioners having fully satisfied themselves of the injustice rendered to the Griers, recommended that the sale made in the names of Hassard, Cookson, and Green respectively, be cancelled for non-compliance with the conditions, and that the claims of Robert, George, Moses, John, and Samuel Grier to their respective lots be confirmed.

10, 11 and 12. No. 10 sold to Gerald Rolston, 11 to Mr. Keith, and 12 to William Rath. Rolston and Keith are non-residents, unknown and unassessed in the Township, and doubtless their names were used by the Agent to cloak the sales to his son Mr. Colin Clark, in whose list of lands lots 10 and 11 appear, the latter being also in the list of his sub-agent, Mr. W. G. Walker. Rath is not a resident on No. 12, but a man named James Crawford, Rath's assignee, is a resident settler and assessed. John Carter claims 11 and 12 as one of the first settlers in the Township, and his claim was improperly set aside at the time of the sale by the Agent. He is yet a resident settler and assessed for No. 11. Henry Bell is settled on 10, is assessed for it, and occupied and improved it long before the Township was opened for sale. Recommended that the sales to Rolston and Keith be cancelled for non-compliance with the conditions, and the respective claims of Bell to No. 10, and Carter to No. 11 be allowed; and that the sale to Rath of No. 12 be confirmed.

13 and 14. No. 13 sold to William Gilkinson, and 14 to William Keith, (vide 11.) Gilkinson is a resident settler and assessed. Keith is a non-resident, unknown and unassessed, and the name like numerous others, has been merely used by the Agent, to cloak the sale to his son, Colin Clark, in whose list of lands, as also in the list of his agent, Mr. W. G. Walker, the lot appears. Gilkinson claims the lot, from residence since February, 1854, as having first purchased from the Agent, and being

afterwards tricked out of it by the erasure of 14, and the insertion of 13, on his ticket of receipt, in the Agent's office. Recommended that the sale of No. 13 be confirmed; and that the sale of 14 to Keith be cancelled for non-compliance with the conditions, and the claim of Gilkinson allowed.

15, 16 and 17. No. 15 sold to Thomas Wray, and 16 and 17 to Peter Jordan. Both are non-residents and unassessed. George Gough occupies lot 15, Henry Gough 16, and Samuel Alexander 17, they are all three assessed also. George Gough claims lot 15, having been settled upon it since the 23rd of May, 1854, his claim to it having been allowed by the resident Agent, but the sale having been "stayed" in the Department, at Quebec, on the 14th July, 1855, for some cause to the Commissioners unknown, and believed not to be justifiable. Maitland Fisher, of Hamilton, claims 16, but upon what pretence, is not stated. Henry Gough also claims 16, as the first settler upon it, and as having been refused his pre-emption right to it by the Agent, at the period of the sale in September, 1854. No. 17 is claimed by William Rath, as the assignee of Peter Jordan, the original purchaser, to whom he paid three hundred dollars for his transfer of sale. No. 17 is also claimed by Samuel Alexander, who first entered upon it in January, 1855. Recommended that the sale of 15 to Thomas Wray, and of 16 to Peter Jordan, be cancelled for non-compliance with the conditions; that the claim of George Gough to 15, and of H. Gough to 16, be allowed; and that William Rath be allowed 17 as the assignee of Jordan, the original purchaser.

18 and 19. No. 18 sold in the name of Walter Hossie, and 19 to John Southeran, junior. Hossie is a non-resident, unknown, and unassessed in the Township (vide 20 in the 4th concession,) and used by the Agent merely to cloak the sale to his son, Mr. Colin Clark, in whose list of lands lot 18 appears. Southeran is a resident settler and assessed. Henry Newton claims 18, as the assignee of Arthur Tomlinson, who was the original and only settler upon the lot, and whose pre-emption right was most improperly disregarded by the Agent, at the sale in September, 1844. Recommended that the sale to Hossie of 18 be cancelled for non-compliance with the conditions, and the claim of Newton allowed, and that the sale of 19 to Southeran be confirmed.

20 and 21. Those two with the corresponding numbers in the 6th concession are reserved for the Town plot of the Village of "Fordwich," which the Commissioners recommend to be continued.

22 and 23. The first sold to W. G. Walker, and the second to Robert Johnston, both resident settlers and assessed. Recommended that the sales be confirmed.

24, 25, 26 and 27. No. 24 sold to William Wade, 25 to Stephen Velie, 26 to Francis Black and 27 to George Lawford. Velie, Black and Lawford are non-residents and unassessed. Wade is a resident settler and assessed for lot 24. James Downie resides on lot 25, is assessed for it, and is the assignee of Velie, the original purchaser. 26 is occupied by Robert Johnston, who is the only settler who had possession of the lot, who tendered for it at the sale and was improperly refused it by the Agent, to favor his son, Mr. Colin Clark, in whose list of lots it appears. 27 is occupied by William McDonald, son-in-law to Joseph Aylward, who claims the lot as the assignee of Robert Johnston, whose claim as the original settler was most improperly set aside by the Agent at the sale in September, 1844, in favor of his son, Mr. Colin Clark, in whose list of lands, as also in that of his agent, Mr. W. G. Walker, the lot appears. James McDermott claims 26 and 27 from recent occupation and improvements. Recommended that the sale of 24 and 25 to Wade and Velie be confirmed, that the sale of 26 and 27 to Black and Lawford be cancelled for non-compliance with the conditions; that the claim of Robert Johnston to 26, and of Joseph Aylward as the assignee of Robert Johnston to 27, be both allowed.

28, 29 and 30. No. 28 sold to William Armstrong, and 29 and 30 to William Wickham. Armstrong is a resident settler and assessed. Wickham is a non-resident, unknown and unassessed. James Little claims 29 and 30 from having entered

upon them in June 1854, and improved upon them up to the sale in September of that year, and being then refused them. Recommended that the sale of 28 to Armstrong be confirmed, that the sale of 29 and 30 in the name of Wickham be cancelled for non-compliance with the conditions, and the claim of Little to those lots allowed.

31, 32 and 33. Lot 31 sold to Campbell Hyndman, 32 to Robert Whitby, and 33 returned on the Agent's map as unsold. Hyndman and Whitby are non-residents. Stephen Crawford claims these lots (33 is but a small gore) from being the first and only settler who ever entered upon them, (in March 1854) and who was refused them at the sale. Recommended that the sales to Hyndman and Whitby be cancelled for non-compliance with the conditions, and the claim of Crawford allowed.

Eighth Concession.

1 and 2. Both sold in the name of Charles Vidian, a non-resident, unknown and unassessed in the Township, and doubtless used by the Agent to cloak the sale to his son, Mr. Colin Clark, in whose list of lands both lots appear. Peter Graham claims the lots as having improved upon them prior to the sale in 1854, at which time he was refused them by the Agent. Recommended that the sale to Vidian be cancelled for non-compliance with the conditions, and the claim of Graham allowed.

3, 4, 5, 6, 7, 8 and 9. No. 3 sold to James Walker, 4 to Robert Walker, 5 to Robert Grier, 6 to George Grier, 7 to Moses Grier, 8 to John Grier, and 9 to Samuel Grier. They are all resident settlers and are all assessed. From the numerous errors (either wilful or accidental) committed by the Agent, the Griers are apprehensive that some foul play is intended them by the Agent, and this apprehension seems the more reasonable, from the fact, first, that lots 7, 8 and 9 are inserted in the list of lands advertised by Mr. Boys, of Barrie, in the County of Simcoe, and secondly, because George Grier has been twice served with a writ of ejectment from the Court of Common Pleas, nominally at the suit of one Aaron Burneth, of Barrie, in the County of Simcoe, but supposed to be in reality, at the suit of Mr. Boys, who professed to own the land. Recommended that the sales to James and Robert Walker of 3 and 4, and to Robert, George, Moses, John and Samuel Grier, of lots 5, 6, 7, 8 and 9 be confirmed.

10 and 11. No. 10 sold to Alexander Marling, and 11 to John Carter. Marling is a non-resident, unknown and unassessed, and believed to have been used to cover the sale to Mr. Boys of Barrie, who was the true purchaser, and in whose list of lands those lots appear. Carter is a resident settler and assessed. Henry Bell occupies No. 10, is assessed for it, and has considerable improvements upon it. He was refused it at the sale by the Agent, though in peaceable possession of it for twelve months prior to the sale in Sept., 1854. Recommended that the sale of 10 to Marling be cancelled for non-compliance with the conditions, and the claim of Bell allowed, and that the sale of No. 11 to Carter be confirmed.

12, 13, 14, 15 and 16. No. 12 sold to Patrick McKiernan, 13 and 14 to Andrew McKiernan, and 15 and 16 to Edward McKiernan. They are all non-residents and unassessed. Lot 12 is occupied by Richard Carter, who is one of the earliest settlers of the Township; 13 is claimed by Fergusson Gilkison, who first entered upon it in February 1854, is assessed for it, and who tendered his money for it at the sale in September following, but it was refused by the Agent. Alexander Crawford claims No. 14, resides upon and is assessed for it, entered into possession of it in 1854, offered the first instalment to the Agent but he refused it, still occupies the lot, has six acres under crop, besides 3 or 4 acres more chopped, and has also upon it his dwelling house and barn. George Gough is a resident upon 15 and is assessed for it also; he first entered upon it on the 23rd of May, 1854, tendered his money for

it at the sale but was refused the lot. Henry Gough claims 16, on which he entered at the same time with his brother, (23rd May, 1845); he is assessed for the lot, has three acres chopped, and four acres under crop, tendered his money for it at the sale, and was refused. The claimants of those five lots are all *bona fide* settlers, are assessed, and have made large improvements, while the purchasers are all non-resident speculators. Recommended that the sales to McKiernans be cancelled for non-compliance with the conditions, and that the claim of Richard Carter to lot 12, of Ferguson Gilkison to 13, of Alexander Crawford to 14, of George Gough to 15, and of Henry Gough to 16, be allowed.

17 and 18. Lot 17 sold to James Mugon, and 18 to Philip Corcoran. They are both non-residents and unassessed. 17 is occupied by James Burns, who is also assessed for it, and 18 by William Strong, who is also assessed. Recommended that the sale to Mugon and Corcoran be cancelled for non-compliance with the conditions, and the land resumed by Government, unless it shall appear that Burns or Strong are acting for or under the original purchasers.

19, 20, 21 and 22. Lots 19 and 20 sold to Oliver Rogers, and 21 and 22 to Calvin Rogers. They are resident settlers and assessed. Recommended that the sales be confirmed.

23 and 24. These two lots were sold in the name of James Gooding, who is a non-resident and unassessed. Mr. Gooding is a merchant of Goderich, whose name was used by the agent to cloak the sale to his son, Colin Clark, in whose list of lands, as well as in that of his agent, Mr. W. G. Walker, these lots appear. They are claimed by Arthur Burnside as the first and only settler who ever entered upon them, and whose money was refused for them at the sale in September, 1854. Recommended that the sale made in the name of Gooding be cancelled for non-compliance with the conditions, and the claim of Burnside allowed.

25, 26 and 27. Lot 25 sold to William McNeil, 26 to Francis Black, and 27 to George Lawford (vide 26 and 27 in the 7th concession). They are all three non-residents, unknown and unassessed in the Township, and doubtless the names were used by the Agent to cloak the sale to his son, in whose list of lands the lots appear. John McDermott claims 26 and 27, having entered upon them in August, 1854, and been refused them at the sale, in September following, by the agent. Recommended that the sale to McNeil, Black and Lawford be cancelled for non-compliance with the conditions, that lot 25 be resumed by Government, and the claim of McDermott to 26 and 27 allowed.

28, 29 and 30. Lot 28 sold to William Armstrong, and 29 and 30 to Richard Wake. Armstrong is a resident settler and assessed. Wake is a non-resident, unknown and unassessed in the Township, and his name is evidently used by the Agent to cloak the sale to his son, Colin Clark, in whose list of lands they appear. William Burnside claims those last two lots (29 and 30) having first entered on them in April, 1854, and continued to improve upon them up to the sale in September of that year, when he applied for them to the Agent, but was refused. Recommended that the sale of 28 to Armstrong be confirmed, and the sale of 29 and 30 to Wake be cancelled for non-compliance with the conditions, and the claim of Burnside allowed.

31, 32, and 33. No. 31 sold in the name of Heathcoat Wake, 32 in the name of George A. Wake and 33 (a small gore) returned on the Agent's map as unsold. The Wakes are non-residents, unknown and unassessed, and their names merely used by the Agent to cloak the sales to his son, Colin Clark, in whose list of lands, as also in that of his agent, W. G. Walker, those lots appear. They are claimed by Mathias Young, who had entered into possession of them in the month of October, 1853, and was improving upon them up to the sale in September of the following year, when he tendered the first instalment to the Agent, but was told by his clerk, Mr. Newman, that they were sold. Recommended that the sales be cancelled for non-compliance with the conditions, and the claim of Young allowed.

Ninth Concession.

1 and 2 sold to John Stewart, a non-resident, unknown and unassessed, and the name only used to cloak the sale to the son, Colin Clark, in whose list of lands they appear. William McEviitt claims the lots as having chopped some upon them in April, 1854, but never having resided upon them. Recommended that the sale to Stewart be cancelled, and the lands resumed by the Government.

3 and 4. Sold in the name of Samuel Blake, a non-resident, unknown and unassessed, and the name used merely to cloak the sale to Mr. Boys of Barrie, in whose list of lands they appear. Number 3 is claimed by William Walker, and 4 by John Walker. These men reside on the lots, are assessed for them, and they were originally sold to them at the general sale on the 2nd of September, 1854, but through a mistake, (admitted by the Agent to be a mistake) the name of Blake (a nominee of Mr. Boys of Barrie) was returned as the purchaser. Recommended (the Agent concurring) that the sale to Blake be cancelled for non-compliance with the conditions, and the claims of William and John Walker allowed.

5, 6, 7 and 8. Numbers 5 and 6 sold to John Robertson, and 7 and 8 to George Strong. Robertson is a non-resident, unknown and unassessed in the Township, the name being merely used by the Agent to cloak the sale to his son, Colin Clark, in whose list of lands, as well as in that of his sub-agent, W. G. Walker, these lots appear. Strong is a resident settler and assessed. Numbers 5 and 6 are claimed by James Strong, who resides upon them, is assessed for them, had improved upon them prior to the general sale, but his claims were set aside by the Agent, to favor his son. Recommended that the sale of 5 and 6, made in the name of Robertson, be cancelled for non-compliance with the conditions, and the claim of James Strong allowed, and that the sale of 7 and 8 be confirmed.

9, 10 and 11. Numbers 9 and 10 sold to William Headlam, and 11 to Joseph Copeland. Headlam is a non-resident, unknown and unassessed in the Township, and the name was used by the Agent merely to cloak the sale to his son, Colin Clark, in whose list of lands, as also in that of his agent, W. G. Walker, the lots appear. William Strong resides on the lots, is assessed for them, and occupied and improved them prior to the sale in September, 1854, when the money was refused by the Agent, and the lots given to his son to speculate upon. Copeland is a resident settler. John Carter has preferred a claim for lot 11, upon the ground of having put a shanty upon it before the sale in September, 1854. Recommended that the sale of 9 and 10 to Headlam be cancelled for non-compliance with the conditions, and the claim of Strong allowed, and that the sale of 11 to Copeland be confirmed.

12, 13 and 14. Number 12 sold to Thomas Gilles, 13 to Thomas Morgan, and 14 to James Robertson. Green is a resident settler and assessed. Morgan and Robertson are non-residents and unassessed. Robertson's name was used by the Agent merely to cloak the sale to his son, Colin Clark, in whose list of lands, as also in that of his agent, W. G. Walker, the lot appears. Green occupies 13 as well as 12, and is assessed for it. 14 is occupied by John Hassard, who is also assessed for it, resides on it, has ten acres cleared upon it, and purchased and paid the first instalment upon it, as appears by his receipt given at the general sale on the 2nd of September, 1854, but resold a second time to his son, in the name of Robertson. Recommended that the sale of number 12 to Grier be confirmed; that the sale of 13 to Morgan be cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that Green is acting for or under the original purchaser (Morgan); that the sale of 14 to Robertson be cancelled for non-compliance with the conditions, and as being subsequent to the sale to Hassard, which sale (Hassard's) should be confirmed.

15, 16 and 17. Number 15 sold to Peter Vellie, 16 to James Wood, and 17 to John McKiernan. Vellie and McKiernan are non-residents and unassessed. Wood is a resident settler, and assessed for both 16 and 17, which he claims from having

settled upon and improved them in June, 1854, and as having only been allowed the one instead of the two lots at the sale in September following. Recommended that the sales of 15 and 17 to Vallie and McKiernan be cancelled for non-compliance with the conditions; that 15 be resumed by the Government; that the sale of 16 be confirmed, and that Wood's claim to 17 be allowed.

18, 19, 20 and 21. Numbers 18 and 19 sold to Alexander Young, 20 to John Lynn, and 21 to David Lynn. They are all non-residents and unassessed. 18 and 19 are occupied by Alexander Montgomery, and 21 by Charles McLaughlin, both of whom are also assessed. Recommended that the sales to Young and the two Lynns be cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that Montgomery or McLaughlin are acting for or under the original purchasers.

22, 23, 24 and 25. Lots 22 and 23 sold to William Collins, and 24 and 25 to Hugh Douglas. Collins is a resident settler and assessed. Douglas is a non-resident and unassessed. William Kerr claims 24 and 25 as having entered upon them in May, 1854, attended the sale in September following to purchase, but was refused them by the Agent. Recommended that the sale of 22 and 23 to Collins be confirmed; that the sale of 24 and 25 to Douglas be cancelled for non-compliance with the conditions, and the claim of Kerr allowed.

26, 27 and 28. Number 26 sold to Robert Stephenson, and 27 and 28 to William Grace. Stephenson is a resident settler and assessed. Grace is a non-resident and unassessed. James Kerr claims the lots sold to Grace in right of having entered upon them long prior to the sale in September, 1854, having been the only person to make any improvements upon them, and been refused them at the sale. Recommended that the sale of 26 to Stephenson be confirmed; that the sale of 27 and 28 to Grace be cancelled for non-compliance with the conditions, and the claim of Kerr allowed.

29 and 30. Lot 29 sold to William Fowler, and 30 to Austin Mugon, both are non-residents and unassessed. A person named James Burns occupies 30 and is assessed for it. Recommended that the sales be cancelled for non-compliance with the conditions, and the lands resumed by the Government, unless it shall appear (in case of 30) that Burns is acting for or under the original purchaser.

31, 32 and 33. Number 31 sold to Heathcoat Wake, (vide 31 in the 8th concession) 32 to George A. Wake (vide 32 in the 8th concession), and 33 to Anthony Mugon. They are all three non-residents and unassessed. The Wakes name was used by the Agent to cloak the sale to his son, Colin Clark, in whose list of lands, as also in that of his agent, W. G. Walker, both lots (31 and 32) appear. A man named Alexander Barron occupies 33, and is assessed for it. 31 and 32 are claimed by Henry Kerr, who, with his father and four brothers, went into the Township in search of land in March, 1854, fixed upon these two lots, intending to purchase them when the Township would be opened for sale; tendered the first instalment to the Agent at the sale, but he disregarded Kerr's pre-emptive claim, and sold the lots to his son to speculate upon. Recommended that the sales to the two Wakes and Mugon be cancelled for non-compliance with the conditions, that Kerr's claim to 31 and 32 be allowed, and that 33 be resumed by the Government, unless it shall appear that Barron is acting for or under the original purchaser.

Tenth Concession.

1, 2, 3, and 4. Lots 1 and 2 sold to Robert Gregory, and 4 to William Creighton. Gregory is a non-resident, unknown and unassessed in the Township, and the name was doubtless used by the Agent, to cover the sale to his son, Colin Clark, in whose list of lands numbers 1 and 2 appear. Creighton's name has also been used by the Agent to cloak the sale to Mr. Boys of Barrie, who was the *bona fide* purchaser, and in whose list of lands number 4 appears. John and William Walker occupied numbers 3 and 4, and are assessed for them. Reuben

Truesdale has lately entered on number 2, and claimed it before the Commissioner. John Cooper claims numbers 1 and 2, having entered upon them in July, 1853, made some improvements and attended at the sale to purchase, but the Agent set aside his first claim, preferring to give them to his son, Colin Clark, to speculate upon. Recommended that the sales of 1, 2, 3 and 4, to the Gregorys and to Creighton be cancelled for non-compliance with the conditions; that the claim of Cooper to 1 and 2 be allowed; and that 3 and 4 be resumed by the Government, unless it shall appear that Walker is acting for or under the original purchaser.

5, 6, 7, and 8. Number 5 sold to William Dane, 6 to Stephen Bristow, and 7 and 8 to George Danc. The Danes are resident settlers and assessed. Bristow is a non-resident and unassessed, whose name has been used to cloak the sale to Mr. John Adams of Goderich, in whose list of lands, as also in that of Mr. Truman, the lot appears. Nathaniel Luch resides on lot 6, and claimed it before the commission, from residence and occupation, but he did not enter upon it till after the sale in September, 1854. Recommended that the sales of lots 5, 7, and 8 be confirmed; that the sale of No. 6, made in the name of Bristow be cancelled for non-compliance with the conditions, and the land resumed by the Government.

9, 10, 11, and 12. Number 9 sold to John Walker, 10 to William Strong, Sen'r, 11 to William Creighton, and 12 to Duncan McLeod. Strong is resident upon his lot and assessed for it. Walker, Creighton and McLeod, are not resident upon the lots assigned them, nor are they assessed for them. Creighton's name (as in No. 4,) is used to cloak the sale to Mr. Boys of Barrie, in whose list of lands it appears. William Strong claims lot 9 as being the original purchaser, and the lot (as admitted by the Agent,) having been sold erroneously to John Walker, after the sale to Strong. Joseph Copeland claims lot 11, which was sold to him, (as also admitted by the Agent,) three days before it was sold to Mr. Boys, in the name of Creighton. Recommended that the sales of Nos. 9, 11 and 12, to Walker, Creighton and McLeod, be cancelled for non-compliance with the conditions; that William Strong's claim to lot 9, and Joseph Copeland's to lot 11 be admitted; that the sale of lot 10 to William Strong be confirmed, and that number 12 be resumed by the Government.

13, 14, 15, 16 and 17. Numbers 13 and 14 sold to George Rolls, 15 to John Hassard, and 16 and 17 to Hugh H Howard. Rolls is a non-resident and unassessed. Hassard and Howard are both resident settlers and assessed. Hassard also claims lot 14, which it appears by the Agent's receipt, was sold to him, on the 2nd of September, and subsequently sold to Rolls. Rolls has since sold both lots to William Burns, who resides upon, and is assessed for them. This mistake, if mistake it was, is of a serious nature, but the Commissioners must, in justice, recommend that the sale of lot 14 to Rolls be cancelled, as having been previously sold to Hassard, and the claim of Hassard allowed; that the sale of 13 to Rolls, 15 to Hassard, and 16 and 17 to Howard be confirmed.

18, 19 and 20. Numbers 18 and 19 sold to Thomas Dane, and 20 to Alexander I. Cambie. Dean is a resident settler and assessed. Cambie is a non-resident and unassessed; is an inhabitant of Toronto, and his name is doubtless used by the Agent to cloak the sale to his Agents, Messrs. John Adams and G. W. Truman, in whose lists the lot appears. It is claimed by Darius Bettis, who first entered upon it in April, 1854, attended the sale to purchase, and when he tendered the first instalment, was simply told he could not have it. Recommended that the sale of 18 and 19 to Dean be confirmed; that the sale of 20 to Cambie be cancelled for non-compliance with the conditions, and the claim of Bettis allowed.

21, 22, 23, 24 and 25. Lot 21 sold to Duncan McLeod, (vide 12,) 22 and 23 to William Collins, and 24 and 25 to John B. Wright. Collins is a resident settler and assessed. McLeod and Wright are non-residents and unassessed, and

the name of Wright was doubtless used to cloak the sale to the Agent's son, Mr. Colin Clark, in whose list, as also in that of Mr. G. W. Trueman, both lots, 24 and 25 appear. Lot 25 is claimed by Darius Bettis, upon the same grounds as lot 20. Recommended that the sale of 22 and 23 to Collins be confirmed; the sale of 21 to McLeod, and of 24 and 25 to Wright be cancelled for non-compliance with the conditions; that lots 21 and 24 be resumed by the Government, and that Bettis' claim to 25 be allowed.

26, 27, 28, and 29. Number 26 sold to Robert Fletcher; 27 to James Burns, and 28 and 29 to Robert Dudgeon. Neither Fletcher nor Dudgeon are residents or assessed. Dudgeon's name was merely used to cloak the sale to Colin Clark, in whose list, and also in Mr. Truman's, both lots appear. 26 is occupied by Murdock McLeod, and 27 by James Burns, both of whom are also assessed; 28 and 29 are claimed by George Kerr, who entered upon them in March, 1854, and continued to improve upon them up to the sale in September of that year, when he tendered the first instalment to the Agent, but it was refused. Recommended that the sales to Fletcher and Dudgeon be cancelled for non-compliance with the conditions; that 26 and 27 be resumed by the Government, unless it shall appear that McLeod or Burns are acting for or under the original purchaser, and that Kerr's claim to 28 and 29 be allowed.

30, 31, 32 and 33. Number 30 sold to George Dudgeon, 31 and 32 to George Dean, and 33 to Alexander McNicholl. Dean is a resident settler and assessed. Dudgeon and McNicholl are non-residents and unassessed. Dudgeon's name was used by the Agent to cover the sale to his son, Colin Clark, in whose list of lands the lot appears. 30 and 33 are claimed by John Stewart, who went in upon them prior to the sale in September, 1854; had made some improvements; attended the sale to purchase, but was refused the lots by the Agent, who preferred allowing his son to speculate upon them. Recommended that the sale of 31 and 32 to Dean be confirmed; that the sale of 30 to Dudgeon, and of 33 to McNicholl be cancelled for non-compliance with the conditions, and the claim of Stewart allowed.

Eleventh Concession.

1, 2, 3, 4 and 5. Lots 1 and 2 sold to Charles Meager, 3 to Patrick Coleman, and 4 and 5 to Robert Runciman. They are all three non-residents and unassessed. Runciman is, doubtless, a name used by the Agent to cloak the sale to his son, Colin Clark, in whose list of lands both lots appear. Nathaniel Luch claims number 3 as having recently entered into possession of it. John Luch claims lots 4 and 5 upon the same grounds. Numbers 1 and 2 are claimed by William Cooper upon the ground of having been the first and the only settler upon either of the lots, and as having been refused them by the Agent at the sale in September 1854. Recommended that the sales to Meager, Coleman and Runciman be cancelled for non-compliance with the conditions; that the claim of Cooper to lots 1 and 2 be allowed, and that the Government resume lots 3, 4 and 5.

6, 7 and 8. Number 6 sold to George Nixon Ward, 7 to William Boay, and 8 returned upon the Agent's map as unsold. Ward and Boay are non-residents and unassessed. A man named William Hueston occupies number 6, and is assessed for it also. 7 and 8 are claimed by William King, who entered into occupation of them in May 1854, was the only settler who ever made any improvements upon them, and was refused them at the sale by the Agent. Recommended that the sales to Ward and Boay be cancelled for non-compliance with the conditions, that number 6 be resumed by the Government, unless it shall appear that Hueston is acting for or under Ward, and that King's claim to 7 and 8 be allowed.

9, 10, 11 and 12. Numbers 9 and 10 sold to George Green, 11 to George S. Anderson, and 12 returned upon the Agent's map as unsold. Green is a resident settler and assessed, Anderson is neither resident or assessed. Two men, Andrew

Balfour and Joseph Strutbard, are assessed for No. 11. Lots 9 and 10 are claimed by John Hassard, to whom they were sold (as admitted by the Agent) two days before they were sold to Green. Recommended that as Green is a resident settler, has made improvements, is assessed, and purchased in good faith, that the sale be confirmed, and that Hassard be allowed to purchase other two lots of equivalent value in some other part of the Township in lieu of 9 and 10, and that lot 11 be resumed by the Government, unless it shall appear that either Balfour or Strutbard are acting under Anderson, who was the original purchaser.

13, 14, 15 and 16. Number 13 sold to Matthew Carothers, 14 and 15 to John McMillen, and 16 to Hewit Bernard. Carothers and McMillen are resident settlers and assessed. Bernard is a non-resident and unassessed, and his name has been used to cover the sale to Mr. Boys of Barrie, in whose list of lands the lot appears. It is occupied by John Wiggins, who is also assessed for it. Recommended that the sales to Carothers and McMullen be confirmed, that the sale to Bernard be cancelled for non-compliance with the conditions, and the lands resumed by the Government, unless it shall appear that Wiggins is acting for or under him (Bernard.)

17 and 18. Number 17 sold to Charles Boag, and 18 to Robert Boag, neither are resident or assessed, but their lots are occupied by John Montgomery, who is also assessed for them. Recommended that the sales be cancelled and the land resumed by the Government, unless it shall appear that Montgomery is acting for or under them (Boags.)

19, 20, 21, 22, 23, 24 and 25. Number 19 sold to Andrew Melne, 20 to John Melne, 21 to Fairley Melne, 22 to John Melne, S'r, 23 to John Melne, J'r, 24 to William Melne, and 25 to David Melne. They are all resident settlers and all assessed. Recommended that the sales be confirmed.

26, 27, 28 and 29. Numbers 26 and 27 sold to John Campbell, and 28 and 29 to Denis Crawford, both non-residents, unknown and unassessed in the Township. Alexander Kerr claims 26 and 27, upon which he entered in the month of March 1854, with the intention of becoming a permanent settler, but after making improvements and attending the sale to purchase, he was refused the lots and told they were sold. Recommended that the sales to Campbell and Crawford be cancelled for non-compliance with the conditions, that Kerr's claim to 26 and 27 be allowed, and that 28 and 29 be resumed by the Government.

30, 31, 32 and 33. Lot 30 sold to George Dudgeon, 31 and 32 to Alexander Daly, and 33 to Alexander A. McKid. Dudgeon, Daly and McKid are non-residents and unassessed. Dudgeon's name was used to cloak the sale of lot 30 to the Agent's son, Colin Clark, in whose list of lands it appears. W. G. Walker is assessed for number 32, but has put in no claim for it. James Bell claims 30 and 31, having occupied and improved them prior to the sale, and having tendered the first instalment to the Agent at the time of sale, which was refused, and sold for his son's benefit in the name of Dudgeon. Recommended that the sales made in the name of Dudgeon, Daly and McKid be cancelled for non-compliance with the conditions, that the claim of Bell to 30 and 31 be allowed, and that 32 and 33 be resumed by the Government, unless it shall appear (in reference to 32) that Walker is acting for or under the original purchaser.

Twelfth Concession.

1, 2, 3, 4 and 5. Numbers 1 and 2 sold to Patrick Malony, 3 to Hewitt Bernard, and 4 and 5 to Daniel Hartrett. Malony and Hartrett are assessed for their lots. Bernard is a non-resident and unassessed, whose name was merely used to cloak the sale to Mr. Boys of Barrie, in whose list of lands lot number 3 appears, (vide 16 in the 11th concession.) Edward Leech claims lot 3 from having recently entered upon and improved it, and being still in occupation. Edward Webster claims lot 4 upon the same grounds that Leech claims lot 3, they are both vacant, unoccupied and unimproved. Recommended that the sale

of numbers 3 and 4 be cancelled for non-compliance with the conditions, and the and resumed by the Government, and that the sales of numbers 1, 2, and 5 be confirmed.

6, 7, 8, 9 and 10. Lots 6 and 7 sold to William Hewston, 8 to Elizabeth Anderson, 9 to Dugald Stewart, and 10 to Robert Hughes. Hewston is a resident settler and assessed. Anderson and Stewart are non-residents and unassessed. Stephen King occupies number 10 and is assessed for it, and Webster W. Leech claims it. Recommended that the sale of 6 and 7 be confirmed, and the sales of 8, 9 and 10 be cancelled for non-compliance with the conditions, and the land resumed by Government, except in the case of number 10, if it shall appear that Leech or King are acting for or under the original purchaser Robert Hughes.)

11, 12, 13 and 14. Number 11 sold to George S. Anderson, 12 to James Dane, 13 to John Magee, and 14 returned on the Agent's map as unsold. Dane is a resident settler and assessed. Anderson and Magee are non-residents and unassessed. Andrew Balfour and Joseph Studdart reside on 11 and are assessed for it also. Joseph Jacques occupies 14, was refused it by the Agent, and claimed it before the Commissioners. When the Agent was applied to, he stated to Jacques the lot was sold, though it appears upon his map of the Township as unsold. Recommended that the sale of number 12 to James Dean be confirmed; that the sales to Anderson and Magee be cancelled for non-compliance with the conditions, and the land resumed by the Government, except (in case of lot 11) it shall appear that Balfour or Studdart are acting for or under Anderson, who was the original purchaser, and that Jacques' claim to lot 14 be allowed.

15, 16, 17 and 18. Lot 15 sold to John Dane, junr., 16 to William Hubbard, 17 to Charles Boag, and 18 to Robert Boag. They are all non-residents and unassessed. 15 and 16 are claimed by William Double, who was the only settler that entered upon them, and whose money was refused by the Agent at the sale in September, 1854. William Wiggins and William Montgomery reside on 17 and 18 and are assessed for them. Recommended that the sales of 15 and 16 be cancelled for non-compliance with the conditions, and the claim of Double allowed. And that the sales of 17 and 18 be also cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that Wiggins or Montgomery are acting for or under the original purchaser.

19, 20, 21, 22, 23, 24 and 25. Number 19 sold to Andrew Milne, 20 to John Milne, 21 to Fairly Milne, 22 to John Milne, senr., 23 to John Milne, junr., 24 to William Milne, and 25 to David Milne. They are all resident settlers, and all assessed. Recommended that the sales be confirmed.

26, 27, 28, 29 and 30. Number 26 sold to Stephen King, 27 and 28 to James Stewart, and 29 and 30 to John L. Stewart. They are all non-residents, unknown and unassessed in the Township. Colman Crydeman claims 26 and 27 as having settled upon them long prior to the sale in September, 1854, and as having been then improperly refused them by the Agent, and the preference given to a non-resident speculator. James R. Wilson claims lots 30 and 33 upon the same ground that Crydeman claims 26 and 27. Recommended that the sales to Stephen King and to James and John L. Stewart respectively, be cancelled for non-compliance with the conditions, that the claim of Crydeman to 26 and 27 and of Wilson to 30, be allowed, and that 28 and 29 be resumed by the Government.

31, 32 and 33. Lots 31 and 32 sold to John Bowes, and 33 to James G. Stewart. Bowes is a resident settler and assessed. Stewart is a non-resident and unassessed. Recommended that the sale of 31 and 32 be confirmed, that the sale of 33 be cancelled for non-compliance with the conditions, and the claim of Wilson (vide lot 30) to 33 be allowed.

Thirteenth Concession.

1, 2, 3 and 4. Number 1 sold to William McNeill, 2 to James Morrow, 3 to John Kerr, and 4 to Edward Argle. They are all non-residents and unassessed. Matthew Snider is assessed for No. 3, and James Purcell for 4. No. 1 is advertised in Mr. Colin Clark's list of lands, and also in the list of his agent, Mr. W. G. Walker. No. 3 is also in Mr. Colin Clark's list. Numbers 1 and 2 are claimed by William H. Leech, who has recently settled upon them, and has made considerable improvements. Edward Leech claims 3, and William Young 4, all upon the grounds, namely; the lots being all vacant, and their subsequent occupancy and improvements. Recommended that the sale to McNeill, Morrow, Kerr and Argle be cancelled for non-compliance with the conditions, and the land resumed by the Government.

5, 6, 7, 8 and 9. Number 5 sold to John Kerr, 6 to John Morris, 7 to Andrew Latimore, and 8 and 9 to Henry Latimore. Kerr and Morris are non-residents and unassessed, and Kerr's name was merely used to cloak the sale to Mr. Colin Clark, in whose list lot 5 appears. The Latimores are resident settlers and assessed. Elias Snider is assessed for number 5, and William Hueston for number 6. George Leech claims number 5, on the grounds of the only actual occupation and improvements ever made upon it though made subsequent to the sale in September, 1854. Recommended that the sale of numbers 5 and 6 be cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that Snider or Hueston are actual settlers, and acting for or under the original purchasers; and that the sales of 7, 8 and 9 to the Latimores be confirmed.

10, 11, 12, 13 and 14. Lots 10 and 11 sold to Richard Bernard, 12 to Henry Latimer, jun., and 13 and 14 to Charles P. Roney. Latimer is a resident settler and assessed. Bernard and Roney are non-residents and unassessed. The former name (Bernard) was used to cloak the sale to Mr. Boys of Barrie, in whose list of lands lots 10 and 11 appear; and the name of the last (Roney) was used for a like purpose to effect the sale to Mr. Colin Clark, in whose list of lands lots 13 and 14 appear. John McLaughlin is assessed for lot 10, William McLaughlin for lot 11, George Heinstock for lot 13, Robert Heinstock for lot 14. George Heinstock claims lot 13, and Robert Heinstock lot 14, and on which they reside and for which they are assessed. They entered upon these lots on the 24th May, 1854, and have ever since continued to occupy and improve them. This was proved to the Agent at the time of the sale, but as they boarded with their father on lot 15, the Agent set aside their claim upon the frivolous pretext of "no residence proved," while he sold both lots to his son, Colin Clark, in the name of Roney, for whom "no residence was proved," or attempted to be proved. Recommended that the sale of 10 and 11 to Bernard, and of 13 and 14 to Roney, be cancelled for non-compliance with the conditions, except (as to 10 and 11) it can be shown that the McLaughlins are acting for or under the original purchaser, Bernard; that the sale of 12 to Latimer be confirmed, and the claim of George Heinstock to 13, and of Robert Heinstock to 14, be allowed.

15, 16, 17 and 18. Lot 15 sold to Joseph Heinstock, 16 and 17 to John Jacques and 18 to Hugh Miller. Heinstock and Jacques are resident settlers and assessed. Miller is a non-resident, unknown and unassessed. William White claims 18, as having settled upon it prior to the sale in September, 1854, and was then refused it by the Agent, who preferred a non-resident speculator, who, to this day, has not cut a stick upon the lot. Recommended that the sales of 15 to Heinstock, and 16 and 17 to Jacques be confirmed; that the sale of 18 to Miller be cancelled for non-compliance with the conditions, and the claim of White allowed.

19, 20, 21 and 22. Numbers 19 and 20 sold to John Milne, and 21 and 22 to Peter Milne, both resident settlers and assessed. Recommended that the sales be confirmed.

23, 24, 25 and 26. Number 23 sold to William Giles, 24 to James Hawthorn, 25 to Robert Miller, and 26 to Edward Hewitt. Giles is a resident settler and assessed, also Hawthorn. Miller and Hewitt are non-residents and unassessed. 25 and 26 are claimed by John Young, who entered upon them in the month of March 1854, made a chopping then, and remained till the sale, improving away, and intending to become the purchaser, but when he tendered his money at the sale, the Agent refused to let him have the lots. Recommended that the sale of 23 to Giles be confirmed; that the sale of 24 to Hawthorn, of 25 to Miller, and of 26 to Hewitt, be cancelled for non-compliance with the conditions; Young's claim to 25 and 26 be allowed, and that 24 be resumed by the Government.

27, 28 and 29. These three lots are returned upon the Agent's map of the Township as unsold. William Quin occupies 27 and 28, and is assessed for both lots. No claim has been set up before the Commissioners for any one of them.

30, 31, 32 and 33. Number 30 sold to Robert Fletcher, 31 and 32 to John Porterfield, and 33 to James G. Stewart. Fletcher and Porterfield are resident settlers and assessed. Stewart is a non-resident and unassessed. Recommended that the sales to Fletcher and Porterfield be confirmed; that the sale to Stewart be cancelled for non-compliance with the conditions, and the land resumed by the Government.

Fourteenth Concession.

1, 2, 3 and 4. Number 1 sold to Arthur Ardagh, 2 and 3 to Isaiah Wright, and 4 to William Walker. They are all non-residents and unassessed. Robert Leech claims 1 and 2 from having recently entered into possession of them, and from continuing to occupy and improve them. James Leech claims 3 and 4 upon similar grounds. Number 1 is inserted in Mr. Boys' list of Barric, and no doubt Mr. Ardagh's name was used to conceal the purchase to Mr. Boys. Recommended that the sales of 1, 2, 3 and 4 be cancelled for non-compliance with the conditions, and the land resumed by the Government.

5, 6, 7 and 8. Numbers 5 and 6 returned upon the Agent's map as unsold, and 7 and 8 sold to Hugh Stewart. Lot 5, though marked unsold on the Agent's plan, is inserted in Mr. Colin Clark's list of lands. Stewart is a non-resident and unassessed. Henry Besanson claims 6 and 7 from recent occupation and improvements. John Reilly claims 5 and 6 from having occupied them since June 1854, and was refused them at the sale. George Leech claims No. 5 from having recently taken possession of it. Recommended that Reilly's claim to 5 and 6 be allowed, and that the sale of 7 and 8 to Stewart be cancelled for non-compliance with the conditions, and the land resumed by the Government.

9, 10 and 11. Number 9 sold to Harriet Allen, and 10 and 11 to Hugh Currie, Jun'r, both non-residents and unassessed. Harriet Allen appears to be but a feigned name to cloak the sale to the Agent's son, Mr. Colin Clark, in whose list of lands, as well as in that of his sub-agent, Mr. W. G. Walker, lot 9 appears. John Rutledge claims 8 and 9 from recent settlement and improvements upon them. John McLaughlin (who resides on 10 in 13th concession) has made improvements on 10 in the 14th concession, and now claims it. Alexander Finlay claims lot 11 for like causes. Recommended that the sale of lot 9 to Allen, and 10 and 11 to Currie, be cancelled for non-compliance with the conditions, and the land resumed by the Government.

12, 13, 14 and 15. Lot 12 sold to George Dane, Jun'r, 13 to William Rutledge, 14 to John Rutledge, and 15 to Harriet Allen. Dane and Rutledge are resident settlers and assessed. Allen (vide lot 9) is but a fictitious name to cloak the sale to Mr. Colin Clark, in whose list of lands, and also in that of his sub-agent, Mr. W. G. Walker, the lot (15) appears; it is claimed by William Fainstock, who has occupied it from the 24th of May, 1854, and was refused it at the sale. Recommended that the sales to George Dane, William Rutledge and John Rutledge be confirmed, and

that the sale of 15 to Allen be cancelled for non-compliance with the conditions, and the claim of Hainstock allowed.

16, 17, 18 and 19. Lot 16 returned upon the Agent's map as unsold, 17 to Thomas Wray, and 18 and 19 to William I. Keys. Wray and Keys are both non-residents and unassessed. Charles Hooker occupies 16, and is assessed for it. It is alleged by Hooker that lot 16 is sold to John Jacques, though is not so returned on the Agent's map. Hooker claims the lot as one of the first settlers of the Township, and it was refused him by the Agent at the time of the sale. Joseph Hainstock claims lot 17 upon similar grounds. William White claims lot 18, having settled on it in the early part of 1854, and being also refused it at the sale in September of that year. Lot 17 is on Mr. Boys' list of lands for sale, and is one of the lots purchased by him, though in the name of Wray. Recommended that the sale of 16 to Jacques, of 17 to Wray, and of 18 and 19 to Keys, be cancelled for non-compliance with the conditions, that the claim of Hooker to 16, of Hainstock to 17, and of White to 18, be allowed, and that lot 19 be resumed by the Government.

20, 21 and 22. Lots 20 and 21 sold to David Milne, and 22 returned upon the Agent's map as unsold. Milne is a resident settler and assessed. Recommended that the sale be confirmed.

23, 24, 25 and 26. Number 23 sold to Alexander Patterson, 24 to Robert Mathison, 25 to David Morrow, and 26 to James Taylor—they are all non-residents and unassessed. Lots 25 and 26 are claimed by James Hart, who entered upon them in March 1854, made some improvements, attended the sale in September to purchase, but was refused the lots by the Agent. Recommended that the sales of 23, 24, 25 and 26 be cancelled for non-compliance with the conditions, that Hart's claim to lots 25 and 26 be allowed, and that lots 23 and 24 be resumed by the Government.

27, 28 and 29. Lot 27 sold to Joseph Hugill, and 28 and 29 returned upon the Agent's map as unsold. Hugill is a non-resident and unassessed, and the whole three lots are vacant. Recommended that the sale to Hugill be cancelled for non-compliance with the conditions, and that the lands of the three lots be resumed by the Government.

30, 31, 32 and 33. Lot 30 sold in the name of A. B. Saville, 31 and 32 in the name of George Henry Aimes, and 33 in the name of William Bradbury. They are all three non-residents, unknown and unassessed in the Township. Saville and Aimes were names merely used to cloak the sale to Mr. Colin Clark, who was the true purchaser, and in whose list of lands 30, 31 and 32 appear. Bradbury is a well known resident of this city, and the lot 33 appears upon the list of land advertised by Rich and Maddison, the land agents before spoken of. William Cornyn claims lots 30 and 31, and John Cornyn lots 32 and 33. The Cornyns, who are brothers, entered upon those lots it appears, so long back as the fall of 1833, attended the sale in September 1854, to purchase them, but when they applied to the Agent, they were told the lots were sold. Recommended that the sales to Saville, Aimes and Bradbury be cancelled for non-compliance with the conditions, and the claims of the Cornyns to the lands be allowed.

Fifteenth Concession.

1, 2, 3 and 4. Lot 1 sold in the name of Alexander Collie, 2 and 3 in the name of John Mara, and 4 in the name of John Major. They are all non-residents, unknown and unassessed in the Township, and the names have been used by the Agent to cloak the sales to his son and his brother, who were doubtless the true purchasers. Mr. Major is a well known Bank Cashier in this city. Number 1, appears upon the list of lands of Mr. Colin Clark, and of his sub-agent Mr. W. G. Walker, and numbers 2, 3 and 4 are on the lists of Dr. Clark. and of his agents, Messrs. Adams and Newman of Goderich. Lots 1 and 2 are claimed by Joseph Leech, and 3 and 4 by Richard Leech, both on account of recent occupation and improvements. Recommended that the sales to Collie, Mara, and Major

be cancelled, for non-compliance with the conditions, and the land resumed by the Government.

5, 6, 7 and 8. Lot 5 sold to Robert Young, 6 returned on the Agent's Map as unsold, and 7 and 8 sold to William Reid. Young and Reid are non-residents and unassessed. David Burns claims lots 5 and 6 from being the first and only settler upon either lot, having entered upon them, in March, 1854, and been refused them at the sale in September following. George Cross claims lots 6 and 7, from having recently settled upon and improved them. Rufus Livingstone claims lot 8 upon similar grounds. Recommended that the sales to Young and Reid be cancelled for non-compliance with the conditions; that the claim of Burns to lot 5 and 6 be allowed, and that 7 and 8 be resumed by the Government.

9, 10, 11 and 12. Lots 9 and 10 sold in the name of John O'Neill, 11 to David Watson, and 12 returned on the Agent's map as unsold. The name of O'Neill was merely used to cover the sale to Mr. Boys of Barrie, in whose list of lands both lots appear. James McLaughlin occupies lot 9, and is assessed for it, and Robert Ferguson lot 10, and is also assessed for it. James Stonehouse, of Goderich, claims lot 11, as the assignee of David Watson. Alexander Finlay also claims lot 11, from having settled upon it in June, 1855. Henry Crobar claims lot 12, upon similar grounds to Finlay. Recommended that the sales of 9, 10 and 11 be cancelled, for non-compliance with the conditions, and the land resumed by the Government, except it can be shewn that McLaughlin or Ferguson is acting for or under the original purchaser.

13, 14, 15, 16 and 17. Numbers 13 and 14 sold to Alexander McKidd, 15 and 16 to John Bowman, and 17 returned on the Agent's map as unsold. They are both (McKidd and Bowman) non-residents and unassessed. Bowman's name was used to cover the sale to Mr. Boys of Barrie, in whose list of lands the lots 15 and 16 appear. William Rutledge claims lot 13, upon which he settled in September, 1854. James Wiggins claim lots 15 as the assignee of Bowman. Joseph Sproul claims the same lot, from recent occupation and improvements. Thomas Kelly claims lot 16, upon similar grounds to Sproul's claim to lot 15. Robert Griffith claims lots 13 and 14, as having entered upon them in April, 1854, and offered for them at the sale, but was refused them by the Agent, alleging that they were sold. Recommended that the sales to McKidd and Bowman be cancelled for non-compliance with the conditions, except in the case of lot 15, which appears to be occupied by the assignee of Bowman; that Robert Griffith's claim to 13 and 14 be allowed, and that 16 and 17 be resumed by the Government.

18, 19 and 20. Lot 18 sold to Samuel Gogan, 19 to Richard Goven, and 20 to Dinely Goven. They are all three non-residents and unassessed, and the names were evidently used to cloak the sale to Mr. Colin Clark, in whose list of lands all three lots appear, as also 18 and 19 in the list of his sub-agent, Mr. W. G. Walker. Charles H. Hunter resides upon lot number 18, for which he is also assessed, and upon which he erected a saw-mill. He was refused the lot at the sale by the Agent, because he also applied for lot 13 in the 16th concession, both of which were refused to him. Thomas Lambert claims lots 19 and 20, upon which he entered in July, 1854, and was subsequently refused them by the Agent at the sale, who preferred giving them to his son to speculate upon. Recommended that the sale of 18, made in the name of Gogan, and of 19 and 20, made in the name of Goven, be cancelled for non-compliance with the conditions, and that Hunter's claim to lot 18, and Lambert's to lots 19 and 20, be allowed.

21, 22, 23 and 24. Number 21 sold to Michael Howitt, 22 to Alexander L. McKidd, and 23 and 24 to James Porterfield. Howitt, McKidd and Porterfield are non-residents and unassessed. 21 and 22 are claimed by John Connell, who first settled on them in 1853, attended the sale to purchase them, but was refused

them by the Agent. Lot 21 is on Mr. Colin Clark's list of lands, and also on the list of his sub-agent, Mr. W. G. Walker. Recommended that the sales to Howitt, McKidd and Porterfield be cancelled for non-compliance with the conditions, that Connell's claim to 21 and 22 be allowed, and that 23 and 24 be resumed by the Government.

25, 26, 27 and 28. Lot 25 sold to Alexander L. Kidd, (vide 22) 26 and 27 to Charles Swainson, and 28 returned on the Agent's map as unsold. McKidd and Swainson are non-residents and unassessed. Lots 26 and 27 are on the list of lands advertised by Frank H. Caley & Co., and also by Richard Maddison, Land Agents. 25 and 26 are claimed by Edward Grogan, who cleared and improved upon them, having first entered into possession in the month of April, 1854, and when the September sale arrived and he hoped to purchase them, was refused them by the Agent. Recommended that the sales to McKidd and Swainson be cancelled for non-compliance with the conditions, that the claim of Grogan to lots 25 and 26 be allowed, and that lots 27 and 28 be resumed by the Government.

29 and 30. Lot 29 sold in the name of Frederick C. Lowe, and 30 in the name of A. B. Saville. (Vide 30 in the 14th concession.) They are both non-residents, unknown and unassessed in the Township. Lot 29 is in the list of lands advertised by Rich and Maddison, Land Agents, and 30 is in the list of Mr. Colin Clark, and of his sub-agent, Mr. W. G. Walker. Recommended that the sales made in the name of Lowe and Saville be cancelled for non-compliance with the conditions, and the lands resumed by the Government.

31, 32 and 33. Lot 31 sold in the name of Frederick C. Lowe, (vide 29,) 32 returned on the Agent's map as unsold, and 33 sold in the name of William Bradbury. (Vide 33 in the 14th concession.) Lowe and Bradbury are non-residents, unknown and unassessed in the Township. Lots 31 and 33 are both in the list of Rich & Maddison, Land Agents. James Little claims lots 32 and 33 as having settled upon them eight months prior to the sale in September 1854, applied for them at the sale, but was refused them by the Agent at the time. Lots 31 and 33 are inserted in Rich & Maddison's list of lands for sale. Recommended that the sales to Lowe and Bradbury be cancelled for non-compliance with the conditions, that Little's claim to 32 and 33 be admitted, and that 31 be resumed by the Government.

Sixteenth Concession.

1, 2, 3 and 4. Number 1 returned upon the Agent's map as unsold, 2 sold to Hugh Currie, Senr., 3 returned as unsold, and 4 sold to John Morigan. Currie is a resident settler, Morigan is a non-resident and unassessed. William Stephenson claims 3 and 4, as having occupied and improved them since the beginning of May, 1854, but refused them by the Agent at the sale in September of that year. Recommended that the sale of number 2 to Currie be confirmed; that the sale of No. 4 to Morigan be cancelled for non-compliance with the conditions; that Stephenson's claim to 3 and 4 be allowed; and that number 1 be resumed by the Government.

5, 6, 7 and 8. Number 5 sold to James Bell, 6 to John Currie, and 7 and 8 to William Green. Bell is a non-resident and unassessed. Currie and Green are resident settlers and assessed. Jacob Brown claims number 5, upon which he entered on the 24th of April, 1854, and continued to improve up to the general sale in September of that year, when he applied to the Agent at Goderich, to purchase, but was told the lots were sold. Recommended that the sale to Bell be cancelled for non-compliance with the conditions and the claim of Brown allowed, and that the sales to Currie and Green be confirmed.

9, 10 and 11. Number 9 sold in the name of Andrew Bowman, and 10 and 11 in the name of Alexander Christie. They are both non-residents, unknown and unassessed in the Township. Bowman's name has been used to screen the

sale to Mr. Boys of Barrie, in whose list of lands number 9 appears, and Christie's name has been used for a like purpose to hide the sale to Mr. Colin Clark, in whose list, as also in the list of his sub-Agent, Mr. W. G. Walker, lots numbers 10 and 11 appear. Number 10 is claimed by Jacob Brown upon the same grounds as he claims number 5. Recommended that the sales made in the names of Bowman and Christie be cancelled for non-compliance with the conditions, that the claim of Brown to number 10 be allowed, and that numbers 9 and 11 be resumed by the Government.

12, 13, 14 and 15. Lot 12 sold in the name of Thomas Gordon, 13 in the name of Andrew Bowman, (vide 9,) and 14 and 15 in the name of John Boyd. Gordon, Bowman and Boyd, are non-residents and unassessed. Gordon's name was used to cloak the sale to Dr. Clarke, on whose list of lands, as also on the lists of his agents Mr. Adams and Mr. Trueman, lot 12 appears. Bowman and Boyd's names were used for a like purpose by Mr. Boys of Barrie on whose list of lands lots 13, 14 and 15 appear. 12 and 13 are claimed by Samuel Arneil, who first has occupied them since the 20th of July, 1854, has made large improvements upon them, and who tendered the money for them through Andrew Hunter at the sale in September following, and who occupies and is assessed for them at the present time. Mathew Hunter claims lots 14 and 15 upon the same grounds precisely that Arneil claims 12 and 13. Recommended that the sales made in the names of Gordon, Bowman, and Boyd respectively, be cancelled for non-compliance with the conditions, and that the claim of Arneil to 12 and 13, and of Hunter to 14 and 15 be allowed.

16, 17, 18, 19 and 20. Lot 16 sold to Thomas Foster, 17 returned on the Agent's map as unsold, 18 sold to Samuel Goven, 19 to Richard Goven, and 20 to Dinely Goven. They are all three non-residents, unknown and unassessed in the township. Foster's name was used to cover the sale to Mr. Boys of Barrie, on whose list of lands number 16 appears. The three Govens' names were used for a like object by Mr. Colin Clark, on whose list lots 18, 19 and 20 appear.— Lot 16 claimed by Charles H. Hunter, who entered upon it on the 20th of July, 1854, made considerable improvements upon it, and was refused it by the Agent, solely upon the ground that residence and sufficient improvements were not proved. Mr. Hunter still occupies the lot. James McKenzie claims lot 19, upon which he resides and has made considerable improvements. Recommended that the sale made in the names of Thomas Foster, Samuel Goven, Richard Goven, and Dinely Goven be cancelled for non-compliance with the conditions; that the claim of Hunter to lot 16 be allowed; and that lots 17, 18, 19 and 20 be resumed by the Government.

21, 22, 23, 24 and 25. Lot 21 sold in the name of Michael Howitt, 22 returned upon the Agent's map as unsold, 23 and 24 sold to Francis Brown, and 25 returned as unsold. Howitt and Brown are both non-residents and unassessed. The name of Howitt was used to cover the sale to Mr. Colin Clark in whose list of lands and also in the list of his sub-Agent, Mr. W. G. Walker, lot 21 appears; lots 24 and 25 are claimed by Thomas Morton, who first occupied them in March, 1854, tendered the first instalment for them at the sale in September of that year, but the Agent declined to receive it. Recommended that the sales made in the names of Howitt and Brown respectively, be cancelled for non-compliance with the conditions; that the claim of Morton to lots 24 and 25 be allowed, and that the lots 21, 22, and 23 be resumed by the Government.

26, 27, 28 and 29. Numbers 26 and 27 sold in the name of Alexander B. Boultie, and 28 and 29 in the name of Edward Buchannon. Boultie and Buchanan are both non-residents unknown and unassessed in the Township. The two first named lots appear in the list of lands advertised by Frank H. Caley and Rich & Maddison, Land Agents, of this City; and the other two lots appear in the list of Mr. Colin Clark, and also in that of his sub-agent, Mr. W. G.

Walker. Lots 26 and 27 are claimed by George Morton, who took possession of them in the month of October, 1853, improved upon them and attended the general sale in September, 1854, intending to purchase them, but his money was refused by the Agent. Recommended that the sales made in the name of Boulton and Buchannon, respectively, be cancelled for non-compliance with the conditions; that the claim of Morton to lots 26 and 27 be allowed, and that lots 28 and 29 be resumed by the Government.

30, 31, 32 and 33. Lot 30 sold in the name of Cassius Matthews, 31 in the name of Thomas Gordon, 32 in the name of John Matthews, and 33 in the name Andrew Matthews. They are all non-residents, unknown and unassessed in the township. Lots 32 and 33 are claimed by John Taylor, who was the first and only occupant of them, having entered upon them early in the month of April, 1854, attended the sale in September following, to purchase, but was refused them by the Agent, who stated they had been sold. Recommended that the sales made to Cassius Matthews, Thomas Gordon, John Matthews and Andrew Matthews, be cancelled for non-compliance with the conditions; that Taylor's claim to 32 and 33 be admitted, and that lots 30 and 31 be resumed by the Government.

Seventeenth Concession.

1, 2, 3, 4, 5 and 6. Number 1 returned upon the Agent's Map as unsold, 2 and 3 sold to Henry Morgan, 4 to Andrew Morgan, 5 as unsold, and 6 sold to Andrew Morgan. Both the Morgans are non-residents, unknown and unassessed in the Township. Andrew White claims 1 and 2 as having entered upon them in March 1854, put up a shanty and chopped an acre and a-half prior to the sale, when he intended to purchase, but could not obtain them from the Agent. Recommended that the sales made in the name of the Morgans be cancelled for non-compliance with the conditions, that the claim of White to numbers 1 and 2 be allowed, and that numbers 3, 4, 5 and 6 be resumed by the Government.

7, 8, 9, 10 and 11. Number 7 sold in the name of Thomas Foster, 8 returned on the Agent's Map as unsold, 9 and 10 sold in the name of Edward R. O'Brien, and 11 in the name of James Beswick. Foster, O'Brien, and Beswick, are all non-residents, unknown and unassessed in the Township. Mr. O'Brien is a clerk in an Insurance office in this City. The names of Foster and Beswick were used to cover the sales to Mr. Boys, of Barrie, in whose list of lands numbers 7 and 11 appears, and Mr. O'Brien's name was used for a like purpose, to cover the sales of lots 9 and 10 to Dr. Clark, the Agent's brother, in whose list of lands, as also in the list of his sub-agent, Mr. John Adams, and Mr. Truman of Goderich, both lots appear. William Green, who resides on lot number 8 and is assessed for it, claims number 7, of which he took possession in May, 1854, and for which his brother tendered the first instalment to the Agent on the 5th day of September following, but it was refused. Richard Wade claims lots 9 and 10, upon which he entered as an actual settler on the 20th July, 1854, tendered the money to pay for the lots on the 10th of September following, but the Agent refused it and preferred selling to his brother in Toronto, in the name of his clerk, Mr. Edward Roly O'Brien. Wade is also assessed for the lots. William Clegg claims lot number 10, upon which he entered in July, 1854, and has made the only improvement on the lot; it was refused him by the Agent when he applied for it at the sale in September following. James Magill claims number 11 from recent occupation or improvements. Recommended that the sales made in the names of Foster, O'Brien, and Beswick respectively, be cancelled for non-compliance with the conditions, that the claim of William Green to lot number 7, of Richard Wade to lot number 9, and of William Clegg to lot number 10, be allowed, and that lot No. 11 be resumed by the Government.

12, 13, 14, 15 and 16. Number 12 returned on the Agent's Map as unsold, 13 and 14 sold in the name of Robert Laidlaw, and 15 and 16 in the name of Stephen Heward. Laidlaw and Heward are both non-residents and unassessed. Mr. Laidlaw's name was used to cloak the sale to Mr. Boys, of Barrie, in whose list of lands both 13 and 14 appear, and Mr. Heward (who is a well known Stock Broker in this City) had his name used for a like purpose for the Agent's brother, Dr. Clark, in whose list of lands advertised for sale, as also in the lists of his sub-agents, Mr. J. Adams and Mr. Truman, lots 15 and 16 appear. Andrew Hunter, Junr., claims lots 13 and 14 from having entered upon them on the 20th of July, 1854, and continued to improve upon them up to the 10th of September following, when the first instalment for them was refused by the Agent. He still occupies the lots, and is assessed for them. Andrew Hunter, senr., claims lots 15 and 16 upon the same grounds that his son claims 13 and 14. Recommended that the sales made in the names of Laidlaw and Heward be cancelled for non-compliance with the conditions, and that the claim of Andrew Hunter, junr., to lots 13 and 14, and of Andrew Hunter, senr., to lots 15 and 16 be allowed.

17, 18, 19, 20, 21 and 22. These six lots are returned on the Agent's Map as unsold. John Hunter claims lot 17, upon which he entered on the 20th of July, 1854, and for which he tendered payment to the Agent on the 10th of September following. The Agent refused the money, because, as he stated, "the land was sold," though to this day it remains vacant and unsold on his own map of the Township, as furnished to the Commissioners. John Mickie occupies lot 18 and is also assessed for it. 20 and 21 are claimed by Joseph Dowly, who put up a shanty and entered into occupation of them early in April, 1854, and continued to improve upon them up to the general sale in September following, when he went to Goderich to purchase, but was refused the lots by the Agent. Recommended that the claim of Hunter to lot 17, and of Dowly to lots 20 and 21 be allowed, and that lots 18, 19 and 22 be resumed by the Government.

23, 24 and 25. Lot 23 sold in the name of John Sawyers, 24 to Frank Eastwood, and 25 returned on the Agent's Map as unsold. Sawyers and Eastwood are both non-residents, unknown and unassessed in the Township. Lots 24 and 25 are claimed by Nicholas Graham, who entered upon them in the latter part of March, 1854, improved upon them and attended the September sale to purchase them, but was refused by the Agent. Recommended that the sales made in the names of Sawyers and Eastwood be cancelled for non-compliance with the conditions, that Graham's claim to lot 24 be allowed, and that lot 23 be resumed by the Government.

26, 27, 28, 29 and 30. Lots 26 and 27 sold to Patrick Moriarty, 28 to John Sullivan, 29 to Michael Sullivan, and 30 to Michael Moriarty. They are all resident settlers and assessed. Recommended that the sales be confirmed.

31, 32 and 33. Lot 31 sold in the name of Frank Eastwood, 32 in the name of John Ransbury, and 33 in the name of Cassins Matthews. Eastwood, Ransbury and Matthews are all non-residents and unassessed. Robert Johnston claims 32 and 33 upon which he entered in the winter of 1854, put up a shanty, carried in his provisions, and chopped away till the sale in September following, when, upon his application to the Agent to purchase, he was told the lots were sold. Recommended that the sales made in the names of Eastwood, Ransbury and Matthews respectively be cancelled for non-compliance with the conditions, that Johnston's claim to lots 32 and 33 be allowed, and that lot 31 be resumed by the Government.

Eighteenth Concession.

1, 2, 3 and 4. Lot No. 1 sold to Robert Reid, 2 to Edward Rutledge, 3 to Christopher Rutledge, and 4 to Thomas Lynch. Reid and Rutledge are resident settlers and assessed. Lynch is a non-resident and unassessed. A man named

John Johnston resides upon lot 4, and is assessed for it. Recommended that the sales to Reid and the Rutledges be confirmed, and that the sale made to Lynch be cancelled for non-compliance with the conditions, unless it is shown that Johnston is acting for or under him (Lynch.)

5, 6, 7, 8 and 9. Number 5 sold in the name of Isaniah McPhinny, 6 sold to Joseph Driver, 7 to Thomas Driver, 8 to William Driver, and 9 to Henry John Driver. McPhinny and the Drivers are all resident settlers and assessed. Recommended that the sales be confirmed.

10, 11, 12 and 13. Number 10 sold in the name of James Spencer Kerse, 11 in the name of William Boys, and 12 and 13 in the name of William Murray. Kerse is a resident settler and assessed. Boys and Murray are non-residents and unassessed. Mr. Boys is the well known land speculator at Barrie. William Driver claims lot 11 from actual occupation and improvements, but he did not enter into possession of it till after the general sale in September, 1854. Recommended that the sale to Kerse of lot number 10 be confirmed, and that the sale to Boys and Murray of lots numbers 11, 12 and 13 be cancelled for non-compliance with the conditions, and the lands resumed by the Government.

14, 15, 16, 17, 18, 19, 20 and 21. Numbers 14 and 15 sold in the name of Thomas Racy, 16 and 17 in the name of Henry Racy, 18 and 19 in the name of Robert M. Racy, and 20 and 21 in the name of James R. Racy. They are all non-residents, unknown and unassessed in the Township. 15 and 16 are claimed by Henry Johnston, and 20 and 21 by Thomas Robinson, both of whom entered into possession in the early part of November, 1853, and continued to occupy and improve them up to September, 1854, when they applied to purchase at the Agency Office, at Góderich, but were refused them. Recommended that the sales of lots 14, 15, 16, 17, 18, 19, 20 and 21, made to the Racy's, be cancelled for non-compliance with the conditions; that the claim of Johnston to lots 15 and 16 and of Robinson to lots 20 and 21 be allowed, and that lots 14, 17, 18 and 19 be resumed by the Government.

22 and 23. Both sold in the name of John T. Charleton, a non-resident, unknown and unassessed in the Township. Claimed by Henry Stephens, who occupied and improved them prior to the sale in September, 1854, when he tendered the first instalment to the agent, but could not get the lots. Recommended that the sale to Charleton be cancelled for non-compliance with the conditions, and the claim of Stephens allowed.

24, 25, 26 and 27. Lots 24 and 25 returned on the Agent's map as unsold, and 26 and 27 sold in the name of Lier Jones, who is a non-resident, unknown and unassessed in the Township. Numbers 24 and 25 are claimed by James Fulford, and 26 and 27 by Hiram Fulford, both of whom entered into actual occupation in the month of March, 1854, and continued to work away upon them up to September, 1854, when they applied to the agent to purchase, but was refused the lots. Recommended that the sale of 26 and 27 to Jones be cancelled for non compliance with the conditions; that James Fulford's claim to 24 and 25, and Hiram Fulford's claim to 26 and 27, be allowed.

28, 29, 30, 31, 32 and 33. Lots 28 and 29 sold in the name of David Dairs, 30 returned on the Agent's map as unsold; 31 and 32 sold in the name of John Eastwood, and 33 in the name of John Pearson. Dairs, Eastwood and Pearson are non-residents, unknown and unassessed in the Township. Mr. Eastwood is a land agent, formerly residing in this city. William Johnston claims 28 and 29. Samuel Roberts 30 and 31, and William Osborne 32 and 33. Johnston entered upon his lots in April, 1854, Robertson his towards the close of the same month and year, and Osborne on his in the early part of the month of March preceding. They all attended the general sale in September following with the intention of purchasing, tendered their money to the agent, but were refused. Recommended that the sales made in the names of Dairs, Eastwood and Pearson respectively, be cancelled for

non-compliance with the conditions, and that the claim of Johnston to lots 28 and 29; of Roberts to lots 30 and 31, and of Osborne to lots 32 and 33, be admitted.

MORRIS.

This Township was one of the first sold after the appointment of Mr. Clark as Agent; and the disposal of the public lands in it, was entirely satisfactory. Speculation in the Crown Domain was then comparatively unknown, and nearly every lot fit for cultivation in the Township, is occupied by a resident settler. There were but five applications, we cannot call them complaints, made to us from Morris, they are as follows:

South half 16, 17, 18 and 19, con. 1. David Durham states, that he has entered into possession of, and is now making improvements upon the south halves of lots 16, 17, 18 and 19 in the first concession of Morris, that he is desirous of purchasing them, and anxious that the Commissioners should forward his application to the Commissioner of Crown Lands.

North half, 15 and 16, con. 2. Thomas Hill, senior, makes a similar statement on his own behalf, in reference to the north halves of lots 15 and 16, in the second concession of Morris, and desires that his application to purchase be forwarded by the Commissioners to the Hon. Commissioner of Crown Lands.

26 and 27, con. 3. An application of a similar character and under like circumstances was made to the Commissioners by Richard Marshall, for lots 26 and 27 in 3rd concession of Morris.

No. 9, con. 6. William Proctor states, that his brother, Simon Proctor, now deceased, purchased lot No. 9, in the 6th concession of Morris, upon which he, Simon, paid the first instalment, that before the second instalment became due, his said brother died, leaving him (William) his next of kin, and that as such he took out letters of administration to his brother's estate, and paid all his debts. He adds that on application to the Crown Land Agent, (Mr. Clark) to obtain a transfer of the sale from Simon to himself (William,) the Agent refused. This is a matter which in the opinion of the Commissioners, properly comes under the notice of the Heir and Devisee Commissioners, or some other competent Court having legal jurisdiction.

29, con. 8. John Ramsden states, that he purchased the north half of lot 29 in 8th concession of Morris, from the Crown Land Agent, Clark; paid him £5 as the first instalment thereon, and took his receipt for the same, that when proceeding with his family "from the other side of Toronto," to occupy the lot, he was attacked by ague and chill fever at McGillivray, by which he was prevented entering upon his land at the time; he has since been improving upon the lot, and hopes by next Spring to have twenty-five acres chopped. He states that he is a British born subject, "that his father was a marine in the British Navy, who obtained his discharge after the loss of his leg above the knee," and trusts he may not lose his land owing to his temporary absence.

TURNBERRY.

Concession A.

1 and 2. Sold in the name of William Wright, a non-resident, not known in the locality, and not assessed in the township. Richard Osborne claims the lots from residence and improvements made upon them prior to the land sale in September, 1854, at which sale his money was refused. Recommended that the

sale to Wright be cancelled for non-compliance with the conditions, and the claim of Osborne allowed.

3 and 4. No. 3 sold in the name of William Wright, a non-resident, not known and not assessed in the Township. No. 4 returned by the Agent as unsold. Both lots claimed by Jeremiah Ferguson, a resident settler prior to the land sale in 1854, and the only person who has made improvements upon either lot. Recommended that the sale of No. 3 to Wright be cancelled for non-compliance with the conditions, and Ferguson's claim to both lots be allowed.

5 and 6. Sold to James Hyslop, who is also assessed for them. Recommended that the sale be confirmed.

7 and 8. Sold to John Wilson, a non-resident, not assessed, and understood to be the Member for London, in the County of Middlesex. Claimed by Andrew Ferguson, a resident settler since 1854. Recommended that the sale to Wilson be cancelled for non-compliance with the conditions, and the claim of Ferguson allowed.

9 and 10. Sold in the name of David H. Wilson, a non-resident, not assessed, and reputed to be a son of the member for London. Claimed by William Adams, who entered on the lots in March, 1854, and who still resides on them, and has two acres cleared and under crop. Recommended that the sale made in the name of Wilson be cancelled for non-compliance with the conditions, and the claim of Adams allowed.

Concession B.

11 and 12. Sold in the name of A. M. Clark, a non-resident and unassessed, understood to be a resident of the City of Toronto, and nephew to the Crown Land Agent. Both lots are claimed by William Peck, who entered upon them in May, 1854, and whose money was refused at the land sale. No. 12 is also claimed by Andrew Bell, who put up a house upon it, and entered into possession ten days before the land sale, but was refused the lot at the time of the sale.—Recommended that the sale to Clark be cancelled for non-compliance with the conditions; that the claim of Peck to No. 11, and the claim of Bell to No. 12 be allowed; and further, that Peck be permitted to purchase another lot in the Township, at the upset price, in lieu of No. 12.

13 and 14. Sold to John Beckett a resident settler and assessed for both lots.—Recommended that the sale be confirmed.

15. Sold in the name of Reuben Hill, a non-resident, unknown and unassessed in the township. Claimed by George Peck, who has been a resident settler for nearly three years, and who was refused the lot at the time of the general sale at Goderich, in September, 1854, and upon the same grounds he also claims lot 28 in the 10th concession, making together 200 acres. Recommended that the sale to Hill be cancelled for non-compliance with the conditions, and the claim of Peck to both lots be allowed.

16. Sold to James Beckett a resident settler. The lot is assessed in the name of his father, Alexander Beckett. Recommended that the sale be confirmed.

17. and 18. Sold to William Beckett, a resident settler and brother to James Beckett, (of No. 16.) The lots are assessed in the name of his father, Alexander Beckett. Recommended that the sale be confirmed.

19 and 20. Sold to John McLeod, a resident settler, and the lots assessed. Recommended that the sale be confirmed.

21. Sold in the name of James McMahan, a non-resident, not known and not assessed in the township. Claimed by Robert Picken, (who also claims lot 25 in the same concession,) who is a resident settler, the only one who made improvements on either lot, and who has been in possession since June, 1854. Recommended that the sale to McMahan be cancelled for non-compliance with the conditions, and the claim of Picken to both lots be allowed.

22 and 23. Both returned by the Agent as unsold. They are unoccupied, but have been returned by the assessor, and rated in the name of John Lamount. Recommended that they be resumed by Government.

24. Sold to John Lamount, Jr., who is a resident settler and assessed for the lot. Recommended that the sale be confirmed.

25. Sold in the name of William Baird, not known and not assessed in the township. Claimed by Robert Picken of lot 21. Recommended that the sale to Baird be cancelled for non-compliance with the conditions, and the claim of Picken allowed.

26 and 27. The first sold in the name of William Baird, and the other (27) in the name of James Allen, both non-residents, unassessed and unknown in the township. Claimed by Adam Willoughby as having entered upon them prior to the land sale in 1854, but his money was refused by the Agent. Recommended that the sale made respectively to Baird and Allen be cancelled for non-compliance with the conditions, and the claim of Willoughby be allowed.

28, 29 and 30. Sold to Thomas McCreight, Senr., and Thomas McCreight, Jr., both resident settlers and assessed. Recommended that the sale be confirmed.

Concession C.

1 and 2. Sold to Francis W. Irwin, a resident settler, assessed for both lots. Has surveyed and laid out a Village upon them called "Belmore," and made large improvements. Recommended that the sale be confirmed.

3. Returned by the Agent as unsold. It consists chiefly of swamp, and is claimed by David Peck, (vide No. 7.) He tendered his money for the lot at the time of the land sale in 1854, but it was refused. Recommended that Peck's claim be allowed.

4 and 5. Sold to Thomas Irwin, who is a resident settler. Recommended that the sale be confirmed.

6. Sold to James Bell a resident settler, and assessed. Recommended that the sale be confirmed.

7. Sold in the name of Joseph Carroll, a non-resident, unknown and unassessed in the township. Claimed by David Peck, (vide lot 3) who has been a resident settler since 1854, has made considerable improvements, and his money refused at the period of the land sale in that year. Recommended that the sale to Carroll be cancelled for non-compliance with the conditions, and the claim of Peck allowed.

8. Sold in the name of Alexander Carroll, a non-resident, unknown and unassessed in the township. Recommended that the sale to Carroll be cancelled for non-compliance with the conditions and that this lot be given to William Peck, in lieu of No. 12, concession B. before referred to.

9. Sold in the name of Alexander Carroll (supposed to be the same person as in No. 8) unknown and unassessed in the Township; claimed by Peter R. Miller, (who also claims lot No. 30 in the same concession,) who was the first and only settler on either lot, has been in possession since May, 1854, and whose money was refused at the general land sale in the fall of that year. Recommended that the sale to Carroll be cancelled for non-compliance with the conditions, and the claim of Miller to both lots allowed.

10 and 11. Sold to John Clinaghan, but occupied by, and assessed to William Anderson. Recommended that the sale to Clinaghan be cancelled for non-compliance with the conditions, and that both lots be resumed by Government, unless it shall appear that Anderson is acting for, or under him (Clinaghan)

12 and 13. Sold in the name of Calvin Holmes, a non-resident and unassessed, claimed by James Watson, who settled upon them with his family in 1853, about one year prior to the land sale at Goderich. Recommended that the sale to Holmes be cancelled for non-compliance with the conditions, and the claim of Watson allowed, at the valuation of the Government Agent.

14 and 15. Sold in the name of Evan McDonald, a non-resident, unknown and

unassessed in the Township, claimed by John Watson, who entered upon them in Nov., 1853, more than one year prior to the Government sale at Goderich. Recommended that the sale to McDonald be cancelled for non-compliance with the conditions, and the claim of Watson allowed, at the valuation of the Government Agent.

16 and 17. The first (16) sold in the name of David Laurie, a non-resident, unknown and unassessed in the Township; also offered for sale in a list of lands exhibited in the handwriting of Mr. Colin Clark, (son to the Crown Land Agent). The other lot (17) sold to Alexander Thomson, a resident settler, who claims both lots, is assessed for them, and has made large improvements upon them. Recommended that the sale of No. 16 to Laurie be cancelled, for non-compliance with the conditions, and the claim of Thomson to both lots be allowed.

18 and 19. The first (18) sold to Andrew Mitchell, a resident settler and assessed for both lots, the other, (No. 19) sold in the name of Robert Park, a non-resident, and unassessed in the Township. Mitchell claims both lots, from residence and improvements prior to the land sale in 1854, when his money was refused by the Crown Land Agent. Recommended that the sale of No. 19 to Park be cancelled for non-compliance with the conditions, and the claim to Mitchell for both lots be allowed.

20 and 21 sold to Thomas Plafford, a resident settler and assessed for both lots. Recommended that the sale be confirmed.

22 and 23. Lot 22 sold in the name of William Swift, a non-resident, unknown and unassessed in the Township, lot 23 sold to William Elliott, a resident settler and assessed for both lots, he claims both lots from residence, and from having made large improvements upon them, but one only (23) was allowed by the Government Agent. Recommended that the sale of lot 22 to Swift be cancelled for non-compliance with the conditions, and the claim of Elliott to both lots be allowed.

24 and 25. The first (24) sold in the name of William Swift, and the other (25) in the name of Obadiah Swift, both non-residents, unknown and unassessed in the Township; Matthew Elliot claims both lots from residence and improvements made upon them prior to the sale in 1854. Recommended that the sale to both the Swifts be cancelled for non-compliance with the conditions, and the claims of Elliot allowed.

26 and 27. The former (26) sold in the name of Stephen Wickens, and No. 27 in the name of Jonathan Ashworth, both non-residents, unknown and unassessed in the township; claimed by James Muir, who is a blacksmith by trade, resides on the lots, and has over 3 acres improved upon them. Recommended that the sales to Wickens and Ashworth be cancelled for non-compliance with the conditions, and the claim of Muir be allowed, at the valuation of the resident Agent.

28 and 29. The first (28) sold in the name of Jonathan Ashworth, a non-resident, unknown and unassessed in the Township. No. 29 sold to Thomas Mosgrove, a resident settler, who is assessed for both lots, and who claims them from residence and improvements prior to the sale in 1854. Recommended that the sale to Ashworth be cancelled for non-compliance with the conditions, and the claim of Mosgrove to both lots be allowed.

30. Sold in the name of Robert Park, a non-resident, unknown and unassessed in the Township, claimed by Peter R. Miller, (vide lot No. 9,) who has made improvements, was an actual settler, and who tendered his money at the land sale, in 1854. Recommended that the sale to Park be cancelled for non-compliance with the conditions, and the claim of Miller allowed.

31. Sold in the name of Thomas Park, a non-resident, unknown and unassessed in the Township. Recommended that the sale to Park be cancelled, for non-compliance with the conditions, and the land resumed by Government.

32. Sold in the name of Charles Lindsay, a non-resident, unknown and unassessed in the Township, is a resident in the City of Toronto, and states that his name was used by some speculator without his privity or consent. The lot is claimed by

Richard Hazzard, who is a resident settler and has made some improvements. Recommended that the sale made in the name of Lindsay be cancelled for non-compliance with the conditions, and that Hazzard be allowed to purchase at the valuation of the Government Agent.

33 and 34. Lot 33 sold in the name of Charles Lindsay, a non-resident, unknown and unassessed in the Township; is a resident of the City of Toronto, and states that his name was used by some speculator without his privity or consent. No. 34 was sold in the name of Selby Cameron, who is also a non-resident, unknown and unassessed in the Township; and the lot is now offered for sale in a printed list of lands published by Mr. Truman, a land agent, at Goderich. Lot 33 is claimed by Reuben Miles, who is a resident settler and has made some improvements. Sebastien Huffer has lately entered into possession of lot 34 and claimed it before the Commissioners, and Matthew Alexander has advanced a similar claim from recent residence and occupation. Recommended that the sales made to Lindsay and Cameron be cancelled for non-compliance with the conditions; that Miles be allowed to purchase lot 33, at the valuation of Government Agent, and that lot 34 be resumed by Government.

Town Plots.

Twenty lots of one hundred acres each are reserved in the first concession for a Town plot. This makes an aggregate of two thousand acres of land. The Commissioners are of opinion that one thousand, or even five hundred acres would be amply sufficient for all the purposes of a Town plot. To reserve so large a block of land as two thousand acres, will be, practically, to render for many years to come, the largest portion of it a common, if not a nuisance, to the future village.

1 and 2, East. Lots 1 and 2 on the east side are claimed by William Saddler, as having chopped and cleared thereon so far back as the year 1850.

7 and 8, East. On the same side (east) Adam Pedan claims lots 7 and 8, as having occupied them since the spring of 1854, and as having been refused them at the land sale in that year.

9 and 10, East. John Bacon claims lots 9 and 10 on the same side with Pedan, and on the same grounds, having first entered upon them in the month of July, 1854, but was refused to him at time of the land sale.

5 and 6, West. On the other, or western side, James R. Wilson claims lots 5 and 6, having been in possession for three years and made improvements upon them.

7 and 8, West. Robert Montgomery, also on Western side, claims lots 7 and 8, having entered upon them in the month of June, 1854, made considerable improvements, and tendered his money to the Agent at Goderich.

9 and 10, West. Lots 9 and 10 on the same side (the west) are claimed by Thomas Newton, who entered upon them three years ago, and cleared off at the time about four acres, but was refused them at the time of the Government land sale in 1854. Recommended that the eight lots only, comprising in the aggregate 800 acres of land, be reserved for the Town plot, and that the said reserved lots do consist of Nos. 1, 2, 3 and 4 on the east side, and lots Nos. 1, 2, 3 and 4 on the west side, being the 8 centre lots of the intended village. And further recommended that William Saddler be allowed lots 5 and 6 on the east side, in lieu of lots 1 and 2 claimed by him, but included within the reservation for the intended Village, and the claims of Adam Pedan, John Bacon, James R. Wilson, Robert Montgomery, and Thomas Newton, be allowed.

First Concession.

11 and 12. Sold in the name of A. M. Clark, a non-resident, unknown and unassessed in the Township, resides in the City of Toronto, and is nephew to the Crown Land Agent for the County. No. 11 was offered for sale in a list of lands exhibited in the handwriting of Colin Clark, (son to the County Agent.) David McDonald Gillies claimed both lots before the Commissioners on the 23rd June, 1856, to which claim the Agent (who was present) replied; on the 20th July following the Agent stated that Mr. Clarke (the original nominee) waived his right to both lots in favor of Gillies. Recommended that the sale to Clark be cancelled, and the claim of Gillies allowed.

13 and 14. Sold to James Hogg, a resident settler and assessed for both lots. Recommended that the sale be confirmed.

15. Sold to Thomas Jenkins, who is a resident settler and assessed for the lot. Recommended that the sale be confirmed.

16 and 17. Sold to Robert Hogg, brother to James Hogg, (vide 13 and 14.) Hogg is a resident settler. Recommended that the sale be confirmed.

18 and 19. Both sold in the name of John T. Holden, a non-resident and unassessed, is a School Teacher in the Town of Goderich. Robert Hogg, senr., claims No. 18, upon which he erected a house and underbrushed three acres, prior to the land sale in 1854, when his money was refused for the lot by the Crown Agent. Jeremiah Gray appears assessed. Robert Thompson claims Nos. 19 and 20 from occupation prior to the sale in 1854, but he afterwards abandoned them, and has recently resumed possession of No. 10. Recommended that the sale of No. 18 to Holden be cancelled for non-compliance with the conditions, and that the claim of Hogg be allowed; and further, that the sale of No. 19 to Holden be also cancelled, and the lot resumed by Government, unless it shall appear that Gray is acting for or under him, (Holden.)

20 and 21. Lot 20 is returned by the Agent as unsold, and the other (21.) has been sold in the name of John Millan, Jun'r, who is a non-resident, unknown and unassessed in the Township. Both lots are claimed by William Dunwoodie, who entered upon them and made improvements prior to the general sale of 1854, but who would be allowed but one of the lots by the Agent at the time of sale. Recommended that the sale to Millan be cancelled for non-compliance with the conditions of sale, and that the claim of Dunwoodie be allowed.

22. Sold in the name of John Millan, junr., a non-resident, unknown and unassessed in the Township; claimed by William Duncan, who is a resident settler, and assessed for the lot. Recommended that the sale to Millan be cancelled for non-compliance with the conditions, and that the claim of Duncan be allowed.

23 and 24. Sold in the name of William George Duncan, but should have been in the name of his brother, George Duncan, who was the real purchaser; resides on the lots, and is assessed for them. Recommended that a transfer from William G. Duncan to George Duncan be confirmed.

25 and 26. The south halves of each of these lots has been sold in the name of Thomas Hogan, who is a non-resident, unknown and unassessed in the Township. They are now advertised for sale by Mr. Truman, a land agent at Goderich; the other, or northern halves, were sold to Frederick Duncan, who claims the whole of both lots; occupies them and is assessed for them. Recommended that the sale to Hogan be cancelled for non-compliance with the conditions, and that the claim of Duncan to the whole of both lots be allowed.

27 and 28. As in the last named, so in this, the one-half of each lot was sold in the name of a non-resident, (R. Ainslee Spears,) unknown and unassessed in the Township. Frederick Duncan's name, instead of Richard Duncan, is inserted for the other halves of the lots. Duncan is resident upon them, is assessed for them, and has made large improvements. Recommended that the sale to

Spears be cancelled for non-compliance with the conditions, and that the claim of Duncan to the whole of both lots be allowed.

29 and 30. Sold to Alexander Duncan, who is a resident settler, assessed for both lots, and has made large improvements upon them. A village called "Bluevale" has been laid out and surveyed upon No. 30. Recommended that the sale be confirmed.

31 and 32. Sold to Jacob Cauthan, a resident settler and assessed for both lots. Recommended that the sale be confirmed.

33 and 34. The first (33) sold in the name of William Reid, who is a non-resident, unknown and unassessed in the Township, and it is now advertised for sale by Mr. Truman, a land agent at Goderich; the other lot (34) sold to James McCutty, who is a resident settler; occupied both lots prior to the land sale in 1854; made improvements to the extent of three acres before the sale, and offered the instalment for them at the time to the Crown Land Agent, who had previously entered his name for both lots. Recommended that the sale to Reid of lot 33 be cancelled for non-compliance with the conditions, and the claim of McCutty to both lots allowed.

35 and 36. Sold to Samuel Black, a resident settler and assessed for both lots. Recommended that the sale be confirmed.

37 and 38. Sold to Andrew Gray, a resident settler and assessed for both lots. Recommended that the sale be confirmed.

39 and 40. The north halves of these lots were sold in the name of William H. Stanton, who is a non-resident, unknown and unassessed in the Township. Mr. Stanton is a resident of the City of Toronto, and his name was probably used by some one of the speculators who had access to the Agent's office, Goderich. The lots are now advertised for sale by Mr. Truman, a land agent at Goderich. The other or southern halves of these lots were sold to Elijah Martin, who is a resident settler, assessed for both lots, has made extensive improvements upon them, and who tendered for them, but was refused them at the time of the land sale in 1854. Recommended that the sale to Stanton be cancelled for non-compliance with the conditions, and that the claim of Martin to the whole of both lots be allowed.

41 and 42. The north halves of these lots sold to Daniel McIntosh, and the south halves to David Logan, both resident settlers and assessed for their respective proportions. Recommended that both sales be confirmed.

43. Sold in the name of John Holliwell, a non-resident, unknown and unassessed in the Township. The lot is now advertised for sale by Mr. Truman, a land agent at Goderich. Mr. Holliwell is a resident of the City of Toronto, and his name was probably used by some one of the speculators who were permitted to purchase at the Crown Lands Office at Goderich. James Godkin claims the lot, as being the first and only settler thereon, though refused by the Agent at the time of the sale in September, 1854. Recommended that the sale to Holliwell be cancelled for non-compliance with the conditions, and that the claim of Godkin be allowed.

44 and 45. Sold in the name of Francis Woods, a non-resident, unknown and unassessed in the Township, and the lots are now advertised for sale by Mr. Truman, a land agent at Goderich. They are claimed by W. D. Stoddart, a resident settler, who entered upon them in the spring of 1854, and was refused them by the Agent at the sale held in the autumn of that year. Recommended that the sale to Woods be cancelled for non-compliance with the conditions, and that the claim of Stoddart be allowed.

46 and 47. The south halves of these lots sold in the name of John Harper, a non-resident, unknown and unassessed in the Township; is a builder, resident in the City of Toronto. The north halves of both lots have been sold to George Moffatt, who is a resident settler and assessed for them. Recommended that the sale to Harper be cancelled for non-compliance with the conditions, and the land resumed by the Government, and further, that the sale to Moffatt be confirmed.

48. Lot 48 has been sold to George Moffatt, a resident settler, (vide north half of 46 and 47) and assessed. Recommended that the sale be confirmed.

49 and 50. Sold to David Moffatt, a resident settler and assessed for both lots. Recommended that the sale be confirmed.

51 and 52. Sold to Agnes Hamilton, a resident settler and assessed. Recommended that the sale be confirmed.

53. Sold in the name of David Laurie, a non-resident, unknown and unassessed in the Township, believed to be the same person whose name is entered as the purchaser of lot No. 16 in concession B. The lot has since been offered for sale in a list of lands exhibited in the hand-writing of Mr. Colin Clark, son to the Crown Lands Agent; it is claimed by Robert Pedan (who also claims lot No. 60 in the same concession). Pedan entered upon the land long prior to the land sale in 1854, when he was refused the right to purchase by the Agent. Recommended that the sale to Laurie be cancelled for non-compliance with the conditions, and that the claim of Pedan be allowed.

54, 55, 56 and 57. The front halves of these four lots were sold to Robert Moffatt, and the rear halves to John R. Miller, who are both resident settlers and assessed. Recommended that the sales be confirmed.

58 and 59. Sold to Alexander Hyslop, who is a resident settler and assessed for both lots. Recommended that the sale be confirmed.

60. Returned by the Agent as unsold, claimed by Robert Pedan (vide lot 53) as having been in possession and made improvements prior to the land sale in 1854. Recommended that Pedan's claim to purchase be allowed.

Second Concession.

1 and 2. Lot No. 1 was sold to James Miller and Adam Morrow; and lot No. 2 to John Miller and James Miller. They are all resident settlers and assessed. Recommended that the sales be confirmed.

3. Sold in the name of William Gilers, but occupied by and assessed in the name of James Stewart. Recommended that the sale to Gilers be cancelled for non-compliance with the conditions and the land resumed by the Government, unless it shall appear that Stewart is acting for or under him (Gilers.)

4. Sold in the name of George Nickells, but occupied by and assessed to James McEwan. Recommended that the sale to Nickells be cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that McEwan is acting for or under him (Nickells.)

5. Sold to Alexander Anderson, a resident settler and assessed. Recommended that the sale be confirmed.

6. Sold to Alexander Ervin, a resident settler and assessed. Recommended that the sale be confirmed.

7. Sold to Alexander Anderson, (vide No. 5,) a resident settler and assessed. Recommended that the sale be confirmed.

8. Sold in the name of William Gillespie, a non-resident, unknown and unassessed in the Township; claimed by Henry Montgomery, who settled upon it prior to the land sale in 1854 and was refused it at that time by the resident Agent. Recommended that the sale to Gillespie be cancelled for non-compliance with the conditions, and the claim of Montgomery allowed.

Third Concession.

1 and 2. Sold in the name of James Butt, unknown and unassessed in the Township; claimed by James Martin, who entered upon them and made improvements prior to the land sale in 1854, attended the sale to purchase, but was refused the lots by the resident Agent. Recommended that the sale to Butt be cancelled for non-compliance with the conditions, and the claim of Martin allowed.

3. Sold to Thomas Godby, a resident settler and assessed. Recommended that the sale be confirmed.

4. Sold to James McEwan, a resident settler and assessed. Recommended that the sale be confirmed.

5. Sold in the name of Thomas Fortune, who is a resident settler of the Township, though not of this particular lot. James Styles stands on the roll as assessed for the lot. Recommended that the sale to Fortune be cancelled for non-compliance with the conditions, unless it shall appear that Styles is acting for or under him.

6. Sold to James McEwan (vide No. 4), a resident settler, but the lot is assessed in the name of Alexander McEwan. Recommended that the sale be confirmed.

7. Sold in the name of George Yeo, a non-resident, unknown and unassessed in the Township. Recommended that the sale to Yeo be cancelled for non-compliance with the conditions, and that the lot be resumed by the Government.

8 and 9. The first (8) sold in the name of Frederick Dezing; and the other (9) in the name of Robert Yeo; both non-residents, unknown and unassessed in the township; claimed by John Willoughby, who entered upon them previous to the land sale in 1854, who attended at the sale with the intention to purchase them, but was refused them by a person named Newman, son-in-law to the resident Agent, and who was, at the time, acting as a clerk in the Agent's office. Recommended that the sales made to Dezing and Yeo respectively, be cancelled for non-compliance with the conditions, and that the claim of Willoughby be allowed.

Fourth Concession.

1 and 2. Sold to John Martin, a resident settler, and assessed for both lots. Recommended that the sale be confirmed.

3 and 4. Sold in the name of Ruben Sanburn, a non-resident, unknown and unassessed in the township; claimed by Thomas Griffith, who resides and made improvements upon the lot prior to the land sale in 1854, and who was refused the lot by the resident Agent at the time of the sale. Recommended that the sale made in the name of Sanburn be cancelled for non-compliance with the conditions, and the claim of Griffith allowed.

5 and 6. Sold in the name of Donald McDonald, a non-resident, unknown and unassessed in the Township. They are now advertised for sale by Girdlestone and Maddison, land agents, Hamilton. Claimed by Thomas Allen, who entered upon them on the 5th of August, 1854, made slashing upon them at the time, attended the land sale to purchase in September following, but was refused them by the resident agent. They are also claimed by Alexander Clyde, who entered upon one of them on the 1st of September, 1856. Recommended that the sale to McDonald be cancelled for non-compliance with the conditions, that the claim to Allen be allowed, and that Clyde be permitted to purchase another lot in the township at the valuation of the resident agent.

7. Sold in the name of William Horton, a non-resident, unknown and unassessed in the township. The lot is occupied by Hugh Shutters, who is also assessed for it. Recommended that the sale to Horton be cancelled for non-compliance with the conditions, and the land resumed by Government, unless it shall appear that Shutters is acting for or under him (Horton.)

8 and 9. Sold in the name of George A. Dezing, a non-resident, unknown and unassessed in the township; claimed by James Graham, who removed from the eastern part of the Province, and took possession of them in the year 1854, attended the land sale that year to purchase them, but was refused them by the resident agent. They are also claimed by James Ritchie, who has moved on to one of them very recently. Recommended that the sale to Dezing be cancelled for non-compliance with the conditions, that the claim of Graham be allowed, and that Ritchie be permitted to purchase a lot in another part of the Township, at the valuation of the resident Agent.

10. Sold in the name of John Billings, a non-resident, unknown and unassessed in the Township, and now offered for sale by Mr. Truman, a land agent at Goderich. Claimed by Nathaniel Holmes, who resides on the lot, has made large improvements upon it, and who was refused by the Agent at the sale in 1854. Recommended that the sale to Billings be cancelled for non-compliance with the conditions, and the claim of Holmes allowed.

11. Sold to Nathaniel Holmes, who is settled on the adjoining lot (vide No. 10) and who is assessed for both lots. Recommended that the sale be confirmed.

12 and 13. Sold to Jacob Cantelon, a resident settler, and assessed for both lots. Recommended that the sale of both lots be confirmed.

14. Sold in the name of Thomas Robinson, a non-resident, unknown and unassessed; claimed by Henry Montgomery, (who resides on No. 8, in the 2nd concession, vide that lot) and who claims this lot from residence and improvements prior to the land sale in 1854, when his money was refused by the resident agent. Recommended that the sale to Robinson be cancelled for non-compliance with the conditions, and the claim of Montgomery allowed.

Fifth Concession.

1 and 2. Sold to David Martin, a resident settler, and assessed for both lots. Recommended that the sale be confirmed.

3. Sold in the name of William Morris, Sen., who is a resident of the Township, though not of the lot. It is assessed in the name of James Muir, who resides upon it. Recommended that the sale to Morris be cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that Muir is acting for or under him (Morris.)

4 and 5. Sold in the name of Allen Caldwell, a non-resident, unknown, and unassessed in the Township. Both lots are occupied by and assessed to Andrew John Dodd. Recommended that the sale to Caldwell be cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that Dodd is acting for or under him (Caldwell.)

6. Sold in the name of John L. Faulkner, who is a non-resident, unknown, and unassessed in the Township; is generally understood to be a resident of the United States of America, and that Mr. Colin Clark (son to the resident Agent) acts as his (Faulkner's) agent. The lot is claimed by John Ferguson. (who also claims No. 10 in the same concession,) as the only person who made improvements upon either lot; was anxious to purchase them at the sale in 1854, but was refused them by the resident Agent. Recommended that the sale to Faulkner be cancelled for non-compliance with the conditions, and the claim of Ferguson be allowed.

7. Sold in the name of Hiliary Horton, a non-resident, unknown, and unassessed in the Township. The lot is assessed in the name of Hugh Shutters, who resides on lot 7 in the 4th concession, (vide that lot.) Recommended that the sale to Horton be cancelled, and the lot resumed by the Government, unless it shall appear that Shutters is acting for or under him (Horton.)

8. Sold in the name of John L. Faulkner, a resident of the United States of America, (vide No. 6.) but Mr. Colin Clark, son to the resident Agent, appears to act for him (Faulkner.) The lot is assessed to and occupied by John Head. Recommended that the sale to Faulkner be cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that Head is acting for or under him (Faulkner.)

9 and 10. Sold in the name of James Faulkner, a non-resident, unknown, and unassessed in the Township; understood to be a resident of the United States of America. Mr. Colin Clark, (son to the resident Agent,) acts for him. Lot 10 is claimed by John Ferguson, (vide No. 6.) Recommended that the sale to Faulkner be cancelled for non-compliance with the conditions; that the claim of Ferguson to No. 10 be allowed, and that No. 9 be resumed by the Government.

11. Sold in the name of John M. Douglas, a non-resident, unknown, and unassessed in the Township. John Wylie occupies the lot and is assessed for it. Recommended that the sale to Douglas be cancelled for non-compliance with the conditions, and the lot resumed by Government, unless it shall appear that Wylie is acting for or under him (Douglas.) *Note.*—This lot appears in a list of lands offered for sale, in the handwriting of Mr. Colin Clark, (son to the resident Agent.)

12 and 13. The former (12) sold in the name of John M. Douglas and the last named (13) in the name of James Cumming, both non-residents, unknown and unassessed in the Township. Both lots appear in a list of lands offered for sale in the handwriting of Mr. Colin Clark (son to the resident Agent.) They are claimed by William Strachan, who first occupied them in August, 1854, and was refused them at the sale by the Crown Lands Agent. Recommended that the sales made to Douglas and Cumming respectively, be cancelled for non-compliance with the conditions, and the claim of Strachan allowed.

14. Sold in the name of Margaret Callander, a non-resident, unknown, and unassessed in the Township. The lot appears to be held by Mr. Colin Clark, (son to the Agent,) as it appears in a list of lands offered by him for sale. It is claimed by Thomas Morton (as is also lot 14 in the 6th concession,) who entered upon them, and made improvements prior to the land sale in 1854, at which period he was refused the lots by the Agent. Recommended that the sale made in the name of Callander be cancelled for non-compliance with the conditions, and the claim of Morton allowed.

Sixth Concession.

1 and 2. Sold in the name of John Thorp, a non-resident, unknown, and unassessed in the Township. Claimed by William Mitchell, who made improvements to a considerable extent, prior to the land sale in 1854, but was refused the lots at the sale, by the resident agent. Recommended that the sale to Thorp be cancelled for non-compliance with the conditions, and the claim of Mitchell allowed.

3. Sold in the name of George Davidson, a non-resident, unknown and unassessed in the Township. William Morris, who resides upon the lot, is assessed for it, and had made improvements upon the lot prior to the sale in 1854, now claims it. Recommended that the sale to Davidson be cancelled for non-compliance with the conditions, and the claim of Morris allowed.

4 and 5. The first sold to William Morris, Senior, and the other (No. 5) to William Morris, Junior, both resident settlers and assessed. Recommended that both sales be confirmed.

6. Sold to John Hemming, who is a resident of the Township, though not of the lot. It is assessed in the name of James Wylie, who resides upon it. Recommended that the sale to Hemming be cancelled for non-compliance with the conditions, and the lot resumed by the Government, unless it shall appear that Wylie is acting for or under him (Hemming.)

7 and 8. Sold to James Hemming, who is a resident settler and assessed. Recommended that the sale be confirmed.

9. Sold to Robert Duff, a resident settler and assessed. Recommended that the sale be confirmed.

10. Sold in the name of William Small, a non-resident, unknown, and unassessed in the Township. The lot is assessed in the name of Hugh McEwan. Recommended that the sale to Small be cancelled, and the lot resumed by the Government, unless it shall appear that McEwan is acting for or under him (Small.)

11 and 12. Sold in the names of Oxley Laurie and William Laurie, both non-residents, unknown, and unassessed in the Township. Lot No 12 appears in a list of lands offered for sale in the handwriting of Colin Clark, son to the local agent. The lots are claimed by John Green, who entered upon and improved them in the

year 1854, but was refused them at the sale that year, at the Agent's office. Recommended that the sale made in the name of the Lauries be cancelled for non-compliance with the conditions, and that the claim of Green be allowed.

13 and 14. The first sold in the name of William Laurie, and the other (14) in the name of Margaret Calender, both non-residents, unknown and unassessed in the Township. Both lots are inserted in a list of lands advertised for sale in the handwriting of Colin Clark, son to the local Agent. The first lot (13) is claimed by Robert Brittan, a resident settler (vide lot 17), who improved upon it at the time and for some time before the land sale in 1854, when his money was refused by the resident agent. The other lot (14) is claimed by Thomas Morton (vide lot 14 in 5th concession). John Rath has recently entered on these lots, and wishes to purchase them. Recommended that the sales made in the names of Laurie and Calender, respectively, be cancelled for non-compliance with the conditions, and that the claim of Brittan to lot 13, and the claim of Morton to lot 14, be allowed.

15. Sold to Henry Grier, a resident settler. Recommended that the sale be confirmed.

16. Sold to John McClery, a resident settler. Recommended that the sale be confirmed.

17 and 18. Sold in the name of John Saul, a non-resident, unknown, and unassessed in the Township. They are claimed by Thomas Brazill, and also by Andrew Miller. The facts in this case appear to be, that in May, 1854, Miller entered on the lots, and made considerable improvements upon them; that he subsequently informed the Agent of his residence and improvements, and had his name entered, or registered (as it was called) for pre-emption right with him (Mr. Clark), and for which service he paid the Agent 2s. 6d.; that though he (Miller) tendered the money for the lots, Mr. Clark refused to receive it, and that in consequence of such refusal Miller subsequently abandoned the lots. This is Miller's case in substance. On the 6th September, 1854, Thomas Brazill purchased both lots, and paid the first instalment upon them, and has ever since continued to reside upon them, no other person having made any improvements upon either lot. On tendering the second instalment to the Agent, it was refused, on the alleged ground that the lots had been sold to another party (John Saul), and two other lots (12 and 13 in 4th concession) were offered by the Agent (Clark) to Brazill, in lieu of these lots. This, briefly, is Brazill's case. Recommended that the sale to Saul be cancelled for non-compliance with the conditions, that the sale to Brazill be confirmed, and that Miller be allowed two other lots of equivalent value, in some other part of the Township.

19. Sold in the name of John Edwards, a non-resident, unknown, and unassessed in the Township. Claimed by Thomas Underwood, a resident settler, who entered on the lot prior to the land sale in 1854, made improvements thereon, and tendered his money for it to the Agent, at time of sale. Recommended that the sale to Edwards be cancelled for non-compliance with the conditions, and the claim of Underwood allowed.

Seventh Concession.

1 and 2. Sold in the name of John Buchanan, a non-resident, unknown and unassessed in the Township. Claimed by Henry Montague, who settled on them and made the required improvements prior to the general sale in 1854, and was refused them by the Agent at the time of sale. Recommended that the sale to Buchanan be cancelled, for non-compliance with the conditions, and the claim of Montague allowed.

3 and 4. Sold in the name of Alexander Reid, a non-resident, unknown and unassessed in the Township. Claimed by John A. Mitchell, a resident settler and assessed for both lots. Recommended that the sale made in the name of Reid be cancelled for non-compliance with the conditions, and the claim of Mitchell allowed.

7 and 8. Sold in the name of William Dunbar, a non-resident, unknown and unassessed in the Township. Claimed by Richard Yates, who entered upon them in 1853, and continued his improvements up to the present. Recommended that the sale to Dunbar be cancelled for non-compliance with the conditions, and the claim of Yates allowed.

9 and 10. No. 9 sold to Hugh McDougall, a resident settler and assessed, and No. 10 sold to James Anderson, who is also a resident settler and assessed. No. 10 is claimed by Robert T. Duff who resides on the adjoining lot, and resided on it prior to the sale and had made improvements on both lots at the time. Recommended that the sales made respectively to McDougall and Anderson be confirmed; and that Duff be allowed another lot of equivalent value in lieu of No. 10, which the resident Agent should have sold him in the first instance.

11 and 12. Sold in the name of James Burns, a non-resident, unknown and unassessed in the Township. Both lots are assessed in the name of Peter McDougall. Recommended that the sale to Burns be cancelled for non-compliance with the conditions, and the land resumed by Government, unless it shall appear that McDougall is acting for or under him (Burns.)

13 and 14. Sold in the name of Charles Comer, a non-resident, unknown and unassessed in the Township, both lots are assessed in the name of George Ritchie, who resided upon them. Recommended that the sale to Comer be cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that Ritchie is acting for or under him (Comer.)

15 and 16. Sold in name of William McCleery, a non-resident, unknown and unassessed in the Township. Claimed by Chas. Buchanan, Senr., who has been in possession since before the general sale in 1854, and has made the only improvement on either lot. Recommended that the sale to McCleery be cancelled for non-compliance with the conditions, and the claim of Buchanan allowed.

17 and 18. Sold in the name of John Ashworth, a non-resident, unknown and unassessed in the Township. Claimed by James Miller as having made the first and only improvements upon the lots, and as having had his name registered for them by the Agent prior to the sale in 1854. Recommended that the sale to Ashworth be cancelled for non-compliance with the conditions and the claim of Miller allowed.

19 and 20. The former sold in name of Archibald Campbell, and the latter (No. 20) in name of John Edwards, both non-residents, unknown and unassessed in the Township. Claimed by Matthew Williamson, an old resident of the Township, who was settled on the lots in 1853, and was the only person to make improvements upon them. Recommended that the sales made to Campbell and Edwards respectively, be cancelled for non-compliance with the conditions, and the claim of Williamson be allowed.

Eighth Concession.

1 and 2. Sold in the name of Henry Massaughbird, a non-resident, unknown and unassessed in the Township, claimed by Chas. Buchanan, Junr., who entered upon them in July, 1854, and who was refused them at the general sale in September of that year. Recommended that the sale made to Massaughbird of that year be cancelled for non-compliance with the conditions, and the claim of Buchanan allowed.

3 Sold in the name of John Dunn, a non-resident, unknown and unassessed in the Township. Claimed by Thos. Underwood, who also claims a small angle (19 in 6th concession) who entered upon it early in Spring, 1854, and claimed from the Agent at the fall sale held in that year, and was refused it at the sale. Recommended that the sale to Dunn be cancelled for non-compliance with the conditions, and the claim of Underwood allowed.

4 and 5. Sold to George Forbane, a resident settler and assessed for both lots. Recommended that the sale be confirmed.

6 and 7. Sold to John Cowdie, a resident settler and assessed for both lots. Recommended that the sale be confirmed.

8 and 9. Sold in the name of William Westcott, a non-resident and unassessed. Westcott resided at London, U. C., and is since dead. His widow has since applied to give up the lots, and to be restored the instalment paid. These lots are claimed by William Johnston Emery, as residing upon them, and as having made the only improvements upon them prior to the sale in 1854. Recommended that the sale made in the name of Westcott be cancelled for non-compliance with the conditions, and also in accordance with the request of his widow, and that the claim of Emery be allowed.

10. Sold to Thomas Hastings, a resident settler and assessed. Recommended that the sale be confirmed.

11 and 12. Sold in the name of James Redford, a non-resident, unknown and unassessed in the Township. Lot 11 is claimed by John Hastings, and lot 12 by Hastings. Both the Hastings are resident settlers and assessed for their respective proportions, and have made large improvements upon them. Recommended that the sale made in the name of Redford be cancelled for non-compliance with the conditions, and the respective claims of John and Robert Hastings allowed.

13 and 14. Sold (13) in the name of Samuel Pollock, and 14 in the name of Bartholomew Pollock; both non-residents, unknown and unassessed in the Township. David Burns claims these lots, as the only person who made improvements upon either of them, and as having applied to the Agent for them in 1854, and been refused. Recommended that the sales made in the name of Pollocks be cancelled for non-compliance with the conditions, and the claim of Burns to both lots allowed.

15. Sold in the name of Bartholomew Pollock, a non-resident, unknown and unassessed in the Township; claimed by Gilbert B. Stephens, a resident settler, (vide 15 in the 9th session,) who improved upon the lot prior to the sale in 1854, and was then refused it. Recommended that the sale to Pollock be cancelled for non-compliance with the conditions and the claim of Stephens allowed.

16 and 17. Sold in the name of Alexander Donaldson, a non-resident, unknown and unassessed in the Township, claimed by George Simpson, who had made improvements upon them prior to the sale in 1854, and who was then refused them by the Agent. Recommended that the sale to Donaldson be cancelled for non-compliance with the conditions, and the claim of Simpson allowed.

18 and 19. Sold in the name of John Horton, a non-resident and unassessed; claimed by Jeremiah Gray, who entered upon them on the 12th of April, 1854. Still resides upon them, and has made large improvements. Recommended that the sale to Horton be cancelled, and the claim of Gray allowed.

20. Sold to Arthur Wells, who is a non-resident on the lot, and is not assessed for it. Recommended that the sale be cancelled for non-compliance with the conditions, and the land resumed by the Government.

21 and 22. Sold in the name of John Halden, a non-resident and unassessed; resides in the Town of Goderich, and is a teacher of the Grammar School at that place. Recommended that the sale to Halden be cancelled for non-compliance with the conditions, and the land resumed by Government.

23 and 24. Sold in the name of Richard Yates, a non-resident, and unknown and unassessed in the Township. They are now offered for sale by Mr. Truman, a land agent at Goderich, claimed by Christopher Fletcher, who entered upon them in May, 1854, chopped two acres and underbrushed five, but was refused the lots by their agent, at the sale in 1856. Recommended that the sale to Yates be cancelled, for non-compliance with the conditions, and the claim of Fletcher allowed.

Ninth Concession.

1 and 2. Sold in the name of Richard Begley, a non-resident, unknown and unassessed in the Township. Claimed by Jacob Browne, who entered upon them in April, 1854, and was the only person to make improvements; his money was refused by the Agent at the land sale in that year. James Hargrave has lately entered on these lots, and wishes to purchase them. Recommended that the sale made in the name of Begley be cancelled for non-compliance with the conditions, and the claim of Browne allowed.

3. Sold in the name of John T. Harris, a non-resident, unknown and unassessed in the Township. Recommended that the sale to Harris be cancelled for non-compliance with the conditions, and the land resumed by Government.

4 and 5. Sold to John Fortune, a resident settler, and assessed for both lots. Recommended that the sale be confirmed.

6 and 7. The first sold in the name of John T. Harris, (vide lot 3,) and the other (No. 7,) sold in the name of John McDonald, both non-residents, unknown and unassessed in the Township. Recommended that the sale to Harris and McDonald be cancelled for non-compliance with the conditions, and the land resumed by the Government.

8 and 9. Sold in the name of Edward Harris, a non-resident, unknown and unassessed in the Township. Claimed by Thomas Fortune, who has made considerable improvements upon them. Recommended that the sale made in the name of Harris be cancelled for non-compliance with the conditions, and that the claim of Fortune be allowed.

10. Sold in the name of Hugh Barwick, a non-resident, unknown and unassessed in the Township. Claimed by Thomas Hastings, who is a resident settler, is assessed for the lot, improved it before, and claimed it at the sale in 1854, but was refused it by the Agent. Recommended that the sale made in the name of Barwick be cancelled for non-compliance with the conditions, and the claim of Hastings allowed.

11. Sold to John Hastings, a resident settler and assessed. Recommended that the sale be confirmed.

12. Sold to Robert Hastings, a resident settler and assessed. Recommended that the sale be confirmed.

13. Sold in the name of Patrick Bercizel, who is a non-resident and unassessed; the lot is assessed in the name of David Hough, who is a resident settler. Recommended that the sale to Bercizel be cancelled for non-compliance with the conditions, and the land resumed by Government, unless it shall appear that Hough is acting for and under him, (Bercizel.)

14. Sold to Patrick Wells, a resident settler and assessed. Recommended that the sale be confirmed.

15. Sold in the name of Oliver McCready, a non-resident, unknown and unassessed in the township. Claimed by Gilbert B. Stephens, who is a resident settler, assessed for the lot, and whose claim was disallowed by the Agent, at the sale in 1854. Recommended that the sale made in the name of McCready be cancelled, for non-compliance with the conditions, and the claim of Stephens allowed.

16 and 17. Sold in the name of Robert Ellis, Jur., a non-resident, unknown and unassessed in the township. Both lots are occupied by William Grey, who is assessed for them. Recommended that the sale made to Ellis be cancelled for non-compliance with the conditions, and the land resumed by Government, unless it shall appear that Grey is acting for or under him, (Ellis.)

18 and 19. The former (18) sold to George Gray, a resident settler and assessed. The latter (19) sold in the name of John Shanty, a non-resident, unknown and unassessed in the township. George Gray, who resides on No. 18, occupies also No. 19, and is assessed for it. Recommended that the sale of No. 18 to Gray be confirmed, and that the sale of No. 19 to Shanty be cancelled for non-compliance with the con-

ditions and the land resumed by Government, unless it shall appear that Gray is acting for or under him, (Shanty.)

20. Sold in the name of Lawrence Tracy, a resident settler. Recommended that the sale be confirmed.

21. Sold to William Logan, who resides at Goderich, and who has made no improvements on the lot. Claimed by John Thompson, whose dwelling house is on the line dividing lots 21 and 22. Thompson has been allowed by the Agent (Mr. Clark,) to purchase lot 22, and he is assessed, and has made improvements upon both lots.—The Agent awarded Thompson lot 30 in the 10th concession in lieu of 21 in the 9th, which Thompson is unwilling to accept. Recommended that the sale made to Logan be cancelled for non-compliance with the conditions, and the claim of Thompson allowed; and that Logan have permission to purchase another lot in the Township, if he shall so desire.

22. Sold to John Thompson, a resident settler and assessed. Recommended that the sale be confirmed.

23 and 24. The first (23) sold in the name of Joseph Hugill, and the other (24) in the name of William Robertson, both non-residents, unknown in the Township.—Claimed by Nicholas Graham, the only one who made improvements on either lot prior to the Government sale in 1854. Recommended that the sales made to Hugill and Robertson respectively be cancelled for non-compliance with the conditions, and the claim of Graham allowed.

25. Sold in the name of John Edwards, a non-resident, unknown and unassessed in the Township. Claimed by John Kelly, who resides on the lot, and has made considerable improvements upon it (and who also claims lot 26 in the 10th concession.) Recommended that the sale made in the name of Edwards be cancelled for non-compliance with the conditions and that the claim of Kelly be allowed.

Tenth Concession.

1 and 2. Sold in the name of Henry A. Pappo, a non-resident, unknown and unassessed in the township. Both lots advertised for sale in November, 1854, by Rich and Maddison, land agents, Toronto, and now advertised for sale at \$8 per acre, by Mr. Shortis, of Toronto. They are claimed by Fleming Chickly, as the only person who made any improvements upon them, and who has resided upon them for over two years. Recommended that the sale made in the name of Pappo be cancelled for non-compliance with the conditions, and the claim of Chickly allowed.

3 and 4. Sold in the name of William A. Stalsbury, unknown and unassessed in the township; is understood to be a resident of Toronto. Both lots advertised for sale in November, 1854, by Rich and Maddison, land agents, Toronto, and now advertised by Mr. Shortis of Toronto, at \$8 per acre. Claimed by Robert Hopkins, as the only settler; he entered upon them in June, 1854, and was refused them by the Agent, at the sale in the autumn of that year. Recommended that the sale made in the name of Stalsbury be cancelled for non-compliance with the conditions and the claim of Hopkins allowed.

5 and 6. The former sold in the name of William Newman, a non-resident, unknown and unassessed in the township, (son-in-law to the Crown Lands Agent, and since dead,) and the other (No. 6) returned by the Agent as unsold; neither lot is assessed. They are claimed by John Taylor, who resides on No. 5, but who has made improvements on both lots. He claimed and was refused them at the time of the land sale in 1854, by the resident Agent. Recommended that the sale to Newman be cancelled for non-compliance with the conditions, and the claims of Taylor to both lots allowed.

7 and 8. The first (7) sold in the name of William Piper, and the other lot (No. 8) in the name of Robert Dundass; both lots are vacant and unassessed. Recommended that the sales made to Piper and Dundass respectively, be cancelled and the lands resumed by the Government.

9 and 10. Both sold in the name of Thomas Piper, a non-resident and unassessed; they are claimed by John Ford, who has recently entered upon them. Recommended that the sale made to Piper be cancelled for non-compliance with the conditions, and that Ford be permitted to purchase at the valuation of the resident Agent.

11 and 12. Both sold in the name of William Day, a non-resident, unknown and unassessed in the Township. Claimed by William McBeth, a resident settler. Recommended that the sale to Day be cancelled for non-compliance with the conditions, and that McBeth be permitted to purchase at the valuation of the resident Agent.

13. Sold in the name of James L. Oliver, unassessed, a non-resident, and unknown in the Township. It is now advertised for sale by Girdlestone and Maddison, land agents, Hamilton. Recommended that the sale made in the name of Oliver be cancelled for non-compliance with the conditions, and that the land be resumed by the Government.

14. Sold to Patrick Wells, a resident settler and assessed. Recommended that the sale be confirmed.

15 and 16. Sold to James Beckett, a resident settler. Recommended that the sale be confirmed.

17 and 18. The former, 17, sold in the name of Charles Logan, and the latter, 18, in the name of Thomas Logan. Both are non-residents and are unassessed in the Township. Lot. No. 18 is assessed in the name of Walter Sloane. Recommended that the sales made to the Logans be cancelled for non-compliance with the conditions, and the land resumed by the government, unless it shall appear that Sloane is acting for or under them (Logans.)

19. Sold in the name of George M. Truman, a non-resident and unassessed; the lot is vacant. Mr. Truman is a land agent, resident at Goderich. Recommended that the sale be cancelled, and the lot resumed by the Government.

20 and 21. Sold in the names respectively of Charles Logan and William Logan. Both non-residents, unknown and unassessed in the Township. Claimed by William Wallace, who made a clearing and improvement upon them prior to the sale in 1854. Recommended that the sales made to the Logans be cancelled for non-compliance with the conditions, and the claim of Wallace allowed.

22. Sold in the name of Murdoch Campbell, a non-resident, unknown, and unassessed in the Township. William Mitchell has made improvements upon the lot and is assessed for it. Recommended that the sale made in the name of Campbell be cancelled for non-compliance with the conditions, and the lot resumed by Government, unless it shall appear that Mitchell is acting for or under him (Campbell.)

23. Sold in the name of John Cross, a non-resident, unknown and unassessed in the Township. Claimed by James Holmes, who is a resident settler, and who has made large improvements on the lot prior to the sale in 1851, and who was refused it at that time, by the resident agent. Recommended that the sale made in the name of Cross be cancelled for non-compliance with the conditions, and the claim of Holmes allowed.

24 and 25. Sold in the name of David McDonald, who is a non-resident, unknown and unassessed in the Township. Claimed by Thomas Harinbrooke, who had built a house and made improvements upon them, prior to the sale in 1854, and who was refused them at that time, by the resident Agent. Recommended that the sale made in the name of McDonald be cancelled for non-compliance with the conditions, and the claim of Harinbrooke allowed.

26. Sold in the name of William Piper, who is a non-resident, and the lot is unassessed. The south half is claimed by John Kelly, (vide lot 25 in the 9th concession) on account of improvements made prior to the sale in 1854, when the lot was refused him by the resident Agent. Recommended that the sale made to Piper be cancelled for non-compliance with the conditions, and the claim of Kelly allowed.

27 and 28. Sold respectively in the names of Charles John Clarke and Duncan Groves, both non-residents and both unassessed. Lot 27 is claimed by John Brennan, who entered upon it and made improvements in 1854, and who also claims lot 30. No. 28 is claimed by George Peck (vide lot 15, in concession B.) Recommended that the sales made to Clark and Groves respectively be cancelled for non-compliance with the conditions, and the claims made by Brennan and Peck respectively, be admitted.

29 and 30. The first (29) sold in the name of John Hamilton, and the last (30) in the name of John Thompson. Both lots are vacant and unimproved. Number 29 is claimed by Alexander Beckett, who paid the first instalment upon it. Number 30 is claimed by John Brennan (vide lot 27). Recommended that the sales made in the names of Hamilton and Thompson be cancelled for non-compliance with the conditions, (Thompson agrees to the cancelling of his sale) and that the claims of Beckett and Brennan be allowed.

Eleventh Concession.

1 and 2. Number 1 is sold in the name of James D. Oliver, and number 2 in the name of John Rogers, both non-residents, unknown and unassessed in the Township. And both lots are now advertised for sale by Girdlestone and Maddison, land agents, Hamilton. They are claimed by Mathew Tomkin, as the only person who ever made improvements upon either lot, having entered upon them long prior to the land sale in 1854, and applied to the Agent for them at the sale. Recommended that the sales made to Oliver and Rogers be cancelled for non-compliance with the conditions and the claim of Tomkin allowed.

3 and 4. The first sold in the name of George Rogers, and number 4 in the name of Sarah McCaffrey, both non-residents, unknown and unassessed in the Township; and both lots, like the two last, advertised for sale by Girdlestone and Maddison, land agents, Hamilton. They are claimed by James Healy, as the only settler who ever made improvements upon either lot, having erected a house 16 feet by 20, and chopped about two acres of land prior to the land sale in 1854, when he was refused them by the Agent. Recommended that the sale made to Rogers and McCaffrey be cancelled for non-compliance with the conditions, and the claim of Healy allowed.

5. Sold in the name of Sarah McCaffrey, a non-resident, unknown and unassessed in the Township; and like the four last lots, now advertised for sale by Girdlestone and Maddison, land agents, Hamilton. Recommended that the sale made in the name of McCaffrey be cancelled for non-compliance with the conditions and the land resumed by the Government.

6, 7 and 8. Number 6 sold to Christopher Curry, and also half of number 7, the other half of number 7, and the whole of number 8, sold to George Graham. None of these lots are assessed, but they have been recently occupied. Recommended that the sales made to Curry and Graham be cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that the present occupants are acting for or on behalf of Curry and Graham, according to their respective portions.

9 and 10. Sold in the name of Samuel Piper, a non-resident, and the lots vacant and unassessed. Recommended that the sale to Piper be cancelled for non-compliance with the conditions, and the land resumed by the Government.

11, 12 and 13. Number 11 and 13 sold in the name of Alexander McDonald, a non-resident, unknown and unassessed in the Township; and both lots now advertised for sale by Girdlestone and Maddison, land agents, Hamilton. Number 12 is sold to Michael Walsh, a resident settler and assessed. Recommended that the sale of number 12 to Walsh be confirmed, and that the sales of 11 and 13 to McDonald be cancelled for non-compliance with the conditions, and that both lots be resumed by the Government.

14. Sold in the name of Thomas Conner, a non-resident and unassessed. Lot vacant. Recommended that the sale to Conner be cancelled for non-compliance with the conditions, and the land resumed by the Government.

15 and 16. Sold in the name of Mathew Fenlon, a non-resident, unknown and unassessed in the Township. James Wallace occupies and is assessed for number 15. Recommended that the sale made to Fenlon be cancelled for non-compliance with the conditions, and the lands resumed by the Government, unless it shall appear that Wallace is acting for or under him (Fenlon.)

17, 18 and 19. Lots 17 and 19 sold in the name of James Blair, and lot 18 sold in the name of James Wallace (vide lot 15). Blair is a non-resident, unknown and unassessed in the Township. Wallace resides on lot 15, which was purchased in the name of Fenlon. Thomas R. Mann claims lots 17 and 19, as having improved upon them prior to the sale in 1854, at which time they were refused him by the resident Agent, and his clearings taken from him. Recommended that the sale to Wallace be confirmed, in consideration of his residing on an adjoining lot, and his having made some improvements on lot number 18. and that the sale of 17 and 19 made in the name of Blair be cancelled for non-compliance with the conditions, and the claim of Mann allowed.

20. Sold in the name of William Blair, a non-resident, unknown and unassessed in the township. Claimed by James Grogan, a resident settler (who also claims lot 21, who had cleared two acres, and under-brushed four acres prior to the general sale in 1854. Recommended that the sale made in the name of Blair be cancelled for non-compliance with the conditions, and the claim of Grogan allowed.

21 and 22. Sold in the name of Patrick Howard, a non-resident, unknown and unassessed in the Township. No. 22 is assessed in the name of James McKay. James Grogan resides on lot No. 21, upon which, and also upon No. 20, he has made improvements. Recommended that the sale to Howard be cancelled for non-compliance with the conditions, unless it shall appear that McKay is acting for or under him, (Howard); that the claim of Grogan to number 21 be allowed, and that number 22 be resumed by the Government.

23 and 24. Sold in the name of John Wilson, a resident settler and assessed for both lots. Recommended that the sale be confirmed.

25 and 26. Sold in the name of Andrew Faulkner, a non-resident, unknown and unassessed in the township. Claimed by James Burns, who first entered upon them and made improvements in March, 1854, but he applied to the Agent for them, was told they were sold. Recommended that the sale to Faulkner be cancelled for non-compliance with the conditions, and the claim of Burns allowed.

27 and 28. Sold to John Holmes, a resident settler and assessed. Recommended that the sale be confirmed.

29 and 30. Sold in the name of Robert Henderson; a non-resident, unknown and unassessed in the township. Claimed by Thomas Rhynes who settled and improved on the lots, raised a house and chopped four or five acres, before the general sale in 1854, when he applied for the lots, but was told by the Agent they were sold. Recommended that the sale to Henderson be cancelled for non-compliance with the conditions, and the claim of Rhynes allowed.

Twelfth Concession.

1 and 2. Sold in the name of John King, a non-resident and unassessed, both lots are now advertised for sale by Girdlestone & Maddison, land agents, Hamilton. Claimed by James Taylor, who entered upon them in June, 1854, and made considerable improvements, but was refused them by the Agent, at the sale that year. Recommended that the sale made in the name of King be cancelled for non-compliance with the conditions and the claim of Taylor allowed.

3 and 4. Sold in the name of John Roy, a non-resident, unknown and unas-

essed in the Township, and both lots, like the two preceding ones, advertised for sale by Girdlestone & Maddison, land agents, Hamilton. They are claimed by John Kendrick, who improved largely upon them prior to the general sale in 1854, and who claimed but was refused them at that time. Recommended that the sale made in the name of Roy be cancelled for non-compliance with the conditions, and the claim of Kendrick allowed.

5 and 6. Sold in the name of Austin Browne, who is known to be a cab-driver in the City of Toronto, and is a non-resident, unknown and unassessed in the township. Both lots like the four preceding ones are advertised for sale by Girdlestone & Maddison, land agents, Hamilton. They are claimed by James Stewart, who first entered upon them on the 14th June, 1854, and made the required improvements upon them, but was refused them at the time of the general sale, by the resident Agent, Mr. Clark. Recommended that the sale made in the name of Browne be cancelled for non-compliance with the conditions, and the claim of Stewart allowed.

7 and 8. Sold in the name of Robert Perry, a non-resident, unknown and unassessed in the Township, and like the six preceding lots, now advertised for sale by Girdlestone & Maddison, land agents, Hamilton. Recommended that the sale made in the name of Perry be cancelled for non-compliance with the conditions, and that the land be resumed by Government.

9 and 10. Sold in the name of Stephen Piper, a non-resident and unassessed. Lot 10 is assessed in the name of Thomas Piper. Recommended that the sale made to Stephen Piper be cancelled for non-compliance with the conditions, and the land resumed by the Government, unless it shall appear that Thomas Piper is acting for or under him, (Stephen Piper.)

11 and 12. Number 11 sold to Luther Currie, and No. 12 to Phillip Currie, both are non-residents, and unassessed. Lot 12 is assessed in the name of Michael Walsh. Recommended that the sales made to Luther and Phillip Currie be cancelled for non-compliance with the conditions, and the land resumed by Government, unless it shall appear that Walsh is acting for or under them, (Currie.)

13 and 14. Sold in the name of John Hamilton, a non-resident, unknown and unassessed in the Township. Claimed by William Vause, who entered upon them before the land sale in 1854, and was resident and made improvements, but was refused the lots at the time of the sale, by the Agent. Recommended that the sale to Hamilton be cancelled for non-compliance with the conditions, and the claim of Vause allowed.

15 and 16. Sold in the name of Robert Wells, a resident settler and assessed. Recommended that the sale be confirmed.

17 and 18. Sold in the name of Samuel Porter, a non-resident and unassessed. Claimed by James O'Neill, who is a resident settler, made improvements prior to the land sale in 1854, but was refused the lots, at the sale, by the resident Agent. Recommended that the sale made in the name of Porter be cancelled for non-compliance with the conditions, and the claim of O'Neill allowed.

19 and 20. Sold to Robert Dundas, a resident settler, and assessed for both lots. Recommended that the sale be confirmed.

21 and 22. Sold in the name of John Trees, a non-resident, unknown and unassessed in the Township. Claimed by William Stewart, as the only settler upon either lot, having gone in with his brother prior to the sale in 1854; claimed them from the Agent at that time, but was refused them. Recommended that the sale to Trees be cancelled for non-compliance with the conditions, and the claim of Stewart allowed.

23 and 24. Sold in the name of Thomas Wilson, a non-resident, unknown and unassessed in the Township. Recommended that the sale made in the name of Wilson be cancelled for non-compliance with the conditions, and the land resumed by the Government.

25 and 26. The first (25) sold in the name of Donald Carmichael, and number 26 in the name of Isaiah Longstaff, both non-residents, unknown and unassessed in the Township. Claimed by Joseph Stewart, a resident settler, who entered upon them prior to the general sale in 1855, at which time he was refused them by the Agent. Recommended that the sales made in the names of Carmichael and Longstaff respectively, be cancelled for non-compliance with the conditions, and that the claim of Stewart be allowed.

27 and 28. Sold to William Goy and Thomas Goy, both resident settlers and assessed. Recommended that the sales be confirmed.

29. Sold to John Mines, a resident settler and assessed. Recommended that the sale be confirmed.

30 and 31. The first sold in the name of William Graham, a non-resident, unknown and unassessed, and the other lot (31) returned by the Agent as vacant. Claimed by Andrew White, who entered upon them and had made improvements prior to the sale in 1854, and was then refused them by the resident Agent. Recommended that the sale of No. 30, made in the name of Graham, be cancelled for non-compliance with the conditions, and the claim of White to both lots be allowed.

32, 33, 34 and 35. These four lots are returned upon the Agent's plan of the Township as unsold. Numbers 34 and 35 are claimed by John Connor, who attended the general sale in 1854, and claimed them from the Agent, as the only one who had made any improvement upon them. Recommended that lots 32 and 33 be sold by the Government, and that Connor's claim to lots 34 and 35 be allowed.

WAWANOSH.

The three Townships of Ashfield, Morris, and Wawanosh present a remarkable contrast when compared with the three Townships of Grey, Howick, and Turnberry. The three first-named were the first settled, land jobbing was then little known in Huron, population was scarce, industrious settlers were sought after, and instead of being driven from the lands they occupied, their rights were respected and their industry encouraged. The result is, the absence of all grumbling and complaints, and the prevalence of general industry and content. When, at a subsequent date, the other three Townships were brought into the market, the population had increased, settlement in the "bush" had made remarkable progress, the value of lands had taken a rapid rise, the cupidity of land speculators had been sharpened, advantage was taken of "squatter" improvement, and the toil of the resident and laborious settler became the subject of traffic between the Agent, his family, and the swarm of speculators who possessed the *entrée* to his office. The result is general discontent, and the constant presentation of petitions and complaints from the people. Wawanosh was settled about the same time, and under the same regulations as the adjoining Township of Ashfield. Like its neighbour, there are but few complaints from it.

Lot 18, con. 1. Henry Douglas, who is a resident upon lot 18, in first concession of Wawanosh, complains that having been long the occupant of the lot, there being no dispute about the right of possession or pre-emption, and having gone to the expense of procuring the certificate of a sworn surveyor, and statement signed by several of his neighbours, which he delivered to the Agent, Mr. Clark, he cannot procure liberty to purchase. The Agent states, in his explanation to the Commissioners, that the cause of delay rested not with him but with the Department; that he (the Agent) had forwarded Douglas' papers, with his own report upon them, to the Department, in March, 1855, since which time he

has received no instructions in the premises. The Commissioners feel assured that it is only necessary to call the attention of the Department to the neglect in this matter to have the proper remedy at once applied.

Lot 19, con. 5. Edward Fry complains, that having long since paid the last instalment on his lot (19, in the 5th concession of Wawanosh) to the Agent, Clark, and having frequently applied for his Patent, he has been unable to obtain it. The cause of the delay he states he has been unable to discover, and he feels some anxiety lest the Agent may not have forwarded his money. If Fry's apprehensions of the Agent's neglect should unfortunately prove correct, immediate steps should be taken for the recovery of the money; if the cause of the delay rests with the Department, the Commissioners trust it will be at once removed, and the Patent forwarded to the resident Agent for delivery to Fry.

Lot 31, Con. 12. Robert Saunderson, Jun., has advanced a similar complaint to the one made by Fry, in reference to his lot, No. 31, in the 12th concession of Wawanosh. His last instalment was paid in March, 1855, yet up to the present he has been unable to obtain his Deed. The Commissioners can only express a similar hope in this, as in the next preceding case of Fry.

Lot 32, Con. 13. Thomas Harrison complains as follows.—In August, 1854, he (Harrison) applied to the Crown Lands Agent, Clark, to know if he could purchase lot No. 32, in the 13th concession, Wawanosh, a Clergy Reserve. The Agent's reply was, that several parties had applied for the lot, but that he could not sell to any one, as the lot was not open for sale. Harrison learning from the Agent that the lot was unsold, and believing that if he settled upon it, he would have the first claim, whenever the lot would be for sale, immediately entered into possession of the lot, and made large improvements upon it, consisting, amongst others, of a dwelling-house, barn, and out-houses, with about fifteen acres of clearing. He has also paid all taxes for the lot, been regularly assessed for it, and has performed all statute labour chargeable against the lot. In March, 1856, Harrison again called on the Agent, to ascertain if he had yet (at that period) received permission to sell the lot. The Agent then informed him, for the first time, that the lot had been sold. When the Commissioners called upon the Agent for an explanation in this case, he stated in reply, that "long before Harrison applied for the lot, it had been applied for by Thomas A. Stayner, Esquire, who expressed a desire to the Agent, that he would keep the lot for him (Mr. Stayner) till he could have it examined by a Surveyor; and with which request the Agent complied. Some time after, a Surveyor (Mr. Molesworth) examined the lot, but before giving his report upon it to the Agent, he (the Agent) received a letter from the Department of Crown Lands, suspending the sales of all Clergy lands till further notice. A few days after the receipt by the Agent of the letter from the Department, directing the suspension of the sales, the Surveyor delivered his report upon the lot, together with a bill of £5 for his trouble, to the Agent. This report and bill the Agent remitted to Mr. Stayner, stating at the same time the orders he had received for the stoppage of the sales. Mr. Stayner wrote back to the Agent, enclosing the amount (£5) to pay the Surveyor's bill, and begging at the same time that the Agent would keep the lot for him (Mr. Stayner) till authority would be given to sell. This the Agent agreed to do by letter addressed to Mr. Stayner, and he subsequently sold the lot to him at 12s. 6d. per acre." These are the facts of his case as stated by both parties (the Agent and Harrison.) The Commissioners are of opinion, that by the Agent's own admission, there existed a very unwarrantable sub-agency between the local Crown Agent, Mr. Clark, and the purchaser, Mr. Stayner, amounting to collusion, to deprive Harrison of the land. If the Agent had promised Mr. Stayner the lot previous to Harrison's first application, (as he states he did,) then was it his plain duty to have communicated that fact to Harrison; but to allow him, in ignorance of it, to enter upon the lot, to erect

several buildings, and to make extensive clearings for Mr. Stayner's benefit, was clearly an act of very censurable duplicity, and one which the Government alone can now redress. The Commissioners recommend, that the first instalment be returned to Mr. Stayner, and that Harrison be accepted as the purchaser.

Lot 36, con. 13. Samuel Gibson complains, that having purchased the right of Samuel Ferry (who was the original purchaser from the Crown) to Lot No. 36, in the 13th concession of Wawanosh, on the 13th of July, 1854, at which time he also became an actual settler on the lot, and having since improved upon it to the extent of at least fourteen acres, the Agent refuses to accept the instalments of Gibson unless paid in the name of Ferry. The Commissioners examined the transfer here referred to, and also inspected the lot personally; they recommend that the transfer from Ferry to Gibson be acknowledged, and that the future payments upon the lot be accepted and credited in the name of Gibson as the assignee of Ferry.

TORONTO:

PRINTED BY JOHN LOVELL, YONGE STREET.

RETURN

To an Address from the Legislative Assembly, to His Excellency the Governor General, dated the 30th ultimo, praying His Excellency to cause to be laid before the House "All Papers and Correspondence connected with the sale of the Town Plot of Greenock, Bruce County, containing one thousand acres, more or less, without being offered to public competition."

By Command,

E. PARENT,

Assist. Secretary.

Secretary's Office,

Toronto, 17th April, 1857.

CROWN LANDS AGENCY,
SOUTHAMPTON, 13th December, 1851.

SIR,—In consequence of the alteration in the line of the Elora and Saugeen Road, I would recommend that the land reserved for the town plot of Greenock be surveyed into farm lots and advertised for sale, and the following lots in the Township of Elderslie, bounded by the Saugeen River, Nos. 11 to 15, and the adjoining lots in the Township of Greenock, be reserved for a town plot.

Lots 13 and 14, Elderslie, have been occupied since June last, the former by Samuel J. Rowe, the latter by Simon Orchard.

I have the honor to be,

Sir,

Your obedient servant,

A. McNABB.

Hon. John Rolph,
Commissioner of Crown Lands,
Quebec.

IN COUNCIL,

7th April, 1852.

On the letter of A. McNabb, Esquire, Crown Land Agent, dated "Southampton, 13th December, 1851," recommending that "in consequence of the alteration of the line of the Elora and Saugeen Road, the land reserved for the town plot of Greenock be surveyed into farm lots, and advertised for sale, and the following lots in the Township of Elderslie, bounded by the Saugeen

“ Road, Nos. 11 to 15, and the adjoining lots, in the Township of Greenock, be reserved for a town plot.”

The Committee recommend that the arrangement suggested be adopted.

Certified,

(Signed,)

WM. H. LEE.

The Hon. the Commissioner of Crown Lands.

ELORA, 26th June, 1854.

SIR,—In my late visit at Southampron, I met with a deputation from Stratford exploring the country between these places for a line of railway, and was informed that it is in contemplation to carry it across the Durham Road at the reserve in the Township of Greenock.

I have examined this reserve, and, in the event of a railway being constructed through it, am of opinion that it offers a very eligible position for a village. A beautiful stream of water runs through the reserve and along the banks of the Beaver Meadow through which it flows. There is abundance of lime stone rock of good quality for building purposes.

Mr. McNabb, Crown Land Agent, at Southampton, informed me that he had recommended the reserve to be sold for farm lots, but he now agrees with me in thinking that it should be retained by Government until it is seen whether the projected line of railway will be carried through it.

I make this communication in compliance with the general instructions, dated 4th April last, transmitted to me.

I have the honor to be,

Sir,

Your most obedient servant.

DAVID GIBSON.

The Hon. A. N. Morin,
Commissioner of Crown Lands,
&c., &c.,
Quebec.

COPY of a Report of a Committee of the Honorable the Executive Council, dated 31st January, 1855. Approved by His Excellency the Governor General in Council, on the 3rd February, 1855.

On a communication from David Gibson, Esquire, Inspector of Agencies, stating in reference to the reserved tract of land on Lake Huron, consisting of part of lots Nos. 18, 19, 20, 21 and 22, that John Hunter, who is in possession of No. 23, will surrender so much of it as may be required in backing the water by a dam to raise a head of ten or twelve feet on the reserve, on condition that Government will allow him to purchase four hundred acres of wild land which he intends for farms, and recommending that Hunter's proposal be agreed to, as without the right proposed to be ceded, no mill site can be had on the reserve. without which he does not consider the reserve eligible for a village.

The Committee recommend that Mr. Hunter's proposal be accepted, and the subdivision of the reserve into a mill site and town lots, as proposed by Mr. Gibson, be effected in accordance with the report of the Hon. Commissioner of Crown Lands on the subject, dated 26th October last.

Certified,

(Signed,)

WM. H. LEE,

C. E. C.

(Copy.)

(Annexed to Order in Council.)

PINE RIVER, 25th August, 1854.

I, John Hunter, do hereby agree that for and in consideration of being allowed to purchase four hundred acres of land, beyond the quantity specified in the Government regulations, that I will grant all the land free of all other charge that may be overflowed on my property, in consequence of raising a dam for a mill on the town plot at this place.

(Signed,) JOHN HUNTER.

CROWN LANDS DEPARTMENT,
QUEBEC, 14th February, 1855.

SIR,—I have to inform you that Mr. John Hunter, the purchaser of No. 23, in the Lake Range of the Township of Huron, has consented to relinquish so much of the lot as may be required to secure a mill site on the town reserve adjoining, with a dam, raising the water 10 or 12 feet, and upon this understanding he is allowed to purchase four hundred acres of wild land, subject to settlement.

I have the honor to be,

Sir,

Your obedient servant,

(Signed,) J. C. TARBUTT,
for Commissioner of Crown Lands.Alexander McNabb, Esq.,
Saugeen.

CROWN LANDS DEPARTMENT,
QUEBEC, 14th February, 1855.

SIR,—With reference to the proposition made by you to Mr. David Gibson, on the 25th of August last, to relinquish so much of Lot No. 23, as may be overflowed by a dam to be raised within the town plot reservation adjoining, I am to inform you that the Government consented to the arrangement, and in consequence the Agent of the Department, at Southampton, has been instructed to allow you to become the purchaser of four hundred acres of wild land, subject to settlement.

I have the honor to be,

Sir,

Your obedient servant,

(Signed,) J. C. TARBUTT,
for Commissioner of Crown Lands.Mr. John Hunter,
Pine River,
Bruce.

SAUGEEN, 20th February, 1856.

SIR.—Having been appointed Crown Lands Agent of the County of Bruce, in 1851, where I have since resided, and conducted the business intrusted to me, (by strictly carrying out the regulations of the Department,) in a manner, I have reason to believe, to the satisfaction of the Department and the public generally.

As the law regulating the sale of Public Lands, precludes persons in my position from purchasing land without the consent of the Government, I beg leave to submit the following application, and request a favorable consideration.

Previous to my appointment, I was permitted to purchase 200 acres of land in this Township, the selection had to be made immediately without affording an opportunity of seeing it,—I have had several acres cleared, but being altogether sand, it is unfit for agricultural purposes, this, with the great expense of removing my family from Toronto to this place, far distant then from any settlement, the numerous hardships incident to a new country, together with the laborious duties of my office, induced me to apply for permission to purchase for myself and family, consisting of five children, a block of land of 1000 acres, as all the farm lots, fit for agricultural purposes, are sold and settled upon, I would ask leave to purchase a block, improperly reserved by the late Mr. Surveyor Brough, for a town plot, between the Townships of Greenock and Brant, which is now unnecessary, in consequence of a thriving village, about 3 miles distant, having sprung up, with extensive water power, which the above reserve does not possess.

I have the honour to be,

Sir,

Your obedient servant,

A. McNABB.

The Hon. Joseph Cauchon,
Crown Lands Commissioner,
Toronto.

TORONTO, 24th January, 1857.

SIR,—As the Assignee of John Hunter, of the Township of Kincardine, who, by Order in Council, of date 3rd February, 1855, was entitled to locate four hundred acres of land, I now beg leave to be allowed to locate said four hundred acres of the southern portion of that parcel of land, originally intended for a town plot, but now to be surveyed out into farm lots, situated partly in the Townships of Greenock and Brant.

I have the honor to be,

Sir,

Your obedient humble servant,

JAMES WEBSTER.

The Hon. Joseph Cauchon,
Commissioner of Crown Lands,
Toronto.

(Documents enclosed :)

Order in Council dated 3rd February, 1855.

Assignment, John Hunter to James Webster, dated 20th January, 1857.

To all to whom these presents shall come, greeting : Whereas, under and by virtue of an Order in Council, bearing date on the third day of February, in the year of our Lord, one thousand eight hundred and fifty-five, I, John Hunter, of the Township of Kincardine, in the County of Bruce, farmer, became entitled to purchase four hundred acres of wild land, in consideration of certain privileges by me granted to the Government, which they, by Order in Council of the date aforesaid, were pleased to accept. And whereas, for the consideration hereinafter mentioned, I have contracted and agreed to, and with James Webster of the town of Guelph, in the County of Wellington, Esquire, to sell and convey to him all my right, title, estate, and interest to the said four hundred acres so to be purchased as aforesaid, with full power and right to choose the same as I might have done but for this assignment. Now it is witnessed, that in consideration of the sum of fifty pounds to me in hand paid by James Webster, the receipt whereof I do hereby conclusively acknowledge, I have granted, bargained, assigned, and transferred, and by these presents do grant, bargain, assign, and transfer unto the said James Webster, his heirs, executors, administrators, and assigns, all and singular my estate, right, title, interest, and claim whatsoever, either at law or in equity of suits, the said four hundred acres of land, so to be purchased and chosen as aforesaid, so that neither I nor any one claiming under me shall henceforward have any right to the same, as against the said James Webster or his representatives. And I do hereby enjoin and require the Commissioner of Crown-Lands to issue to the said James Webster a Patent for four hundred acres of land, to be by him chosen in the same manner as if I myself had applied for the same, said Patent to be issued in the name and at the expense of the said James Webster or his representatives.

Dated this, twentieth day of January, A.D., 1857.

JOHN HUNTER. (L.S.)

Signed, sealed and delivered
in the presence of

STANLEY KEELING.

PROVINCE OF CANADA. }
To Wit, }

I, Stanley Keeling, of the Town of Goderich, County of Huron, do make oath and say that I was personally present, and did see the above assignment or deed poll duly executed by John Hunter therein named as the same professes to be, and that I am a subscribing witness to the same, and that the said assignment or deed poll was executed on the twentieth day of January, in the year of our Lord, one thousand eight hundred and fifty-seven, the day on which it bears date.

STANLEY KEELING.

Sworn before me this 20th
day of January, A.D., 1857.

CHARLES WIDDER.

A Commissioner for taking affidavits,
Counties of Huron and Bruce.

TORONTO, 12th March, 1857.

SIR,—I have the honor to apply through you for a Crown Patent for the lots hereunder enumerated, having left in your Department the proper documents entitling me to purchase the same, with the amount of consideration money required by you.

I have the honor to be,
Sir,

Your most obedient servant,

(Signed,) JAMES WEBSTER.

The Hon. Joseph Cauchon,
Commissioner Crown Lands,
Toronto.

Greenock.

Lot A 1st range, south of the Durham Road,
Lots A and B in 2nd range, “

Brant.

Lot B in 3rd range, south of Durham Road,
Lots A and B in 1st range, north of the Durham Road,
and lot A in 3rd range, south “

} By Order in Council.

} By transfers.

WALKERTOWN, 5th March, 1857.

Received of Henry Stanhope, the sum of two hundred pounds for all my right, title and interest in N. H. lots A and B first range, north of Durham Road and part of town plot situated in the Township of Greenock, County of Bruce, upon which lots a large house and barn is erected, and twelve acres cleared and fenced.

his

WILLIAM x JOHNSTON,
mark

[L. S.]

Witnesses :

WILLIAM WALKER,
Jos. BROWN.

Know all men by these presents, that I, Henry Stanhope, of the Town of Goderich, in the County of Bruce and Province of Canada, for and in consideration of the sum of two hundred and twenty-five pounds, lawful money of the said Province, to me in hand paid at the date hereof by James Webster, Esq., do by these presents sell, assign, transfer, and set over unto the said James Webster his heirs and assigns, all my right, title and interest both at law and in equity to N. H. lots A and B, first range north of Durham Road, being part of town plot situated in the Township of Greenock in the said County of Bruce.

In witness whereof, I have hereunto set my hand and seal, this seventh day of March, in the year of our Lord one thousand eight hundred and fifty-seven.

HENRY STANHOPE, [L. S.]

Signed, sealed and executed
in the presence of

T. RUTSON,

COUNTY OF HURON, }
To Wit: }

Thomas Rutson maketh oath and saith, that he was personally present and did see the within named Henry Stanhope duly sign, seal and execute the within written transfer on the day of the date mentioned therein, and that he, this deponent, is a subscribing witness thereto.

T. RUTSON.

Sworn before me at Goderich, in the County of Huron, this seventh day of March, 1857.

A. J. MORE.

A Commissioner in the Queen's Bench for taking affidavits in and for the said County.

I, John Scanlan, of the Township of Brant, in the County of Bruce, in the Province of Canada, yeoman, do hereby sell and convey all my right, interest, claim, property, and demand, together with all betterments by me or any other person or persons heretofore made upon lot number A in the 3rd range, south of the Durham Road of the Township of Brant, in the County of Bruce, in the Province of Canada, unto Thomas Walter Cooper, of the Township of Guelph, in the County of Wellington, in the Province of Canada, gentleman, for and in consideration of the sum of one hundred and fifty pounds to me in hand paid by the said Thomas Walter Cooper.

Witness my hand and seal, this sixth day of March, in the year of our Lord one thousand eight hundred and fifty-seven.

his

JOHN x SCANLAN, [L. S.]

mark

In presence of

HENRY HATCH,
WILLIAM REYNOLDS.

I, Thomas Walter Cooper, of the Town of Guelph, in the County of Wellington and Province of Canada, gentleman, do hereby assign and set over all my right, title, claim, interest and property whatsoever in and to the within bond, unto James Webster, of the Town of Guelph, in the County of Wellington and Province of Canada, for and in consideration of the sum of five shillings currency to me in hand paid by the said James Webster.

Witness my hand and seal, this ninth day of March, 1857.

THOMAS W. COOPER, [L. S.]

In presence of

HENRY HATCH.

I, Timothy Hennessy, of the Township of Greenock, in the County of Bruce, in the Province of Canada, yeoman, do hereby sell and convey all my right, interest, claim, property and demand, together with all betterments by me or any

other person or persons heretofore made upon south halves of lots numbers B and A in the first range, north of the Durham Road of the Township of Greenock, in the County of Bruce, in the Province of Canada, unto Thomas Walter Cooper, of the Township of Guelph, in the County of Wellington, in the Province of Canada, gentleman, for and in consideration of the sum of one hundred and thirty pounds to me in hand paid by the said Thomas Walter Cooper.

Witness my hand and seal, this twenty-eighth day of February, in the year of our Lord one thousand eight hundred and fifty-seven.

TIMOTHY HENNESSY, [L. S.]

In the presence of
JAMES GAFFNEY.

I, Thomas Walter Cooper, of the Township of Guelph, in the County of Wellington and Province of Canada, gentleman, do hereby assign and set over all my right, title, claim, interest and property whatsoever, in and to the within bond, unto James Webster, of the Town of Guelph, in the County of Wellington and Province of Canada, for and in consideration of the sum of five shillings, currency, to me in hand paid by the same James Webster.

Witness my hand and seal this fifth day of March, A. D., 1857.

THOMAS W. COOPER, [L. S.]

In presence of
HENRY HATCH.

TORONTO, 12th March, 1857.

I certify that the lots now claimed by William Johnstone, John Scanlan, and John Hennessy, have been squatted upon and improved for more than five years.

MORGAN HAMILTON.

To whom it may concern.

I hereby certify that there are no persons resident on the following lots in the reserve in the Townships of Greenock and Brant, viz: on lots A and B in the second range, south of the Durham Road, on lot B in the third range, south of the Durham Road, all in the said Township of Brant, also, that there is no one resident on lot B in the first range, south of the Durham Road in the Township of Greenock.

FRAS. KERR,
P. L. S.

Toronto, 18th February, 1857.

Instructions to Provincial Land Surveyor, Francis Kerr, to subdivide the reserve for a town plot, lying in the southerly parts of the Townships of Greenock and Brant, into farm-lots.

SIR,—In obedience to an Order in Council, dated the seventh day of April, 1852, authorizing the above mentioned survey, I have to direct you to proceed to the performance thereof, in conformity with the accompanying projected plan and general instructions, without unnecessary delay, and you are not to engage in any private surveys or other business until you have completed and transmitted your returns of survey.

The lines to be surveyed are marked in red on the projected plan.

The block is to be subdivided into eight lots, as shewn on the accompanying projected plan, lettered A and B, in the respective ranges.

Scale of plan to be 40 chains to an inch.

Surveyor's pay, 20s. per diem. Allowance for rations 2s. 6d.

I have, &c.,

(Signed,)

JOSEPH CAUCHON,
Commissioner of Crown Lands.

Crown Lands Department,
Toronto, 24th January, 1857.

Certified true copy.

JOSEPH CAUCHON,

Commissioner of Crown Lands.

Crown Lands Department,
Toronto, 7th April, 1857.

GENERAL INSTRUCTIONS.

1. Ascertain the bearings of all the lines you survey or verify by Astronomical observations, and note the variation of the Magnetic needle at the places of observation, and wherever there is any remarkable change in its amount. Enter the details of all your Astronomical observations in your field book.

2. Clear out your lines well, and blaze the adjacent trees distinctly on three sides, *i. e.*, one, blaze on each side in the direction of the line, and one on that side by which it passes.

3. Take a back observation at each station.

4. Verify the length of your chain previous to commencing operations, and frequently during the progress of the survey, and pay particular attention to accuracy in your measurements, and to the correct marking of your posts, to ensure which you will select your chain-bearers with strict regard to good conduct and fitness for duty, employing those only on whose honesty and capacity you can rely. In all your measurements, the horizontal distances must, by levelling the chain, be ascertained. Use only steel arrows or pins.

5. Your theodolite must be often examined to prevent errors which would arise from the derangement of its adjustments.

6. Trace all the lines in the middle of the road allowances, planting the posts at the distance of fifty links from the lines on both sides thereof. Make the posts of the most durable wood you can find, squaring about two feet of the top, and cutting the numbers of the lots, concessions, &c., with a proper marking tool. The posts at the corners of Towns and Townships to be at least six inches square, those at the ends of concessions five inches, and the lot posts four inches; all planted firmly in the ground; and in the survey of farm lots and township boundaries, but not in the survey of town lots, taking the courses and distances to the nearest trees, which must be blazed in a conspicuous manner, and marked B.T. Enter the courses and distances from the posts to those trees, and their kind, and apparent diameter, in your field book. Where a tree stands in the place for a post, blaze it on four sides, and mark it as you would the post. Where they can be had, place stones round the posts at the corners of Townships.

7. The regular farm lots are to be chains links in breadth, by chains links in depth, containing acres each, with road allowances, one chain in width, between each alternate concession and every lot. The park lots, chains links in breadth, by chains links in depth, containing each; and the town lots chains links in breadth, by chains links in depth, containing each, and the concessions and lots must be numbered, as shown on the accompanying projected plan, which must be returned to this Department.

8. If your survey contains an eligible site for a town plot, mark it on your plan, and report on its capabilities.

9. Make a diligent search for, and adhere to, the boundary lines drawn, and posts planted in the original survey of the adjacent Townships, to prevent encroachments.

10. Traverse any lakes you may find within the limits of your survey, in order to ascertain the areas of the lots adjoining them. Lay out road allowances round those lakes which your road lines intersect, and along the banks of rivers where necessary.

11. No lines embraced in your survey are, in any case, to be run or surveyed by any person but yourself, or some other duly admitted Provincial Land Surveyor, whom this Department may authorize you to employ.

12. Ascertain the names of all the squatters on the lands you survey, and the position, extent, and value of their improvements, with such other particulars as will enable you to make a return of inspection of all the lots in the accompanying form which you will transmit apart from your field book.

13. As soon as possible after completing your field work, you will furnish the Department with a plan thereof, on a scale of 40 chains to an inch, exhibiting the natural features of the country, such as hills, swamps, marshes, meadows, lakes, streams and water falls, and the clearings and buildings of the settlers; also, the proper sites for mills, town plots, harbours, and other public improvements. Mark on your plan the lengths and bearings of the outlines of all the irregular lots and their contents in acres, with the total area of your survey. Mount your drawing paper on thin linen or cotton, well stretched on your drawing table previous to drawing your plan, and roll, not fold it, when you send it to this Department.

14. You will keep a diary, in the form transmitted herewith, containing a detailed account of your proceedings; the number of chains surveyed each day; when you hired and when you discharged your men, and their names; the kind of weather, &c.

15. Your field book is to be kept in the accompanying form, comprising the Astronomical courses of all the lines you have run or verified—the Magnetic variation—the distances in chains and links from the points and departure in the lot, concession, &c., to each object noted—the kind and quality of the soil and timber, entering each kind of timber in the order of its relative abundance—the general nature of the face of the country, whether level, rolling, broken, hilly or mountainous—all marshes, swamps and meadows—all lakes and ponds, with a description of their banks, and whether their waters be deep or shallow, pure or stagnant—all springs—all brooks and rivers, with their width, depth and course, rapids and falls, giving the estimated difference of level in feet, and stating whether they afford mill-sites—all mines and minerals—all travelled roads—the tracks of hurricanes, as shown by the fallen timber—all offsets or Trigonometrical observations, by which you have obtained the measurement or distance of any line or part of a line which could not be actually measured, or the distance of any object from a line—the distances at which you met and at which

you left any lake, bay, pond, marsh, swamp, meadow, stream, windfall, precipice, hill or mountain, stating whether the slopes of the latter two be steep or gradual, and their inclination—all posts planted, the kind of wood of which they are made, their dimensions and marks, with the courses and distances to bearing trees, and the details of all your Astronomical observations, *i. e.*, the place, day, hour, altitude, azimuth, &c., methods of working and results.

16. Your report of survey must contain a concise summary of your proceedings, with a few general observations on the physical geography of the country, its capabilities and the best mode of developing them. Write it on paper of the same size as the printed forms of field notes and diary, as it will be bound with them.

17. The copy of your field notes, diary and report of survey for this Department are to be entered in the accompanying printed forms. Number the pages of your field notes, and index them. Sum up the columns of your diary and carry forward the amounts, so as to give the grand totals on the last page. Do not bind your field notes, diary and report of survey.

18. The pay and allowances of yourself and of your party, which must not exceed ten in number, chain bearers included, are to be at the daily rates of 20s. for yourself, 5s. for your chief chain bearer, 3s. 9d. for your second chain bearers, 3s. each for your axe men, and 2s. 6d. each for your other assistants, with an allowance of 2s. 6d. a day each in lieu of rations. Ascertain the cost of labour in the locality in which your survey lies previous to commencing your field work, and if you cannot hire men at the foregoing rates make application in accordance with the accompanying Order in Council of the 14th September, 1853, but do not proceed with the survey until you receive a reply to your application.

19. You will charge for your returns of survey at the rates authorized by the Order in Council of 6th August, 1855, an extract from which is annexed for your information and guidance.

20. You will also be allowed to charge a reasonable amount for the transport of your provisions and camp equipage, for the travelling expenses of yourself and your chain bearers, and for the stationery required for the service, for all which you must furnish receipts in duplicate, and detailed statements on the accompanying forms.

21. Your account, pay list, statement of charges for returns of survey and transport, to be in duplicate, and in the accompanying form.

22. Your field notes, diary, account and pay list, to be duly attested on oath.

23. With a view to obtaining a knowledge of the geology of the country in which your survey lies, you will collect and transmit to this Department, small specimens, (from one to two cubic inches or larger, according to the facility for transporting them to the settlements,) of the fixed rocks you meet with on your lines—attaching a number to each, and wrapping it up in birch or cedar bark, or such other suitable materials as are to be had on the spot, and noting the exact locality in your field book, and the dip and strike of the rock if stratified. You are not, however, to allow this materially to retard the progress of your survey.

24. Report the progress of your survey once a fortnight, and the general quality of the land surveyed.

25. You will endeavour to conduct this survey with a judicious economy, combining accuracy with despatch.

I have the honor to be,

Sir,

Your most obedient servant,

(Signed,)

JOSEPH CAUCHON,
Commissioner of Crown Lands.

Crown Lands Department,
Toronto, 24th January, 1857.

Certified true copy.

JOSEPH CAUCHON,

Commissioner of Crown Lands.

Crown Lands Department,
Toronto, 7th April, 1857.

To the Honorable the Commissioner of Crown Lands.

SIR,—In conformity with the instructions I received from you, dated the 24th of January last, to subdivide the reserve for a town plot in the southerly parts of the Townships of Greenock and Brant into farm lots :

I beg respectfully to state, that I organized a party in the neighbourhood of Guelph, and proceeded on the third of February last, to perform the above survey, and completed the field work on the twelfth of the same month, and I have now the honor to transmit to you a plan showing a projected subdivision for approval.

I have planted substantial posts along the Durham Road, dividing the space in each Township into two equal parts, and marked them as shown in the plan. I have run the Town line between Greenock and Brant, south of the Durham Road, opening it out and blazing it in the centre. I also ran and traced such other lines as would enable me to calculate the area of each lot, and mark the tracings on the plan.

Along Otter Creek, particularly in the Township of Brant, are high banks on either side, in many instances these banks exhibit shelly lime stone rock, which, in my opinion, if properly investigated, good quarries would be obtained; the foot of these banks are about five or six chains apart, the flat between them being composed of beaver meadows, and flooded in time of high water. There is no available fall in this creek through the reserve for mill privilege.

By referring to the plan you will perceive dotted lines exhibiting the extent of improvements made in this reserve. Mr. William Johnston has cleared 10½ acres on lot B, north of the Durham Road in Greenock, he has also a log house 24 by 15 feet, and a log barn 30 by 20 feet.

Mr. John Hennessy has cleared 7½ acres on the south east of the corner of the same lot, having a log house erected upon it, 20 by 18, and a log barn 24 by 15. Mr. John Scanlan has cleared 6½ acres on the north westerly corner of lot A, south of the Durham Road in Brant; he has a log house 20 by 15 feet, and a log barn. There is a Widow Weiser who has cleared 2½ acres on the south westerly corner of this lot, but no further improvements made.

Lot B, south of the Durham Road in Greenock, has three settlers: John Wallace, Francis Walker, and Francis Enstead. Wallace and Enstead are claiming the improvements made on the north easterly and south easterly corners of this lot, but I ascertained when there that they were not the original squatters, but took possession of improvements made by other persons, whose names I could not ascertain; Walker has chopped about twenty acres, and has other improvements

made upon the lot. There are no improvements of any sort on any of the other lots laid out by me in terms of my instructions before referred to, and I have been credibly informed and believe that the improvements on the lots in occupation of Johnston, Hennessy and Scanlan were commenced more than five years ago, and have been settled on ever since.

All of which is respectfully submitted by

Your obedient humble servant,

FRANCIS KERR,
P. L. S.

Guelph, 9th March, 1857.

CROWN LANDS DEPARTMENT,
TORONTO, 14th March, 1857.

SIR,—With reference to your letter of the 12th instant, I beg to state that of the 831 acres mentioned, 400 can be obtained at 10s. per acre, under the Order in Council of the 3rd February, 1855, in favor of Mr. John Hunter, whose assignee you appear to be, the remaining 431 acres can be purchased at a valuation by Mr. F. Kerr, P. L. S.

Accompanying, I send a statement showing the several portions to be purchased at the respective prices.

I have the honor to be

Sir,

Your obedient servant,

(Signed,) JOSEPH CAUCHON,
Commissioner.

James Webster, Esq.

LIST REFERRED TO :

At 10s. per acre.

- 71 or A in 1, south of the Durham Road, Greenock,..... 108 acres.
- South part 71 or A in 1, north of Durham Road, Greenock,..... 43
- A in 2, south Durham Road, Brant, 124
- B in 2, south Durham Road, Brant,..... 125

400 acres.

At a valuation.

- North part, 71 or A in 1, north of Durham Road, Greenock,..... 71 acres.
- 72 or B in 1, north of Durham Road, Greenock,..... 110
- A in 3, south Durham Road, Brant,..... 125
- B in 3, 125

431 acres.

To the Honorable the Commissioner of Crown Lands,
Toronto.

SIR,—I beg to state that I have inspected the following lots in the Townships of Greenock and Brant, mentioned in the statement accompanying your letter of the 14th instant, viz:

A part of 71 or A, in the first range N. of the Durham Road in Greenock, 71 acres at per acre 17s 6d.,	£62	2	6
Lot 72 or B, in first range, N. of Durham Road in Greenock, 110 A, at per acre 17s. 6d.,	96	5	0
Lots A and B, south of Durham Road in the 3rd range in Brant, containing together 250 A, at per acre 13s. 9d....	171	17	6
Total amount.....	£330	5	0

I hereby certify that the above prices for the respective lots in their unimproved state, are correct according to the best of my knowledge and belief.

I have the honor to be,

Sir,

Your obedient humble servant,

FRANCIS KERR.

P. L. S.

Guelph, 20th March, 1857.

R E T U R N

TO AN ADDRESS from the LEGISLATIVE ASSEMBLY of the 12th
ultimo ; For Statement relative to Municipal Loan Fund.

By Command,

E. PARENT.

Secretary's Office,

Toronto, 20th April, 1857.

RECEIVER GENERAL'S OFFICE,
Toronto, 17th April, 1857.

SIR,—I have the honor to transmit herewith, two Statements shewing the whole amount of Consolidated Municipal Loan Fund Debentures issued to 31st January last, under 16 Vic., cap. 22, and 18 Vic. cap. 13 ; also, amount of principal repaid to the Sinking Fund, amount of interest paid and that still due and unpaid, together with the amount of principal and interest paid out of the Clergy Reserves Fund.

I would observe concerning this last clause, that no distribution of money out of that Fund has taken place in Lower Canada, inasmuch as it is proposed to appropriate the whole or part of same to the erection of Goals and Court Houses in Lower Canada.

The above Statements are furnished in accordance to an Address of the Legislative Assembly of date 12th ultimo, which I also herewith enclose.

I have the honor to be, Sir,
Your most obedient servant,

C. E. ANDERSON,
D. R. G.

Honorable W. L. Terrill,
Provincial Secretary,
Toronto.

STATEMENT shewing the Amount of Debentures issued under the Consolidated Municipal Loan Fund Act of U. C., (16 Vic., cap. 22 and 16 Vic., cap. 123,) up to 31st January, 1857,—the amount of interest at 8 per cent. paid, and interest at 8 per cent. due by each Municipality up to 16th April, 1857—distinguishing the amount paid out of the Clergy Reserves Fund, U. C.—with other particulars in accordance with Address of the Legislative Assembly of date 12th March, 1857.

Municipalities.	Amount of Debentures issued.			Amount interest at 8 per cent. paid.			Amount interest at 8 per cent. due.			Amount on account of interest 8 p. cent. paid out of Clergy Reserves Fund, U.C.			Amount re-paid to Sinking Fund on account of capital.			Remarks.	
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.		
Port Hope, Town.....	215000	0	0	18881	2	7	21285	1	7	1510	10	9					
Hop, Township.....	15000	0	0	2800	0	0	1800	0	0								
Niagara, Town.....	70000	0	0	10047	2	5	4510	3	8	1080	16	4					
Cobourg, Town.....	125000	0	0	11060	19	6	19330	16	1	1480	3	1					
Chippawa, Village.....	6500	0	0	1280	0	0	240	2	2	200	0	0					
Grey, County.....	4000	0	0	1143	13	5											
Bertie, Township.....	10000	0	0	2996	11	6											
Brantford, Township.....	12500	0	0	3708	4	4				500	0	0					
Brantford, Town.....	125000	0	0	20030	16	8	6306	8	6	1610	7	6					
Wainfleet, Township.....	5000	0	0	1483	5	9				75	0	0					
Canborough, Township.....	2000	0	0	593	6	3											
Huron and Bruce, Counties.....	127000	0	0	19014	3	1	17240	0	0								
Perth, County.....	22000	0	0	3805	8	6	2140	0	0								
Moulton and Sherbrooke, Tps.....	5000	0	0	1483	5	9							796	10	0		
Paris, Village.....	10000	0	0	2806	13	4											
Oxford, County.....	5000	0	0	1275	12	4											
Ottawa, City.....	50000	0	0	5923	8	0	6909	9	6	3030	10	6					
Prescott, Town.....	25000	0	0	2274	8	2	4065	6	4	934	13	8					
Lincoln & Welland, Counties.....	12000	0	0	2119	17	9	960	0	0								
Lambton, County.....	4000	0	0	975	15	7											
Middleton, Township.....	1250	0	0	259	17	3	50	0	0				* 500	0	0		*This amount is paid out of Clergy Reserve Fund, U. C.
St. Catharines, Town.....	47500	0	0	7467	13	4	1900	0	0	1900	0	0					
Woodstock, Town.....	25000	0	0	4851	7	8	1008	17	10	991	2	2					
Stanley, Township.....	2500	0	0	624	13	2											
Woodhouse, Township.....	20000	0	0	3938	1	0	802	15	5	797	4	7					
Norwich, Township.....	50000	0	0	9252	12	7	2593	8	6	1400	11	6					
Cornwall, Town.....	3000	0	0	441	10	8	240	0	0								
Belleville, Town.....	5000	0	0	896	10	8	200	0	0	200	0	0					
Northumb. & Durham, Count.....	102000	0	0	11972	16	5											
Ops, Township.....	20000	0	0	3321	12	11	1550	13	8	849	6	4					
Elgin, County.....	20000	0	0	3465	4	1	800	0	0								
London, Town.....	93850	0	0	13681	8	9				4179	4	4					
Windham, Township.....	25000	0	0	3308	5	2	1283	15	11	716	4	1					
Simcoe, Town.....	25000	0	0	3133	17	3	1518	3	10	481	16	2					
Lanark and Renfrew, Counties.....	200000	0	0	8773	6	8	8060	0	0								
Brockville, Town.....	100000	0	0	4386	13	4	4000	0	0								
Elizabethtown, Township.....	12166	13	4	2193	6	8	486	13	4								
Stratford, Village.....	25000	0	0	1091	0	2	3654	3	11	345	16	1					
Goderich, Town.....	25000	0	0	687	5	4	4057	18	9	687	5	4					
Hastings, County.....	29400	0	0	1578	14	9	2352	0	0								
Wolford, Township.....	25000	0	0				1000	0	0								
Essex, County.....	8000	0	0	1062	11	6											
Barrie, Town.....	3000	0	0	395	16	8											
Chatham, Town.....	25000	0	0	3082	3	10											
Dundas, Town.....	13000	0	0	1622	13	9				520	0	0					
Gulph, Town.....	20000	0	0	1178	4	6	912	14	8	687	5	4					
	£1775666	13	4	206551	12	0	121213	13	8	24177	17	9	1296	10	0		

E. and O. E.

C. E. ANDERSON,
D. R. G.

Receiver General's Office,
Toronto, 16th April, 1857.

STATEMENT shewing the amount of Debentures issued under the Consolidated Municipal Loan Fund Acts of Lower Canada, 16 Vic., cap. 22, and 19 Vic., cap. 13, up to the 31st January, 1857; also, the amount of interest paid, and that still unpaid by the Municipalities who have borrowed under above Acts, in accordance to an Address of the Legislative Assembly of the 12th March, 1857.

Municipalities.	Amount of Debentures issued.			Amount of principal repaid to Sinking Fund.			Amount of interest at 8 per cent. paid.			Amount of interest at 8 per cent. unpaid.			Amount of interest paid out of Clergy Reserves Fund of L. C.			Remarks.
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	
County of Stanstead.....	1700	0	0				86	12	7	136	0	0				No monies have been paid to Municipalities in Lower Canada out of the Clergy Reserve Fund.
County of Shefford	7500	0	0				307	13	5	600	0	0				
County of Terrebonne.....	23500	0	0							3290	0	0				
County of Ottawa, Div. No. 2	32900	0	0							4613	14	1				
County of Megantic, Div. No. 1	1400	0	0							168	0	0				
City of Montreal	100000	0	0				6000	0	0	8000	0	0				
Township of Acton.....	6000	0	0							220	18	6				
Town of St. Hyacinthe.....	4000	0	0							320	0	0				
Town of Sherbrooke.....	20000	0	0							1553	18	10				
Village of Varennes	500	0	0							17	8	5				
Village of Huntingdon.....	1750	0	0							70	0	0				
Township of Roxton.....	7500	0	0							198	17	11				
Township of Lingwick	2500	0	0							61	7	5				
Village of St. John	5000	0	0				187	7	11							
f.	214250	0	0				6581	13	11	19310	5	2				

E. and O. E.

C. E. ANDERSON,
D. R. G.Receiver General's Office,
Toronto, 16th April, 1857.

TORONTO:

PRINTED BY JOHN LOVELL, YONGE STREET.

R E T U R N

To an Address of the Legislative Assembly of the 16th ultimo; for certain Statements relative to the Elections of Members to the Legislative Council.

By Command.

Et. PARENT,

Assistant Secretary.

SECRETARY'S OFFICE,

Toronto, 20th April, 1857.

OFFICE OF THE CLERK OF THE CROWN IN CHANCERY,

Toronto, 11th April, 1857.

Sir,—I have the honor to transmit, herewith, as required by your letter of the 17th ultimo, the following Statement respecting the late Elections for the Honorable the Legislative Council, asked for by Address of the Honorable the Legislative Assembly.

ELECTORAL DIVISIONS.	NAMES OF THE RETURNING OFFICERS.	DATE OF PROCLAMATION.	Names of Candidates and Number of Votes Registered for each.		REMARKS.
			Names of Candidates.	Votes.	
LAUZON	Richard A. Fortier	September 16, 1856 ..	Elzear H. J. Duchesnay .....	.....	Sole Candidate.
WELLINGTON	William Ritchie	do 5, do ..	Hollis Smith	2587	
			William H. Webb	1861	
DESALABERRY	Vite A. Lemoyne DeMartigny	do 6, do ..	Louis Renaud	3053	
			Joseph Doure	1888	
THE LAURENTIDES	Pierre Gosselin	do 16, do ..	Marc P. DeSales LaTerrière	2554	
			Adolphe Gagnon	1134	
ROUEMONT	Horace St. Germain	do 20, do ..	Louis A. Dessaulles	4108	
			Joseph N. Poulin	1127	
MILLE-ILES	Joseph Lachaine	do 24, do ..	Isidore C. E. Masson	2791	
			Damase Masson	1246	
			William Snowden	267	
RIDEAU	Simon Fraser	do 17, do ..	Philip M. M. S. Vankoughnet .....	.....	Sole Candidate.

WESTERN	John Mercer	do 19, do ..	John Prince	1965
			James Dougal	1454
			Arthur Rankin	1453
QUEEN'S	Nelson G. Reynolds	do do, do ..	John Simpson	2427
			H. J. Rutlan	534
TRENT	William H. Ponton	do 22, do ..	Edmund Murney	2412
			Thomas Short	2174
BURLINGTON	Edward C. Thomas	do 16, do ..	Fernanus Smith	2365
			J. O. Hatt	2075
SAUGEN	Benjamin W. Smith	do 29, do ..	James Patton	1712
			James Beatty	1158
			John McMurrich	1469

I have the honor to be, Sir,
Your obedient Servant,

FELIX FORTIER,

Clerk of the Crown in Chancery.

The Honorable T. L. TERRILL,
Provincial Secretary, Toronto.

CLERK OF THE CROWN IN CHANCERY

AUDITOR'S OFFICE,

Toronto, April 8th, 1857.

Sir,—I have the honor to enclose a Statement of the amounts paid to the several Returning Officers, for themselves and Deputies, at the Election of Members of the Legislative Council, as required by an Address of the Legislative Assembly.

I have the honor to be,

Your obedient Servant,

JOHN LANGTON,

Auditor.

The Honorable T. L. TERRILL,
Provincial Secretary.

STATEMENT of EXPENSES incurred in the ELECTION of MEMBERS to the LEGISLATIVE COUNCIL, shewing the sum charged by the Returning Officer, for each Division, and also the sum allowed to each.

DIVISION.	RETURNING OFFICER.	Sum Charged.			Sum Allowed.		
		£	s.	d.	£	s.	d.
LAURENTIDES.....	P. Gosselin	358	1	8	334	17	8
	<i>Deputies.</i>						
	Ls. D. Lemoine.....	27	7	6	25	7	6
	James Oliva.....	18	2	6	16	7	6
	J. Bte. Godin.....	3	15	0	3	15	0
	M. Touet	19	13	6	19	3	6
	Ls. N. Rousseau.....	10	18	6	10	18	6
	Julien Saillant.....	19	8	0	17	0	0
	J. C. Desnantes.....	11	19	6	11	19	6
	Joseph Radford.....	8	12	6	8	12	6
	O. A. Clement.....	10	5	0	10	5	0
	Hiels Fortin.....	9	18	6	9	18	6
	James Gosselin.....	10	0	0	10	0	0
	L. F. Tardif.....	7	9	4	7	9	4
	Jos. Perron.....	14	4	0	14	4	0
	Ers. Fortin.....	8	16	6	8	16	6
	Ths. Dupere.....	10	14	6	10	14	6
	Ls. O. Rousseau.....	10	0	0	10	0	0
	P. G. Charlton.....	12	19	0	12	19	0
	Ovid Bosse.....	10	0	0	10	0	0
	Prudent Potoire.....	12	3	6	12	3	6
	Joseph Chabot.....	12	7	6	12	7	6
	Paul Matthieu.....	12	5	6	12	3	0
	<i>Carried forward</i>£	619	2	0	589	2	6

STATEMENT of EXPENSES incurred in the ELECTION of MEMBERS to the LEGISLATIVE COUNCIL, &c.—(Continued.)

DIVISION.	RETURNING OFFICER.	Sum Charged.			Sum Allowed.		
		£	s.	d.	£	s.	d.
	<i>Deputies.—(Continued.)</i>						
LAURENTIDES.—(Continued.)	<i>Brought forward.....</i>	619	2	0	589	2	6
	J. Bte. Duberger.....	5	9	3	5	9	3
	Robert Levesque.....	10	12	11	10	12	11
	B. Godbout.....	11	15	6	11	5	6
	J. Clu. François.....	9	1	6	9	1	6
	Geo. McKenzie.....	9	16	6	9	16	6
	J. H. Slevin.....	11	8	6	11	8	6
	Onesime Contine.....	10	10	6	10	10	6
	Denis Tremblay.....	11	19	0	11	19	0
	Narcisse Tetu.....	15	6	9	15	6	9
	S. LeTourneau.....	13	4	6	13	4	6
	Gab. Dick.....	14	6	6	14	6	6
	Nar. LaRue.....	11	16	0	11	16	6
	Geo. LaRue.....	23	10	0	23	10	0
		Total.....£	778	5	6	746	13	6
ROUAGEMENT.....	H. St. Germain.....	89	12	8	88	6	6
	<i>Deputies.</i>						
	William Murray.....	6	17	6	6	7	6
	J. B. LeBlanc.....	5	12	0	5	12	0
	S. Bertrand.....	3	10	6	3	10	6
	P. Bertrand.....	5	4	6	5	4	6
	Robert Gillespie.....	5	9	6	5	9	6
	J. H. Goololu.....	6	18	6	6	18	6
	Hector Mignault.....	5	0	6	5	0	6
	P. C. Phaneuf.....	5	4	0	5	4	0
	P. R. Deniers.....	8	16	6	8	16	6
	J. H. Gatién.....	4	10	0	4	10	0
	Orange Tyler.....	10	0	6	10	0	6
	Cesaire Pepris.....	6	8	6	6	8	6
	Leonard Borvin.....	6	2	6	6	2	6
	F. X. Lesage.....	4	3	6	4	2	6
	J. N. Robitaille.....	4	13	6	4	13	6
	Total.....£	178	4	8	176	8	6
DESALABERRY.....	V. A. L. DeMartigny.....	82	8	6	67	8	6
	<i>Deputies.</i>						
	Denis Martin.....	9	0	0	9	0	0
	Charles M. LeBrun.....	7	10	6	7	10	6
	J. N. Lougfishé.....	5	17	6	5	17	6
	Andrew Brickam.....	8	1	0	8	1	0
	A. LePailleur.....	5	6	6	5	6	6
	<i>Carried over.....</i> £	118	4	0	108	4	0

STATEMENT of EXPENSES incurred in the ELECTION of MEMBERS to the LEGISLATIVE COUNCIL, &c.—(Continued.)

DIVISION.	RETURNING OFFICER.	Sum Charged.			Sum Allowed.			
		£	s.	d.	£	s.	d.	
DESALABERRY.—(Continued.)	<i>Deputies.—(Continued.)</i>							
	<i>Brought over</i>	118	4	0	103	4	0	
	A. B. Marcoux.....	9	4	6	9	4	6	
	William Lamb.....	9	13	6	9	13	6	
	Francis H. Prevost.....	13	1	0	13	1	0	
	William Marshall.....	7	17	0	7	17	0	
	Peter Aubery.....	9	17	0	9	17	0	
	F. H. Porteus.....	8	9	6	8	9	6	
	C. Archambault.....	10	11	6	10	11	6	
	Honore Laurin.....	6	14	6	6	14	6	
	John Tait.....	7	13	6	7	13	6	
	A. L. DeMartigny.....	8	17	6	8	17	6	
	A. R. Bisson.....	8	2	6	8	2	6	
	M. Bouthillier.....	8	8	6	8	8	6	
	Total.....£	226	14	6	211	14	6	
LAUZON.....	Richard A. Fortier.....	£	42	1	0	42	1	0
MILLE ISLES.....	Joseph Lachaine.....		51	11	9	51	11	9
	<i>Deputies.</i>							
	S. Robinson.....	5	10	6	No deductions from Deputies.			
	A. Seguin.....	6	19	6				
	A. B. Lavallee.....	8	13	6				
	J. B. Villeneuve.....	9	14	6				
	L. L. J. Loranger.....	7	18	6				
	N. Lavallee.....	12	12	6				
	J. Filiateault.....	7	3	6				
	John Murray.....	9	0	6				
	N. Simard.....	7	13	6				
	F. L. Desaulniers.....	7	15	6				
	P. A. Chevallier.....	8	6	6				
	Chas. L. DeMartigny.....	9	0	6				
	Antoine Fortier.....	7	4	6				
	H. Chennier.....	5	15	0				
	F. Lemaiul.....	4	2	6				
	Joseph Brasseau.....	7	18	0				
	M. Phelan.....	7	12	6				
	J. Bte. Paquin.....	8	8	6				
	J. A. Mignault.....	7	12	6				
	S. E. Cleroux.....	6	3	6				
	Total.....£	206	17	9	206	17	9	
WELLINGTON.....	William Ritchie.....		96	5	0	89	5	0
	<i>Carried forward</i>£		96	5	0	89	5	0

STATEMENT of EXPENSES incurred in the ELECTION of MEMBERS to the LEGISLATIVE COUNCIL.—(Continued.)

DIVISION.	RETURNING OFFICER.	Sum Charged.			Sum Allowed.		
		£	s.	d.	£	s.	d.
	<i>Brought forward</i>	96	5	0	89	5	0
	<i>Deputies.</i>						
WELLINGTON.—(Continued.)	J. Humphrey.....	No deductions from Deputies.			5	14	6
	L. N. Benton.....		10	0	6		
	Samuel Hoyt.....		5	18	6		
	N. P. Cooke.....		4	14	6		
	A. O. Killain.....		5	19	6		
	Joshua Ross.....		6	7	0		
	C. W. Whitaker.....		10	18	0		
	W. C. Willis.....		6	6	6		
	John Noble.....		7	19	6		
	John Martin.....		7	15	6		
	Colin Noble.....		11	8	0		
	B. LeBourdeau.....		6	19	6		
	A. P. Ball.....		6	7	6		
	Geo. Chillas.....		6	5	6		
	James Boutelle.....		7	0	6		
	Alexander Gorrie.....		6	19	6		
	Andrew Rankin.....		6	17	0		
	Thomas Davis.....		7	3	6		
	William Thompson.....		7	13	6		
	Frederic Dawson.....		9	13	6		
	J. B. Cote.....		9	6	6		
	J. T. LeBel.....		9	17	6		
	G. Cresseau.....		8	14	6		
	Fred. Poyart.....		11	7	6		
	G. H. Hargrave.....	10	9	6			
	Edmund Cox.....	8	10	0			
	John Tunholm.....	10	7	6			
	William C. Ritchie.....	6	17	6			
	Total.....£	319	17	6	312	17	6
RIDEAU	Simon Fraser.....£	62	13	0	61	10	6
TRENT	W. H. Ponton.....	119	2	6	40	9	6
	<i>Deputies.</i>						
	Richard Corrigan.....	5	18	6	5	18	6
	James J. Ryan.....	6	6	0	6	6	6
	John Thompson.....	4	18	6	4	18	6
	Thomas Douglass.....	5	4	6	5	4	6
	Napanee.....	7	3	6	7	3	6
	Adolphustown.....	7	9	0	7	9	0
	Richmond.....	7	1	6	7	1	6
	Fredericksburgh.....	7	12	6	7	12	6
	<i>Carried over</i>£	170	16	6	92	3	6

STATEMENT of EXPENSES incurred in the ELECTION of MEMBERS to the LEGISLATIVE COUNCIL.—(Continued.)

DIVISION.	RETURNING OFFICER.	Sum Charged.			Sum Allowed.		
		£	s.	d.	£	s.	d.
	<i>Deputies.—(Continued.)</i>						
	<i>Brought over</i>	170	16	6	92	8	6
TRENT.—(Continued.)	Douro	7	12	6	7	12	6
	James Foley	7	12	6	4	2	6
	George Wiggins	6	12	6	6	12	6
	Robert Sloane	6	3	0	6	3	0
	G. A. Hill	6	12	6	6	12	6
	Smith and Harvey	3	14	0	3	14	0
	Ennismore	9	2	6	9	2	6
	Monaghan	5	8	6	5	8	6
	Ivan O'Beirne	4	7	6	4	7	6
	George Read	*10	10	6	10	10	6
	Total	£ 238	12	6	156	9	6
	* Further explanations required.						
QUEEN'S	H. G. Reynolds	77	9	6	62	15	9
	<i>Deputies.</i>						
	Geo. Thompson				3	18	6
	John McKay				7	1	6
	W. S. Christie				4	5	6
	W. A. Loucks				5	0	0
	Angus Ray				7	5	6
	Emily				6	15	0
	Scugog				3	4	0
	James B. Fanburn				5	6	6
	Richard Windall				3	19	6
	A. Lacourse				6	12	6
	W. S. Heavenir				4	3	1
	Geo. Bick				7	10	6
	John Metcalfe				7	17	6
	William Powers				8	11	6
	J. K. Lytle				5	4	6
	William Powson				5	9	6
	Total	£ 169	14	7	155	0	10
SAUGEEN	B. W. Smith	211	15	6	128	0	0
	<i>Deputies.</i>						
	Geo. Lane	7	12	0	7	7	0
	William Harvey	10	12	6	10	12	6
	Edmund Moore	14	14	0	14	14	0
	Angus Bell	12	10	0	11	15	0
	Duncan Clarke	18	16	0	18	16	0
	Carried forward	£ 271	0	0	186	4	6

STATEMENT of EXPENSES incurred in the ELECTION of MEMBERS to the LEGISLATIVE COUNCIL.—(Continued.)

DIVISION.	RETURNING OFFICER.	Sum Charged.			Sum Allowed.		
		£	s.	d.	£	s.	d.
SAUGEEN.—(Continued.)	<i>Deputies.—(Continued.)</i>						
	<i>Brought forward.....</i>	271	0	0	186	4	6
	Basil R. Rowe.....	7	16	3	7	16	3
	H. H. Thompson.....	10	8	6	10	8	6
	Geo. Sneath.....	10	2	6	10	2	6
	Richard Campbell.....	10	0	0	10	0	0
	A. Cochran.....	16	3	9	11	8	9
	James Johnston.....	5	16	0	5	16	0
	Thomas Gordon.....	11	2	6	11	2	6
	Benjamin Rodgers.....	18	19	0	18	11	0
	John Benson.....	9	7	6	9	7	6
	J. Swinburn.....	11	7	6	11	7	6
	Holland.....	9	14	0	9	14	0
	Melancthon.....	7	7	6	7	7	6
	John Giley.....	13	15	6	12	15	6
	James Gibson.....	6	7	6	6	7	6
	John Williams.....	6	8	0	6	8	0
	Charles Critchley.....	9	14	6	9	14	6
	William McKenzie.....	12	8	6	11	8	6
	John Morton.....	8	19	6	8	19	6
	Peter Sinclair.....	11	17	0	11	17	0
	James Jamieson.....	9	15	6	9	13	6
	Robert Watson.....	7	8	6	7	8	6
	Edmund Savage.....	7	17	6	7	15	0
	Geo. C. Urquhart.....	13	5	0	13	5	0
	James Cromay.....	6	14	6	6	14	6
	Joseph Barker.....	14	15	6	14	15	6
	Peter Reid.....	8	0	6	8	0	6
	Matthew McKendrick.....	13	12	6	13	12	6
	Saugeen.....	11	12	6	11	12	6
	Total.....£	561	17	6	464	14	6
BURLINGTON.....	E. Cartwright Thomas.....	80	16	3	75	3	9
	<i>Deputies.</i>						
	Jonathan Davis.....				9	7	6
	William Craigie.....				4	2	6
	John Cumings.....				6	7	2
	T. A. Ambridge.....				7	1	3
	H. B. Bull.....				6	12	6
	Robert W. Suter.....				5	7	6
	A. F. Begue.....				5	7	6
	Canal Ward "Dundas".....				4	7	6
	Mountain Ward do.....				5	7	6
	Andrew Hall.....				4	18	0
	West Flamborough.....				6	8	6
	W. W. Barlow.....				5	4	6
	D. Lynch.....				6	11	6
	<i>Carried over.....</i>			£	151	16	3

STATEMENT of EXPENSES incurred in the ELECTION of MEMBERS to
the LEGISLATIVE COUNCIL.—(Continued.)

DIVISION.	RETURNING OFFICER.	Sum Charged.			Sum Allowed.			
		£	s.	d.	£	s.	d.	
BURLINGTON.—(Continued)	<i>Deputies.—(Continued.)</i>							
	<i>Brought over</i>				151	16	8	
	Thomas Choate	} No deductions from Deputies.	}	}	7	6	6	
	James Harvey				7	2	6	
	W. A. Cooley				7	5	6	
	John F. Moore				5	7	6	
Total	£	184	11	2	178	18	8	
WESTERN	John Mercer		107	18	6	100	2	0
	<i>Deputies.</i>							
	Town of Chatham	} No deductions from Deputies.	}	}	4	10	0	
	Amherstburg				6	7	6	
	Windsor				5	17	6	
	Anderdon				7	6	6	
	Colchester				6	17	6	
	Chatham				5	2	0	
	Dover, East and West				5	19	0	
	Camden and Zone				5	10	6	
	Gosfield				0	10	0	
	Harwich				7	14	6	
	Howard				7	12	6	
	Malden				7	2	6	
	Maidstone				7	17	6	
	Mersea				6	12	6	
	Oxford				7	0	0	
	Raleigh				5	17	6	
	Romney				6	4	0	
	Rochester				5	19	0	
	Sandwich				8	7	6	
Tilbury, East	6	8	0					
do West	6	14	0					
Total	£	244	18	6	237	7	0	

STATEMENT of EXPENSES incurred in the ELECTION of MEMBERS to
the LEGISLATIVE COUNCIL.—(Continued.)

RECAPITULATION.

DIVISION.	RETURNING OFFICER.	Amount Rendered.			Amount Allowed.		
		£	s.	d.	£	s.	d.
LAURENTIDES.....	P. Gosselin.....	778	5	6	746	18	6
DESALABERRY.....	V. A. L. DeMartigny.....	226	14	6	211	14	6
ROUGEMONT.....	H. St. Germain.....	178	4	8	176	8	6
LAUZON.....	R. A. Fortier.....	42	1	0	42	1	0
MILLE ISLES.....	Joseph Lachaine.....	206	17	9	206	17	9
WELLINGTON.....	William Ritchie.....	319	17	6	312	17	6
RIDEAU.....	Simon Fraser.....	62	18	0	61	10	6
*TRENT.....	W. H. Ponton.....	238	12	6	156	9	6
QUEEN'S.....	N. G. Reynolds.....	169	14	7	155	0	10
*SAUGEEN.....	B. W. Smith.....	561	17	6	464	14	6
BURLINGTON.....	E. C. Thomas.....	184	11	2	178	18	8
WESTERN.....	John Mercer.....	244	18	6	237	7	0

* In these accounts various items have been deducted for further explanations, and which are not yet received.

PRINTED BY ROLLO CAMPBELL, CORNER OF YONGE AND WELLINGTON STREETS, TORONTO.

R E T U R N

To an ADDRESS from the LEGISLATIVE ASSEMBLY of the 4th ultimo ;
for certain Financial Statements relative to commutation of
Seigniorial Tenure.

By Command,

E. PARENT,
Assistant Secretary.

Secretary's Office,
Toronto, 20th April, 1857.

(No. 52.)

RECEIVER GENERAL'S OFFICE,
Toronto, 15th April, 1857.

SIR,—I have the honor to transmit herewith such information and documents relative to Seigniorial matters as can be furnished by this department, the whole in conformity to an Address of the Legislative Assembly of 4th ultimo, also herewith.

1st. A Statement of cash receipts from the various sources of revenue applicable to the relief of Censitaires under 17 and 18 Vic., cap. 3. The amount of Quint is left in blank, not having as yet been ascertained.

2nd. An account current shewing the amount at credit of the account under the Act, and the amounts paid out of same to Seigniorial Commissioners ; said account leaving a balance of £317,474 Os. 9d., currency, at credit as above.

3rd. A Statement or List of payments to Seigniors by the Seigniorial Commissioners at Montreal, from 25th July 1856 to 31st January 1857.

4th. A similar Statement for payments made to Seigniors by the Commissioners at Quebec, from 14th August 1856 to 31st January 1857.

Concerning the 2nd paragraph of the Address relative to expenses, salaries, and disbursements of the Commission, I beg to state that the documents in connexion with the same are in the Inspector General's Department, Audit Branch.

I would further state that the Seigniorial Commissioners not having as yet filed any of the Schedules of the Seigniories, I cannot give the information required by the 4th and 5th paragraphs of the Address.

I have the honor to be, Sir,
Your most obedient servant,

C. E. ANDERSON,
D. R. G.

Honorable T. Lee Terrill,
Provincial Secretary,
Toronto.

No. 1.

STATEMENT of the Cash Receipts from the various sources of Revenue applicable to the relief of the Censitaires, under the 17th and 18th Sections of the Act 18 Viet., cap. 3.

Collections for years.	Quint, &c., belonging to the Crown.	Revenue and sales Seignioriy of Lauzon.	Auction duties and licences in Lower Canada.	Net shop licences in Lower Canada.	Net Tavern licences in Lower Canada.	Total.	Remarks.
1850.....	.....	1384 15 0	3975 17 5	1194 3 2	2087 7 6	.....	{ Tavern licences collected in City and County Montreal. £812 0 0 " " " in other Seigniories in District. 518 0 0
1851.....	.....	1544 6 10	4692 19 5	1249 0 0	3801 18 9	.....	{ Tavern licences collected in City and County Montreal. £1839 5 0 " " " in other Seigniories in District. 510 13 9
1852.....	.....	4326 3 7	4964 12 7	1673 5 3	3374 10 0	.....	{ Tavern licences collected in City and County Montreal. £1348 4 0 " " " in other Seigniories in District. 644 8 0
1853.....	.....	6160 19 11	4781 7 1	1828 10 7	3118 15 0	.....	{ Tavern licences collected in City and County Montreal. £1335 12 0 " " " in other Seigniories in District. 686 5 0
1854.....	.....	2767 6 1	4585 3 6	1689 12 6	3376 13 0	.....	{ Tavern licences collected in City and County Montreal. £1494 18 0 " " " in other Seigniories in District. 764 11 0
Averaging.....	£ 16189 11 5	3237 18 3	28000 0 0	7634 11 6	15759 4 3	62583 7 2	Representing a capital of..... £208,611 2 0
	£ 3237 18 3		4600 0 0	1526 18 3	3151 16 10	12516 13 4	

C. E. ANDERSON,
D. R. G.

Receiver General's Department,
Toronto, 15th April, 1857.

No. 2.

The Seigniorial Acts, 18 Vic., cap. 3 and 103, and 19th Vic., cap. 53, in account current with the Province of Canada, from 19th February 1856 to 31st January 1857.

Dr.

Cr.

	£	s.	d.	1856. 31st January	£	s.	d.	By balance as per Statement rendered in accordance with an Address of the Legislative Assembly of the 28th February, 1856
1857. 31st January								366387 6 3
To amount paid to Seigniors by the Seigniorial Commissioners at Mon- treal, from 25th July 1856 to 31st January 1857, as per List herewith.	32	73	1					
To amount paid to Seigniors by the Seigniorial Commissioners at Quebec from 4th August 1856 to 31st Ja- nuary 1857, as per List herewith.	16	18	10					
To balance at date carried down	48	913	5 6					
	31	747	0 9					
	366	387	6 3					
				1857. 31st January	£	366	387 6 3	
								By balance brought down. £ 317474 0 9

E. and O. E.

C. E. ANDERSON,
D. R. G.

Receiver General's Office,
Toronto, 15th April, 1857.

No. 3.

STATEMENT of payments made to Seigniors by the Seigniorial Commissioners at Montreal, for interest due them on the "Lods et Ventés" accrued in their respective Seigniories, under authority of 12th section of the Seigniorial Amendment Act of 1856, 19 Vict., cap. 53; also shewing the names of the Seigniories and dates of payments.

Date.	Seignior.	Seignioriy.	Amount.
1856.			£ s. d.
25th July	E. S. De Rottermund	Part of Rougemont	79 2 5
26th do	S. C. Monk	Delorme	349 12 1
do do	Mrs. E. M. Vienne	Part of Fief Martel	21 10 7
do do	Chs. Vienne	Part of Fief Martel	6 4 8
do do	Genl. Hosp. (Montreal Grey Nuns.)	Chateauguay	567 10 8
28th do	Mrs. Widow L. M. Viger	L'Assomption, Fief Bayeul	904 10 8
do do	Do	Repeutigny	75 19 6
29th do	Mrs. Roe	Part of De Lery	216 19 4
do do	L. A. Dessaulles	Dessaulles Propre	712 15 3
do do	Chs. E. Belle	Godfroy	60 19 8
do do	Do	Roquetaillade	43 7 4
do do	H. O. Andrews	Fief Jenison	11 6 8
30th do	Hon. E. Ellice	Beauharnois	1257 8 7
do do	Mrs. Laframboise	Rosalie	342 17 11
do do	Samuel Gerrard	Lanaudière, Fief Marianne	37 13 1
do do	Mrs. A. Lamothe	Part of de Ramsay	10 12 5
do do	Do	Part of Daillebout	9 9 7
do do	Ezekiel M. Hart	Fief Boucher	4 7 2
do do	Mrs. M. J. Hart	Courval	56 5 1
do do	Mrs. O. Chenvert	Part of Fief Niverville	69 11 6
do do	P. L. Panet	Part of de Ramsay	23 10 0
do do	Do	Part of Daillebout	21 12 8
do do	Hon. L. J. Papineau	Petite Nation	191 4 2
31st do	Mrs. Selby	La Salle	686 11 4
do do	Mrs. de Montnach	Belœil	327 12 1
do do	The Misses Robertson	Part of De Lery	433 18 8
do do	David Kinnear	Part of De Hertel, Marsolette	17 10 3
do do	Hon. J. R. Rolland	Monnoir	758 13 2
1st August	A. E. Kierzkowski	St. François le Neuf	233 14 7
do do	Gaspard de Lanaudière	Part of Lavaltrie	171 7 2
do do	Heirs Allard	Foucault	128 1 2
do do	Mrs. de St. Ours	St. Ours	555 7 6
do do	T. E. Campbell	Rouville	204 15 0
2nd do	Charles de Boucherville	Part of Verchères	105 15 8
do do	R. C. Weillbrenner	Ar. Fief of Boucherville	13 0 6
do do	Do	Part of Boucherville	69 4 3
do do	Hon. John Pangman	Lachenaie	705 13 3
4th do	Frs. Boucher	Camfel	72 2 0
do do	Do	Part of Maskinongé	18 11 11
do do	Thos. B. De Boucherville	Part of Verchères	37 0 10
do do	Do	Part of Boucherville	46 10 9
do do	Theodore Hart	Part of Bécancour	43 12 11
do do	Hon. D. B. Viger	Isle Bizard	114 0 10
do do	Donald Ross	St. Georges	286 18 11
5th do	Louis Lacoste	Part of Boucherville	47 19 0
do do	Joseph Charron	Part of Fief Tremblay	3 4 6
do do	C. A. Cuthbert, et al	Berthier	434 2 6
do do	Hon. G. R. S. DeBeaujeu	Soulanges	791 16 5
do do	Do	Nouvelle Longueuil	523 14 2
6th do	James Tunstal, et al	Lacolle	214 13 1
7th do	Mrs. Christie	Bleury	380 10 6
do do	Mrs. Bailey	Noyan	406 17 3
do do	Mrs. Cleather	Sabrevois	482 4 11
do do	Ed. Chs. Cuthbert	Dusablé	97 2 6
do do	Do	Maskinongé	203 13 11
do do	Mrs. Lévesque	Daillebout	39 18 11

No. 3.—(Continued.)

Date.	Seignior.	Seignior.	Amount.
1856.			£ s. d.
7th August	Mrs. Berczy	Part of Daillebout	25 16 5
do do	Mrs. Joliette	Part of Lavaltrie	108 13 7
8th do	Norbert Hénault	Chicot, Isle du Pads	65 11 3
do do	Aimé Massue	St. Michel, La Trinité	92 13 10
do do	Do	Part of Fief Martel	48 5 0
do do	Do	Guillaudière, Part of Varennes	14 14 6
do do	J. S. C. Wurtele	Deguir	245 0 1
do do	Do	Bourgmarie, East	55 9 9
12th do	Mrs. Abbott	Part of de Ramsay	26 18 11
do do	Heirs D. B. Papineau	Fief of Plaisance	4 10 4
do do	O. F. Bruneau	Montarville	148 2 7
do do	Samuel B. Hart	Part of Bécancour	25 14 3
13th do	Geo. H. Monk	Blainville	320 9 1
do do	Mrs. Masson	Terrebonne	382 3 9
do do	Charles Dorion	Isles Bouchard	21 14 4
14th do	Mrs. Lordel	Part of Lavaltrie	71 12 11
do do	Mrs. Bender	Chambly, West	120 9 4
do do	P. E. Mailhot	Part of Boucherville	26 16 4
15th do	Mrs. Chaput	Part of Lavaltrie	62 11 8
do do	Mrs. Bingham	Rigaud	404 1 4
do do	Félix Lussier	Varennes	89 16 0
16th do	Aimé Massue	Bonsecours	211 13 1
do do	Do	St. Charles	169 18 6
do do	Do	Bourgmarie, West	116 19 2
do do	Do	Bourchemin, West	94 0 4
do do	John Fraser	Contrecoeur	303 8 0
do do	Do	Cournoyer	182 3 11
do do	B. A. C. Gagy	Grandpré, Dumontier, Grosbois, W.	369 2 0
do do	Do	Part of Grosbois, East	74 18 3
18th do	J. J. Grant	Longueuil Barony	1187 3 2
do do	T. A. Young, et al	St. Pierre les Becquets	120 12 2
20th do	Jos. D'Aoust	Part of Isle Perrot	50 12 7
21st do	F. X. Biron	Pierreville	17 16 11
22nd do	Norbert Ducheny	Part of Maskinongé	53 16 11
25th do	L. R. C. and C. A. C. De Léry	Gentilly	214 14 2
do do	Do do	Part of Verchères	34 10 9
do do	Do do	St. Blain	21 11 2
do do	Do do	Part of Boucherville	17 6 8
26th do	Ursuline Nuns, Three Rivers	Rivière du Loup	255 4 10
27th do	Eccls. Seminary, Quebec	Isle Jésus	1819 0 9
29th do	Mrs. M. A. C. Marler	Part of Nicolet	15 14 8
do do	C. A. M. Globensky	Part of Mille Isles	174 17 0
do do	Do	Part of Mille Isles	178 1 11
2nd September	T. B. de Grosbois	Part of Boucherville	37 19 6
do do	J. B. Petit Lalumière	Part of Boucherville	14 1 9
do do	Do	Part of Tremblay	15 11 8
do do	J. B. De la Broquerie	Part of Boucherville	27 5 5
do do	Do	Part of Tremblay	34 6 0
do do	Do	Part of Varennes	3 12 4
4th do	Mrs. E. D. Laviolette	Part of Mille Isles	178 1 11
do do	Mrs. E. D. Laviolette	Part of Mille Isles	174 17 0
do do	Hon. Ross Cuthbert	Lanoraie	482 5 11
5th do	Messrs. Filmer, Munro & Woodruff	Champlain	67 1 8
do do	Hon. L. T. Drummond	Rougemont	263 13 10
10th do	J. M. Mathieu	Fief St. Claire	2 6 1
11th do	E. E. H. Johnston	Fief Robert	69 10 11
15th do	Ant. St. Louis	Part of Grosbois	37 9 2
19th do	John Yule	Part of Chambly, East	143 3 3
do do	Heirs Wm. Yule	Part of Chambly, East	210 14 0
do do	Do	Part of Chambly, West	38 11 4
20th do	James Armstrong	Fief Hope	25 13 2
26th do	Hon. James Leslie	Bourchemin and de Ramsay	99 7 6
27th do	J. L. de Bellefeuille	Part of Rivière du Chêne	87 5 7

No. 3.—(Continued.)

Date.	Seignior.	Seignioriy.	Amount.
1856.			£ s. d.
27th September.	J. L. de Bellefeuille	Part of Mille Isles	61 2 0
do do	Do	Part of Cournoyer, Dist. of T. Rivers	45 2 4
29th do	Mrs. Widow Cressé	Part of Nicolet	32 18 6
do do	Do	Part of Baie du Febvre	132 12 0
do do	A. B. Hart	Vieuxpont	28 15 3
do do	Do	Ste. Marguerite	4 15 6
13th October	J. B. Durand dit Chartier	Part of Fiefs Hertel and Marsolette.	11 17 10
15th do	G. C. Hale, et al	Ste. Anne de la Pérade	68 7 9
do do	La. R. Lafèche, et al	Fief Ste. Marie	49 19 10
do do	J. Charest	Fief Dorvilliers	10 11 0
16th do	Hon. R. U. Harwood	Vaudreuil	364 3 10
21st do	C. Malhiot, et al	Pointe du Lac	76 3 9
5th Jan. 1857.	J. S. C. Wurtele	Deguir and Bourgmairie East	138 9 8
do do	Heirs Wurtele, et al	St. François du Lac & Lanaudière.	191 17 2
do do	Hon. L. T. Drummond	Part of Rougemont	121 15 1
9th do	Ursuline Nuns	Rivière du Loup	117 12 7
do do	J. B. Durand dit Chartier	Part of Hertel and Marsolette	5 9 7
do do	Mrs. Laframboise	Rosalie	158 0 6
do do	Frs. Boucher	Camfel	33 10 3
do do	Do	Part of Maskinongé	8 11 5
do do	Hon. J. R. Rolland	Monnoir	349 12 8
10th do	Mrs. Selby	La Salle	324 17 7
do do	Hon. J. Pangman	Lachenaie	325 4 3
do do	Mrs. Robertson	Part of DeLery	199 19 8
do do	Hon. L. J. Papineau	Petite Nation	88 2 5
12th do	Mrs. de Montenach	Belœil	150 19 7
do do	R. H. E. Johnston	Part of Robert	32 1 0
do do	T. R. B. V. de Boucherville	Part of Boucherville	21 8 11
do do	Do	Part of Verchères	17 1 5
do do	T. B. de Grosbois	Part of Boucherville	17 10 0
do do	J. B. Petit Lalumière	Part of Tremblay	7 3 7
do do	Do	Part of Boucherville	6 9 10
do do	Jos. B. de la Broquerie	Part of Tremblay	15 16 2
do do	Do	Part of Boucherville	12 11 4
do do	Do	Isles de Varennes	1 13 4
do do	Louis Lacoste	Part of Boucherville	22 1 11
do do	Joseph Charron	Part of Tremblay	1 9 8
do do	Mary E. Roe	Part of De Lery	99 19 9
do do	S. C. Monk	Delorme	161 2 4
13th do	H. O. Andrews	Fief Jenison	5 4 5
do do	A. E. Kierzkowski	St. François le Neuf	107 14 4
do do	Mrs. de Rotterdam	Part of Rougemont	36 9 3
30th October 1856.	Heirs C. C. Johnson	Argenteuil	310 4 7
7th Nov. do	Miss Leproust	Part of Cournoyer	7 10 5
12th do	Heirs Laflamme	Part of Isle Perrot	60 8 9
do do	Jos. D'Aoust	Fief Brussy et Laframboise	27 5 9
14th Jan. 1857.	John Fraser	Contrecoeur	139 16 5
do do	Do	Cournoyer	60 18 6
16th do	Hon. D. Mondelet	Mondelet	356 5 0
21st do	Mrs. A. Lamothe	Part of D'Aillebout	4 7 4
do do	Do	Part of de Ramsay	4 17 11
do do	P. L. Panet	Part of D'Aillebout	9 19 5
do do	Do	Part of de Ramsay	10 16 11
do do	Hon. L. A. Dessaulles	Dessaulles	328 11 6
do do	Heirs de Tonnancourt	La Vallière	231 7 4
do do	Seminary of Quebec	Isle Jésus	607 17 9
do do	Hon. D. B. Viger	Isle Bizard	52 11 2
do do	Grey Nunnery	Chateauguay	261 11 0
do do	Do	F. Radison	3 19 2
do do	Mrs. Globensky	Mille Isles, Augn	82 1 6
do do	Do	Mille Isles, 1er Con	80 11 7
do do	Mrs. C. E. Belle	Part of Godfroy	25 0 10
do do	Do	Part of Roquetaillade	12 12 0

No. 3.—(Continued.)

Date.	Seignior.	Seigniory.	Amount.
1857.			£ s. d.
21st January	John Yule	Part of Chambly, East	65 19 9
do do	Heirs Wm. Yule	Part of Chambly, East	17 15 6
do do	Do	Part of Chambly, West	97 2 0
do do	T. E. Campbell	Rouville	93 18 0
do do	Mrs. de St. Ours	St. Ours	255 18 11
do do	Mrs. Bender	Part of Chambly, West	55 10 4
22nd do	Jos. D'Aoust	Part of Isle Perrot	23 6 8
do do	Do	Part of Fiefs Brussy & Laframboise	12 16 6
do do	Heirs Young, et al	Levrard	55 11 8
do do	James Armstrong	Fief Hope	11 18 9
do do	P. E. Malhiot	Part of Boucherville	12 7 2
do do	Geo. H. Monk	Blainville	160 12 9
do do	E. M. Hart	Fief Boucher	2 0 2
26th do	E. O. Cuthbert	Half Berthier	100 0 8
do do	E. C. Cuthbert	Dusablé	44 15 3
do do	Do	Part of Maskinongé	93 17 6
do do	Hon. Ross Cuthbert	Lanoraie	222 5 5
27th do	C. A. Cuthbert	Half Berthier	100 0 8
do do	Mrs. Chenevert	Part of Niverville	32 1 3
28th do	Mrs. A. M. Christie	Bleury	175 7 4
do do	Mrs. N. C. Burton	Noyon	187 10 1
do do	Mrs. C. A. Cleather	Sabrevois	222 4 11
do do	Baron Grant	Longueuil	524 1 5
29th do	Mrs. Desilets	Part Godfroy	25 0 10
do do	Mrs. Desilets	Part Roquetaillade	12 12 0
do do	Mrs. Vienne	Part Fief Martel	9 18 5
do do	Charles Vienne	Part Fief Martel	2 17 5
do do	Hon. R. U. Harwood	Vaudreuil	167 16 10
do do	R. C. Weibrenner	Arrière Fief Boucherville	6 0 1
do do	Do	Part of Boucherville	31 17 11
30th do	Hon. James Leslie	Bourehemin and de Ramsay	45 17 4
31st do	H. and G. F. Deschambault	St. Denis	260 19 6
9th do	Messrs Filnur, Munro, et al	Champlain	30 18 4
31st do	Theodore Hart	Part of Bécancourt	20 2 3
do do	S. B. Hart	Part of Bécancourt	11 17 0
			£ 32731 6 8

A true copy of the original lists deposited in this Office.

C. E. ANDERSON,
D. R. G.

Receiver General's Department,
Toronto, 15th April, 1857.

No. 4.

STATEMENT of payments made to Seigniors by the Seigniorial Commissioners at Quebec for interest due on "Lods et Ventés" accrued in their respective Seigniories under authority of the 12th section of the Seigniorial Amendment of 1856, 19 Vic., ch. 53: names of the Seigniories and dates of payments.

Date.	Seignior.	Seignioriy.	Amount.
			£ s. d.
1856.			
14th August	Léger Launière, Narcisse de Lormier, V. Valère Ducharme	St. Michel	132 1 7
do	Narcisse C. Faucher	Vincennes	33 13 10½
do	Ant. J. Duchesnay	Gaudarville	104 11 10½
do	Do	Fossambault	51 1 10
do	Seminary of Quebec	Isle aux Coudres	35 19 9
do	Do	Côte de Beaupré	652 11 8
do	Do	Sault au Matelot	730 11 5
do	Do	Coulonge	393 13 0
do	C. M. Tarien de Lanaudière, et al	St. Valier	195 19 2
15th do	Charles Robertson	Villemay, (Lauzon)	15 6 10
16th do	Phi. A. de Gaspé, et al.	St. Jean Port Joly	244 3 9
do	Do	Réaume on Isle à la Peau	77 7 0
do	L'Œuvre et Fabrique de Québec	Cap aux Diamants	220 18 4
do	Notre Dame de Québec	Notre Dame de Québec	394 16 5
18th do	Thos. Gamelin Launière	St. Michel, Augmentation	111 19 9½
do	Heirs Chenet	Vincelotte	82 9 4
do	Do	Gagne M. Gamache	9 14 10
19th do	Ladies of General Hospital	Berthier, (Bellechasse)	134 6 10
do	Do	D'Orsainville	18 16 10
do	Do	Récollets	148 15 10½
do	Ladies of Hotel Dieu	St. Ignace	193 5 1
do	Poor of the Hotel Dieu	De Maure	89 10 8
do	O. E. Casgrain	Islet St. Jean	49 12 3
do	Do	Islet Bonsecours	95 0 3
do	Rémi N. Couillard	Islet St. Jean	4 14 9
do	Heirs Ant. Parent	St. François	23 2 6
do	Do	Ste. Ursule	11 2 8
do	Léon Noel, et al	Maranda	25 7 0
do	Do	Bonsecours	79 4 4
do	Do	Tilly	68 2 3
do	Do	Le Gardeur Belles Plaines	83 7 7
do	Victor Gariépy	Lachevrotière	53 16 1
do	Ursulines, Quebec	Ursulines, Quebec	235 3 6
do	Do	Franc Alleu, (Lauzon)	12 1 6½
do	Do	Ste. Croix	206 19 4
20th do	George G. Launière	Livandière	216 5 6½
21st do	T. Pierre Casgrain	La Boutellerie	216 8 4
22nd do	Eucher Couillard	Rivière du Sud	68 0 3½
do	Do	Fournier	29 3 9
do	Do	Islet Bonsecours	0 15 11
do	Charles Bertrand	Isle Verte	136 5 7½
do	W. D. Campbell	Bic	74 13 5
do	Peter Langlois	Bourg Louis	45 15 3½
23rd do	Ursuline Ladies, Quebec	Ste. Anne (Lauzon)	16 18 5
do	Alexander Poulin	Isle d'Orléans	50 3 11
25th do	L. P. H. Turgeon	Beaumont	186 0 9
26th do	Pauvres, Hotel Dieu	De Maure, (Suppt.)	56 3 7
do	J. B. Rioux	Trois Pistoles	50 11 10
do	Frs. Tétu	Rivière du Sud	19 0 7
27th do	J. B. and L. C. Dupuis	Do	18 2 10
do	Aug. Bernier	La Frenais	12 15 11
do	Wm. Pozer	Aubert Galion	19 1 8
do	Do	St. Etienne	116 9 8
do	J. T. Taschereau	Joliette	220 3 9½
do	Do	St. Joseph	19 5 11
do	Do	St. Michel, Augmentation	15 2 6

No. 4.—(Continued.)

Date.	Saignior.	Seignior.	Amount.
1856.			£ s. d.
28th August	Dame V. R. St. Ours	St. Jean Deschaillons	84 6 11
do do	L. R. and L. A. C. De Lery	Beauvais	15 0 8
29th do	O. E. Casgrain, et al	Islet Bonsecours	16 11 10
do do	Andrew Stuart	Beauchamps	88 16 2
30th do	Jos and Ls. Nicol	Rivière du Sud	10 14 5
do do	Heirs Taché	Kacouna	487 10 11
do do	Do	Granville	0 11 9
do do	André Lemelin	Argenteay	83 6 2
1st September	Dame G. B. Hall	Beauport	141 3 0
do do	Olivier Perrault	St. Joseph	25 10 8
do do	Do	Ste Marie, N. E.	67 14 1
do do	Do	Ste. Marie, S. O.	27 17 2
do do	Alex. Lindsay, et al	St. Joseph, N. E.	13 5 2
do do	Heirs Drapeau	Pachot	21 14 9
do do	Do	Ste. Chaire	2 2 9
do do	Do	Lessard or Lamollaie	39 1 9
do do	Do	Lepage and Thivierge	196 18 6
do do	Do	Nicolas Riout	105 11 9
do do	Do	Rimouski and St. Bernabé	120 15 10
do do	Do	Isle d'Orléans	148 5 11
do do	Do	Gouffre	53 14 10
do do	Elizée Dionne	St. Denis, (Parish Ste. Anne la Poc.)	105 1 10
do do	Do	Ste. Anne la Pocatière	281 2 1
do do	Amable Dionne	St. Roch des Aulnaïs	308 7 7
2nd do	Charles Morice	Grand Pré or M. Plaisir	56 14 0
do do	Louis Bluis	Part of L'Épinay, Rivière du Sud	4 5 10
do do	M. C. Riverin	Chevalerie Isle d'Orléans	8 4 4
do do	Jean Lepage	Part of Rimouski	3 14 8
do do	Charles Lepage	Part of Rimouski	1 11 6
3rd do	Heirs Lagorgendière, et al	Part of St. Joseph, S. O.	80 13 5
do do	Heirs P. E. Taschereau	Part of Ste. Marie, S. O.	52 10 8
do do	Do	Part of Joliette	77 17 11
do do	Do	Part of Ste. Marie, N. E.	72 19 8
do do	Do	Part of St. Joseph, N. E.	20 19 7
do do	Heirs G. L. Taschereau	Part of Ste. Marie, S. O.	33 19 4
do do	Do	Part of Ste. Marie, N. E.	16 14 0
do do	L. N. Gauvreau	Part of De Villeray	92 1 5
do do	James Motz	Dunesnil	2 4 8
do do	Jacques Fournier	Part of Rivière du Sud	12 12 5
4th do	Eloi Rioux	Part of Trois Pistoles	26 15 8
5th do	John Nain	Murray Bay	323 0 2
6th do	Godfroy Blais	L'Épinay	7 11 9
do do	Do	Rivière du Sud	29 13 1
9th do	Heirs Dame J. L. Taschereau	Ste. Marie, (Linière)	62 5 8
do do	Do	Ste. Marie, (Taschereau)	6 4 11
do do	Angèle Caron	Part of l'Islet St. Jean	13 5 10
do do	M. P. de Sales La Terrière	Eboulemeus	76 2 9
10th do	F. Gourdeau et al	Beaulieu	12 15 8
12th do	John Panet, et al	Rouge Louis, S. O.	25 4 4
16th do	John G. Seton	Part of Isle Verte	6 3 11
18th do	Adélaïde Gagnon	Part of Islet St Jean	1 9 1
do do	Do	Part of Islet Bonsecours	3 19 10
20th do	J. B. Morin	L'Épinay	4 3 10
do do	J. N. Martin	Islet Bonsecours	23 10 5
23rd do	J. H. Blanchet, et al	St. Denis	103 9 6
25th do	A. Ferguson, et al	Metis	19 0 6
do do	J. E. C. Willard Després, et al	Part of Islet St. Jean	32 0 2
do do	Dugald Fraser	Mataue	31 6 1
do do	A. E. Côté	Part of St. Bernabé	0 14 1
do do	P. Gagné dit Belleavance	Part of Rimouski	0 17 2
do do	Melinda Macpherson, et al	Isle aux Grues	11 15 8
do do	George Desbarats	Part of Joliet	3 4 0
1st October	Jean M. Bélanger dit St. Jean	Part of Islet Bonsecours	2 5 2

No. 4.—(Continued.)

Date.	Seignior.	Seignior.	Amount.		
			£	s.	d.
1856.					
7th October	Charles Larue, et al	Neuville	212	0	4
do	Peter Burnett	Grondines	190	9	5
15th	Heirs and Repr. Patton Wm	Part of Rivière du Sud	125	8	10
do	Do	Part of L'Épinay	3	11	0½
23rd	Jos. M. Couillard	Part of Islet St. Jean	5	12	0
27th	Edouard Pouliot	Part of Rimouski	1	2	0
31st	Frs. Pelletier, et al	Part of Trois Pistoles	2	10	3
do	Louis Bertrand	Part of Trois Pistoles	5	12	8
do	J. Bte. Côté	Part of Isle Verte	2	15	1
5th November	Paul Rioux, et al	Part of Trois Pistoles	20	1	5
10th	A. Bochet, et al	Part of Lachevrotière	20	13	2½
do	Léandre Boucher	Part of Trois Pistoles	1	13	9
do	Dame Ye. J. B. Bélanger, et al	Islet Bonsecours	6	7	9
11th	Heirs J. B. Rioux, et al	Part of Trois Pistoles	7	0	8
do	Pierre Rioux	Part of Trois Pistoles	12	16	6
14th	Heirs J. T. Campbell	Islet du Portage	105	16	5
19th	Joseph Caron	Part of Islet St. Jean	0	9	1
30th December	Dame J. de Lotbinière Joly	Lotbinière	176	15	11
8th January, 1857.	J. Thos. Taschereau	Part of Joliet	101	9	6½
do	Do	Part of St. Joseph, N. E.	8	17	10½
do	Do	Part of St. Michel, Augmentation	6	19	5
do	Séminaire de Québec	Isle aux Coudres	16	11	8½
do	Do	La Côte de Beaupré	300	15	0
do	Do	Sault au Matelot	336	13	9½
do	Do	Coulonges	181	8	4
do	Heirs Dame J. L. Taschereau	Ste. Marie, (Taschereau)	2	17	7
do	Do	Ste. Marie, (Linière)	28	13	0
do	J. Bte. Rioux	Part of Trois Pistoles	23	6	4
do	Dame de Lotbinière Joly	Lotbinière	81	9	7
do	M. P. de Sales Laterrière	Eboulemens	35	11	9½
9th	Nazaire Tétu	Part of Trois Pistoles	1	5	0
do	Do	Part of Trois Pistoles	2	14	3
do	Sir C. J. Stuart, et al	Deschambault	33	5	1
do	Do	Deschambault	72	3	1
do	Heirs de Lanaudière	St. Vallier	90	6	2
do	P. A. de Gaspé	St. Jean Port Joly	112	10	8½
do	Do	Réaume Isle à la Peau	35	12	11½
12th	Dames Drapeau	Part of Rimouski	55	13	4½
do	Do	Part of Isle d'Orléans	68	6	10½
do	Do	Nicolas Rioux	48	13	2½
do	Do	Lepage and Thivierge	90	15	1½
do	Do	Pachot	10	0	4½
do	Do	Ste. Claire	0	19	8½
do	Do	Gouffre	24	15	4½
do	Do	Lessard ou Lamolliaie	18	0	3½
do	Peter Langlois	Bourg St. Louis, N. E.	21	1	10½
13th	G. G. Launière, et al	Livandière	99	13	5½
do	Nuns General Hospital	Récollets	68	11	5½
do	Do	D'Orsainville	8	13	8
do	Do	Berthier de Bellechasse	61	18	3
do	Hotel Dieu. Quebec	St. Ignace	89	1	2½
do	Victor Gariépy	Part of Sud Lachevrotière	24	15	11
do	Heirs Noel, et al	Tilly	31	7	10
do	Do	Maranda	11	13	8
do	Do	Bonsecours	38	10	2
do	Do	Le Gardeur Belles Plaines	38	8	6½
14th	Ursulines of Quebec	Fief Ursulines, City of Quebec	108	7	6
do	Do	Franc Allou (Lauzon)	5	11	3½
do	Do	St. Croix	95	7	8
do	Do	St. Anne, (Lauzon)	7	15	11½
do	Narcisse C. Faucher	Vincennes	15	10	6½
do	Poor, Hotel Dieu	De Maure	67	3	1
do	Eucher Couillard	Part of Rivière du Sud	31	6	11

No. 4.—(Continued.)

Date.	Seignior.	Seigniori.	Amount.
1857.			£ s. d.
14th January	Eucher Couillard	Fournier	13 9 0½
do do	Do	Part of Islet Bonsecours	0 7 4
19th do	Arthur Ross	St. Giles de Beauvillage	197 5 7½
do do	O. E. Casgrain	Part of L'Islet Bonsecours	43 15 9
do do	Do	Part of L'Islet St. Jean	22 17 8½
do do	Heirs P. E. Taschereau	Part of Joliette	35 18 0
do do	Do	Part of Ste. Marie, N. E.	33 12 8½
do do	Do	Part of Ste. Marie, S. O.	24 4 2½
do do	Do	Part of St. Joseph, N. O.	9 13 2
do do	Do	Part of Ste. Marie, N. E.	31 4 0½
do do	Do	Part of Ste. Marie, S. O.	12 16 9½
do do	Do	Part of St. Joseph, N. E.	11 15 2½
do do	Do	Part of Ste. Marie, S. O.	15 13 1
do do	Do	Part of Ste. Marie, N. E.	7 13 11½
do do	Heirs Lagorgendière, et al.	Part of St. Joseph, S. O.	37 3 6½
do do	Heirs Dame M. L. Lindsay	Part of St. Joseph, N. E.	6 2 2½
20th do	Heirs J. S. Campbell	L'Islet du Portage	48 15 4½
do do	Wm. D. Campbell	Ric.	34 8 3
22nd do	Heirs Taché	Kamoura-ka	224 13 9½
do do	Do	Grauville	0 5 5½
do do	J. A. Panet and A. E. Panet	Bourg Louis, S. O.	11 12 5
do do	Elize Dionne	St. Denis, Part of Ste. Anne	48 8 8
do do	Do	Ste. Anne la Pocatière	129 11 0
do do	Heirs Chenest	Viuelotte	38 0 1½
do do	Do	Gamache ou Gagné	4 9 9½
23rd do	Aug. Bernier	La Frenaye	5 17 11½
do do	W. and E. Fraser	Rivière du Loup	70 4 3
do do	Do	Terrebois ou Verbois	184 19 0
do do	Do	Le Parc	245 15 3
do do	Do	Rivière du Loup	32 7 2
do do	Do	Terrebois ou Verbois	85 4 9
do do	Do	Le Parc	113 5 2½
27th do	Amable Dionne	St. Roch des Aulnais	142 2 4½
do do	Heirs Wm. Patton	L'Épinay	1 12 9
do do	Do	Rivière du Sud	57 16 2½
28th do	Léger Launière, et al	St. Michel	60 17 5
29th do	G. W. Alsopp, et al	Jacques Cartier	17 12 0
do do	Do	D'Autenil	23 3 1
do do	Do	Jacques Cartier	8 2 3
do do	Do	D'Autenil	10 13 5
do do	Charles Larue, et al	Neuville	87 14 2½
30th do	Mrs. Geo. B. Hall	Beauport	65 1 0
do do	Rev. Chs. Morice	Grand Pré	26 2 7½
31st do	Pierre T. Casgrain	La Bouteillerie	99 14 9
			£ 16181 18 10.

A true copy of the original lists of record in this Office.

C. E. ANDERSON,
D. R. G.Receiver General's Department,
Toronto, 15th April, 1857.

(No. 349.)

AUDITOR'S OFFICE,
Toronto, 21st March, 1857.

SIR,—The Address of the Honorable Legislative Assembly for a return of all expenditure on account of the Seigniorial Tenure having been referred to me, I have the honor to enclose a Statement of all expenditure on that account up to 31st December, 1856. It will be perceived that the sum total of my Statement exceeds the amount at the debit of the Seigniorial Tenure in the Public Accounts by the sum of £5,247 14s. 6d., that being the amount paid to the Judges of the Seigniorial Court and to the Judges of Superior Court.

I have the honor to be,
Your most obedient servant,

JOHN LANGTON,
Auditor.

The Hon. T. L. Terrill,
Provincial Secretary.

EXPENDITURE ON ACCOUNT OF THE SEIGNIORIAL TENURE.

SEIGNIORIAL COURT.		£	s.	d.	£	s.	d.	£	s.	d.
Henry Driscoll, Assistant Judge.....		531	2	6						
Félix O. Gauthier, do		521	2	9						
J. B. Purkin, do		521	2	9						
Geo. Stuart, do		521	2	9						
Jean T. Taschereau, do		521	2	9						
Samuel C. Monk, do		496	13	8						
Joseph F. Pelletier, do		496	13	8						
Joseph A. Berthelot, do		496	13	8						
					4105	14	6			
Chief Justice Sir L. H. LaFontaine.....		190	0	0						
C. Mondelet, Puisné Judge		180	0	0						
James Smith,		180	0	0						
T. C. Aylwin.....		184	0	0						
C. D. Day.....		180	0	0						
Edward Short.....		126	0	0						
The late Judge Vanfelson.....		102	0	0						
					1142	0	0			
								5247	14	6
GENERAL EXPENSES.										
Geo. Fulvoye, expenses of carrying out Seigniorial Act					250	0	0			
J. A. Beaudry, Clerk of Special Court		120	0	0						
Disbursements on account of Court of Appeals.....		77	7	2						
E. G. Penny, Reporter		375	15	0						
					573	2	2			
T. J. J. Loranger, Professional Services.....		1641	10	0						
F. K. Angers, do		1050	0	0						
J. B. Turcotte, do		475	0	0						
E. Bernard, do		650	0	0						
					3216	10	0			
								4039	12	9
COMMISSIONERS-QUEBEC.										
Simon Lelièvre, Commissioner, Salary.....	£1687	0	0							
Do do Travelling.....	227	10	0							
					1911	10	0			
Jean Chabot, Commissioner, Salary.....	£1162	10	0							
Do do Travelling.....	83	0	0							
					1248	10	0			
J. B. Turcotte, Commissioner, Salary.....	£ 270	0	0							
Do do Travelling.....	31	11	1							
					301	11	1			
					3464	11	1			

Expenditure on account of the Seigniorial Tenure.—(Continued.)

COMMISSIONERS—QUEBEC.—(Continued.)		£	s.	d.	£	s.	d.	£	s.	d.
C. Delagrave, Secretary		350	13	10						
P. L. Morin, Surveyor, Salary	£662 10 0									
Do do Travelling	67 12 6									
Surveyor's Office Salaries	£501 19 6									
Do Travelling	15 10 0									
Clerks and Messengers		517	9	6						
Copying Plans and Documents		640	18	9						
Printing and Stationery		180	1	0						
Miscellaneous Office expenses		223	7	5						
		510	17	11						
					8158	10	11			
Publishing Notices		234	4	2						
Preparing Schedules		1375	16	5						
					1610	0	7			
								8228	2	7
COMMISSIONERS—MONTREAL.										
Henry Judah, Commissioner, Salary	£1817 10 0									
Do do Travelling	312 10 0									
		2130	0	0						
Norbert Dumas, Commissioner, Salary	£1432 10 0									
Do do Travelling	147 10 0									
		1580	0	0						
L. Archambault, Commissioner, Salary	£ 300 0 0									
Do do Travelling	30 0 0									
		330	0	0						
					4040	0	0			
Adelard J. Boucher, Secretary		437	10	0						
T. J. V. Regnaud, Surveyor		363	15	0						
Clerks and Messengers		171	6	8						
Copying Plans and Documents		347	13	11						
Printing and Stationery		220	11	9						
Office Rent		150	0	0						
Miscellaneous Office expenses		575	1	8						
					2265	19	0			
Publishing Notices		165	13	9						
Preparing Schedules		1772	14	7						
					1938	8	4			
								8244	7	4
Banque du Peuple, for payment of Seigniors		20000	0	0						
City Bank, do do		14904	3	0				34904	3	0
Balance in hand, Commission Quebec		1558	15	9						
Do do Montreal		705	12	8						
								2284	8	5
								£ 62928	8	0

JOHN LANGTON,
Auditor.

Audit Office,
Toronto, March, 1857.

TORONTO:

PRINTED BY JOHN LOVELL, YONGE STREET.

SUPPLEMENTARY RETURN

To an Address of the Legislative Assembly, dated 4th March, 1857,
for certain information relative to the Commutation of the Seigniorial
Tenure.

By Command.

T. LEE TERRILL,

Secretary.

SECRETARY'S OFFICE,

Toronto, 13th June, 1857.

OFFICE OF THE SEIGNIORIAL COMMISSION,

QUEBEC, 5th May, 1857.

Sir,—I have the honor to acknowledge the receipt of your letter of the 1st May, instant, together with Copy of an Address of the Legislative Assembly for certain information relative to the Commutation of the Seigniorial Tenure, and a request that the Commissioners here will furnish such of the information asked for, as it may be in their power to give, and in answer thereto, I beg to refer to the Report transmitted by me to your Department on the 4th March last, which report and the documents accompanying it, embrace all the information which the Commissioners here have it in their power to give, in answer to the Address above mentioned.

I have only to observe that the Report in question, brings the information down to the 21st February, that is twenty-one days later than the period fixed by the Address.

I have the honor to be, Sir,

Your most obedient humble Servant,

S. LELIEVRE,
Commissioner.

The Honorable T. LEE TERRILL,
Secretary.

SEIGNIORIAL COMMISSION,

MONTREAL, May 4, 1857.

Sir,—We have the honor to acknowledge the receipt of your letter of the 1st instant, enclosing a Copy of the Resolutions of the Legislative Assembly of the 4th of March, 1857, and requesting us to furnish the information therein required; in answer, we have to state that all the information therein required was transmitted by us to you on the 27th February last, with statements of our proceedings up to that date.

We have the honor to be, Sir,
Your most obedient Servants,

HENRY JUDAH,
NORBERT DUMAS,
Commissioners.

To the Honorable T. LEE TERRILL,
Provincial Secretary, Toronto.

OFFICE OF THE SEIGNIORIAL COMMISSION,

QUEBEC, 4th March, 1857.

Sir,—In compliance with instructions received from the Honorable the Attorney General for Lower Canada, I have the honor to transmit herewith:—

1stly.—Statement of monies expended by the Seigniorial Commission up to the 31st day of January, 1857, shewing the amount remitted to the Commissioners at Montreal, and the expenditure in the District of Quebec, classified in order to shew the yearly expenditure, and the amount disbursed under the several heads of Special Court, Surveying Department, and Commissioners' Department.

2ndly.—List of detailed statements of *Lods et Ventés* furnished by Seigniors in the Districts of Quebec and Kamouraska, to the Commissioners here, up to the 21st day of February, 1857.

3rdly.—List of Seigniors who, on the 21st day of February, 1857, had not yet sent in detailed statements of *Lods et Ventés*.

4thly.—Statement of monies paid to Seigniors in the Districts of Quebec and Kamouraska, up to the 21st day of February, 1857, in liquidation of their claims of *Lods et Ventés*, under the Seigniorial Act of 1854, and the amendments of 1855 and 1856.

5thly.—List of the Seigniories in the Districts of Quebec and Kamouraska, made according to the geographical position of the said Seigniories, the point of departure being the lowest Seigniorie on the North Shore of the River St. Lawrence, from thence going up to the line of division between the Districts of Quebec and Three Rivers, and returning downwards from the said line of division to the last Seigniorie on the South Shore of the said River St. Lawrence, before arriving at the line of division between the Districts of Kamouraska and Gaspé.

6thly.—Copy of a report which I had the honor to make to you for the information of His Excellency the Governor General, and dated at Quebec the 30th day of December, 1856.

And in connection with these documents I have the honor now to report:—

That No. 1 is a statement of all the monies received and expended by the Seigniorial Commission up to the 31st day of January, 1857, and which have passed through my hands, as Treasurer of the Commission; I believe that in addition to the amount shewn by the statement, a sum of about two hundred and fifty pounds, was received by the Commissioners in Montreal, previously to my appointment as Treasurer, which appointment took place on the 25th day of July, 1855.

List No. 2 shews the detailed statements of *Lods et Ventés* furnished by Seigniors in the Districts of Quebec and Kamouraska, up to the 21st day of February, 1857; with reference to this List, it is to be observed that the average yearly revenue of *Lods et Ventés* may vary hereafter, inasmuch as, in making the inquiry for completing a schedule, I have, in all cases, invariably examined the statements fyled by Seigniors, and in most of them have found it necessary to make reductions, but additions may also have to be made, as in a considerable number of Seigniories, lands have been conceded within the period fixed by the Seigniorial Act of 1854, namely, within the ten years immediately preceding the passing of that act, and under these circumstances, Seigniors claim the application of the first Section of the Seigniorial Amendment Act of 1856, 19 Vic. cap. 53.

List No. 3 shews those Seigniors who have not sent in their detailed statements of *Lods et Ventés*. None of these are important Seigniories, and the amount shewn by List No. 2, will be but slightly affected by the statements to be furnished. Means have been taken to obtain the statements still wanting.

Statement No. 4 sufficiently explains itself, and no other sum of money has been paid in the Districts of Quebec and Kamouraska on account of *Lods et Ventés* than those mentioned in the statement in question.

No. 5 is a complete list of Seigniories in the Districts of Quebec and Kamouraska. It will be seen by the List in question, that there are in these two Districts, one hundred and seventeen Seigniories, and supposing that each Seigniorie were in one hand, an equal number of Schedules would be required; but as a number of these Seigniories are subdivided among a number of co-proprietors, who enjoy their share separately and apart, as noted in the List in question, under the head of remarks, it will be found that no less than two hundred and sixty-four Schedules will have to be completed for the districts abovementioned. The Lists of Censitaires in the whole of the Seigniories are completed; these lists, shewing the name of the Censitaire, the extent of his property, the amount of *Cens et Rentés*, whether such *Cens et Rentés* are payable in money or in kind, *Corvées*, if any, and any other fixed right if such exist; the List further shewing whether the land be held for agricultural purposes, or as an emplacement, or building lot.

Out of the two hundred and sixty-four Schedules to be made, I have completed the inquiries in eighty-two Seigniories and parts of Seigniories, the operation to be performed in making these inquiries, consists in valuing Emplacements, or Building Lots, *Cens et Rentés* payable in kind, *Corvées*, and any other fixed right, ascertaining the correctness of the detailed statement of *Lods et Ventés* fyled, and lastly determining the amount to be awarded the Seignior, for his loss of the right of *Banalité*.

There is no difficulty in dealing with any of these subjects except the last, but these claims founded upon the probable loss by reason of the privation of this right of *Banalité*, is one which cannot be dealt with, without a very long and a very careful inquiry, and as an instance of this I would mention the Seigniorie of the

Côte de Beaupré in which there are no less than eight Parishes and five Banal Mills, the Seigniory having a frontage of about sixty miles on the St. Lawrence, from the River Montmorency down to the River du Gouffre; and some estimate of the difficulties to be contended with, will be formed, when it is stated that the claim made by the Seigniors, amounts to thirty-nine thousand two hundred and eighty-three pounds six shillings and eight pence, (£39283 6s. 8d.) it will at once be felt, that claims of this magnitude, must be carefully investigated.

The last of the documents above mentioned, is a report of my proceedings during the last autumn; since that period, I have been employed working upon the materials I collected in the inquiries mentioned in my Report, and have commenced the Inquiry in the Seigniory *Côte-de-Beaupré*. I have also given the required notices for the Seigniories of Mount Murray, Murray's Bay, and le Gouffré—the first being the lowest Seigniory on the North shore, below Quebec, and leave for that locality on the eighth of the present month.

I have in these Notices omitted for the present *les Eboulemens* and *L'Isle aux Coudrés*, the first by reason of the absence of the Honorable M. P. Desales LaTerrière, the proprietor, who is absent from home attending in his place in Parliament, and the second, by reason of its being all but inaccessible during the winter season.

My Colleague, Mr. Turcotte, has given the necessary notices for making the inquiries in the Seigniories of Beauvais, St. Jean D'Eschaillons, Lotbinière, Ste. Croix, Bonsecours, LeGarden des Plaines, Maranda, Tilly, and Gaspé. I cannot report what progress he has made with the inquiries in these Seigniories, as he has not communicated with me on the subject: as he is now in Toronto, he will be in a position to give you any information you may require.

I have not deposited any Schedules as yet, it being my intention to complete the inquiries in the whole of the District of Kamouraska before depositing the Schedules for that locality, and then commencing at Matane, for the purpose of going through the operation prescribed by the 19 Vic. cap. 53, sec. 5. I deem this course the proper one, owing to the distance of the Seigniories in the District of Kamouraska from Quebec.

I have the honor to be, Sir,

Your obedient humble Servant,

(Signed,) S. LELIEVRE,
Commissioner.

To the Honorable T. LEE TERRILL,
Secretary, Toronto.

No. 1.

STATEMENT of MONIES EXPENDED by the SEIGNIORIAL COMMISSION up to the 31st January, 1857; shewing the amount remitted to the COMMISSIONERS at MONTREAL, and the EXPENDITURE in the DISTRICT of QUEBEC, classified in order to shew the Yearly Expenditure, and the amount Disbursed, under the several heads of SPECIAL COURT, SURVEYING DEPARTMENT, and COMMISSIONERS' DEPARTMENT.

1855.	CR.	£	s.	d.	£	s.	d.	£	s.	d.
June 8.	Received per Warrant.....				150	0	0			
July 25.	do do				2000	0	0			
Sept. 28.	do do				2000	0	0			
Oct. 24.	do do				2000	0	0			
Decr. 5.	do do				2000	0	0			
								8150	0	0
DR.										
MONTREAL BRANCH.										
	Remitted H. Judah and N. Dumas, Esquires, per their receipts.....				3000	0	0			
SPECIAL COURT.										
	Counsels' Fees, &c.....	1250	0	0						
	Searches for Documents, Writers, &c., District of Three Rivers	275	0	0						
	Writers, &c., District of Quebec	82	7	0						
	Printing, Stationery, &c.....	53	2	9						
					1660	9	9			
COMMISSIONERS' DEPARTMENT.										
	Commissioners	1262	10	0						
	Travelling expenses	122	10	0						
	Secretary of Commission.....	100	13	10						
	Clerks, &c., employed at preliminary work.....	220	13	9						
	Printing, Stationery, Binding, &c.....	81	10	2						
	Office Furniture, Fuel, Messenger, &c.....	203	10	11						
	Posting up and reading Notices for opening <i>Enquêtes</i> for Schedules	136	18	6						
					2128	7	2			
SURVEYING DEPARTMENT.										
	Salary of Geometer	205	0	0						
	Travelling expenses	21	10	0						
	Salary of Draughtsman	70	10	0						
	L. G. Fortin and I. P. Déry, Surveyors, for Surveys of Beauport, Portneuf, &c.....	81	1	0						
	Stationery, Instruments, Papers, &c.....	93	4	6½						
	Office Furniture, Drawing Tables, &c.....	25	1	2						
	Maps, Binding, &c.....	4	16	0						
					501	2	8½			
								7289	19	7½
	Balance of Account rendered 31st December, 1855.....				£			860	0	4½
	<i>Carried over</i>				£			860	0	4½

No. 1.—STATEMENT OF MONIES EXPENDED by the SEIGNIORIAL COMMISSION up to the
31st January, 1857, &c.—(Continued.)

		£	s.	d.	£	s.	d.	£	s.	d.
1856.	<i>Brought over</i>							860	0	4½
CR.										
Febv. 4.	Overcharged in Account, 1855.....				2	0	0			
do 7.	Received per Warrants.....	2000	0	0						
March 22.	do do	2000	0	0						
May 21.	do do	2000	0	0						
August 8.	do do	2000	0	0						
Sept. 15.	do do	2000	0	0						
Oct. 22	do do	4000	0	0						
					14000	0	0			
								14002	0	0
DR.										
MONTREAL BRANCH.										
	Remitted H. Judah and N. Dumas, Esquires, per their receipts.....				5700	0	0			
SPECIAL COURT.										
	Counsels' Fees, &c.....	1511	10	0						
	Searches of Documents, Quebec and Three Rivers.....	523	19	7½						
					2035	9	7½			
SURVEYING DEPARTMENT.										
	Salary of Geometer.....	457	10	0						
	Travelling expenses	44	0	0						
	Draughtsman's Salary	180	10	0						
	Assistant do	91	2	6						
	L. G. Fortin, Surveyor, for Surveys.....	94	6	0						
	Maps, Plans, Drawing Paper, &c.....	36	7	6						
	Office Furniture, Drawing Tables, &c.....	6	8	10						
					910	4	10			
COMMISSIONERS' DEPARTMENT.										
	Commissioners	1857	10	0						
	Travelling expenses	222	11	1½						
	Secretary of Commission	250	0	0						
	Commissioners' expenses completing <i>Enquêtes</i> ...	82	18	1½						
	Clerks in Office..... £ 224 7 6									
	Preliminary work at Schedules.... 1524 13 2½									
					1749	0	8½			
	Expenses of Printing and Stationery 69 8 10½									
	do Postages..... 100 4 5½									
	do Telegraphs..... 13 10 4½									
					183	3	8½			
	Office Furniture	65	11	0½						
	Fuel, Messenger	160	5	1½						
					225	16	2			
	Posting up and reading Notices for opening <i>Enquêtes</i> for Schedules	86	10	4						
					4657	10	2			
								13803	4	7½
	Balance per Account rendered 31st December, 1856.....							£	1558	15 9
	<i>Carried forward</i>							£	1558	15 9

No. 1.—STATEMENT OF MONIES EXPENDED by the SEIGNIORIAL COMMISSION up to the 31st January, 1857, &c.—(Continued.)

1857.	£	s.	d.	£	s.	d.	£	s.	d.
<i>Brought forward</i>							1558	15	9
DR.									
MONTREAL BRANCH.									
Remitted H. Judah and N. Dumas, Esquires, per their receipts.....				750	0	0			
SURVEYING DEPARTMENT.									
Salary of Geometer, to 31st January, 1857.....	38	15	0						
Travelling Expenses to do do.....	8	0	0						
Salary of Draughtsman to do do.....	15	10	0						
				812	5	0			
COMMISSIONERS' DEPARTMENT.									
Commissioners, to 31st January, 1857.....	155	0	0						
Travelling Expenses.....	10	0	0						
Secretary of Commission.....	20	16	8						
Office Clerks to 31st January, 1857...£ 32 17 6									
Messenger to do do... 6 5 0									
Postages, Telegraphs, &c..... 24 19 5½									
	64	1	11½						
				249	18	7½			
							1062	3	7½
Balance at credit of Seigniorial Commission in Bank of Upper Canada, this 24th February, 1857..							£ 496	12	1½

S. LELIEVRE,
Commissioner.

No. 2.

LIST OF DETAILED STATEMENTS of *Lods et Ventés*, furnished by SEIGNIORS in the DISTRICTS of QUEBEC and KAMOURASKA to the Commissioners here, up to the 21st February, 1857.

NAME OF SEIGNIORY.	NAME OF SEIGNIOR.	Amount.		
		£	s.	d.
Augmentation St. Michel.....	T. G. Launière.....	103	4	5½
Livandière.....	G. G.	199	6	10½
Isle d'Orleans (partie).....	Les Dames Drapeau.....	136	13	9
	<i>Carried over</i>£	499	5	1

No. 2.—LIST of DETAILED STATEMENTS of *Lods et Ventes*, furnished by SEIGNIORS in the DISTRICTS of QUEBEC and KAMOURASKA, &c.—(Continued.)

NAME OF SEIGNIORY.	NAME OF SEIGNIOR.	Amount.		
		£	s.	d.
	<i>Brought over</i>	439	5	1
Rimouski and St. Bernabé	Les Dames Drapeau	111	6	9
Nicolas Rioux	do do	97	6	5
Le Page et l'hibérge	do do	181	10	2½
Lessard ou Lemollae	do do	36	0	7½
Pachot	do do	20	0	9
Ste. Claire	do do	1	19	5
St. Jean Port Joli	Philip A. DeGaspé	225	1	5
Reaume ou Isle a la Peau	do do	71	5	11
Joliet (partie)	J. T. Taschereau	202	19	0½
Gouffre	Les Dames Drapeau	49	10	9
Ste. Marie, J. O.	Héritiers P. E. Taschereau	48	8	5
Joliet (partie)	do do	71	16	0
Ste. Marie, N.E.	do do	67	5	5
St. Joseph, N.E.	do Lindsay	12	4	5½
St. Joseph, N.E.	do P. E. Taschereau	19	6	9
St. Joseph, N.E.	Jean T. Taschereau	17	15	8½
St. Joseph, J.O.	Héritiers De La Gorgendière	74	7	1
Fossambault	A. J. Duchesnay	49	1	0
St Joseph, N.E.	O. Perrault	23	10	4½
Ste. Marie, N.E.	do do	62	8	1
Ste. Marie, J.O.	do do	25	13	7
Ste. Marie, J.O.	Héritiers G. L. Taschereau	31	6	2
Ste. Marie, N.E.	do do	15	7	11
Les Eboulemens	M. P. DeSales LaTerrière	70	3	7
Murray Bay	John Nairne	297	14	6
Sault ou Matelot	Le Seminaire de Québec	673	7	7
Ste. Ursule	Héritiers A. Parant	10	4	10
St. François	do do	21	6	4
Coulanges	Le Seminaire de Québec	362	16	8
Cote de Beaupré	do do	601	10	0
Cap aux De Monts	La Fabrique Notre Dame de Québec	203	12	6
Notre Dame de Québec	do do do	363	18	3
Dumessnil	James Motz	2	1	2
Isle d'Orleans (partie)	Alexandre Poulin	46	5	4
Argentenaye	A. Develin	30	14	0
Beauport (partie)	Dlle. A. DeSalaberry	0	12	6
Grand Pie	Rev. Chs. Morice	52	5	3
Islet Bonsecours	Dame A. Gagnon	3	13	7
Islet St. Jean	do do	1	6	10
Islet Bonsecours	Veuve Belanger, <i>et. al.</i>	5	17	9
Islet Bonsecours	Jean M. Belanger	2	1	8
Beauport	Dame G. B. Hall	180	2	0
Belair	Héritiers Hart	9	2	2½
Islet St. Jean	Dame A. Caron	12	5	1
Islet St. Jean	Remi Noel Couillard	4	7	4
Islet St. Jean	J. M. Couillard	5	3	3
Beaumont	L. P. N. Turgeon	171	9	6
Lafrenaye	Aug. Bernier	11	15	11
Aubert Gallion	W. Pozer	17	12	0
Gamache ou Gagné	J. A. Beaubien, <i>et. al.</i>	8	19	7
Augmentation St. Michel	Jean T. Taschereau	13	18	10
	<i>Carried forward</i>	£ 5089	5	2½

No. 2.—LIST of DETAILED STATEMENTS of *Lods et Ventes*, furnished by SEIGNIORS in the DISTRICTS of QUEBEC and KAMOURASKA, &c.—(Continued.)

NAME OF SEIGNIORY.	NAME OF SEIGNIOR.	Amount.		
		£	s.	d.
	<i>Brought forward</i>	5089	5	2½
St. Michel	Leger Lammère, <i>et al</i>	121	14	10
Neuville	E. Larue, <i>et al</i>	195	8	5
Groindines	P. Burnet	92	12	2
Lachevrotière	Victor Gariépy	40	11	10
Lachevrotière	A. Bochet	19	0	10½
Roccollets	Les Dames Rev. de l'Hôpital Général	187	2	10½
DeMaure	Les Dames l'Hotel Dieu	82	10	6
D'Arainville	Les Dames de l'Hôpital Général	17	7	4
Ursulines	Les Dames Religieuses Ursulines	216	15	0
Beaubien La Groisaldière	Frs. Gaudeau, <i>et al</i>	11	15	9
St. Ignace	Les Dames Rev. de l'Hotel Dieu	178	2	5
Lessard	Andrew and Henry Stuart	84	10	6
St. Denis (Ste. Anne)	Flezée Dionne	96	17	4
Ste. Anne Lapocatière	Elezée Dionne	259	2	0
Bic	W. D. Campbell	68	16	6
St. Denis La Boutellier	P. S. Casgrain	199	9	6
Islet Bonsecours	O. E. Casgrain	87	11	6
Islet St. Jean	do	45	14	9
Islet Bonsecours	O. E. Casgrain, <i>et al</i>	15	5	10½
Vincelotte	J. O. Beaubien, <i>et al</i>	76	0	8
Islet St. Jean	Joseph Caron	0	8	4½
Islet Bonsecours	J. N. Caron	21	13	7½
Chevalerie	D'le C. Riverin	7	11	6½
Islet St. Jean	J. E. C. Després and J. N. Martin	29	10	11
L'Épinay	Godfroi Blais	6	19	10½
Rivière du Sud	Godfroi Blais	27	7	5½
Rivière du Sud	François Tétu	17	10	10
L'Épinay	Louis Blais	3	19	1½
Rivière du Sud	J. B. Morin	115	12	5
L'Épinay	Héritiers W. Patton	3	5	6
L'Épinay	do	3	17	3½
Vincennes	N. C. Fauchier	31	1	1½
Isle au Grues	M. & M. McPherson	10	17	3
Cumberland	Héritiers E. Harbottle	11	9	6
St. Roch des Aulnais	Amable Dionne	284	4	9
St. Bernabé	A. & E. Côté	0	18	0
St. Valier	Héritiers De Lanaudière	180	12	4
Rivière du Loup	W. & E. Fraser	64	14	4
Verbois	do	170	9	6
Le Parc	do	226	10	5
Isle Verte	L. N. Gauvreau	84	17	8½
St. Denis	Héritiers Blanchet	95	7	6
Isle Verte	Charles Bertrand	125	12	8½
Kamouraska	J. V. Taché, <i>et al</i>	449	7	7½
Granville	do	0	10	10½
Isle Verte	J. G. Seaton	5	14	3
Isle Verte	J. Bte. Côté	2	10	0
Isle du Portage	Héritiers J. S. Campbell	97	10	9
Trois Pistoles	François Rioux	1	6	10
Trois Pistoles	Héritiers Benj. Rioux	2	8	4
Trois Pistoles	Louis Bertrand	5	3	10
	<i>Carried over</i>	£ 4068	6	11½

No. 2.—LIST OF DETAILED STATEMENTS of *Lods et Ventés*, furnished by SEIGNIORS in the DISTRICTS of QUEBEC and KAMOURASKA, &c.—(Continued.)

NAME OF SEIGNIORY.	NAME OF SEIGNIOR.	Amount.		
		£	s.	d.
	<i>Brought over</i>	4068	6	11½
Trois Pistoles	Eloi Riau	24	18	4
Trois Pistoles	Nazaire Têtu	2	10	0
Trois Pistoles	Héritiers Paul Riau	18	10	0
Trois Pistoles	Frs. & J. B. Riau	4	2	7
Trois Pistoles	Héritiers Capt. J. B. Riau	6	9	8
Trois Pistoles	Leandre Beaucher	1	11	1
Trois Pistoles	Pierre Rioux	11	16	6
Trois Pistoles	Captain J. B. Riau	46	12	8
Gaspé	Representatives Moses Hart	25	14	4
Beauvais	L. R. & C. A. DeLéry	13	16	9½
Franc Aleu	Les Dames Ursulines de Québec.	11	2	9½
Ste. Anne	do do	15	11	11
Villemay	Charles Robertson	14	2	9
St. Jean D'Eschailions	Dame Veuve Rochs de St. Ours	77	14	10½
Bourg Louis, N. E.	P. Langlois	42	3	8½
St. Etienne	W. Pozer	107	7	4
Ste. Croix	Les Dames Ursulines de Québec.	190	15	4
Matane	D. Fraser	28	17	1½
Rimouski	E. Pouliot	1	0	4
Rimouski	Pierre Gagné dit Bellavance	0	15	10
Rimouski	Victor Revel	0	2	6
Jolliet	Geo. Desbarats	2	19	0
Maranda	Leon Noel, <i>et al</i>	23	7	4
Bonsecours	do	73	0	4
Pecras ou Mitis	Arch. Ferguson	17	10	10
Rimouski	Jean LePage	3	8	6
Rimouski	Charles LePage	1	9	1
Tilly	Leon Noel, <i>et al</i>	62	15	8
Le Gardien des Plaincs	do	76	17	1
Gaudarville	Ant. J. Duchesnay	96	8	1½
Fossambault	do	47	1	10
Rivière du Sud	Jacques Fournier	11	12	8
St. Gilles de Beauvillage	Arthur Ross	181	16	9½
Rivière du Sud	J. & Louis Nicol	9	17	8
Rivière du Sud	J. B. & L. Couillard Dupuis	16	14	5
Isle aux Coudres	Seminaire de Québec	33	3	5
Rivière du Sud	Eueber Couillard	62	13	10
Fournier	do	26	18	1
Islet Bonsecours	do	0	14	8
Berthier de Bellechasse	Les Dames Rev. de L'Hôpital Général.	123	16	6
Demaure (Supt.)	do L'Hotel Dieu	51	15	8
Beauchamp	Andrew Stuart	81	17	2
Ste. Marie Lenière	Héritiers J. L. Taschereau	57	6	0
Ste. Marie Taschereau	do do	5	15	2
Bourg Louis, S. W.	J. A. & E. A. Panet	23	4	11
Lotbinière	Dames Julie de Lotbinière	162	19	2
Deschambault	Sir Charles Stuart, Baronet	66	10	2
Rigaud Vaudreuil	C. & A. DeLéry	107	11	5½
Ste. Barbe la Famine	do	28	19	7½
Jacques Cartier	G. A. Allsopp, <i>et al</i>	16	4	6
D'Auteuil	do	21	6	10
	<i>Carried forward</i>	£	6209	14 11

No. 2.—LIST of DETAILED STATEMENTS of *Lods et Ventes*, furnished by SEIGNIORS in the DISTRICTS of QUEBEC and KAMOURASKA, &c.—(Continued.)

NAME OF SEIGNIORY.	NAME OF SEIGNIOR.	Amount.		
		£	s.	d.
	<i>Brought forward</i>	6209	14	11
Domain de Deschambault	Dame A. E. DeLaGorgendière	8	15	11
Trois Pistoles	Philip Renouf	8	6	8
Trois Pistoles	Etienne Damon	0	0	1
	Total	£ 11337	2	7½

(Signed,) S. LELIEVRE,
Commissioner.

QUEBEC, 24th February, 1857.

No. 3.

LIST of SEIGNIORS who, on the 21st February, 1857, had not sent in their detailed Statements of *Lods et Ventes*.

No.	NAMES OF SEIGNIOR.	NAME OF SEIGNIORY.	REMARKS.
1	Charles Panet.....	Monceau	A small Fief in the Seignior of Sil- lery—the statement is in course of preparation.
2	Heirs Peter Stuart	L'Epinau (part of).....	Means have been taken to obtain this statement.
3	Hotel Dieu Nuns of Quebec...	L'Epinau (part of)..... La Tesserie	This part of L'Epinau unconceded. A small Fief of three Censitaires, supposed to belong to the Seig- nors of Grondines, and the <i>Lods et Ventes</i> , if any, included in the statement for Grondines.
4	Amelie Duchesnay	Ste. Marie, S.W., (part of)..	This statement received the 28th of February. Yearly Return, £15 14s. 7d.
5	Mrs. Widow Hannah	Fief St. Charles	Statement being prepared.
6	Archibald Campbell.....	Isle Verte, (part of).....	A small Fief—statement being pre- pared.

(Signed,) S. LELIEVRE,
Commissioner.

QUEBEC, 24th February, 1857.

No. 4.

STATEMENT OF MONIES PAID TO SEIGNIORS in the DISTRICTS of QUEBEC and KAMOURASKA, up to the 21st February, 1857, in liquidation of their claim for *Lods et Ventes*, under the Seigniorial Act of 1854, and the amendments of 1855 and 1856.

Date of Payment.		NAME OF SEIGNIOR.	NAME OF SEIGNIORY.	Amount Paid.		
				£	s.	d.
August	14, 1856..	Leger Launier, <i>et al</i>	St. Michel	132	1	7
do	do, do ..	N. O. Faucher	Vincennes	33	13	10½
do	do, do ..	Ant. J. Duchesnay	Gaudarville	104	11	10½
do	do, do ..	do	Fossambault	51	1	10
do	do, do ..	Seminaire de Québec	Ils aux Coudres	35	19	9
do	do, do ..	do do	Soulanges	393	13	0
do	do, do ..	do do	Côte de Beaupre	652	11	8
do	do, do ..	do do	Sault au Matelot	730	11	5
do	do, do ..	Dlle. Lanauzière, <i>et al</i>	St. Valier	195	19	2
do	15, do ..	Charles Robertson	Villemay	15	6	10
do	16, do ..	Philip A. DeGaspé	St. Jean Port Joli	244	3	9
do	do, do ..	do	Reaume	77	7	0
do	do, do ..	Œuvre et Fabrique N.D. de Québec	Cap au Diamants	220	18	4
do	do, do ..	do do ..	Notre Dame de Québec	394	16	5
do	18, do ..	Thomas G. Launier	Augmentation St. Michel	111	19	9½
do	do, do ..	J. O. Beaubien, <i>et al</i>	Vincelotte	82	9	4
do	do, do ..	do	Gamache ou Gagné	9	14	10
do	19, do ..	Dames Religieuses de l'Hôpital Général	Berthier de Bellechasse	134	6	10
do	do, do ..	do do ..	D'Arsainville	18	16	10
do	do, do ..	do do ..	Recollets	148	15	10½
do	do, do ..	do l'Hotel Dieu ..	St. Ignace	193	5	1
do	do, do ..	Pauvres de l'Hotel Dieu	Demaure	89	10	8
do	do, do ..	Héritiers Antoine Parant	St. François	23	2	6
do	do, do ..	O. E. Casgrain	Islet Bonsecours	95	0	8
do	do, do ..	do	Islet St. Jean	49	12	3
do	do, do ..	Héritiers Antoine Parant	Ste. Ursule	11	2	3
do	do, do ..	Leon Noel, <i>et al</i>	Maranda	25	7	0
do	do, do ..	do	Bonsecours	79	4	4
do	do, do ..	Remi Noel Couillard	Islet St. Jean	4	14	9
do	do, do ..	Leon Noel, <i>et al</i>	Tilly	68	2	3
do	do, do ..	do	La Gardien des Plaines	83	7	7
do	do, do ..	Hector Garipey	Lachevrotière	53	16	1
do	do, do ..	Les Dames Religieuses Ursulines	Franc Aleu	12	1	6½
do	do, do ..	do do ..	Ste. Croix	206	19	4
do	do, do ..	do do ..	Ursulines, Quebec	235	3	6
do	do, do ..	G. G. Launière	Leraudière	216	5	5½
do	21, do ..	P. T. Casgrain	La Bouteilleur	216	8	4
do	22, do ..	Eucher Couillard	Rivière du Sud	68	0	3½
do	do, do ..	do	do	29	3	9
do	do, do ..	do	Islet Bonsecours	0	15	11
do	do, do ..	Charles Bertrand	Isle Verte	136	5	7½
do	do, do ..	W. D. Campbell	Bic	74	13	5
do	do, do ..	P. Langlois	Bourg Louis, N.E.	45	15	3½
do	23, do ..	Les Dames Religieuses Ursulines	Ste. Anne	16	18	5
do	do, do ..	Alexander Poulin	Isle d'Orleans	50	3	11
<i>Carried forward</i>£				4768	19	9½

No. 4.—STATEMENT OF MONIES PAID TO SEIGNIORS in the DISTRICTS of QUEBEC and KAMOURASKA, up to the 21st February, 1857, &c.—(Continued.)

Date of Payment.	NAME OF SEIGNIOR.	NAME OF SEIGNIORY.	Amount Paid.		
			£	s.	d.
		<i>Brought forward</i>	4768	19	9½
August 25, 1856..	L. H. P. Turgeon	Beaumont	186	0	9
do 26, do ..	Pauvres de l'Hotel Dieu	De Maure	56	3	7
do do, do ..	François Têtu	Rivière du Sud	19	0	7
do do, do ..	J. Bte. Rioux (Captn.)	Trois Pistoles	50	11	10
do 27, do ..	J. B. and L. Couillard Dupuis	Rivière du Sud	18	2	10
do do, do ..	Augustin Bernier	Lafrenaye	12	15	11
do do, do ..	W. Pozer	Aubert Gallion	19	1	8
do do, do ..	do	St. Etienne	116	9	8
do do, do ..	Jean T. Taschereau	Jolliet	220	3	9½
do do, do ..	do	St. Joseph, N.E.	19	5	11
do do, do ..	do	Augmentation St. Michel	15	2	6
do 28, do ..	Dame Veuve Roch de St. Ours	St. Jean d'Eschailions	34	6	11
do do, do ..	L. R. and C. A. DeLéry	Beauvais	15	0	3½
do 29, do ..	O. E. Casgrain, <i>et al</i>	Fief Fortin	16	11	10½
do do, do ..	A. Stuart	Beauchamp	88	16	2
do 30, do ..	J. and L. Nicol	Rivière du Sud	10	14	5
do do, do ..	J. V. Taché, <i>et al</i>	Kamouraska	487	10	11½
do do, do ..	do	Granville	0	11	9½
do do, do ..	André Lemelin	Argentenaye	33	6	2
September 1, do ..	Dame G. B. Hall	Beauport	141	3	0
do do, do ..	O. Perrault	St. Joseph, N.E.	25	10	3½
do do, do ..	do	Ste. Marie, N.E.	67	14	1
do do, do ..	Olivier Perrault	Ste. Marie, S.W.	27	17	2
do do, do ..	Héritiers Lindsay	St. Joseph, N.E.	13	5	2½
do do, do ..	Héritiers Drapeau	Pachot	21	14	9
do do, do ..	do	Ste. Claire	2	2	9
do do, do ..	do	Lessard ou Lamdlai	39	1	9½
do do, do ..	do	LePage and Thiberge	196	18	6½
do do, do ..	do	Nicolas Rioux	105	11	9
do do, do ..	do	Rimouski and St. Bernabé	120	15	10
do do, do ..	do	Isle d'Orleans (part)	148	5	11
do do, do ..	do	Gouffre	53	14	10
do do, do ..	Elezie Dionne	St. Denis (Ste. Anne)	105	1	10
do do, do ..	do	Ste. Anne Lapocatière	281	2	1
do do, do ..	Amable Dionne	St. Rochs des Aulnets	308	7	7
do 2, do ..	Rev. Charles Morice	Grand Pie	56	14	0
do do, do ..	Louis Blais	L'Epinau	4	5	10
do do, do ..	Dlle. C. Riverin	La Chevalier	8	4	4½
do do, do ..	Jean Lepage	Rimouski	3	14	3
do do, do ..	Charles Lepage	Rimouski	1	11	6
do 3, do ..	Héritiers P. E. Taschereau	Ste. Marie, S.W.	52	10	8
do do, do ..	do La Gorgendière	St. Joseph, S.W.	80	13	5
do do, do ..	do P. E. Taschereau	Jolliet	77	17	11
do do, do ..	do do	Ste. Marie, N.E.	72	19	8
do do, do ..	do do	St. Joseph, N.E.	20	19	7
do do, do ..	do G. L. Taschereau	Ste. Marie, S.W.	33	19	4
do do, do ..	do do	Ste. Marie, N.E.	16	14	0
do do, do ..	L. N. Gauvreau	Villeroy	92	1	5½
do do, do ..	Jacques Fournier	Rivière du Sud	12	12	5
do do, do ..	James Motz	Dumesnil	2	4	8
do 4, do ..	Eloi Rioux	Trois Pistoles	26	15	3
do 5, do ..	John Nairne	Murray Bay	323	0	2
		<i>Carried over</i>	£ 8808	3	4

No. 4.—STATEMENT of MONIES PAID to SEIGNIORS in the DISTRICTS of QUEBEC and KAMOURASKA, up to the 21st February, 1857, &c.—(Continued.)

Date of Payment.	NAME OF SEIGNIOR.	NAME OF SEIGNIORY.	Amount Paid.		
			£	s.	d.
		<i>Brought over</i>	8808	3	4
September 6, 1856..	Gody. Blais.....	L'Epinau	7	11	9
do do, do ..	do	Rivière du Sud	29	13	11½
do 9, do ..	Héritiers J. L. Taschereau ..	Ste. Marie Lenière	62	3	3
do do, do ..	do do	Ste. Marie Taschereau	6	4	11
do do, do ..	Dames Angele Caron.....	Islet St. Jean	13	5	10
do do, do ..	M. P. Sales LaTerrière	Les Eboulements.....	76	2	9
do 10, do ..	François Gourdeau, <i>et al</i>	Beaulieu	12	15	8
do 12, do ..	J. A. and E. A. Panet	Bourg Louis, S. W.....	25	4	4
do 16, do ..	J. G. Scuton	Isle Verte	6	3	11
do 18, do ..	Dame A. Gagnon.....	Islet St. Jean	1	9	1
do do, do ..	do	Islet Bonsecours.....	3	19	10
do 20, do ..	J. B. Morin.....	L'Epinau	4	3	10½
do do, do ..	X. N. Martin	Islet Bonsecours.....	23	10	5½
do 23, do ..	Héritiers Blanchet.....	St. Denis (Boutellerie).....	103	9	6
do 25, do ..	A. and E. Ferguson.....	Peiras ou Mitis	19	0	6
do 23, do ..	J. E. C. Despres and J. N. Martin	Islet St. Jean	32	0	2
do 25, do ..	D. Fraser	Matane	31	6	1½
do do, do ..	A. and E. Côté	St. Bernabé.....	0	14	1
do do, do ..	P. Gagné dit Bellerance.....	Rimouski	0	17	2
do do, do ..	M. M. McPherson	Isle aux Grues.....	11	15	8
do do, do ..	Geo. Desbarats	Jolliet	3	4	0
October 1, do ..	J. M. Bélanger	Islet Bonsecours.....	2	5	2
do 7, do ..	P. Burnet	Grondines	100	9	5
do do, do ..	E. Larue, <i>et al</i>	Neuville	212	0	4
do 15, do ..	Héritier Patton	Rivière du Sud.....	125	8	10
do do, do ..	do	L'Epinau	3	11	0½
do 23, do ..	J. M. Couillard	Islet St. Jean	5	12	0
do 27, do ..	Ed. Pouliot.....	Rimouski	1	2	0
do 31, do ..	Louis Bertrand.....	Trois Pistoles	5	12	3
do do, do ..	J. B. Côté.....	Isle Verte	2	15	1
do do, do ..	Héritier B. Riau.....	Trois Pistoles	2	10	3
November 5, do ..	do P. Riau.....	Trois Pistoles	20	1	5
do 10, do ..	Leandre Beaucher	Trois Pistoles	1	13	9
do do, do ..	A. Brochet, <i>et al</i>	Lachevrotière.....	20	13	2½
do do, do ..	Veuve Bélanger, <i>et al</i>	Islet Bonsecours.....	6	7	9
do 11, do ..	Héritiers Capt'n. J. B. Riau ..	Trois Pistoles	7	0	8
do do, do ..	Pierre Riau	Trois Pistoles	12	16	6
do 14, do ..	Héritiers J. T. Campbell.....	Islet du Portage	105	16	5
do 19, do ..	Joseph Caron.....	Islet St. Jean	0	9	1
do 30, do ..	Dame J. De Lotbinière	Lotbinière	176	15	11
January 8, 1857..	J. T. Taschereau	Jolliet	101	9	6½
do do, do ..	do	St. Joseph, N.E.	8	17	10½
do do, do ..	J. T. Taschereau	Augmentation St. Michel ..	6	19	5
do do, do ..	Seminaire de Québec	Isles aux Coudres	16	11	8½
do do, do ..	do do	Côte de Beaupré	300	15	0
do do, do ..	do do	Sault ou Matelot	336	13	9½
do do, do ..	do do	Soulanges	181	8	4
do do, do ..	Héritiers J. L. Taschereau ..	Ste. Marie	2	17	7
do do, do ..	do do	St. Marie Lenière	28	13	0
do do, do ..	Captain J. B. Riau.....	Trois Pistoles	23	6	4
do do, do ..	Dame Julie De Lotbinière.....	Lotbinière.....	31	9	7
		<i>Carried forward</i>£	11185	2	9½

No. 4.—STATEMENT OF MONIES PAID TO SEIGNIORS in the DISTRICTS of QUEBEC and KAMOURASKA, up to the 21st February, 1857, &c.—(Continued.)

Date of Payment.	NAME OF SEIGNIOR.	NAME OF SEIGNIORY.	Amount Paid.		
			£	s.	d.
		<i>Brought forward</i>	11185	2	9½
January 8, 1857..	M. P. DeSales LaTerrière	Eboulemens	85	1	9½
do do do ..	Nazaire Têtu	Trois Pistoles	1	5	0
do do do ..	Charles J. Stuart, Baronet	Deschambault	33	5	1
do do do ..	Héritiers de Lanaudière	St. Valier	90	6	2
do do do ..	Philip A. DeGaspé	St. Jean Port Joli	112	10	8½
do do do ..	do	Reaume	85	12	11½
do do do ..	Nazaire Têtu	Trois Pistoles	2	14	3
do do do ..	Charles J. Stuart, Baronet	Deschambault	72	3	1
do do do ..	Dames Drapeau	Rimouski	55	13	4½
do do do ..	do	Isle d'Orleans	68	6	10½
do do do ..	do	Nicolas Riau	48	13	2½
do do do ..	do	LePage & Thebierge	90	15	1½
do do do ..	do	Pachot	10	0	4½
do do do ..	do	Ste. Claire	0	19	8½
do do do ..	do	Gouffre	24	15	4½
do do do ..	do	Lessard ou Lemollai	18	0	3½
do do do ..	Peter Langlois	Bourg Louis, N. E.	21	1	10½
do do do ..	G. G. Launière, et al.	Lerandière	99	13	5½
do do do ..	Les Dames Religieuses de L'Hôpital Général	Recollets	68	11	5½
do do do ..	do do do	D'Orsainville	8	13	8
do do do ..	do do do	Berthier	61	18	3
do do do ..	Les Dames Religieuses de L'Hôtel Dieu	St. Ignace	89	1	2½
do do do ..	Victor Gariépy	Lachevrotière	24	15	11
do do do ..	Leon Noel, et al.	Tilly	31	7	10
do do do ..	do	Maranda	11	13	8
do do do ..	do	Bonsecours	36	10	2
do do do ..	do	Le Gardien des Plaines	33	8	6½
do 14, do ..	Les Dames Rev. Ursulines	Ursulines	108	7	0
do do do ..	do do do	Franc Aleu	5	0	3½
do do do ..	do do do	Ste. Croix	95	7	8
do do do ..	do do do	Ste. Anne	7	15	11½
do do do ..	N. C. Faucher	Vincennes	15	10	6½
do do do ..	Pauvres de L'Hotel Dieu	De Maure	67	3	1
do do do ..	Eucher Couillard	Rivière du Sud	31	6	11
do do do ..	do	do	13	9	0½
do do do ..	do	Islet Bonsecours	0	7	4
do 19, do ..	O. E. Casgrain	Islet Bonsecours	43	15	9
do do do ..	do	Islet St. Jean	22	17	3½
do do do ..	Héritiers P. E. Taschereau	Jolliet	35	18	0
do do do ..	do do do	Ste. Marie, N.E.	35	12	8½
do do do ..	do do do	Ste. Marie, S.W.	24	4	2½
do do do ..	do do do	St. Joseph, N.E.	9	13	4½
do do do ..	O. Perrault	Ste. Marie, N.E.	31	4	0½
do do do ..	do	Ste. Marie, S.W.	12	16	9½
do do do ..	do	St. Joseph, N.E.	11	15	2½
do do do ..	Héritiers G. L. Taschereau	Ste. Marie, S.W.	15	13	1
do do do ..	do do do	Ste. Marie, N.E.	7	13	11½
do do do ..	Héritiers DeLaGorgendière	St. Joseph, S.W.	37	3	6½
do do do ..	do Lindsay	St. Joseph, N.E.	6	2	2½
do do do ..	Arthur Ross	St. Gilles de Beauvillage	197	5	7½
		<i>Carried over</i>	£ 18211	6	4½

No. 4.—STATEMENT of MONIES PAID to SEIGNIORS in the DISTRICTS of QUEBEC and KAMOURASKA, up to the 21st February, 1857, &c.—(Continued.)

Date of Payment.		NAME OF SEIGNIOR.	NAME OF SEIGNIORY.	Amount Paid.		
				£	s.	d.
			<i>Brought over</i>	13211	6	4½
January	20, 1857..	W. D. Campbell.....	Bic.....	34	8	3
do	do, do	Héritiers J. T. Campbell.....	Islet du Portage.....	48	15	4½
do	22, do	do Taché.....	Kamouraska.....	224	13	9½
do	do, do	do do.....	Granville.....	0	5	5
do	do, do	J. A. & E. A. Panet.....	Bourg Louis, S.W.....	11	12	5½
do	do, do	Elizee Dionne.....	St. Denis, (Ste. Anne).....	48	8	8
do	do, do	do.....	Ste Anne Lapocatière.....	129	11	0
do	do, do	J. O. Beaubien, <i>et al.</i>	Vincelotte.....	88	0	1½
do	do, do	do.....	Gamache ou Gagné.....	4	9	9½
do	23, do	Augustin Bernier.....	Lafrenaye.....	5	17	11½
do	26, do	W. & E. Fraser.....	Rivière du Loup.....	82	7	2
do	do, do	do.....	Verbois.....	85	4	9
do	do, do	do.....	Le Pare.....	113	5	2½
do	do, do	W. & E. Fraser.....	Rivière du Loup.....	70	4	8
do	do, do	do.....	Verbois.....	184	19	0
do	do, do	do.....	Le Pare.....	245	15	8
do	do, do	Amable Dionne.....	St. Rochs des Aulnets.....	142	2	4½
do	do, do	Héritiers W. Patton.....	L'Epinau.....	1	12	9
do	do, do	do do.....	Rivière du Sud.....	57	16	2½
do	do, do	Leger Launière, <i>et al.</i>	St. Michel.....	60	17	5
do	29, do	G. A. Allsopp.....	Jacques Cartier.....	8	2	3
do	do, do	do.....	Dauteuil.....	10	13	5
do	do, do	do.....	Jacques Cartier.....	17	12	0
do	do, do	do.....	D'Auteuil.....	23	3	1
do	do, do	Charles Larue, <i>et al.</i>	Neuville.....	97	14	2½
do	30, do	Dame G. B. Hall.....	Beauport.....	65	1	0
do	do, do	Rev. Charles Morice.....	Grand Pie.....	26	2	7½
do	31, do	P. T. Casgrain.....	La Boutillerie.....	99	14	9
February	2, do	Charles Bertrand.....	Isle Verte.....	62	16	1½
do	4, do	T. G. Launière.....	St. Michel.....	51	12	2½
do	do, do	Gody. Blais.....	Rivière du Sud.....	13	13	8½
do	do, do	do.....	L'Epinau.....	3	9	11½
do	do, do	François Tétu.....	Rivière du Sud.....	8	15	5
do	6, do	C. & A. DeLéry.....	Rigaud Vaudreuil.....	116	14	1½
do	do, do	do.....	St. Barbe la Famine.....	31	8	9½
do	do, do	do.....	Rigaud Vaudreuil.....	53	15	8½
do	do, do	do.....	St. Barbe la Famine.....	14	9	9½
do	7, do	Remi N. Couillard.....	Islet St. Jean.....	2	3	8
do	11, do	J. E. C. Despres, <i>et al.</i>	Islet St. Jean.....	14	15	0½
do	do, do	J. N. Martin.....	Islet Bonsecours.....	10	16	9½
do	do, do	Dame Veuve Bélanger.....	Islet Bonsecours.....	2	18	10½
do	do, do	J. M. Couillard.....	Islet St. Jean.....	2	11	7½
do	do, do	Dame A. Caron.....	Islet St. Jean.....	6	2	6½
do	do, do	J. M. Bélanger.....	Islet Bonsecours.....	1	0	10
do	12, do	O. E. Casgrain, <i>et al.</i>	Islet Bonsecours.....	7	12	11½
do	17, do	L. N. Gauvreau.....	Villeraye.....	42	8	7½
do	20, do	A. Bochet, <i>et al.</i>	Lachevrotière.....	9	10	5½
Total.....£				16638	6	2½

(Signed,) S. LELIEVRE,
Commissioner.

QUEBEC, 24th February, 1857.

No. 5.

LIST of the SEIGNIORIES in the DISTRICTS of QUEBEC and KAMOURASKA, made according to the Geographical position of the said Seigniories; the point of departure being the lowest Seigniorie on the North Shore of the River Saint Lawrence, from thence going up to the line of division between the Districts of Quebec and Three Rivers, and returning downwards from the said line of division to the last Seigniorie on the South Shore of the said River Saint Lawrence, before arriving at the line of division between the Districts of Kamouraska and Gaspé.

NAME OF SEIGNIORY.	REMARKS.	Number of Proprietors.
Mount Murray		1
Murray's Bay		1
Eboulemens		1
Gouffre		1
Isle aux Coudres		1
Côté de Beaupré		1
Isle d'Orleans	2 Proprietors, <i>par devis</i>	2
Argentenaye		1
Beaulieu ou		1
Lachevalerie		1
Dumesnil		1
Beauport	3 Proprietors, <i>par devis</i>	3
Notre Dame des Anges		1
Grand Pié ou Mont Plaisir		1
D'Orsainville		1
St. Joseph ou l'Épinay	2 Proprietors, <i>par devis</i>	2
Domain de la Couronne, Quebec		1
Sault au Matelot		1
Notre Dame de Québec		1
Cap aux Dimants		1
Ursulines		1
Villeray		1
Domain de la Couronne, Baulieu		1
Recollets		1
St. Joseph		1
Coulanges		1
St. Michel		1
St. François		1
Sillery		1
Ste. Ursule		1
Monceau		1
St. Ignace		1
St. Gabriel		1
Gaudarville		1
Demaure		1
Fossambault		1
Neuville		1
Bourg Louis, S.W.		1
Bourg Louis, N.E.		1
Belair		1
D'Auteuil		1
Jacques Cartier		1
	<i>Carried over</i>	46

No. 5.—LIST of the SEIGNIORIES in the DISTRICTS of QUEBEC and KAMOURASKA, made according to the Geographical position of the said Seigniories, &c.—(Continued.)

NAME OF SEIGNIORY.	REMARKS.	Number of Proprietors.
	<i>Brought over</i>	46
Portneuf.....		1
Dechambault.....	2 Proprietors, <i>par devis</i>	2
Lachevrotière.....	2 do, do.....	2
La Tesserie.....		1
Grondines.....		1
Beauvais.....		1
St. Jean d'Eschailons.....		1
Lotbinière.....		1
Ste. Croix.....		1
Bonsecours.....		1
Des Plaines.....		1
Maranda.....		1
Tilly.....		1
Gaspé.....		1
Beaurivage.....		1
Lauzon.....		1
Villemay.....		1
Ste. Anne.....		1
Franc Aleu.....		1
St. Etienne.....		1
Jolliet.....	2 Proprietors, <i>par devis</i>	2
St. Edouard.....	2 do, do.....	2
Ste. Marie Taschereau.....	5 do, do.....	5
Ste. Marie Lenière.....	5 do, do.....	5
St. Joseph.....	5 do, do.....	5
Vaudreuil.....		1
Aubert Gallion.....		1
Cumberland.....		1
Ste. Barbe.....		1
St. Charles.....		1
Lamartinière ou Beauchamp.....		1
Vincennes.....		1
Livaudière.....		1
Beaumont.....		1
St. Michel.....		1
Augmentation St. Michel.....	2 Proprietors, <i>par devis</i>	2
St. Valier.....		1
Berthier de Bellechasse.....		1
Rivière du Sud.....	11 Proprietors, <i>par devis</i>	11
L'Epinau.....	10 do, do.....	10
Isle aux Grues.....		1
Isle aux Reaux.....		1
Fournier.....		1
Gagné.....		1
Lafrénaye.....		1
Ste. Clair.....		1
Vincelotte.....		1
Isle aux Oies.....		1
Islet Bonsecours.....	10 Proprietors, <i>par devis</i>	10
Islet St. Jean.....	22 do, do.....	22
	<i>Carried forward</i>	168

No. 5.—LIST of the SEIGNIORIES in the DISTRICTS of QUEBEC and KAMOURASKA, made according to the Geographical position of the said Seigniories, &c.—(Continued.)

NAME of SEIGNIORY.	REMARKS.	Number of Proprietors.
	<i>Brought forward</i>	168
Lessard		1
St. Jean Port Joli		1
Reaume ou Isle a la Peau		1
St. Rochs des Aulnais		1
St. Denis (Ste. Anne).....		1
Ste. Anne Lapocatière		1
La Bouteilleire		1
St. Denis (Rivière Ouelle)		1
Kamouraska		1
Granville		1
Islet du Portage		1
Verbois		1
Rivière du Loup		1
Le Pare		1
Isle Verte	11 Proprietors, <i>par devis</i>	11
Trois Pistoles	55 do, do	55
Nicholas Rioux		1
Bic		1
Rimouski	13 Proprietors, <i>par devis</i>	13
Lessard ou Lamollai		1
Le Page et Thibierge.....		1
Pachot		1
Peiras ou Mitis		1
Matane		1
	Total	264

(Signed,) S. LELIEVRE,
Commissioner.

QUEBEC, 24th February.

No. 6.

QUEBEC, 30th December, 1856.

Sir,—I have the honor to report, for the information of His Excellency, the Governor General, that in execution of my duties as one of the Commissioners under the Seigniorial Act of 1854, I left the City of Quebec on the 8th day of October last, for the purpose of making the necessary inquiries to prepare the Schedules of the Seigniories in the District of Kamouraska, and proceeded to Matane, on the lower St. Lawrence, a distance of two hundred and forty miles, where I commenced operations on the 15th of October last, and continued at work until the 17th instant, when after completing the inquiry for the Seignior of Kamouraska, I returned here, where I arrived on the 18th instant.

During my absence, I completed the inquiries in sixteen Seigniories, from Matane to Kamouraska, covering a space of one hundred and fifty miles along the Southern shore of the St. Lawrence.

In thirteen out of the sixteen cases inquired into, the Seigniors filed claims for indemnity by reason of the extinction of their right of Banalité, under the operation of the Seigniorial Acts, and in connection with these claims and others filed by the Seigniors, and in the prosecution of inquiries for arriving at a correct result, I had occasion to examine two hundred and forty-two witnesses.

Until such time as I shall have digested the information procured by the inquiries above mentioned, it is not possible for me to state with any degree of certainty what amount Censitaires may have to pay to Seigniors by way of indemnity, but I do not believe that the indemnity for the right of Banalité, and it is in all cases the most important claim made by Seigniors, will in any case exceed one half-penny per arpent in superficies.

The indemnity to be paid by reason of the extinction of the Right of *Lods et Ventes*, will vary in almost every case, as property in Seigniories is more or less valuable; but, I think it can be stated generally, that it will not be less than one half-penny per superficial Arpent, nor more than one penny, with the exception of a very few cases, in which the *Lods et Ventes*, from peculiar causes may exceed that amount.

The decision given by the Judges of the Court of Queen's Bench, and of the Superior Court for Lower Canada, upon the questions submitted by Her Majesty's Attorney General for Lower Canada, have very considerably simplified the duties imposed upon the Commissioners under the Seigniorial Act of 1854, and narrowed down their inquiries within a comparatively small compass; the most important and difficult matter remaining to be dealt with, being, undoubtedly the indemnity claimed by Seigniors, by reason of the extinction of the Right of Banalité, as aforesaid.

The provisions contained in the Seigniorial Amendment Act of 1856, by which the Commissioner making the Schedule of a Seigniorie is empowered to inspect the repertory of any notary, I found most useful in practice, particularly in determining the correctness of the detailed statements of *Lods et Ventes* furnished by Seigniors, and in the performance of that operation, I inspected the Repertories of twenty-eight Notaries from Matane to Kamouraska.

I think it right to bring most pointedly under the consideration of His Excellency, the state in which most of these Repertories are kept. I found but one Notary who had a complete Index to his repertory; a number among them had no repertory at all, and I experienced great difficulties in making the necessary searches; in some cases, and they were not few, where the deeds were not even kept in order of date, very generally the paper used is of the most inferior description, and if this state of things is not checked by Legislative action, the records of a large proportion of the Notaries in question, which are the titles of the property of individuals, will in a few years be so impaired as to become useless, and the consequence must be considerable loss to individuals and in some cases the ruin of families.

I am about giving notices with a view of proceeding with the necessary inquiries on the North Shore, below Quebec, and will leave for that locality in a few days.

I have the honor to be, Sir,
Your most obedient humble Servant,

(Signed,) S. LELIEVRE,
Commissioner.

To the Honorable T. LEE TERRILL,
Secretary, Toronto.

[Translation.]

OFFICE OF THE SEIGNIORIAL COMMISSION,

MONTREAL, 27th February, 1857.

Sir,—The undersigned Commissioners under the Seigniorial Act of 1854, have the honor to report, as follows, for the information of His Excellency the Governor General:—

Several months before the beginning of last Session of Parliament, the Commissioners having been informed by the then Attorney General, that important amendments would be made to the Seigniorial law, stopped the progress of those of their operations which might have been affected; and were only able to resume them after the adoption of the amendments by the House. This incident unavoidably caused a certain loss of time.

One of the Commissioners was kept at the office during the whole of January last, to superintend the payment of the interest due to the Seigniors, and was only able to resume in the second week of February, operations which had been thus interrupted, outside the office.

Despite the inconvenience occasioned by these delays, the Commissioners have completed the valuations of the grain *capons*, *corvées* and lots in eighty-three Seigniories, those in which they could not complete these valuations, consist for the most part of Islands and small fiefs of no importance. They have finally closed fifteen *cadastres*, and are on the point of closing ten others. Six others have been completed with the exception of the formality of the deposit, which, as it requires thirty days notice, can only be effected next month. The list of these Seigniories will be found in the Appendix to this Report.

In several of these Seigniories in which *Banalité* has been claimed, the enquiries have rendered necessary a great number of depositions.

They have collected the information requisite, to enable them to fulfil the task imposed upon them by law, of ascertaining the average value of the Crown dues, and the arrears thereof.

They have found it necessary in order to arrive at these results to examine a large number of contracts, obtained from the Seigniors.

There are only five or six Seigniories, with respect to which they have obtained no information on this subject; the Seigniors not having hitherto presented themselves to receive the payment of their interest, and not having had occasion to exhibit their titles.

They flatter themselves however, that this gap will be very soon filled, and that in a few days they will be able to present a statement setting forth the average of the Crown dues and the arrears.

They have verified a large portion of the statements of the *Lods et Ventes*, by means of *Livres Terriers* and extracts from Notarial Acts furnished by the Seigniors, and they are bound to remark, that the latter gentlemen have made every effort and incurred great expense, in procuring these extracts, and have by so doing rendered it unnecessary for the Commissioners to refer to the repertories of the Notaries.

117 plans have been copied by the Surveyors employed in their office.

The Commissioners were desirous of giving an approximate statement of the sum required by the Censitaires for the redemption of all charges whatsoever, but the uncertainty of the valuation of the right of *Banalité*, and also the great variation of the *Rentes* and *Lods et Ventes* in each Seigniorie, render this task impossible.

The Schedules of the Seigniories of Contrecoeur and Courvoyer finally closed, present the following results:—

CONTRECOEUR.—The *Rentes* are variable and amount from one penny and a quarter to one penny and a half, and the *Lods et Ventés* to one penny and three quarters per arpent, thus giving for a lot of 90 arpents,

Cens et Rentes.....£0 9 4½
Lods et Ventés.....0 14 1

Annual rent.....£1 3 6

Capital.....£19 11 8

COURVOYER.—Average $\frac{2}{3}$ th to $\frac{1}{5}$ th of a penny. *Lods et Ventés* 2½ per arpent. A Lot of 90 arpents would pay,

Cens et Rentes.....£ 0 6 6½
Lods et Ventés.....0 15 11½

Annual Rent.....£ 1 2 6

Capital.....£18 5 0

The Schedules of the Seigniories of Foucault, Lacolle and Lasalle are also completed.

The rents in the 1st and 2nd are very high, in the third they are not so, but the *Lods et Ventés* represent a considerable capital, so that the charges imposed upon the lands in these Seigniories, much exceed the average of those of the other Seigniories. They show a capital double that of Contrecoeur and Courvoyer. The following is the result:—

Foucault pays 4d per acre of *Cens et Rentes* and 1½d per acre of *Lods et Ventés*,—Total.....£ 2 3 1

Capital.....£36 0 0

Lacolle pays 4½d. per arpent *rente*, 6d. per 4 arpents in front of *cens*, and 1½d per arpent of *Lods et Ventés*, making per 90 arpents, *Cens et Rentes* and *Lods et Ventés*,—Total....£ 2 5 6

Capital.....£38 0 0

Lasalle pays one *sol tournois* and one quart of corn per arpent, in superficies, and one *sol cens* for each arpent in front, and 6 *sols* and 8½ pence for *Lods et Ventés*,—Total....£ 2 6 9½

Capital.....£39 0 0

The Commissioners have deemed it their duty to cite these examples in which the redemptions will be different, one from the other, as being calculated to afford an approximate idea of the average redemption of Seigniorial dues.

The whole humbly submitted.

We have the honor, &c.,

(Signed,) HENRY JUDAH, Commissioner,
 “ NORBERT DUMAS, do.

The Honorable T. L. TERRILL,
 Provincial Secretary.

STATEMENT exhibiting the Number of FIEFS and SEIGNIORIES in the DISTRICTS of OTTAWA, MONTREAL and THREE RIVERS, in which the *Cadastrés* are completed and closed (or about to be); also, the progress towards completion of them in other Seigniories, in the said Districts, on the 26th day of February, 1857.

Districts of Ottawa and Montreal.

Reference Number.	NAMES OF THE SEIGNIORIES.	Preparatory works completed.	Wheat, <i>Corvées</i> , and other casual rights estimated.	Emplacements Estimated.	<i>Enquête</i> closed.	<i>Cadastrés</i> completed and closed.
1	Argenteuil	1	1	1	.....	.....
2	Beauharnois	1	.....	.....	.....	.....
3	Beaujeu or Lacolle	1	1	1	1	1
4	Belœil	1	1	1	.....	.....
5	Bellevue	1	1	1	1	1
6	Berthier and Isle Raudin	1	1	1	.....	.....
7	Blainville	1	1	1	1	1
8	Bleury	1	1	1	1	1
9	Bonsecours	1	.....	.....	.....	.....
10	Bourchemin	1	.....	.....	.....	.....
11	Boucherville	1	1	1	.....	.....
12	Bourgmarie West	1	.....	.....	.....	.....
13	Cap St. Michel	1	1	1	1	1
14	Chambly	1	1	1	.....	.....
15	Chateauguay	1	1	1	1	.....
16	Chicot and Isle Dupads	1	1	1	.....	.....
17	Contrecoeur	1	1	1	1	1
18	Cournoyer	1	1	1	1	1
19	Daillebout	1	1	1	.....	.....
20	Deléry	1	1	1	1	.....
21	De Ramsay, N	1	1	1	.....	.....
22	De Ramsay, S.	1	.....	.....	.....	.....
23	Du Sable	1	1	1	.....	.....
24	Foucault	1	1	1	1	1
25	Guillaudière	1	1	1	1	1
26	Isle Bouchard	1	1	1	1	.....
27	Isle Bizard	1	1	1	1	.....
28	Isle Perrot	1	1	1	.....	.....
29	Isle Jésus	1	1	1	.....	.....
30	Isle de Varennes	1	1	1	1	1
31	Lachenaie	1	.....	.....	.....	.....
32	Lanoraie	1	1	1	1	.....
33	Lasalle	1	1	1	1	1
34	L'Assomption	1	1	1	1	.....
35	La Valtrée	1	1	1	1	.....
36	Longueuil	1	1	1	.....	.....
37	Mille Isles	1	1	1	.....	.....
38	Monnoir	1	1	1	.....	.....
39	Montarville	1	1	1	.....	.....
40	Nouvelle Longueuil	1	.....	.....	.....	.....
41	Noyau	1	1	1	1	1
42	Petite Nation	1	.....	.....	.....	.....
43	Repentigny	1	1	1	1	.....
43	<i>Carried over</i>	43	35	37	20	12

STATEMENT exhibiting the Number of FEES and SEIGNIORIES in the DISTRICTS of OTTAWA, MONTREAL, and THREE RIVERS, in which the *Cadastrés* are completed, &c.—(Continued.)

Districts of Ottawa and Montreal.—(Continued.)

Reference Number.	NAMES OF THE SEIGNIORIES.	Preparatory works completed.	Wheat, <i>Corvées</i> , and other casual rights estimated.	Emplacements Estimated.	<i>Enquête</i> closed.	<i>Cadastrés</i> completed and closed.
43	<i>Brought over</i>	43	35	37	20	12
44	Rigaud	1	1	1	1	1
45	Rouville	1	1	1	1	1
46	Sabrevois	1	1	1	1	1
47	Soulanges	1	1	1	1	1
48	St. Armand	1	1	1	1	1
49	St. Blair	1	1	1	1	1
50	St. Charles	1	1	1	1	1
51	St. Denis	1	1	1	1	1
52	St. François le Neuf	1	1	1	1	1
53	St. George	1	1	1	1	1
54	St. Hyacinthe	1	1	1	1	1
55	St. James	1	1	1	1	1
56	St. Normand	1	1	1	1	1
57	St. Ours	1	1	1	1	1
58	Terrebonne	1	1	1	1	1
59	L'haite	1	1	1	1	1
60	Tremblay	1	1	1	1	1
61	Trinité	1	1	1	1	1
62	Varenes	1	1	1	1	1
63	Vaudreuil	1	1	1	1	1
64	Verchères	1	1	1	1	1
64	Total	64	52	57	31	20

District of Three Rivers.

1	Baie du Febvre	1	1	1	1	1
2	Bécancour	1	1	1	1	1
3	Bourgmarie East	1	1	1	1	1
4	Carufel	1	1	1	1	1
5	Champlain	1	1	1	1	1
6	Cournoyer	1	1	1	1	1
7	Courval	1	1	1	1	1
8	Dégair	1	1	1	1	1
9	Dumontier	1	1	1	1	1
10	Gentilly	1	1	1	1	1
11	Godfroy	1	1	1	1	1
12	Grand Pie	1	1	1	1	1
13	Grosbois	1	1	1	1	1
14	Isle des Plaines	1	1	1	1	1
15	Isle du Large	1	1	1	1	1
15	<i>Carried forward</i>	13	10	10	2	2

STATEMENT exhibiting the Number of FIEFS and SEIGNORIES in the DISTRICTS of OTTAWA, MONTREAL, and THREE RIVERS, in which the *Cadastrés* are completed, &c.—(Continued.)

District of Three Rivers.—(Continued.)

Reference Number.	NAMES OF THE SEIGNORIES.	Preparatory work Completed.	Wheat, <i>Cornées</i> , and other casual rights estimated.	Emplacements Estimated.	<i>Enquête</i> closed.	<i>Cadastré</i> completed and closed.
15	<i>Brought forward</i>	18	10	10	2	2
16	Isle Madame					
17	Isle Moran					
18	Isle St. Pierre	1	1	1		
19	Lanaudière	1	1	1		
20	Lussaudière	1				
21	Maskinongé	1	1	1		
22	Nicolet	1	1	1	1	1
23	Pierreville	1	1	1		
24	Pointe du Lac	1	1	1		
25	Rivière du Loup	1	1	1		
26	Rocquetallade	1	1	1	1	1
27	Ste. Anne de la Pérade.....	1	1	1		
28	St. François du Lac	1				
29	Ste. Marie	1	1	1		
30	St. Pierre les Becquets	1				
31	Yamaska, or LaVallière	1		1		
31	Total	27	20	21	4	4

FIEFS in the DISTRICTS of OTTAWA, MONTREAL, and THREE RIVERS.

Reference Number.	NAMES OF THE FIEFS.	Preparatory work Completed.	Wheat, <i>Cornées</i> , and other casual rights estimated.	Emplacements Estimated.	<i>Enquête</i> closed.	<i>Cadastré</i> completed and closed.
1	Fief Boucher	1		1		
2	do Choissy	1	1	1		
3	do Clauss	1	1	1	1	1
4	do Dorrilliers	1	1	1		
5	do Dutort					
6	do Granger	1		1		
7	do Haut Boe	1		1		
8	do Hertel and Marsollette	1	1	1		
9	do Hope	1	1	1		
10	do Genison	1	1	1		
11	do Labadie	1		1		
12	do LaFramboise	1	1	1		
13	do Martel	1		1		
13	<i>Carried over</i>	12	7	12	1	1

FIEFS in the DISTRICTS of OTTAWA, MONTREAL, and THREE RIVERS.—(Continued.)

Reference Number.	NAMES OF THE FIEFS.	Preparatory work Completed.	Wheat, <i>Corvées</i> , and other casual rights estimated.	Emplacements Estimated.	<i>Enquête</i> closed.	<i>Cadastré</i> completed and closed.
18	<i>Brought over</i>	12	7	12	1	1
14	Fief Ninerville	1	.....	1	.....	.....
15	do Plaisance .....	.....	.....	.....	.....	.....
16	do Primeau	1	1	.....	.....	.....
17	do Mariane	1	1	1	.....	.....
18	do Radison	1	1	1	.....	.....
19	do Robineau	1	.....	1	.....	.....
20	do Ste. Claire	1	1	1	.....	.....
21	do Vieuxpont	1	.....	1	.....	.....
21	Total	19	11	18	1	1

(Signed,)

HENRY JUDAH,

“

NORBERT DUMAS,

Commissioners.

OFFICE OF THE SEIGNIORIAL COMMISSION,
Montreal, 25th February, 1857.

LIST of PLANS of SEIGNIORIES and FIEFS, Copied and Scheduled according to their present subdivision, at the Seigniorial Office in Montreal, 1855, 1856, 1857.

NAME OF THE SEIGNIORY OR FIEF, &c., &c.	Superficies of the Original Plan copied.	Superficies of the Plan Scheduled.
	In Square Feet.	English Measure.
Isle Jésus	40 square feet..	80 square feet.
St. Hyacinthe	36 do.	.....
Censive Rougemont, Rottermond	5 do.	.....
Censive Rougemont, Drummond	5 do.	.....
Censive Rougemont, Mondelet	5 do.	.....
Censive Salvaille	5 do.	.....
Town of St. Hyacinthe	12 do.	.....
Montagne Yamaska	5 do.	.....
Town of St. Hyacinthe	26 do.	.....
Village of St. Césaire	1 do.	.....
Relevé de la Rivière Yamaska	30 do.	.....
Seigniori Beauharnois	4 do.	.....
Village Beauharnois	1 do.....	6 square feet.
<i>Carried forward</i>	175 square feet.	86 square feet.

LIST of PLANS of SEIGNIORIES and FIEFS, Copied, &c.—(Continued.)

NAME OF THE SEIGNIORY, OR FIEF, &c., &c.	Superficies of the Original Plan copied.	Superficies of the Plan Scheduled.
	In Square Feet.	English Measure.
<i>Brought forward</i>	175 square feet..	86 square feet.
Village Ellicetown.....	0.5 decimals..	6 do.
do Brownville.....	0.5 do.....	5 do.
do St. Jean Chrysostôme.....	0.5 do.....	5 do.
do Durham.....	0.5 do.....	5 do.
do Howick.....	0.5 do.....	5 do.
do Primeauville (Ste. Martine).....	1.5 do.....	5 do.
Monnoir.....	15 square feet.	
St. François le Neuf.....	9 do.....	21 do.
Village St. Charles ou Debartzch.....	2 do.....	2 do.
Ramsay et Martigny.....	6 do.....	26 do.
Fief Courval Baie du Febvre.....		
Pierreville, Rivière Doin, Bourgmané est.....	5 do.	
LaVallière St. François & Lupandière.....		
St. Zéphirin and Labeue.....	4 do.	
Hope et Hunter.....	4 do.	
Lasalle.....	12 do.	
Village St. Remi.....	6 do.....	7 do.
Daillebout and Ramsay.....	6 do.	
Upper section of the River L'Assomption.....	7 do.	
North part of Daillebout.....	4 do.	
2 Fiefs Lamothe, Daillebout.....	4 do.	
Part belonging to P. L. Panet, Daillebout.....	3 do.	
do Levêque, do.....	5 do.	
do Thérèse Abott, do.....	5 do.	
Petit Nation.....	4 do.	
Lavaltrie.....	30 do.	
Argenteuil.....	12 do.	
St. Pierre Les Becquets.....	20 do.	
Terrebonne.....	36 do.....	50 do.
Rivière du Chêne.....	8 do.	
St. Armand.....	5 do.	
DeLéry.....	6 do.	
Village of Napierville.....	5 do.	
do St. Jacques le Mineur.....	1 do.	
Rouville.....	10 do.	
Village of St. Hilaire.....	2 do.	
Isle Bizard.....	6 do.....	8 do.
Chateauguay.....	6 do.....	25 do.
Village St. Isidore.....	2 do.	
do 3 in Chateauguay.....	6 do.	
Tremblay.....	3 do.....	4 do.
St. James.....	4 do.....	6 do.
Thwaite.....	4 do.....	6 do.
West Partie of St. James.....	6 do.	
Montarville.....	6 do.....	10 do.
Foucault.....	5 do.	
Bélœil.....	8 do.....	16 do.
Boucherville.....	6 do.....	15 do.
Isles de Boucherville.....	4 do.	
Martel.....	5 do.	
Isles de la Trinité et Ste. Thérèse.....	3 do.	
<i>Carried over</i>	489 square feet.	313 square feet.

LIST OF PLANS of SEIGNIORIES and FIEFS, Copied, &c.—(Continued.)

NAME OF THE SEIGNIORY, OR FIEF, &c., &c.	Superficies of the Original Plan copied.	Superficies of the Plan Scheduled.
	In Square Feet.	English Measure.
<i>Brought over</i>	489 square feet..	313 square feet.
Grand Pie, Dumontier, part of Grosbois.....	40 do ..	50 do.
Machiche et Rivière du Loup.....	10 do ..	20 do.
Contrecœur.....	6 do.	
Varenes.....	3 do.	
La Trinité.....	5 do.	
Bleury.....	6 do.	
Sabrevois.....	5 do.	
Noyau.....	4 do.	
Village de Christieville.....	34 do.	
Lachenay.....	2 do.	
Part North-West of DeLéry.....	8 do.	32 do.
Lacolle.....	3 do.	
Village of Boucherville.....	25 do.	
Barony of Longueuil.....	3 do.	14 do.
Isle Perreault.....	5 do ..	21 do.
St. George.....	18 do.	
Blainville.....	3 do.	
St. Normand.....	7 do.	
Cap de la Magdelaine and Champlain.....	8 do.	
Champlain.....	4 do ..	36 do.
Vaudreuil.....	6 do.	
Berthier, Dautré, Isle du Pads.....	15 do.	
Ste. Anne.....	30 do.	
Gentilly.....	5.30 do.	
Laprairie.....		24.50 do.
Yamaska or LaVallière.....		
1st part South of the Seigniories between Deschaillon and } Sorel.....	10 square feet.	
2nd part of the Seigniories between Sorel and Godmanchester } Parish de St. Paul l'Ermite.....	5.70 do. 2.60 do.	
Total.....	762.60 square feet 510.50 do.	510.50 square feet
Total.....	1273.10 square feet	
Square Root.....	36.68 feet.	

Total.....117 Plans.

(Signed,) T. J. V. REGNAUD, A.P.,
Assistant Geometrician of Schedules to
the Seigniorial Office.

MONTREAL, 26th February, 1857.

A STATEMENT of MONEYS EXPENDED by the MONTREAL BRANCH of the SEIGNIORIAL COMMISSION, from the 1st January, 1856, up to the 1st January, 1857.

	£	s.	d.
1st. Salaries to Commissioners, (including the sum of £380, paid Louis Archambault, Esquire, for his services during the period of his Commissionership, to the Secretary, Clerks, Copyists, Messenger and Office-keeper, &c., for one year.....)	2680	9	2
2nd. Amount paid parties for preparing, completing, revising, and correcting Schedules, estimating the value of wheat, <i>coulees</i> , and other Seigniorial rights, also the value of emplacements, for posting, publishing <i>enquête</i> notices, throughout the greater part of the Fief and Seigniories of the Districts of Ottawa, Montreal, and Three Rivers.	1493	18	11
3rd. Office expenses, including house, gas and water rents, fuel and light, office furniture and repairs, petty expenses and sundries.....	325	7	0
4th. Amount paid towards the Surveying Department of the Seigniorial Commission.....	323	9	2
5th. Telegraph Account, Postage, Printing, and Stationary.....	52	18	0
	£ 5026	2	3

(Signed,)

“

HENRY JUDAH,
NORBERT DUMAS,
Commissioners.

OFFICE OF THE SEIGNIORIAL COMMISSION,
Montreal, 25th February, 1857.

[*Translation.*]

OFFICE OF THE SEIGNIORIAL COMMISSION,

MONTREAL, 2nd March, 1857.

Sir,—The undersigned Commissioners, under the Seigniorial Act of 1854, having subsequently to their last Report received the Schedules finally closed and completed of several Seigniories, have deemed it to be their duty to make a supplementary report for the information of His Excellency the Governor General.

Upon reference to the statement hereto annexed, it will appear that the average amount of the redemption in the 10 Seigniories therein mentioned, is £24 12s. 2d.

We have the honor, &c.,

(Signed,)

“

HENRY JUDAH,
NORBERT DUMAS,
Commissioners.

The Honorable T. L. TERRILL,
Provincial Secretary.

SEIGNIORIES.	<i>Cens et Rentes.</i>			<i>Lods et Ventes.</i>			Total.			Capital.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
Varenes, 1st part de F. Lussier	0	7	6	0	11	10½	0	19	4½	16	2	11
do 2nd do E. Mailhot	0	15	0	1	0	7½	1	15	7½	29	13	8
do 3rd do Labroquerie	0	15	0	2	3	1½	2	18	1½	48	8	4
do 4th Fief La Guillaudière	0	7	6	0	9	4½	0	16	10½	14	1	3
do 5th Isle Ste. Thérèse	0	15	0	0	15	0	1	10	0	25	0	0
Verchères, Lot of Verchères	0	15	0	0	12	6½	1	7	6½	22	18	4
do Boucherville	0	15	0	0	13	1½	1	8	1½	23	9	6
do Léry	0	15	0	0	12	9½	1	7	9½	23	2	6
Fief St. Michel and la Trinité	0	7	6	0	13	1½	1	0	7½	17	4	6
Fief Martel	0	16	3	0	15	0	1	11	3	26	0	10
Total of 10 Seignories							£			246	1	10
do 1 Seignory							£			24	12	2

(Signed,) HENRY JUDAH,
 “ NORBERT DUMAS,
 Commissioners.

R E T U R N

To an Address of the Legislative Assembly to the Governor General,
 dated 26th March, 1857, for “a Statement of any sums of Money paid
 “ to the Government for Seigniorial charges and dues by the purchasers
 “ of the Seigniry of Temiscouata.”

By Command.

T. LEE TERRILL,

Secretary.

SECRETARY'S OFFICE,

Toronto, 6th May, 1857.

RECEIVER GENERAL'S OFFICE,

TORONTO, 28th March, 1857.

Sir,—I beg to return herewith an Address of the Legislative Assembly, requesting a Statement of money paid to the Government for Seigniorial charges by the purchasers of the Seignior of Temiscouata, and to state that the information required does not appear in the books of this Department, but would more likely in those of the Crown Lands.

I have the honor to be, Sir,

Your most obedient Servant,

C. E. ANDERSON, D.R.G.

Honorable T. L. TERRILL,
Provincial Secretary, Toronto.

CROWN LANDS OFFICE,

TORONTO, 16th April, 1857.

Sir,—With respect to the Address of the Honorable the Legislative Assembly, of the 26th ult., for a statement of any sums of money paid to the Government for Seigniorial charges and dues, by the purchasers of the Seignior of Temiscouata, which has been transferred to this Department for action, and which I return herewith; I have the honor to state that, since the Inspector General of the Queen's Domain commenced to render his accounts, for per centage, to this office, viz.: the 1st July, 1848, no *Quint* has been paid to Government, on the Seignior in question. To ascertain whether any and what *Quint* has been paid previous to that date, it will be necessary to refer to the accounts of the above mentioned officer, which will be found in the office of either the Inspector or Receiver General, or to the account books of the latter, to whom these payments were made direct, previous to the transfer of the Administration of the Domain of the Crown to this office. The search need not be made further back than the 14th October, 1828, as on referring to the answer to an Address of the Legislative Assembly, of the 25th January, 1856, it appears that Mr. Alexander Fraser paid, on that day, the *Quint* due in his purchase of the Seignior in question, therein referred to as the Fief Madawaska. I may further state that, on the 5th December, 1838, a part of the Seignior in question was commuted in favor of Nathan Cummings, Esquire. The fine for this commutation, (which it appears on reference to the Patent, was paid to the Receiver General, by John Malcolm Fraser,) together with the *Quint*, if any was then paid, can also be ascertained from the books of the above last named officer.

I have the honor to be,

Your obedient Servant,

JOSEPH CAUCHON,

Commissioner of Crown Lands.

The Honorable T. L. TERRILL,
Provincial Secretary.

INSPECTOR GENERAL'S OFFICE,

TORONTO, 6th May, 1857.

Sir,—On reference to the books of this Department, it is found that no payment has been made to the Government on account of the Seigniorship of Temiscouata from 1st January, 1843, up to 1st July, 1848, and I beg to enclose herewith the Report of Mr. Laurin, Inspector of the Queen's Domain, having reference to the receipts previous to 1843.

I have the honor to be, Sir,
Your most obedient Servant,

W. W. DICKINSON,
Acting Deputy Inspector General.

The Honorable T. L. TERRILL,
Provincial Secretary, Toronto.

[*Translation.*]

QUEBEC, 30th April, 1857.

Sir,—I have the honor to inform you, in answer to your letter of 25th instant, that upon examination of the returns of regulated dues by Mr. Primrose, I have found in the list of regulated dues from the 11th October, 1828, to the 10th January 1829, a *Quint* of £56 1s. 3d., due by Alexander Fraser, Esquire, upon his purchase of the Fief Madawaska. In the column of remarks I find the following entry in red ink, "10th April, 1829."

I have the honor to be, Sir,
Your obedient Servant,

JOSEPH LAURIN.

The Honorable the Commissioner
of Crown Lands,
Toronto.

RETURN

RETURN of COMMUTATION of TENURE effected within the *CENSIVES* of the late ORDER of JESUITS, in the DISTRICTS of QUEBEC and THREE RIVERS, within the *CENSIVE* of the SEIGNIORY of LAUZON, and within the *CENSIVE* of QUEBEC, from 1st January, 1856, to 28th February, 1857.

RETURN of COMMUTATIONS of TENURE effected within the *Censives* of the late ORDER of JESUITS in the DISTRICT of QUEBEC, under the 10th and 11th Vic. cap. 111, from the 1st January, 1856, to the 28th February, 1857.

NAME of PARTY COMMUING.	Property where situated.	Date of Deed, and Name of Notary passing it.	Arrears of Seigniorial Dues.		Commutation Money Paid.		Commutation Money left <i>à Constituit.</i>		
			£	s. d.	£	s. d.	£	s. d.	
King, Samuel.....	Sillery.....1 lot.	February 4th, 1856.. S. J. Glackmeyer.....			80	16	0		
Vohl, Benjamin.....	St. Gabriel.....2 lots.	March 17th, do.. T. Laurin.....						20	1
Cloutier, Jean.....	Notre Dame des Anges.....1 lot.	do 22nd, do.. Ph. Huot.....			2	8	0		
Alain, Charles.....	Belair.....1 lot.	June 10th, do.. T. Laurin.....						29	7
Larue, Mrs. Widow Wolfred.....	St. Gabriel.....1 lot.	do 18th, do.. Ph. Huot..			1	18	6		

JOSEPH CAUCHON,
Commissioner of Crown Lands.

CROWN LANDS DEPARTMENT,
Toronto, 2nd March, 1857.

RETURN OF COMMUTATIONS OF TENURE effected within the *Censive* of the late ORDER of JESUITS in the DISTRICT of THREE RIVERS, under the 10th and 11th Vic. cap. 111, from the 1st January, 1856, to the 28th February, 1857.

NAME OF PARTY COMMUTING.	Property where situated.	Date of Deed, and Name of Notary passing it.	Arrears of Seigniorial Dues.		Commutation Money Paid.		Commutation Money left <i>à Constitut.</i>		
			£	s. d.	£	s. d.	£	s. d.	
Lacoursière, Dorithee Rivard	Parish St. François Xavier, Seigniorie Batiscan	January 2nd, 1856. ... L. Guillet					17	9	2

JOSEPH CAUCHON,
Commissioner of Crown Lands.

CROWN LANDS DEPARTMENT,
Toronto, 2nd March, 1857.

No COMMUTATIONS of TENURE were effected within the *Censive* of the late ORDER of JESUITS in the DISTRICT of MONTREAL, under the 10th and 11th Vic. cap. 111, from the 1st January, 1856, to the 28th February, 1857.

JOSEPH CAUCHON,
Commissioner of Crown Lands.

CROWN LANDS OFFICE,
Toronto, 2nd March, 1857.

RETURN OF COMMUTATIONS OF TENURE effected within the *Censive* of the SEIGNIORY of LAUZON, under the 10th and 11th Vic. cap. 111, from the 1st January, 1856, to the 28th February, 1857.

NAME OF PARTY COMMUTING.	Property where situated.	Date of Deed, and Name of Notary passing it.	Arrears of Seigniorial Dues.		Commutation Money Paid.		Commutation Money left <i>& Constitut.</i>	
			£	s. d.	£	s. d.	£	s. d.
Ramsay, Andrew, <i>et al.</i>	Parish of Notre Dame de la Victoire.....	February 12th, 1856... F. M. Guay, St. Joseph.....	6	0 0	13	19 4		
Guay, Charles, <i>et al.</i>	Parish of Notre Dame de la Victoire.....	February 25th, 1856... C. Bourget, St. Joseph.....						
Plante, Ambroise.....	Parish of St. Jean Chrysotôme.....	April 5th, 1856... J. Birch, Quebec.....			23	1 0		
Roy, Jacques.....	Parish of Notre Dame de la Victoire.....	April 9th, 1856... L. Roy, Notre Dame.....			12	10 9		
Dumont, Joseph.....	Parish of Notre Dame de la Victoire.....	May 8th, 1856... F. M. Guay, St. Joseph.....			29	15 0		
Fortier, Felix.....	Parish of Notre Dame de la Victoire.....	July 1st, 1856... L. Roy, Notre Dame.....	5	8 6				

JOSEPH CAUCHON,
Commissioner of Crown Lands.

CROWN LANDS DEPARTMENT,
Toronto, 2nd March, 1857.

RETURN of COMMUTATIONS of TENURE effected within the *Censive* of QUEBEC, under the 10th and 11th Vic. cap. 111, from the 1st January, 1856, to the 28th February, 1857.

NAME OF PARTY COMMUTING.	Property where situated.	Date of Deed, and Name of Notary passing it.	Arrears of Seigniorial Dues.			Commutation Money Paid.			Commutation Money left <i>à Constitut.</i>			
			£	s.	d.	£	s.	d.	£	s.	d.	
			Dawson, Samuel Johnson	Près de Ville	January 19th, 1856	J. Pelchat	3	9	31	20	3	10
Mercier, David	St. John Suburb	February 23rd, 1856	C. M. Defoy	0	6	7	6	3	10	.....	.....	.....
Grenier, Joseph	St. Roch Suburb	March 3rd, 1856	G. Guay	0	2	6	.....	.....	.....	25	10	11
Alley, Charles	St. Roch Suburb	March 19th, 1856	J. Pelchat	30	15	1	.....	.....	.....	27	19	4
Bruce, John	Banlieu	March 26th, 1856	J. Pelchat	.....	.....	.....	60	3	10	.....	.....	.....
Maguire, John	Fleury Street, St. Roch Suburb	April 26th, 1856	E. G. Cannon	10	10	0	.....	.....	.....	12	2	5
Miller, William	St. Lewis Suburb	May 13th, 1856	N. H. Bowen	0	6	8	.....	.....	.....	17	6	8
Saucier, Emilie	St. Roch Suburb	May 13th, 1856	G. Guay	40	10	10	.....	.....	.....	20	3	10
St. Roch de Québec, <i>Fabrique</i> .	Parish St. Roch	June 18th, 1856	F. L. Gauvreau	.....	.....	.....	.....	.....	.....	50	3	10
Angers, Edouard	Parish St. Roch	July 2nd, 1856	J. Pelchat	.....	.....	.....	11	0	5	.....	.....	.....
Mathieu, Joseph	Parish St. Roch	September 29th, 1856	G. Guay	.....	.....	.....	6	3	10	.....	.....	.....
Andrews, Thomas	Couillard Street	January 13th, 1857	J. S. Hossack	0	5	0	39	13	10	.....	.....	.....

JOSEPH CAUCHON,
Commissioner of Crown Lands.

No COMMUTATIONS of TENURE were effected within the *Censive* of THREE RIVERS, under the 10th and 11th Vic. cap. 111, from the 1st January, 1856, to the 28th February, 1857.

JOSEPH CAUCHON,
Commissioner of Crown Lands.

RETURN

To an Address from the Legislative Assembly of the 26th ultimo;
For copies of Papers relative to Desertion of Seamen at Quebec.

By Command,

E. PARENT,
Assist. Secretary.

Secretary's Office,
21st April, 1857.

SECRETARY'S OFFICE,
TORONTO, 10th Oct., 1856.

SIR,—His Excellency the Governor General has had his attention called to the enclosed paragraph in Wilmer & Smith's "European Times," of Sept. 13th.

His Excellency cannot believe that the facts therein alleged can be substantiated, but it is necessary that they should be promptly contradicted if untrue, as their circulation in Europe is calculated to inflict serious loss and discredit on the commerce of Quebec.

His Excellency requests, therefore, that Mr. Fry and other parties may be called upon to state in writing all they know on the subject of such outrages, and that the truth or falsehood of these charges should be investigated at once and reported on by you. A copy of this letter is forwarded to the Mayor of Quebec and to the Board of Trade of the City.

You will be good enough to return to me the enclosed paragraph, with your report on the same.

I have the honor to be, Sir,
Your most obedient servant,

(Signed,) E. PARENT,
Assistant Secretary.

J. Maguire, Esq.,
Inspector and Superintendent of Police,
Quebec.

The European Times.—Quebec Piracy.

Mr. H. Fry, Lloyd's Agent at Quebec, writes the following to the "London Times":—"Permit me to call your attention to the lamentable and disgraceful state of affairs existing at this port. The crimping system has now reached such a pitch that the force of law is completely set at defiance, the life of a British ship master in a British port is no longer safe, and piracy stalks abroad unchecked,

in the midst of a British population, and under the very walls of a British fortress. Night after night ships in the harbor are boarded by crimps well armed with revolvers, the crews carried off, the masters and officers threatened with instant death if they resist, and the owner's property plundered. And for this state of things the authorities here either cannot or will not find a remedy. I can cite scores of instances to prove the truth of the above. Let one or two specimens suffice. Here is one:—On Tuesday night last, the brig Regina was boarded at 7 p.m., by four boats, one on each bow, and one on each quarter. A man from each boat came on board, armed with pistols and clubs, daring the mate and second mate to speak a word at the peril of their lives; one of them presented a pistol to the mate's breast. They took three of the men with them, as it appeared, against their wish; the man who resolutely refused, had his chest broken open, and his clothes stolen; they also stole all the spare lines that there were on deck. Last night the Regina was boarded again by probably the same scoundrels, when one, barefoot, went to the captain's state room and endeavored to steal his chronometer and sextant; his wife gave the alarm. He then blew out the candle, jumped into his boat, cut the painter, and escaped before the crew could come to the rescue. The captain was, during the time, at Montreal on business. Another:—The crimps induce two poor foolish creatures to sue for 13 months' wages, due to them for service on board the M. A. Peters, hoping to grab some £30 from each, besides £6, one-half their homeward wages. The Police Magistrate decides that there is some flaw in the wording of the articles, and orders payment. We remove it by certiorari to the Superior Court, in order to defeat the crimps, when a body of them go on board armed, take possession of the ship, and defy all the police in the place to remove them, until the wages are paid. During the whole of this season we have paid £10 to £12 sterling per month for sailors; the majority of ships lose the whole or a portion of their crews, and the dead loss to British ship owners engaged in this trade will not be less than £100,000, sterling, for the present season alone. Now, Sir, if the authorities here are powerless, can it be that with so many armed ships lying idle, we are to be left a prey to pirates in a British port, and under the very shadow of the British flag? Let but a single case of this kind occur on the coast of Morocco, and forthwith a whole fleet is despatched to punish the offenders.

SECRETARY'S OFFICE,

TORONTO, 10th Oct., 1856.

Sir,—I have the honor to enclose to you, by command of His Excellency the Governor General, for your information, a copy of a letter this day addressed to the Inspector and Superintendent of Police, Quebec, calling for that Officer's report on the subject of certain outrages alleged to have been committed within the Port of Quebec.

I have the honor to be, Sir,

Your most obedient servant,

(Signed,) E. PARENT.

Addressed to His Worship the Mayor of Quebec,
and to the President of the Board of Trade,
Quebec.

SECRETARY'S OFFICE,

TORONTO, 13th Oct., 1856.

SIR,—I have it in command from His Excellency the Governor General, to state that His Excellency's attention has been called to a paragraph in Wilmer & Smith's "European Times" of the 13th September last, on the subject of alleged crimping of seamen and other outrages in the Harbor of Quebec, to which I am to refer you.

His Excellency cannot believe that the facts therein alleged can be substantiated, but it is necessary that they should be promptly contradicted if untrue, as their circulation in Europe is calculated to inflict serious loss and discredit on the commerce of the Port of Quebec.

The Inspector and Superintendent of Police at Quebec has been directed to call upon Mr. Fry and other parties alluded to in the paragraph in question, to state in writing, all they know on the subject of such outrages, and to investigate and report at once, as to the truth or falsehood of these charges.

His Excellency is further desirous of receiving from you an early report on the subject of this communication. And if any such evils as alleged do really exist, he will be happy to receive from you any suggestions as to the course you may consider most advisable to be pursued for their repression.

I have the honor to be, Sir,

Your most obedient servant,

(Signed,) E. PARENT.

J. W. Dunscomb, Esq.,
Shipping Master,
Quebec.

OFFICE OF INSPECTOR AND SUPERINTENDENT OF POLICE,

QUEBEC, 16th Oct., 1856.

SIR,—I have the honor to inform you for the information of His Excellency the Governor General, that I am engaged in the investigation of the alleged outrages contained in Mr. Fry's letter published in the "London Times," and Wilmer and Smith's "European Times," as directed by His Excellency.

I am now in communication with Mr. Fry and other parties on the subject; but I find that a few days will have to elapse before I shall be prepared to forward the report. I only received your letter on the 14th instant.

I have the honor to be, Sir,

Your most obedient servant,

(Signed,) J. MAGURIRE.

I. and S. of Police.

Honorable T. Lee Terrill,
Provincial Secretary,
&c., &c., &c.

(Translation.)

CITY HALL,

QUEBEC, 18th Oct., 1856.

SIR,—I have the honor to acknowledge the receipt of your letter, dated the 10th October, together with the letter you addressed to Mr. Maguire, Superintendent of Police, with regard to certain statements of facts in a letter written by

a Mr. Fry, published in Wilmer & Smith's "European Times," and republished in the Canadian newspapers.

I must state for the information of His Excellency, that I have had an interview with Mr. Maguire, and that gentleman informed me that he intended to take such immediate steps in the matter as to be able to meet the views and wishes of His Excellency.

Being well aware of what interest the subject is to the commerce and prosperity of Quebec, I sincerely hope that the enquiry will produce a satisfactory result.

I have the honor to be, Sir,
Your obedient servant,

(Signed,) OL. ROBITAILLE,
Mayor.

E. Parent, Esquire,
Assistant Provincial Secretary,
Toronto.

CUSTOM HOUSE,
QUEBEC, 22d Oct., 1856.

MY DEAR SIR,—The subject of desertion has been so well ventilated that I cannot hope that my report will prove either interesting or useful.

I have endeavoured to be as concise as possible, and to avoid going over well trodden ground by appending elaborate notes of the expressed opinions of others. It is a great error to suppose that the evil is worse or even as bad now, as it has always been before; the reason for the present mitigation will be found in the comparative low rate of wages, viz:—£8 now, instead of £20, which has prevailed some seasons.

Is it not curious, my dear Sir, that the Home authorities, in framing these important measures, have never paid us the poor compliment of sending to Canada, for the aid of some person who might be supposed to possess some local knowledge of the matter?

If the Governor General has not met with Mr. Lindsay's most excellent book, I have a copy very much at His Excellency's service, if he would like to see it?

My dear Sir,
Yours very truly,

J. W. DUNSCOMB.

E. Parent, Esquire,
Assistant Secretary,
&c., &c., &c.

NOTICE.

OFFICE OF INSPECTOR AND SUPERINTENDENT OF POLICE,

QUEBEC, 27th May, 1856.

Masters of ships and others whom the subject concerns are particularly requested to take notice:

That the River Police are liberally paid and provided by Government with every thing necessary to render the force effective; and that they are not allowed

to receive from any other source, money, or other gratuity, for services rendered in the performance of their duty.

It is an important part of the duty of the Police to be vigilant in the protection of property afloat, and when such property has been dispersed by the severity of the weather, or lost, or is missing from some other cause, to make every exertion to recover the same.

All timber, boats, and other property saved or picked up by the Police are deliverable to the owners, on identification, free of charge.

The force is under the immediate control of Mr. Robert Henry Russell, Chief Constable, and he, or in his absence another officer, will always be found in attendance at Cul de Sac Station, Lower Town.

Any cause of complaint on these several heads or any other concerning the conduct or inefficiency of the force, will receive due attention when reported to the undersigned.

(Signed,)

J. MAGUIRE,
I. and S. of Police.

CUSTOM HOUSE, SHIPPING MASTER'S OFFICE,

QUEBEC, 21st October, 1856.

SIR,—I have the honor to acknowledge your communication of the 13th instant, acquainting me that His Excellency the Governor General's attention had been called to a paragraph in Wilmer and Smith's "European Times" of the 13th September last, on the subject of alleged crimping of seamen and other outrages in the Harbor of Quebec, to which you refer me.

2. And informing me that the Inspector and Superintendent of Police at this port has been directed to call upon Mr. Fry and other parties to state in writing all they know on the subject of such outrages and to investigate and report at once as to the truth or falsehood of those charges.

3. Also intimating that His Excellency is further desirous of receiving from me an early report on the subject of your communication, and if any such evils as alleged do really exist, he will be happy to receive from me any suggestions as to the course I may consider most advisable to be pursued for their repression.

4. In reply to the 1st and 2nd parts of your communication, I have to observe that I read the article in Wilmer and Smith's paper. I enclose a very judicious advertisement issued by the Inspector and Superintendent of Police, which has appeared in the local papers of this port during the season, and has been conspicuously posted up in this office, and doubtlessly having elicited formal complaints of all similar irregularities will provide the Inspector and Superintendent of Police with the means of furnishing correct information on this head.

5. I now proceed to report, as required in the last paragraph of your letter, and respectfully to offer some suggestions.

6. That parties do board vessels in this port for the purpose of inducing seamen to desert, and that from the very character of so demoralizing a pursuit, such parties will resort to any outrage whatever, for the purpose of effecting their object, (1) I have no doubt, though, personally, I have never witnessed any thing of the kind notwithstanding that I am often on the water, and have daily communication with the masters and men in port. (2) In fact I know in the world of importance and size where similar outrages do not exist to a greater or less extent. There are sometimes

See note (1.)

See note (2.)

8,000 persons afloat in this port at one time ; persons (seamen) leading a life and following a calling of that peculiar character, to require from all countries peculiar laws for their particular government, (6) and I feel quite sure that desertion, robbery and even murder, will be committed amongst such a number of sailors, wherever they may be ; but add to this, that the immediate locality entertains and exercises a direct and active interest in the desertion of seamen, it should not be a matter of surprise that outrages such as complained of do exist and require strong measures for their suppression. See note (6.)

7. The shipbuilders of Quebec, an influential and highly respectable class, would be obliged to import seamen or else would not be able to man their ships, if sailors did not desert. Note (3.)

8. The lodging housekeepers, also a very influential class, would be necessitated to close their doors were it not for the lucrative custom afforded by the desertion of two thousand seamen annually. To correct desertion, crimping, and diminish the evils complained of, additional legislation is required to meet these two influential and active class interests ; with only an allusion to another very active element, the advocates, who find lucrative employment in carrying on the war of sailors against captains and owners. See notes (7 and 11.)

9. The general discharge of crews on arrival in port would no doubt at once prevent desertion, this change in the existing practice would be an experiment, and I apprehend would be resisted by the British ship owner to the last, as presenting obstacles to the economical and reliable management of property, though a general discharge would be of great advantage to Quebec, so that it is evident any arrangement to be final and satisfactory must be predicated on the ground of mutual concessions. See notes (4 and 5.)

10. The laws of the Imperial Parliament and of this Province have heretofore, by express enactment, exempted the ships of the colony from their provisions as to the shipping and discharge of seamen. I respectfully submit for His Excellency's consideration the following suggestions :

11. First : That provision be made by legislative enactment for the importation of crews for new ships by simply refusing a clearance at this office, unless the seamen manning the ship could satisfactorily shew that they had been discharged from their last ship's service and are not deserters. See notes (9 and 10.)

As this importation of crews would entail a heavy expense to the Quebec ship builders and would be solely for the advantage of the British ship owner, I suggest as an equivalent, that the co-operation of the Home Government be invited and that all ships sailing for this port out of the United Kingdom be required to bring 1, 2 or 3 extra men according to tonnage, to be discharged on the arrival of the ship at this port. This arrangement may be considered as a compromise of the difficulty between the Quebec ship builders and the British ship owners, having in view the legitimate calling and fair interests of both. See note (8.)

12. Secondly : I suggest as an essential in carrying out my views and as a most necessary institution, the erection of a Sailors' Home, which would secure a decent and healthful place of resort for discharged and shipwrecked seamen, within the reach of all, to be governed by Act of Parliament, and conducted under such well digested regulations as will secure order, comfort and sobriety. This institution will meet the second class interest, and set aside the inducement of immense profits now held out by desertion to lodging house keepers and lodging house owners, I do not think it necessary here, Sir, to enlarge on the absolute necessity and advantage of a Sailors' Home, the same are too well known to require comment at my hands ; but I venture to hand the remark, that it is not

creditable to Canada, with one of the most important ports in the world, to be without a humane and benevolent institution which may now be found in all other countries.

13. The expense of founding a Sailors' Home should hardly be an obstacle to its incorporation, for the money paid to Mr. Campbell and myself for the relief of indigent and ship wrecked seamen would in itself form a considerable item towards its maintenance.

14. In conclusion, I may be permitted to remark that in a matter involving conflicting interests of such vast magnitude, and controversy, now extending over a long period of time, and conducted with great bitterness, it would not be reasonable to expect that any proposition framed in a fair spirit could find favor with either party.

I have the honor to be, Sir,

Your most obedient servant,

(Signed,)

J. W. DUNSCOMB,

Shipping Master.

Note 1. The following extract from the London Shipping Gazette of the 7th November 1849, details an occurrence in those days of a similar outrage to that complained of in Mr. Fry's letter: "We are not at all surprised to learn that the crimps at Quebec are still allowed to pursue their ruffianly and lawless career with impunity. Although it is a garrison town, there appears to be neither law nor authority there, and yet it has magistrates and a police. A claim for wages lately came before the Magistrates at the Thames Police Court, when it appeared that a brig, the John and Eleanor, was boarded in the middle of the night, previous to her sailing by an armed party of crimps, amounting to 12 or 14, who forcibly took three of the crew away and the master had to ship other hands at £8 per month."

Note 2. The perpetrators of outrages similar to that described in preceding note will naturally select the night time for their ill work.

Note 3. Extract of a letter from William Graves & Son, New Ross, 6th December, 1852, to the President of the Quebec Board of Trade: "You will admit that the crews who navigated ships to Quebec, would be sufficient to bring them home again, if the ship builders there did not require the service of very many hundreds of seamen annually for their new vessels, crimping and desertion would no more prevail with you there than at New York or Boston; but as a sufficient number to navigate the new ships must at all hazards be seduced and taken from the vessels arriving at the port, this necessity has established crimping as a Quebec branch of industry, and if it is pushed farther than the interests of ship builders require, this is the natural result of a body of men organized to set the laws at defiance, we regret to add with perfect impunity. It will be more fair and just, that men to bring home 30 to 40 new ships be imported annually, than that the crews of over 1000 ships are to be tampered with, demoralized, and incited to desertion and insubordination."

Note 4. Extract of a letter from President of Board of Trade, Quebec, 25th October, 1852, to Wm. Graves & Son: "My own opinion (and I believe it is that of the council also) decidedly is, that the evils complained of are caused entirely by ship owners and ship masters themselves, and that so long as the former persist in engaging men for the voyage out and home, and the latter when here, in offering such inducements to deserters from the ships of their neighbours as double or triple wages, (which to a man, and without scruple or hesitation,

they are in the habit of doing) no law that can be enacted will prevent desertion. Under such circumstances, a legalized office for the shipping of seamen is an absurdity, there can be no men but deserters to ship, whereas were men entitled to their discharges on arrival here, there would never, from the opening of the navigation to its close, be fewer than from 3000 to 4000 seamen openly looking for and finding employment in their proper profession, instead of skulking as criminals in crimp houses and other holes and corners."

Note 5. In reply to which Messrs. Graves & Son write as follows: "If your proposal of shipping crews for the outward voyage only, was carried into effect, it would be sacrificing the interests of the many to that of the few, and would prevent many ship owners like us, endeavouring to keep their men not only voyage after voyage, but year after year, which in other trades we can do. Your plan would put a stop to such desirable and continuous interest between employers and their men."

Note 6. Mr. W. S. Lindsay in his book on British shipping, page 96, says: "Seamen are but the creatures of circumstances; the mere tools in the hands of a class of men known as crimps, who procure them employment, who discount their advance notes at most usurious rates, and too often plunder them of all they possess at the termination of the voyage."

Note 7. Number of seamen and apprentices, exclusive of foreigners, who deserted at Quebec, in the years 1845, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, up to 16th Oct. 1856.

1845.....	1763	1851.....	2559
1846.....	1733	1852.....	1659
1847.....	3058	1853.....	2141
1848.....	1271	1854.....	3199
1849.....	1333	1855.....	1698
1850.....	1493	1856 to 16th Oct.....	2070

Averaging in round numbers two thousand deserters annually.

Note 8. Statement of arrivals from the United Kingdom at the Port of Quebec, for the year 1854 divided into three classes:

No. of Vessels.			
500 tons and under.....	693	Supplying.....	693
500 do to 1000.....	306	do 2nd.....	612
1000 do to above.....	55	do 3rd.....	165
		<hr/>	
		Total men.....	1470

This would give 1470 men, at a cost to the British ship owners not exceeding £7355, as £5 per head would fully cover the cost. Mr. Fry, in his letter to Wilmer & Smith's European Times, 13th Sept., writes down £100,000 as the cost under the present system of desertion, and perhaps after all the pecuniary loss sustained can by no means give an idea of the evils following in the train of crimping and which cannot be estimated in money. Now allowing the new tonnage to be 40,000 tons annually, and the men required (3 to 100 tons) to be 1200 which will be found to be a moderately correct estimate, the above supply will meet the annual demand for new ships.

Note 9. Hon. Henry Black, see return to an Address of Legislative Assembly of the 28th Feb., 1853; "Much has been said about the difficulty of getting and keeping seamen on board of merchant ships, some attribute the inconveniences to crimps, some to one thing, some to another, but the main reason would seem to be that there is built annually a certain number of ships at Quebec and Montreal, whose crews must be taken from the ships to these ports, and the evil

will not be remedied until the owners of new ships built here, shall be obliged to bring out their crews. At the present low rates of freight and low profits of shipping, ships are navigated with as small number of hands as may be, which adds to the inconvenience. The supply of seamen being thus rendered less than the demand, and that supply further diminished by the casualties inseparable from this form of life, the value of the commodity rises in the market proportionally, and greatly exceeds the price stipulated by the articles in the redundant market for seamen, which the British ports furnish. Hence, the attempts of the seaman to get rid of his engagement, hence all the operations of the crimps, with the attendant train of police warrants, commitments to the house of correction, suits for wages, &c. It must not be forgotten, that differing from most other ports, Lower Canada may be said to produce no seamen; all the laws in the world will not prevent an increase of price, when the demand comes to exceed the supply, or prevent the price being higher in places where a given kind of labor is scarce, than where the same kind of labor is plenty. Remove the cause and the effect complained of will be removed, it is idle to complain of the operation of causes which are universal."

Note 10. It will be seen by the following that Mr. Drummond, concurring with Mr. Black in the necessity of crews being brought out for new ships; "conceives that it would not be desirable by any direct enactment to compel ship builders to import seamen for vessels built in the colony, but is of opinion that the adoption of the legislative provisions contained in the Imperial Acts relating to the shipping of seamen and the clearance of vessels, would indirectly drive the owners of such new ships to some other market for their crews.

Note 11. "Seamen's advance wages and the way it is spent in Quebec."
 "Last fall a ship master was desirous of shipping one man to complete the number of his crew for the fall voyage, and having engaged one at the high rate of £12 per month, the seamen required £6 10s. in advance, as he had been two days on shore. To the natural enquiry of the master how he could have spent so much money in two days, he replied, I'll tell you how I spent it: In the first place I paid £1 for being crimped out of my ship; £1 entrance money to the house; and then another £1 is considered all right to treat the company; and that makes £3 to begin with. Then there is ten shillings for putting me on board the other ship. The rest is spent in Tobacco and grog, at least they tell me so, and that's all I know about it. So much for grog."—Quebec Mercury, 29th August, 1849.

OFFICE OF INSPECTOR AND SUPERINTENDENT OF POLICE,
 QUEBEC, 24th October, 1856.

SIR,—As directed by His Excellency the Governor General, to investigate certain charges contained in the letter of Henry Fry, Esq., published in a paragraph in Wilmer and Smith's European Times of the 13th day of September last, in order to ascertain for the information of His Excellency, how far such complaints can be verified by the state of things at this port, I have called on Mr. Fry and other parties to communicate to me, in writing, all they know on the subject of the outrages complained of, and have the honor to submit the enclosed documents.

Mr. Fry's letter is an exaggerated description of an evil of long standing, which has entailed serious losses for a great number of years past, on the owners of ships trading to Quebec. Seamen shipped in Great Britain at three pounds a month, finding on their arrival out in the spring, ready employment at ten pounds and upwards for the same period, abandon their engagements and desert

from their ships, for the new and more remunerating service offered to them here. The ships from which these first desertions take place, when ready for sea, have to fill up the vacancies at the Quebec rate of wages, and in their turn, become from necessity, as the country produces no native seamen, the recipients of deserters from the ships more recently arrived. Thus is the desertion of seamen continued uninterruptedly, and the peace and order of the port disturbed during the entire season of navigation. Boarding-house keepers, who profit by their impositions on this reckless class, adopt every means to encourage and facilitate their desertion from their ships, and it cannot be denied that this lawless practice is pursued with increasing boldness and audacity. Several of those persons, arrested by the police have been convicted for being found on board ships, loitering in boats near the ships in port, conveying seamen on shore from their ships, or conveying from on board seamen's effects; but it has not been proved in any of these cases, that acts of violence were committed on the masters or officers, that seamen were carried from their ships by armed men, against their will, or that the owners property was plundered. There can, however, be no doubt that many daring outrages have been committed; and, yesterday, depositions were made before me by two seamen belonging to the "Lady Seymour," now in this port, to the effect that three men, one of whom a deserter from the ship, went on board on the 13th inst., in the night, carried away by force two seamen's chests, one belonging to the deserter and the other to one of the crew, and while doing so, one of them levelled a pistol at one of the crew. The police force, as at present constituted, is entirely insufficient to contend with an evil of such magnitude in a harbor so extended as that of Quebec.

But there are masters of ships and others, who, while they neglect to make their complaints known to the proper authorities, publish exaggerated statements in newspapers, as in the case of the "Mary Anne Peters," which only serve to create alarm, and support the unfair imputation that, "the authorities will not find a remedy."

The case of the "Mary Anne Peters" is as follows: On the 21st day of July last, a seaman from that vessel brought a complaint in the Police Court, against the master for the recovery of the sum of £22 17s. sterling, balance of wages. The complaint was heard before Henry LeMesurier, Esq., and myself, and we made an order for payment. No warrant of distress was demanded on the order, and no other proceedings was taken in the Police Court. As Mr. Fry does not question the legality of the decision, I shall not trouble His Excellency with the law points, but confine myself to an explanation of the outrage alleged to have been committed on the master and ship, while in the harbor of Quebec.

On the 24th day of July last, Mr. Duggan, the Attorney acting for the seamen, instituted proceedings in the Superior Court for Lower Canada, and obtained out of that Court two Writs of *Capias ad Respondendum* in actions for wages against the Master, addressed to the Sheriff for execution. On receipt of the Writs, the Deputy Sheriff, Mr. Von Exter, (the Sheriff being then absent in England) sent, in the first instance, to make the arrest, one of his bailiffs, who returned without having found the Captain. Mr. Von Exter then gave the warrant to Mr. Duggan, who placed it in the hands of Police Constable Neilan. He also proceeded to the ship, and not finding the master on board, he returned to the Attorney's office, when Mr. Duggan caused the Writ to be placed in the hands of one Robert Newman. The particulars of what subsequently occurred on board the "Mary Anne Peters," in Newman's attempt, while acting under the Attorney's instructions, to execute the warrant, will be found in the accompanying affidavits to which I beg to refer.

Capt. Brown may have felt the institution of proceedings in the Superior Court vexatious, as there is no jurisdiction in that Court to entertain suits or

complaints for wages of the amount demanded, still the process of the Court being obtained, it was his duty to obey it, until quashed or set aside in due course of law, and he certainly did not shew much unwillingness to do so, by remaining concealed in his state-room.

It is much to be regretted that the Sheriff's warrant was given to the Attorney, who caused it to be placed in the hands of Newman, a person who should not have been entrusted with its execution; but, on the other hand, it can be stated that Captain Brown obstinately refused to pay his seamen the wages which they were lawfully entitled to. The annoyance to which he was subjected while in this port, provoked in a great measure by his own line of conduct, was certainly very much magnified when quoted in "Wilmer and Smith's European Times," as an act of piracy at Quebec.

Mr. Fry's knowledge of the outrages alleged to have been committed on the brigantine "Regina," while moored off the India Wharf, in the harbor of Quebec, in August last, is derived from the columns of the "Quebec Morning Chronicle." The alleged outrages were not made the subject of complaint to me, and having called upon M. H. Warren, Esq., the consignee, to communicate to me, in writing, what he knew on the subject, that gentleman has answered in his enclosed letter, that the statements made to him at the time by the master, his wife, and the mate of the vessel, correspond with that published in the newspapers.

I have the honor to be, Sir,

Your most obedient servant,

(Signed,) J. MAGUIRE,

Inspector and Superintendent of Police.

The Hon. T. Lee Terrill,
Provincial Secretary,
Toronto.

QUEBEC, 21st October, 1856.

SIR,—The brigantine "Regina" arrived here on the 20th August, and anchored about a cables length from the India Wharf. The Captain went the day following to Montreal. The outrages stated to have occurred in the newspaper reports, were communicated to me by the Captain, his wife, and also the mate. In referring you to the newspaper report I beg to say that I believe it to be essentially the "Regina" arrived here from Sydney, and sailed for Liverpool on the 10th September, she belongs to Newfoundland.

I am, Sir,

Your obedient servant,

(Signed,) M. H. WARREN.

J. Maguire, Esq.,
Superintendent of Police.

(To the Editor of the Morning Chronicle.)

SIR,—As you have republished my letter to the Times, and an impression appears to have been conveyed by it which was never intended, allow me to say that I by no means wished to call in question the legality of the Magistrate's decision, and I readily admit that, when applied to by the captain, Mr. Maguire rendered every assistance in his power.

It is very easy to shew that the system injures every class in Quebec. I know it is felt by Ship-owners to be a more fatal objection to the port than all others put together. Let it be discontinued, and you will have more ships, more business, and more employment for every working man in Quebec.

I am, Sir,

Your obedient servant,

(Signed,) HENRY FRY.

Quebec, 30th September, 1856.

OFFICE OF INSPECTOR AND SUPERINTENDENT OF POLICE,
QUEBEC, 15th December, 1856.

SIR,—His Excellency the Governor General having had his attention called to a paragraph in "Wilmer and Smith's European Times," of the 13th September, in which is quoted your letter to the London "Times," on the crimping practices at this port, wherein it is alleged that :

"The crimping system has now reached such a pitch, that the force of law is completely set at defiance, the life of a British ship master in a British port, is no longer safe, and piracy stalks abroad unchecked in the midst of a British population, and under the very walls of a British Fortress!"

"Night after night, ships in this harbor are boarded by crimps well armed with revolvers, the crews carried off, *volens volens*, the masters and officers threatened with instant death, if they resist or interfere, and the owner's property plundered wholesale."

"And for this state of things the authorities, here, either cannot or will not find a remedy. I can cite scores of instances to prove the truth of the above."

And being directed by His Excellency to investigate these charges and report thereon, I beg to request that you will give me in writing at your earliest convenience all the facts within your knowledge on the subject of such outrages.

I have to observe that I have no recollection of your having, on any occasion, complained to me of acts of violence committed on the masters of ships in this port, nor has the master of any ship frequenting the Harbor since the commencement of present season of navigation made to me any such complaint, except in the case of the "Mary Anne Peters," and in that case the men found on board had been taken there by the Sheriff's officer to execute two Writs of *capias* issued against the master from the Superior Court.

I have the honor to be, Sir,

Your most obedient servant,

(Signed,) J. MAGUIRE,

Ins. and Sup. of Police.

Henry Fry, Esq.,
Lloyd's Agent,
Quebec.

LLOYD'S AGENCY,

QUEBEC, 20th October, 1856.

SIR,—I have to acknowledge the receipt of your communication, dated 15th inst., requesting me to furnish you with facts on the subject of the crimping system at this Port.

In reply I shall confine myself to the cases which have occurred either to ships under my own care, or that have come under my immediate observation, avoiding the numerous cases casually reported to me, the particulars of which can doubtless be procured from the consignees.

In July last, the ship "Juno" of Bristol, was boarded on the ballast ground by a number of men, who went into the forecassle in order to induce the men to desert. The captain when informed of it, went to the entrance of the forecassle and ordered them ashore, when one of the crimps presented a pistol to him, and threatened to murder him if he entered, and several of the crew were carried off before his eyes. My authority for this is Captain John Honey.

In August, the ship "Rajahgo Paul" of Liverpool, on the ballast ground, was boarded in open day by a body of crimps who presented revolvers to the captain and mate, and ordered all the crew out of the ship. The captain, overawed, begged them to allow the men to finish the ballast, but in vain. My authority for this case is Captain Bainbridge.

The ship "Shandon" of Glasgow, notwithstanding that Captain Greig kept watch on deck himself for two nights, was attacked by a body of men on Wellington wharf, and the crew compelled to retire from a volley of stones. Six men were afterwards taken away. My authority for this was the "Quebec Gazette."

About the same time, the ship "John McKenzie" was attacked in a similar manner; one of the stones struck the master and severely injured him. My authority in this case is Captain J. Tilby.

Shortly after the infamous case of the "Regina" occurred, which I quoted from the columns of the "Quebec Morning Chronicle."

With reference to the case of the "M. A. Peters," I have only to remark that no sheriff's officer was on board that ship. It is true the crimp in whose house the two men boarded, and who was at the head of the gang, held a writ of capias to arrest the captain (which I think was very improperly entrusted to him) and under this show of authority, he took a body of men on board with him; but if these men were there for the sole purpose of carrying out the Sheriff's writ, how came that after I had given security and exhibited to them a written order of release from the Sheriff, they refused to obey it, or leave the ship? and swore that unless the wages were paid, it would be useless to bring all the Police in Quebec there, as they would have 200 men there in ten minutes.

I also complain that when a body of Police arrived, they allowed these men to go ashore, instead of taking them into custody.

During the night of the 12th inst., the "Lady Seymour," lying at Cape Cove, was boarded by several crimps and four of her crew carried. Part of the crew interfered to prevent it, when one of the crimps stood at the door of the forecassle and threatened to murder any man who interfered, and because some of the men refused to go, they stole a chest of clothes belonging to them. Resistance was useless as they had a large gang in reserve on the wharf. My authority in this case is Captain J. England, now here.

The following night, the "St. Vincent" at Blais Booms was boarded, and because the mate interfered, one of the crimps presented a pistol to him and threatened to shoot him. My authority for this is Captain Bevan, now here.

Last night one of the crew of the "Sophia" at Bridgewater Cove was nearly murdered because he refused to desert. Captain Williams now will prove this.

You will doubtless admit that the above cases are amply sufficient to justify the statement made by me, and if it be required, I will procure affidavits from the several masters.

I may observe that there are two reasons why captains or consignees so rarely appeal to you.

The first is a general impression that the police are utterly insufficient to carry out the law, and the second and more general one, the fear of being

singled out for murderous attacks by the same men. I have been threatened with murder no less than three times by such.

From an intimate acquaintance with this trade during the past 17 years, I can assert without fear of contradiction, that the system in the eyes of ship owners is the great bane of Quebec; that it tends to decrease the supply of ships, and consequently raise the cost of freight, and ultimately to injure every class in the port.

There is another evil attendant upon it to which I have not hitherto alluded. I mean the frequent loss of ships in the fall through being short handed, and thus seriously affecting the interests of those whom it is part of my duty to protect.

I have the honor to be, Sir,

Your most obedient servant,

(Signed,) HENRY FRY,
Lloyd's Agent.

OFFICE OF INSPECTOR AND SUPERINTENDENT OF POLICE.

QUEBEC, 17th Oct., 1856.

SIR,—His Excellency the Governor General, having had his attention called to the letter of Henry Fry, Esq., Lloyd's Agent of this port, published in the London "Times" in September, complaining of outrages committed at Quebec, by crimps, has directed me to investigate these charges in order to ascertain, for the information of His Excellency, how far they can be verified by the condition of things at this port.

By reference to Mr. Fry's letter to the "Times" and which has been recently republished in the newspapers of this city, you will see it there alleged that the crimping system has now reached such a pitch that the force of law is completely set at defiance, the life of a British ship master, in a British port, is no longer safe, and piracy stalks abroad unchecked, in the midst of a British population, and under the very walls of a British Fortress.

Night after night ships in this harbor are boarded by crimps well armed with revolvers, the crews carried off, *volens volens*, the masters and officers threatened with instant death if they interfere, or resist, and the owner's property plundered wholesale.

And for this state of things, the authorities here either cannot or will not find a remedy. I can cite scores of instances to prove the truth of the above.

I beg therefore to request that you will have the goodness to communicate to me, in writing at your earliest convenience, all that you know on the subject of such outrages, and at the same time your answers to the following questions:

1st. Is it to your knowledge that the master of any ship, while in this port, has been threatened with personal violence, or assaulted, or has had his life put in danger by crimps? If you have such knowledge state the name of the party or parties assailed and the date of the outrage.

2nd. Is it to your knowledge that ships have been boarded while in this port by armed men, and their crews carried off by force. If you have any knowledge of such outrage, state when it occurred, and the name of the ship or ships upon which it was committed, if such outrages are of daily or of frequent occurrence.

3rd. Have the authorities on any occasion to your knowledge, neglected or refused, when required, to come to the aid of ship masters in any difficulties in which they have found themselves involved with their crews, or others, while in the Port of Quebec? If you know of any such case, state the particulars.

4th. Have you any reason to believe that the lives of ship masters are not safe in the Port of Quebec, or that ship masters are not as free from danger of personal violence here as they would be in any other British port?

5th. How long has the desertion of seamen been complained of as an evil at Quebec ?

6th. Has the desertion of seamen at Quebec increased during the last four or five years ?

I have the honor to be, Sir,
Your most obedient servant,

(Signed,) J. MAGUIRE,
Inspector and Superintendent of Police.

Hon. G. Pemberton, O. Joseph, Esq.,
W. H. Tilstone, Esq., A. Falkenberg, Esq.,
Foreign Consuls.

QUEBEC, 23rd Oct., 1856.

SIR,—I have to acknowledge the receipt of your letter of the 17th instant, requesting me to communicate to you in writing all that I know on the subject of certain outrages committed under the crimping system alleged to exist in the Port of Quebec, as stated in a letter from Henry Fry, Esq., Lloyd's Agent, published in the "Times" newspaper in London, and recently republished in the newspapers of this city. In reply I beg to say, that personally I have no knowledge of the truth of these statements, but from my position as consular agent of the United States, and from my experience as a merchant engaged in the lumber trade of this port, I have had the evils caused by the crimping system, notoriously prevalent in this port, so frequently brought under my consideration, that I cannot entertain the smallest doubt of their existence. That some of the cases mentioned by Mr. Fry, and more lately published in the newspapers of this city, may be exaggerated, is very possible, but that the evil exists to an alarming degree, and is increasing yearly, I have no doubt, nor do I think that the law against it can be enforced by the very inadequate water police force employed to do so.

I shall now proceed to answer the questions you have put to me in the order in which they stand in your letter.

1st. I have no such knowledge except from reports published in the newspapers and from what masters of vessels have told me at different times.

2d. The same answer as to the foregoing.

3rd. I have never experienced on any occasion any neglect or refusal on the part of the authorities to come to the assistance of masters of vessels in any difficulties in which they have found themselves involved with their crews or others while in the Port of Quebec.

4th. I have what I consider strong grounds for believing that the lives of masters of vessels would be endangered should they resist the attempts made to induce their crews to desert, and I know of no port in Her Majesty's dominions where British ship owners suffer such loss and inconvenience from the desertion of their crews, and the high rate of wages they are obliged to pay for sailors to replace them, as in the Port of Quebec.

5th. The desertion of seamen has been complained of for more than twenty years.

6th. I think the desertion of seamen has increased for some years past, and bears a proportion to the number of ships built here and the tonnage thereof.

I have the honor to remain, Sir,
Your most obedient servant,

(Signed,) GEORGE PEMBERTON.

John Maguire, Esq.,
Inspector and Superintendent of Police,
Quebec.

QUEBEC, 20th Oct., 1856.

SIR,—I have the honor to acknowledge receipt of your letter of 17th inst., requesting I would reply to certain questions on the subject of crimping in the Port of Quebec.

I have no personal knowledge of any violence having been offered to masters of vessels, or that the life of any one master has been put in danger by crimps; nor have I any reason for complaining of the authorities for neglecting or refusing, when required, to aid shipmasters.

The desertion of seamen has existed in the Port of Quebec as long as I can recollect, and, in my opinion, will continue so long as a heavy premium is held out to deserters, as is the case under the present system; at the same time I have no hesitation in stating that the lives of ship masters are as free from danger of personal violence here as they would be in any other British port.

I have the honor to be, Sir,

Your most obedient servant,

(Signed,) A. JOSEPH, [L. S.]
Belgian Vice Consul.

J. Maguire, Esq.,
Inspector and Superintendent of Police,
Quebec.

PORTUGUESE CONSULATE,

QUEBEC, 21st Oct., 1856.

SIR,—I have the honor to acknowledge receipt of your letter of the 17th inst., and have to inform you that no complaints have been made to me by any of the captains of the Portuguese vessels that have come to this port, of any outrage having been committed on them, or their vessels or crews, but I have had frequently to certify on the list of the crews the desertion of several of their sailors.

In answer to your first question, I have to refer you to the case of Captain Martin of the brig "Try Again," of Cork, in 1852, who was most grossly assaulted, and whose life was put in danger by a crimp, named O'Brien, in Champlain street, between 11 and 12 o'clock in the morning.

In reply to your second question, I have no personal knowledge of vessels being boarded, but I must call your attention to the letter of Captain Augustus Fox, published in the Morning Chronicle of Wednesday last, the 15th instant, detailing a gross outrage on his vessel, which was under my charge.

With respect to the third question, never having applied to the authorities excepting in the case of Captain Martin, I cannot give any special answer, all I know is I had very great difficulty in getting the aid of the Government in prosecuting the crimp.

From the numerous complaints made at the office of my firm, I should say the ship masters are not free from danger of personal violence in Quebec, whatever they may be in other British Ports.

The desertion of seamen has been complained of for many years, and during my seven years residence here I believe it has greatly increased.

I have the honor to be, Sir,

Your most obedient servant,

(Signed,) W. H. TILSTONE,
Consul.

J. Maguire, Esq.,
Superintendent and Inspector of Police,
Quebec.

ROYAL SWEDISH AND NORWEGIAN CONSULATE,

QUEBEC, 21st October, 1856.

SIR,—I have the honor to acknowledge receipt of your communication of 17th instant, referring to certain complaints of outrages committed by crimps at this port, on account of which His Excellency the Governor General has directed an investigation.

With regard to the system of crimping I have to say, that it is an unmistakable fact that the crews of vessels, while at this port, desert in very great numbers, and with particular respect to Norwegian and Swedish vessels, I feel assured that unless the influence of the crimps, in one way or other were employed, not one-tenth of the men would desert from this class of vessels.

Several instances have come to my knowledge of the men having been taken away by force, and the ship masters threatened with violence, but not having made any particular note as to time and place of occurrence, it is difficult to enumerate the cases.

In reply, however, to your several questions I have the honor to state :

1st. That about three years ago, Captain Arveskong, of the Norwegian ship "Pors-grund," was attacked in Champlain street, Lower Town, on account of having refused his men to go ashore, and because he had put a watch on board his vessel who prevented the crimps from boarding her. Several Norwegian captains have stated that they considered themselves unsafe in some parts of the city of an evening, particularly if they had either searched for their deserted men, or refused the crimps to take their crew away.

2nd. Two years ago the Norwegian barque "Sjofna" was boarded at Indian Cove and three of the crew carried off, the master's protestations notwithstanding. The vessel being on her outward voyage was obliged to go to sea short of hands. This season a Norwegian brig was boarded by crimps the very night after her arrival and eight of her crew carried off, some against their will, and the master and mate threatened with violence if they interfered.

A young seaman of good family was one evening made drunk in a tavern and then kept there against his will for two days, when he succeeded to obtain an interview with the captain of his vessel the "Astrakan." It was arranged between them that the young man should be at a certain place at a given hour, then to go on board, but while waiting there, a whole number of crimps came across him and dragged him away. He was afterwards shipped on board of an English vessel. I can state positively that this man had no wish to desert, he being in possession of some property at home.

3rd. It is a pleasure to me to be able to state, that on no occasion has the Police Magistrate refused to act at my request, but I have reason to believe that when warrants are placed in the hands of inferior officers, they are no longer properly attended to, as seldom any result is arrived at in cases of desertion.

4th. From statements received from ship masters, I have reason to believe that they are not free from danger of personal violence, if they have had the misfortune to cross the paths of the crimps.

5th. As far as I can learn, the unfortunate state of crimping has continued for a number of years, and

6th. I believe that during the last couple of years the evil has increased.

How far the crimps have been armed in boarding of vessels, it is of course impossible for me to state on personal experience.

In the countries which I have the honor to represent at this port, the present state of things is looked upon as exceedingly deteriorating the character of

Quebec, and ship owners are deterred to an immense degree from sending their vessels out here, as long as the crimping shall be allowed to continue.

I have the honor to be, Sir,

Your most obedient servant,

(Signed,) ALFRED FALKENBERG,
Consul for Sweden and Norway.

To the Superintendent and Inspector of Police,
Quebec.

OFFICE OF THE INSPECTOR AND SUPERINTENDENT OF POLICE,

QUEBEC, 17th October, 1856.

SIR,—His Excellency the Governor General having had his attention called to the letter of Henry Fry, Esq., Lloyd's Agent at this port, published in the London "Times" in September, complaining of outrages committed at Quebec by crimps, has directed me to investigate these charges, in order to ascertain, for the information of His Excellency, how far they can be verified by the condition of things at this port.

By reference to Mr. Fry's letter to the "Times," and which has been recently republished in the newspapers of this city, you will see it there alleged that:

"The crimping system has now reached such a pitch that the force of law is completely set at defiance, the life of a British ship master in a British port is no longer safe, and piracy stalks abroad unchecked, in the midst of a British population and under the very walls of a British fortress.

"Night after night, ships of this harbor are boarded by crimps, well armed with revolvers, the crews carried off, *volens volens*, the masters and officers threatened with instant death if they resist or interfere, and the owners property plundered wholesale.

"And for this state of things the authorities here, either cannot or will not find a remedy; I can cite scores of instances to prove the truth of the above."

I beg therefore to request that you will have the goodness to communicate to me, in writing, at your earliest convenience, all that you know on the subject of such outrages, and at the same time your answers to the following questions:

1st. Is it to your knowledge that the master of any ship, while in this port, has been threatened with personal violence, or assaulted, or has had his life put in danger by crimps? If you have such knowledge, state the name of the party or parties so assailed, and the date of the outrage.

2nd. Is it to your knowledge that ships have been boarded while in this port by armed men, and their crews carried off by force? If you have any knowledge of such outrage, state when it occurred, and the name of the ship or ships upon which it was committed, and if such outrages are of daily or frequent occurrence?

3rd. Have the authorities, on any occasion, to your knowledge neglected or refused, when required to come to the aid of ship masters, in any difficulties in which they have found themselves involved with their crew or others, while in the Port of Quebec? If you know of any such case, state the particulars.

4th. Have you any reason to believe that the lives of ship masters are not safe in the Port of Quebec, or that ship masters are not as free from danger of personal violence here as they would be in any other British port?

5th. How long has the desertion of seamen been complained of as an evil at Quebec?

6th. Has the desertion of seamen at Quebec increased during the last four or five years, and has frivolous litigation on the part of seamen against their masters, increased or decreased during that period?

7th. What is the average number of ships owned by or consigned to your house, which arrive annually in the Port of Quebec?

I have the honor to be, Sir,
Your most obedient servant,

(Signed,) J. MAGUIRE,
I. and S. of Police, Quebec.

David Gilmour, Esq.,
Merchant,
Quebec.

QUEBEC, 3rd Nov., 1856.

SIR,—I have to acknowledge the receipt of your letter of the 16th ult., respecting the letter of Henry Fry, Esq., Lloyd's Agent at this port, which appeared in the London Times, complaining of the outrages committed by crimps at Quebec, and desiring to be furnished with all the information I can communicate relative to, and requesting answers to several questions on the subject. These questions I shall proceed to answer in the order in which they are put, reserving general remarks to me made at the conclusion:

Question 1st. "Is it to your knowledge that the master of any ship, while in this port, has been threatened with personal violence, or assaulted, or has had his life put in danger by crimps? If you have such knowledge state the name of the party or parties assailed, and the date of such outrage."

Answer. That ship masters have, while in this port, been threatened with personal violence, is a fact of such frequent occurrence, that I consider it scarce worthy of remark; that they have been assailed, and their lives put in danger, is perhaps of rarer occurrence; but yet many such instances have occurred. I may refer to the case of the "Sir Harry Smith," commanded by Captain Haws, while lying at Davie's wharf at Point Levi, in the month of June, 1855. Mr. George T. Davie, in a letter to us dated the 31st ult., states the case as follows, viz: A boat with six men in it consisting of crimps and one sailor, a deserter from the said ship, came alongside. The men went on board and demanded the clothes belonging to the deserter. Captain Haws, who had them in his cabin, refused to give them up, upon which they rushed into the cabin with pistols, daggers and skull crackers, and set upon Captain Haws, kicking and bruising him severely, and finally breaking one of the skull crackers on his head. The Captain's brother, Richard Haws, Esq., of St. John, N. B., owner of the vessel, and his lady, were on board at the time, and Mr. Haws, who sprung to the assistance of his brother, also got severely hurt. Mrs. Haws managed to get out on deck, and calling out murder, brought a number of men who were working in our yard to their assistance. The crimps, seeing the men go on board, fled to their boat, four of whom managed to escape, leaving the remainder, one crimp, and the sailor, on the wharf, where they were secured by the Police, and taken before the Magistrate, to whose records I beg to refer you, for any further particulars you may require respecting this case.

There are many recent cases, one of which a case of threatening, is the case of the bark "Lord Metcalfe," when lying off Diamond Harbor, about the 30th

September last, when a number of crimps came alongside, wanted the crew to desert, and threatened the mate with a pistol and slung-shot; these men were taken by the Police, committed to jail, and were sentenced to pay a fine of 40s., and one month's imprisonment; the lowest penalty the law inflicts.

Another case, that of the bark "Burrell" lying off Gibb's wharf, about the 19th September, three pistol shots were fired at the watchman, Martin Lilles, by crimps, because he would not allow them to come on board.

The master of the barque "Tay," of Whitby, writes us on the 25th ult. as follows, viz: In answer to your enquiry if I had ever been threatened with personal violence, or assaulted, or my life put in danger by crimps at this port, I have to state that, in the month of June last, one night about midnight, I was roused out of bed by one of the crew who informed me that a crimp's boat was alongside. And on my appearing on deck and desiring them to move off, I was replied to by threats of violence and even death.

On the 14th of the present month, some crimps took five of my crew, and at the same time stole 12 or 15 fathoms of 3 inch rope, and although I have information as to their place of residence in Champlain street, I cannot venture to claim my men without, I consider, great personal danger.

Mr. Richard P. White, manager of our business at Indian Cove, writes us under date the 22nd ult. as follows, viz: cases are constantly occurring at this Cove in which not only masters but even watchmen and persons in charge at the place, are threatened, and masters are even defied on board their own vessels in broad day light. There is scarcely a day passes without the place being infested with crimping boats, and I believe there is scarcely a vessel loaded here, but what has lost more or less men. The letter forwarded today from the master of the "Henry Cooke," for the Chief of Police, is just an instance of what has been going on all the season. The master of the "James McHarry" who loaded here in the month of July last, was stabbed in the back with a knife, in open day light in Champlain street, when attempting to secure one of his men, and he would have been severely handled had he not been rescued by some of his friends. The master of the "Washington" was attacked at the end of the Long Wharf by one of the crimps. Not one-tenth of the instances are made public, as the masters complain that they lose their time in frivolous litigation, and get no satisfaction in the end.

Question 2. "Is it to your knowledge that ships have been boarded while in this port by armed men, and their crews carried away by force? If you have any knowledge of such outrage, state when it occurred, and the name of the ship or ships upon which it was committed, and if such outrages are of daily or frequent occurrence."

Answer. Some of the cases referred to by me in answer to the first question are a sufficient answer to this. I can scarcely say from personal experience that crews are often carried away by force, although I am informed instances of such have occurred. The force is more in boarding the ship than in carrying off the crews, and it is likely enough that those who imagine their pecuniary interest is better served by deserting than by remaining with their vessels, will not refuse to accompany men who render peculiarly easy what they are unfortunately too apt to attempt without the assistance of others.

An instance in which force was used occurred about the 9th ult., on board the ship "Lady Seymour," at Black's booms, when crimps went on board and took away one of the crew; another man who refused to leave the ship was tied up and beaten with a rope's end, and his chest taken away, which was valued at £15 or £20.

The barque "Honor," lying off Lampson's booms, on 23rd August last had two men taken out by ten crimps.

The barque "Renfrewshire" of Glasgow, while lying at Indian Cove, about a fortnight or three weeks ago, had one night ten of the crew taken away notwithstanding that a watchman was on board at the time.

The master of the bark "Evergreen" of Whitby, writes us under date the 30th ult. as follows, viz: "In answer to your enquiry, I beg to state that since my arrival in port on the 8th inst., I have been greatly annoyed by crimps inducing my crew to desert. On the second night after my arrival, nine of my crew deserted, six of whom were subsequently caught and lodged in gaol. On the morning of Tuesday, the 21st inst., about 2 o'clock, several crimps came on board of my vessel then lying at Point Levi, and took away the clothes belonging to the six men then in gaol. Two of these crimps were the day following caught in a house in the Cul de Sac, and having been identified by two of my crew, were committed to gaol, and received sentence at the hands of the magistrate. One of the men who identified the crimps was assaulted on Sunday last at Indian Cove, and seriously hurt, and his life as well as that of the other witness threatened, before they would leave the port. I know that instances similar to the above are of very frequent, if not of daily occurrence at this port; and although my own life has not on this occasion been threatened, I consider that my life would be in danger, were I to venture unprotected through Champlain street, the place of residence of the majority of crimps."

These are only a few instances amongst hundreds which must be better known to yourself than any other, from your official position as Police Magistrate. I have therefore no hesitation in saying that such outrages are of frequent almost daily occurrence.

Without entering into the statistics of desertion, through the agency of crimps, it is a tolerably strong evidence of the frequency of the crime, when it is considered that all the ships annually built at Quebec are manned by runaway seamen, supplied at a certain rate per head by the crimps of Quebec. One may form some idea of the extent of the system when he is reminded that about forty ships are annually built at Quebec, and that these are almost entirely manned by runaway seamen. This, at the low average of 25 men to each ship, gives a total of 1000 men.

Question 3rd. "Have the authorities upon any occasion to your knowledge neglected or refused when required, to come to the aid of ship masters, in any difficulty in which they may have found themselves involved with their crews, or others, while in the Port of Quebec? If you know of any such, state the particulars."

Answer: The authorities never to my knowledge neglected, or refused when called upon to come to the aid of ship masters, but when the law declares a maximum and minimum penalty in the case of crimps, instead of inflicting the severest punishment the law inflicts, and which the frequency of the crime demands, the authorities exercise an uncalled for leniency in inflicting the smallest punishment upon men seized in the very act of inducing seamen to desert. We have sufficient reason to complain that the interests of the ship owner are sacrificed by the too feeble administration of a power which shews leniency where the fullest penalty should be strictly enforced. I may cite as an instance the case of two men taken up for loitering about the ship "Lobus," about a month ago, at Indian Cove, where it was proved that although the boat had been ordered away, half an hour afterwards, the master found one of the men in the fore-castle, attempting to induce the sailors to desert, while his companion was taking care of the boat alongside. The only defence made was, that too many and more heinous crimes than that they had been charged with, had been proved, and that therefore they should be acquitted of the minor and the only charge on which they had been taken up, and notwithstanding the strong proof acknowledged by their

own pleading, these men were fined only in the sum of £2, and one month's imprisonment, the slightest penalty of the law.

Question 4th. "Have you any reason to believe that lives of ship masters are not safe in the Port of Quebec, or that ship masters are not as free from danger of personal violence here, as they would be in any other British port?"

Answer: Judging from the preceding answers, I do not consider that the lives of ship masters are as safe in the Port of Quebec, or that they are as free from personal violence as they would be in other British ports.

Question 5th. "How long back has the desertion of seamen been complained of as an evil at Quebec?"

Answer: Since my arrival in this country in 1830.

Question 6th. "Has the desertion of seamen at Quebec increased during the last four or five years, and has frivolous litigation on the part of seamen increased or decreased, during that period?"

Answer: Not having any statistics as to the desertion of seamen at Quebec during the last four or five years as compared with previous years, I cannot say whether it has increased or otherwise during that period; but I may mention that in the year 1854, the number of seamen that deserted at this port, from vessels owned by our own firm, amounted to 483, causing a loss on that account alone to our firm of upwards of £4000 sterling.

Question 7th. "What is the average number of ships owned by or consigned to your house, which arrive annually in the Port of Quebec?"

Answer: The average number of ships consigned to our house during the past five years is about 160.

I have endeavoured to answer the various questions you have put to me in regard to the crimping practices carried on in this port, to the best of my ability, but I may remark that many of them are put in such a manner as to present considerable difficulties to my answering them as I should have wished to have done, for it is not to be supposed that I can be personally cognizant of all the cases of desertion or annoyance through desertion, that occur on board of the various ships consigned to our house, or that the dates of such cases are or can be recorded by me, for after reference. This, however, I know, and not from second hand sources, but from those in charge of vessels, that they are subjected almost every night to great trouble and annoyance on account of the difficulties they experience in repelling the visits of crimps to their vessels.

As respects the police force, I have nothing to say either against the Chief of Police, or those under him, when called upon to render any assistance. With their system I do find fault, for since the crimps are most actively employed in their unlawful practices during the night, I hold, that to perform their duty with any degree of faithfulness and success, the police force (inadequate in numbers though it be,) should be constantly on the water, challenging all boats they may meet to give an account of their mission. The crimping system carried out at this place has cost the firm of which I am a partner, many thousand pounds annually, and I hesitate not to say that very much of this loss may be laid to the charge of our authorities who have done so little to check the evil.

Living under the British flag, the ship owner might at least expect that the law which had provided something for the protection of his interests, should be impartially enforced, and more especially where such necessity for its enforcement is proved to exist, but so far is this from being the case, that practices are here winked at which rob the ship owner of an undue portion of his profits, and lead seamen into excesses at once ruinous to health and morals.

There is another point, which, though not included in any of your questions, is yet, as I conceive, as necessary to be alluded to as any, regarding which you requested information. I allude to this: that many vessels that would otherwise

come here, do not on account of the facilities given to desertion, and the exorbitant wages they must pay in replacing the seamen who desert from their vessels; and how can this be otherwise when our law, or perhaps I should say those who administer the law, are unable to prevent desertion taking place to an extent sufficient to supply upwards of 30,000 tons of shipping annually built at Quebec. We have no native seamen here, and I have no hesitation in saying, that every ship built at this port is manned from this source, and I cannot conceive any more effectual way of putting a stop to this wholesale desertion than by compelling ship builders to import their crews, as this would remove all inducement to desert, by making the supply of seamen equal to the demand.

To show you how the crimping system is carried on here, I shall state a case that occurred to ourselves last fall. Two ships belonging to our house arrived with a full complement of men, all of whom had signed articles at £2 15s. to £3 10s. per month. Before they were many days in port the crimps stole from these vessels about 40 men. When ready for sea, we applied as usual to the Shipping Office for men to supply their places, and were told that men could not be obtained under £15 per month. This demand, exorbitant though it was, we agreed to, rather than detain the vessels at that late season of the year, (this was about the 20th November.) The crimps, seeing our anxiety to get the ships away, then raised their demands to £18 per month. Perceiving the state of affairs, I did not hesitate any longer but telegraphed to New York, ordering 40 seamen to be sent round. The men arrived after a day or two's delay, and were got on board the ships after much trouble, and at great expense. The crimps seeing that they had been outwitted, and fearing that the men would not get ships that season, immediately lowered their demands, and would have been glad to have taken £4 per month.

In conclusion, unless a check is put to crimping at this port, the trade of the country must suffer more and more, as it becomes more extensively known that such disgraceful practices are so common.

Trusting that such steps may be taken by the Government as will put a speedy and successful end to this crying evil.

I have the honor to be, Sir,

Your most obedient servant,

(Signed,) DAVID GILMOUR.

J. Maguire, Esq.,
Inspector and Superintendent of Police,
Quebec.

OFFICE OF THE INSPECTOR AND SUPERINTENDENT OF POLICE,
QUEBEC, 18th October, 1856.

SIR,—His Excellency the Governor General having had his attention called to the letter of Henry Fry, Esq., Lloyd's Agent at this port, published in the London "Times" in September, complaining of outrages committed by crimps at Quebec, has directed me to investigate these charges, in order to ascertain, for the information of His Excellency, how far they can be verified by the condition of things at this port.

By reference to Mr. Fry's letter to the Times, and which has been recently republished in the newspapers of this city, you will see it there alleged that:

"The crimping system has now reached such a pitch that the force of law is completely set at defiance, the life of a British shipmaster in a British port is

no longer safe, and piracy stalks abroad unchecked, in the midst of a British population, and under the very walls of a British fortress.

“Night after night ships in this harbor are boarded by crimps well armed with revolvers, the crews carried off, *volens volens*, the masters and officers threatened with instant death if they resist or interfere, and the owners property plundered wholesale.

“And for this state of things, the authorities here either cannot or will not find a remedy. I can cite scores of instances to prove the truth of the above.”

I beg therefore to request that you will have the goodness to communicate to me, in writing, at your earliest convenience, all that you know on the subject of such outrages.

I have the honor to be, Sir,

Your most obedient servant,

(Signed,) J. MAGUIRE,

Inspector and Superintendent of Police.

Ol. Robitaille, Esq.,
Mayor,
Quebec.

Jos. Morrin, Esq.,
late Mayor of Quebec,
Quebec.

(Translation.)

CITY HALL,

QUEBEC, 23rd Oct., 1856.

SIR,—I beg to acknowledge the receipt of your letter dated the 18th of this month, in which you ask me for information relative to certain facts published in Wilmer & Smith's "European Times," under the signature of Mr. Fry.

I must state that, to my knowledge, the system of crimping in the Port of Quebec has been carried on for a number of years, and has necessarily produced great inconvenience to commerce.

There are in the City of Quebec, a class of individuals who earn their livelihood by this most reprehensible traffic. Taking advantage of favorable opportunities, they league with the sailors, furnish them with the means of desertion, and harbor them in their houses.

With regard to that portion of Mr Fry's letter which states that the lives of captains of vessels frequenting the Port of Quebec are in danger, I must candidly admit that, previous to the publishing of that letter, I never heard mention made of any similar danger, and I am of opinion that if there really were any, the press would have taken the matter up long since, and the competent authorities would not have failed to take the necessary measures to prevent it.

I have the honor to be, Sir,

Your obedient servant,

(Signed,) OL. ROBITAILLE,

Mayor.

J. Maguire, Esq.,
Inspector and Superintendent of Police,
Quebec.

QUEBEC, 22nd October, 1856.

SIR,—I have just received your letter requesting me to give you in writing all I may know on the subject of outrages stated to have been committed in the Port of Quebec, as described in a letter published in the London Times, and republished in the newspapers of this city; and in answer beg to state, that the crimping system has been long carried on in the Port of Quebec cannot be denied, but, that it has got to such a pitch as is stated in the letter you refer me to, is not within my knowledge.

I am, Sir,

Your obedient servant,

(Signed,)

JOS. MORRIN,

Ex-Mayor.

J. Maguire, Esq.,

Inspector and Superintendent of Police,
Quebec.

SHERIFF'S OFFICE,

QUEBEC, 21st October, 1856.

DEAR SIR,—The circumstances to which you allude in your note of yesterday in connection with Captain Brown of the "Mary Anne Peters" are known to me partly from the records of this office and partly from what I have heard. I have no personal knowledge of the transaction, but I believe you may rely on the following statement as far as it goes. A writ of *Cap. ad resp. in forma pauperis*, at the suit of Frederick Bastin, mariner, against Captain John Brown, was lodged in my office on 24th July, and at once put into the hands of my Bailiffs. They returned after a short absence, stating that the defendant could not be found. The Advocate issuing the writ considered the search insufficient, and the warrant was subsequently placed in the hands of Geo. Neilan, one of the Constables of your office, certainly an intelligent man and every way reliable, at the plaintiff's solicitation. No better success was obtained by this last nomination. In the meantime, a second writ had issued against Captain Brown at the suit of another plaintiff, under which he was arrested without difficulty and gave bail to me in both cases in the ordinary way.

It being understood that Captain Brown was on board his ship, Mr. Neilan took on board, or caused to be sent there, a number of persons to aid him in the execution of his warrant, and I understand these men remained on board during the night.

I remain,

Your obedient servant,

(Signed,)

WM. S. SEWELL,

Sheriff.

John Maguire, Esq.,

Inspector and Superintendent of Police,
Quebec.

PROVINCE OF CANADA, }
DISTRICT OF QUEBEC. }

Henry Fry, Esq., of the City of Quebec, merchant, being duly sworn, doth depose and say as follows, to wit: On the evening of the 24th July last, at about

half-past nine, I received a message from Captain Brown, of the "Mary Anne Peters," that a dozen men were on board of his ship, and were ransacking his cabin, threatening to break open his private state room, and that, as he believed, one of them held a warrant for his arrest, he wished to see me. About eleven o'clock that evening I reached the ship in company with Mr. Henry Dinning, when finding so many men looking over the side, I called the steward on shore, who confirmed the captain's message. I told him to inform Captain Brown, that I would go down to the Police Station, and ask for protection, and would give security very early in the morning. I then went to the Police Station. In the absence of Mr. Russell, one of the sergeants promised to send a man to look on to see that nothing should be stolen from the ship, which was not done. About half-past six o'clock the following morning, I went to Mr. Von Exter's house and gave security for the master. Mr. Von Exter then gave me a written order to the man in charge of the warrant against the master, stating that security had been given, and that the master was no longer subject to arrest. I immediately went to the ship, where I found eleven or twelve men, and enquired for the man who held the Sheriff's warrant. Robert Newman produced the warrant, when I placed into his hands the order above referred to, and told him that it was an order from the Sheriff for him to leave the ship. I asked him: "will you obey it, or will you not; if not, I will go and get the Police to compel you." His reply was, "Mr. Fry, are the wages going to be paid?" I answered: "Not a cent until October." He then replied: "It is no use your bringing all the Police in Quebec here, for I will have two hundred men here before you are back, unless you pay the wages." Mr. Henry Dinning heard Newman's last reply. The crew then came to me in the cabin and informed me that these men had ordered them not to work, and threatened to break the steward's head for concealing the captain. I then went down about nine o'clock that morning to the Police Station, and saw Mr. Russell, informing him of the facts, and asked him for assistance, after having produced the Sheriff's order. He declined to interfere in consequence of the legal proceedings then pending. I then, in company with Mr. George Irvine, applied to Mr. Maguire for assistance, and he ordered Mr. Russell to give all the assistance in his power immediately. I returned to the ship. Shortly after, Mr. Russell arrived with two boat's crews of Police, read the Sheriff's warrants and proceeded to read over to Newman the Sheriff's order calling upon them all to leave the ship instant, which they did. I did not see any fire arms in the hands of the men on board the ship, but I was told that they had taken out the iron belying pins and pump breaks to resist the Police should they come; and deponent hath signed.

HENRY FRY.

Sworn before me at Quebec, this
22nd day of October, 1856.

(Signed,) J. MAGUIRE,
J. P.

PROVINCE OF CANADA, }
DISTRICT OF QUEBEC. }

Georgé Neilan of the City of Quebec, Constable, being duly sworn, doth depose and say as follows, to wit:

In July last, towards the end of that month, about half-past five o'clock in the afternoon, I cannot say the day, Mr. Duggan, Advocate, sent for me and handed me a warrant from the Sheriff, to arrest the master of the "Mary Anne Peters" on a *capias*. Mr. Duggan at the same time told Robert Newman to take two or

three men, whose names I do not know, to accompany me, in order to point out the master to me, and to assist me, if necessary, in the arrest. I went on board the ship with these men. The ship was then lying at Baldwin and Dinning's wharf; she was all ready for sea, the master could not be found on board. After remaining about twenty minutes on board, I left the ship with Newman, the others remained on board. We returned to Mr. Duggan's office and told him the captain could not be found. Mr. Duggan then told me to give the warrant to Newman. I did so. I did not return to the ship. I was informed next day that bail had been given by the master. I know nothing more on this subject, and deponent hath signed,

GEORGE NEILAN,
Constable.

Sworn before me at Quebec, this
22nd day of October, 1856.

(Signed,) J. MAGUIRE,
J. P.

PROVINCE OF CANADA, }
DISTRICT OF QUEBEC. }

Daniel Mahar of Quebec, laborer, being duly sworn, doth depose and say as follows, to wit:

I was employed as laborer on board the ship "Agenora," in the month of July last. The vessel was alongside Carmen's wharf, in the harbor of Quebec. Robert Newman came and told me that Mr. Duggan, Advocate, had sent him for some men, to assist him in a seizure, and promised to pay me three dollars a day, and three dollars a night, if I went with him. I went with him on board the "Mary Anne Peters," then lying at the front of Baldwin & Dinning's ship yard, with another man named Wallace. When we went on board, Constable Neilan was there. In about a quarter of an hour or twenty minutes, Neilan and Newman left the ship. In half an hour or three quarters of an hour, Newman returned and said that he had authority from Mr. Duggan to get any complement of men he required, in case there would be any row. Newman sent me at about nine o'clock, for two more men. I got only one, a man called Feenay. I then went back to the ship and remained all night there, and until the police came in the morning between ten and eleven o'clock. We did not see the master during the night, but in the morning, a little before the police arrived, he came out of the cabin, and must have been there all night. During the night, besides Newman, and the three men that were with him (myself and two others) four or five others came on board, back and forward, but did not remain any length of time. In the evening about nine o'clock, Mr. Fry and another gentleman came and told Newman to leave the ship. Newman refused. No one wanted to work during the night, but at six o'clock the next morning, the crew turned to work and Newman prevented them. I think Mr. Fry came in the morning to the ship, a little before the police arrived. That is all that occurred until I left. And deponent hath declared himself unable to write, or sign his name.

his
DANIEL X MAHAR.
mark

Sworn before me at Quebec, this
22nd day of October, 1856.

(Signed,) J. MAGUIRE,
J. P.

PROVINCE OF CANADA, }
DISTRICT OF QUEBEC. }

Robert Newman of Quebec, laborer, being duly sworn, doth depose and say as follows, to wit :

Towards the latter part of July, I cannot say the day, Mr. Duggan, Advocate, handed to Constable Neilan a warrant or paper, to arrest the master of the "Mary Anne Peters," and told me at the same time to accompany Constable Neilan and point out the master, and to take two or three men with me to assist, if necessary, in the arrest; we went on board the ship, then lying at Baldwin & Dinning's wharf. She was all ready for sea. The master could not be found on board. The master's state room was locked. After remaining a few minutes on board, Constable Neilan and I left, returned to Mr. Duggan's office, and told him the captain could not be found. Mr. Duggan then directed Constable Neilan to give the paper to me. Constable Neilan did so, and Mr. Duggan sent me down with the warrant or paper on board, telling me to remain there with the other men until I would find the captain. One Daniel Mahar, one Vincent, and one Wallace, are the three men who accompanied me and remained on board all night, and until about ten or eleven o'clock the next day, when Chief Constable Russell came to the ship, accompanied by two police boats, with a paper from the Sheriff, stating that bail had been put in, and directing us to leave. The three men who were with me, and I, immediately left the ship, and went on shore. The master did not come on board during the night, and we did not see him while we were on board the ship.

We gave no offence to any one while on board, and remained quietly on the deck, until we were ordered to leave, as above stated. We did not prevent any of the crew from working, and only remained on board waiting for the captain. The two seamen who had sued the captain, came on board two or three times to see if the captain had come on board, but they did not remain on board. They told us that they thought the captain was concealed in his state room. The following morning Mr. Fry came on board and went into the cabin, where he staid for some time. He then came out and desired me and the other men to leave the ship, and to go on shore. I told him that I would not go until I saw the captain, that I had a warrant to arrest him, and showed Mr. Fry the warrant. Mr. Fry then said that if I did not leave the ship, that he would soon find the way to make me do so, that he would send for the police and have me taken out. Mr. Fry then went on shore, and came back in a short time, went into the cabin and remained there until the police came. Mr. Fry held a small paper in his hand, but did not say that bail had been given, or what the paper contained; and further deponent saith not, and hath signed.

R. NEWMAN.

Sworn before me at Quebec, this
21st day of October, 1856.

(Signed,) J. MAGUIRE,
J. P.

OFFICE OF INSPECTOR AND SUPERINTENDENT OF POLICE.
QUEBEC, 16th February, 1857.

SIR,—In my report on the desertion of seamen dated the 24th October last, I did not deem it proper to go beyond the limits of the instructions of His Excellency, the Governor General conveyed to me in your letter of the 10th of the same month,

and consequently I made no allusion to the adoption of measures which might be considered expedient more effectually to repress the evils complained of.

But apprehending that the subject will again occupy the attention of Government, I beg respectfully to submit the following suggestion, with a view of imparting greater efficiency to the police force and facilitating the administration of the law.

The River Police is not sufficiently numerous, and ought to be increased by the addition of two boats, which would make the force consist of six boats, or forty-two men; this augmentation would enable the chief constable, or officer under whose control the force is placed, to keep the requisite patrol on the river during the night; the men ought, if possible, to be kept isolated, lodged in barracks. The building in the Cul de Sac, formerly occupied as a Custom House, is well situated and adapted for the purpose. This would necessitate the amendment of the Act 14 and 15 Vic., ch. 25, by increasing the tonnage duty, levied under that Act, to meet the additional expense.

A review of the Police laws and of the Acts in force for the prevention of the desertion of seamen at Quebec, will show that amendments are required; some of which I shall here point out, having by experience felt their necessity.

An Act passed in June, 1853, intituled, "An Act more effectually to prevent the desertion of seamen," is very defective; pecuniary penalties are imposed by the various clauses of the Act, but it is the 3rd clause only, which provides for the imprisonment of the offender when convicted under that clause. Now the persons implicated in the desertion of seamen cannot generally be reached by a mere pecuniary penalty, having seldom any distress and frequently no fixed residences, and consequently this Act as to them is entirely inoperative, when imprisonment cannot be inflicted. A clause amending this Act is very necessary; but a general clause to the following effect would be still better, to wit:

"That when a conviction adjudges a pecuniary penalty to be paid, and that the party or parties convicted shall refuse to pay the said penalty forthwith, or at such time as the convicting justice or justices shall appoint, it shall be lawful for such justice or justices to commit the party or parties so convicted to the common gaol or house of correction, there to remain with or without hard labor, for a term not exceeding _____ calendar months, unless such penalty and costs shall be sooner paid."

Such a clause would cure the defects in the Act immediately referred to; and would give better effect to some of the Imperial Statutes in force in Canada, such as the Shipping Act of 1854, the Mutiny Act, &c.

The Police Ordinance, 2d Vic: ch. 2, should be amended by changing the official name of the occupant of my office from Inspector and Superintendent of Police, to that of Police and Stipendiary Magistrate, without lessening his authority, but giving to him as to other justices, jurisdiction over the District. This amendment would harmonize with the English Statutes, (see Merchant Shipping Act, section 519; Passengers' Act, section 74) and would obviate the delays which sometimes occur in procuring the attendance of a second justice during the summer season, when gentlemen in the Commission of the Peace are much engaged in private affairs.

The men sworn in under the Ordinance should be Constables for the District. Authority ought to be given to the Police Magistrate to examine witnesses under oath, touching the misconduct of the men belonging to the Police Force, their absence, neglect or refusal of duty, with power of imprisonment on conviction of any such offence. The Chief Constable should be called Inspector of Police.

It is a well known fact that the manning of the new ships launched from the stocks in the spring, is the chief cause of the desertion of seamen at this port.

The builders and owners of the new ships should be compelled to find seamen by some legitimate means, for while the sailor who has deserted, or who has been stolen or seduced by the crimp from his ship, shall find another ready to receive him, at a very high rate of wages, it will always be a difficult and expensive matter to subdue the evil. It is said, that where there is a receiver, there will always be a thief.

The most direct and effective means, in my opinion, to arrest the practice, would be to enact, "That no seaman shall be shipped or received in the Port of Quebec, on board of any ship or vessel, who has not been previously engaged before the Shipping Master or his Deputy, one of whom shall attest the contract with his signature.

That the Shipping Master or his Deputy shall not engage any seaman at the Port of Quebec who shall not produce at the time of such engagement, a *bona fide* discharge from his last ship, unless such Shipping Master or his Deputy shall be satisfied by other means that such seaman is not a deserter.

That the Collector or other officer of Her Majesty's Customs at the Port of Quebec, before he shall grant a clearance to any ship or vessel for any port or place beyond the eastern limits of this Province, shall muster the crew of every such ship or vessel, and examine the mariners contract, and if he shall find belonging to the crew of such ship or vessel any mariner or seaman shipped at the Port of Quebec who shall not produce a *bona fide* discharge from the last ship on board of which he or they shall have served, such Collector or other officer, shall withhold from the said ship her clearance until such seaman or seamen shall have been removed from the said ship or vessel, and put on shore, and their places filled up by other seamen lawfully discharged from their last ship; unless such Collector or other officer shall be satisfied by other means that such seaman or seamen did not desert from the said ship, on board of which, he or they shall have last served.

An enactment carefully worded containing the foregoing provisions would, I believe, contribute very materially, if properly carried into effect, to the object the Government has in view, to put an end to the desertion of seamen at Quebec, and the other demoralizing evils growing out of it.

I have the honor to be, Sir,

Your most obedient servant,

(Signed,) J. MAGUIRE,
Inspector and Superintendent of Police.

The Hon. T. Lee Terrill,
Secretary,
Toronto.

R E T U R N

To an Address from the Legislative Assembly to His Excellency the Governor General, dated the 1st instant, praying His Excellency to cause to be laid before the House, "Copies of the Indictment, Verdict, and Sentence, in the case of Dennis Sullivan, tried at Hamilton in November, 1856; and also Copies of the Writs of *Certiorari* and *Habeas Corpus* issued in that case, and of the Returns to, and orders on, such Writs made."

By Command.

E. A. MEREDITH,

Assistant Secretary.

SECRETARY'S OFFICE,

Toronto, April, 1857.

I, Edward Cartwright Thomas, of the City of Hamilton, in the County of Wentworth, Esquire, Sheriff of the said County, in obedience to the writ hereunto annexed, do hereby humbly certify:—

1st.—That Dennis Sullivan, in the annexed writ named, was, during the month of May, in the Year of Our Lord One thousand eight hundred and fifty-six, delivered into my custody under and by virtue of a warrant hereunto annexed, signed by Harcourt B. Bull, Esquire, a Coroner for the said County of Wentworth, and dated on the Twenty-seventh day of May, in the Year of Our Lord One thousand eight hundred and fifty-six

2nd.—That the said Dennis Sullivan, though produced for trial at the last Assizes and Court of Oyer and Terminer and General Gaol Delivery, for the said County of Wentworth, and though tried at said Assize and sentenced to be hung on the Twenty-ninth day of November last past, has had the sentence respited as follows: first, by order of the Executive, until the ninth day of the present month of February, and secondly, by a similar order, of date the Fifth day of the present month of February, until the Twenty-third day of this present month.

3rd.—That therefore the said Dennis Sullivan is still in my custody, as such Sheriff, as aforesaid.

(Signed,)

E. CARTWRIGHT THOMAS,

Sheriff, C. W.

COUNTY OF WENTWORTH } TO DANIEL BLAIN, Constable, and all other Her
 TO WIT: } Majesty's Peace Officers, and to the Keeper of
 the Common Gaol of the County of Wentworth.

These are to command you, or any of you, that you take the body of Dennis Sullivan, if he be found within your County, who stands charged with the wilful murder of his wife, Catherine Sullivan, and him safely keep and convey and deliver him to the Keeper of the Common Gaol at Hamilton, to be dealt with according to law.

And this is likewise to command you, the said Gaoler, to receive and safely keep the body of the said Dennis Sullivan in your custody until he shall be dealt with according to law, and for so doing this is your warrant.

Given under my hand and seal at East Flamborough this Twenty-seventh day of May, in the Year of Our Lord One thousand eight hundred and fifty-six.

[L.S.]

(Signed,) H. B. BULL,
Coroner for the County of Wentworth.

VICTORIA, by the Grace of GOD, of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the Faith.

To the Sheriff of the County of Wentworth:

[L. s.]

GREETING:

We command you, that you have in our Court before us at Toronto, immediately after the receipt of this our writ, the body of Dennis Sullivan, being committed to and detained in your custody as is said, together the day and cause of his being taken and detained, by whatsoever name he may be called, to undergo and receive all and singular such matters and things as our Court shall then and there consider of and concerning him in this behalf.

And have you then there this writ.

Witness the Honorable Sir John Beverly Robinson, Baronet, Chief Justice of Our Court of Queen's Bench for Upper Canada, the fifth day of February, in the twentieth year of Our Reign.

By the Court.

(Signed,) CHAS. C. SMALL

Issued at the City of Toronto in the County of York,

By C. C. SMALL,

Pursuant to the order of the Court of Queen's Bench.

The Execution of the within writ appears by the return hereunto annexed.

The answer of

E. CARTWRIGHT THOMAS,
 Sheriff, C. W.

HAMILTON, February 9th, 1857.

THE QUEEN, } IN THE QUEEN'S BENCH,
AGAINST }
SULLIVAN. } HILARY TERM, 20 VICTORIA.

UPON Reading the *Certiorari* and *Habeas Corpus* issued, and the Return thereto endorsed, and upon hearing Philip M. Vankoughnet, Q.C. for the Crown. It is ordered that the Verdict and Judgment against the Prisoner Dennis Sullivan, and all proceedings subsequent to the indictment be quashed, and set aside as illegal and void, and that the above named Prisoner be remanded to the Custody of the Sheriff of the County of Wentworth, to be committed to, and detained in, the Common Gaol of said County, until he be discharged therefrom by due course of Law.

(On motion of Mr. Vankoughnet, Q.C.)

By the Court.

(Signed,) C. C. SMALL.

Dated, 14th February, 1857.

COUNTY OF WENTWORTH, } I, the Honorable ARCHIBALD McLEAN, to
TO WIT: } whom the annexed writ of *Certiorari* is directed,
do hereby certify to Her Majesty in Her Court of Queen's Bench, at Toronto, the Indictment of which mention is made in the said writ, together with all things touching the same, and the Commission under which the prisoner Dennis Sullivan was upon the said Indictment tried before me, and the conviction had before me on the said Indictment as by the said Writ, I am commanded.

Witness my hand and seal, this Eleventh day of February, A. D., 1857.

(Signed,) A. McLEAN, J. [L. s.]

IN THE QUEEN'S BENCH.

The QUEEN, }
vs. } Plaintiff,

DENNIS SULLIVAN, }
Defendant.

UPON the hearing of Counsel for the Crown, it is ordered that the writ of *Certiorari*, issued in this case, be amended by requiring the Honorable Archibald McLean, the Judge to whom the same is directed, to return also to this Honorable Court the Letters Patent under which the Court was holden at which the trial of said Defendant was had, and also the conviction had therein, and that a day, to wit, the second Friday of this present term of Hilary, be given to the said Dennis Sullivan, the Defendant, to appear in the said matter:

(On motion of Mr. Vankoughnet.)

By the Court.

C. C. SMALL.

HILARY TERM, 1857.

February 11th, 1857.

Certiorari to remove Indictment.CANADA, }
TO WIT: }

IN THE QUEEN'S BENCH.

VICTORIA, by the Grace of GOD, of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the Faith.

[L. s.]

To the Honorable Archibald McLean, one of the Justices of the Court of Queen's Bench in and for Upper Canada, and Judge of Assize at the last Fall Assizes for the County of Wentworth, held at the City of Hamilton, on Monday, the Twenty-ninth day of October, in the Year of Our Lord, One thousand eight hundred and fifty-six.

GREETING :

We being willing for certain reasons that a certain Indictment for an offence therein alleged to have been committed by Dennis Sullivan, the said offence being for the wilful murder of one Catharine Sullivan, Dennis Sullivan was, as it is said, indicted before you at the last Fall Assizes, held at the City of Hamilton aforesaid, on Monday, the Twenty-ninth day of October, in the Year of Our Lord, One thousand eight hundred and fifty-six, he, before us in our Court of Queen's Bench for Upper Canada, at Toronto, to do whatsoever may appear to us to be just in the premises, do command you that you do forthwith send under your seal before us in our said Court of Queen's Bench for Upper Canada, at Toronto, the said Indictment, also the Letters Patent under which the Court was holden, at which the trial of said defendant was had, and also the conviction had thereon, and that a day, to wit, Friday, the second day of Hilary Term, be given to the said Dennis Sullivan to appear in the matter; with all things touching the same, together with this our Writ, that we may further cause to be done thereupon what of right and according to law we shall see fit to be done.

[L. s.]

Witness, the Honorable Sir John Beverly Robinson, Baronet, Chief Justice of our said Court of Queen's Bench, at Toronto, this first day of Michaelmas Term, in the Twentieth Year of Our Reign.

(Signed,) ROBERT PEARSON.

ROBERT A. HARRISON,
Pro Regina.

The execution of this will appear by certain Schedules to this Writ annexed.
The answer of Archibald McLean, Esquire, in the said Writ named.

Issued at the City of Toronto, in the County of York, by

(Signed,) C. C. SMALL.

Amended 13th February.

CHAS. C. SMALL.

COUNTY OF WENTWORTH, }
 to wit: } **B**E it remembered, that the Assizes and General
 Sessions of Oyer and Terminer of Our Lady the
 Queen, holden at the City of Hamilton in and for the said County of Wentworth,
 on Monday the twenty-ninth day of October, in the year of Our Lord one thou-
 sand eight hundred and fifty-six, in the twentieth year of the Reign of Our
 Sovereign Lady Victoria, by the Grace of God, Queen, Defender of the Faith,
 under and by virtue of Her Majesty's writ of Commission under the Great Seal
 of this Province, directed to our trusty and well-beloved the Honorable Sir
 John Beverly Robinson, Baronet, our Chief Justice of Upper Canada; The
 Honorable William Henry Draper, C.B., our Chief Justice of our Court of
 Common Pleas for Upper Canada; The Honorable Archibald McLean, one of our
 Justices of our Court of our Bench for Upper Canada; The Honorable Robert
 Easton Burns, one of our Justices of our said Court of our Bench aforesaid; The
 Honorable William Buell Richards, one of our Justices of our said Court of Com-
 mon Pleas aforesaid; The Honorable John Hawkins Hagarty, one of our Justices
 of our said Court of Common Pleas aforesaid; and to Alexander Logie, Esquire,
 Judge of the County Court in and for the County of Wentworth, in our said
 Province; The Honorable Samuel Mills, Andrew Stephen, Thomas Stork, Robert
 Holt, Esquires, and to any two of you,

GREETING :

Know ye, that we have assigned you, and any two of you, of whom we will,
 that you, the said John Beverly Robinson, you, the said William Henry Draper,
 you, the said Archibald McLean, you, the said Robert Easton Burns, you, the
 said William Buell Richards, you, the said John Hawkins Hagarty, or any one
 of you be one, our Justices to enquire, by the oaths of good and lawful men,
 of the said County of Wentworth, in Upper Canada, aforesaid, by whom the truth
 of the matter may be the better known and enquired into, and by other ways,
 methods and means, whereby you can or may the better know more fully the
 truth of all treasons, misprisions of treason, insurrections, rebellions, counterfeit-
 ings, clippings, washings, false coinings, and other falsities of the monies of
 Great Britain and Ireland, and of all other kingdoms and dominions whatsoever,
 and of all murders, felonies, manslaughters, killings, burglaries, rapes of women,
 unlawful meetings and conventicles, unlawful assemblies, unlawful uttering of
 words, misprisions, confederacies, false allegations, trespasses, riots, reten-
 tions, escapes, contempts, falsities, negligencies, concealments, maintenances,
 oppressions, champarties, deceits, and all other misdeeds, offences and injuries
 whatsoever, and also the accessories of the same within the said County, by
 whomsoever or howsoever had, done, perpetrated and committed, and by what
 person or persons, to what person or persons, and when, how, and in what man-
 ner, and of all other articles and circumstances whatsoever, any, every or either
 of them concerning, and the treasons and other the premises according to the
 law and custom of England, and the laws of our said Province, for this time to
 hear and determine. And we therefore command you, that at a certain day and
 place which you, or any two of you, of whom we will, that you, the said John
 Beverly Robinson, you, the said William Henry Draper, you, the said Archibald
 McLean, you, the said Robert Easton Burns, you, the said William Buell Rich-
 ards, you, the said John Hawkins Hagarty, or any one of you be one for this
 purpose, shall appoint within the space of six calendar months from the day of
 the date of these presents, you do concerning the premises make diligent enquiry
 and all and singular hear and determine, and other things do and fulfil in form
 aforesaid, which are and ought to be done according to the law and custom of
 England, and the laws of our said Province, saving to us our americiaments and
 other things to us thereupon belonging. For we have commanded, and do
 hereby command, our Sheriff of our said County, that on the day and at the

place aforesaid, which you, or any two of you, of whom we will, that you, the said John Beverly Robinson, you, the said William Henry Draper, you, the said Archibald McLean, you, the said Robert Easton Burns, you, the said William Buell Richards, you, the said John Hawkins Hagarty, or any one of you be one, to the said Sheriff shall make known, he there cause to come before you, or any two of you, of whom we will, that you, the said John Beverly Robinson, you, the said William Henry Draper, you, the said Archibald McLean, you, the said Robert Easton Burns, you, the said William Buell Richards, you, the said John Hawkins Hagarty, or any one of you be one, such and so many good and lawful men of his said County, by whom the truth of the matter may be the better known and enquired of.

And know ye further, that we have also constituted and assigned you, or any two of you, of whom we will, that you, the said John Beverly Robinson, you, the said William Henry Draper, you, the said Archibald McLean, you, the said Robert Easton Burns, you, the said William Buell Richards, you, the said John Hawkins Hagarty, or any one of you, be one, our Justices, the Gaol of our said County, for this time delivered of the prisoners within the same being, and therefore we command you, that at the day and the place aforesaid, you do meet the Gaol of our said County, to deliver and to do there upon what to Justice may appertain according to the Law and Custom of England, and the Laws of our said Province, saving to us our amerciaments, and other things to us thereupon belonging. For we have commanded and do hereby command our Sheriff, of our said County, that at the day and place aforesaid, all the prisoners in the said Gaol, and their attachments, before you or any two of you of whom we will, that you, the said John Beverly Robinson, you, the said William Henry Draper, you, the said Archibald McLean, you, the said Robert Easton Burns, you, the said William Buell Richards, you, the said John Hawkins Hagarty, or any one of you, be one, he do there cause to come.

Before me, the said the Honorable Archibald McLean, one of the Justices in the said Commission and Writ named and acting thereunder and holding the said Court of Oyer and Terminer, and before others, Associates in the said Commission and writ named.

It was and is presented by the oaths of twelve good and lawful men of the County of Wentworth, aforesaid, duly sworn and charged to enquire for our said Lady the Queen, from the body of the said County, presented in a certain indictment hereunto annexed and returned herewith, that Dennis Sullivan therein named, on the twenty-sixth day of May, in the year of Our Lord one thousand eight hundred and fifty-six, at the Township of East Flamborough, in the said County of Wentworth, feloniously, wilfully, and of his malice aforethought, did kill and murder one Catharine Sullivan, against the peace of our Lady the Queen, her Crown and Dignity, and the said Dennis Sullivan being afterwards before me, the said Archibald McLean, and William Notman, Esquire, Queen's Counsel, acting as an Associate on the said trial, asked concerning the premises in the said indictment above laid to his charge, how he would acquit himself thereof, saith that he is Not Guilty thereof, and of this he puts himself upon the Country, &c., and Miles O'Reilly Esquire, one Her Majesty's Counsel, learned in the law, who prosecutes for Our Lady the Queen, in this behalf, doth the like, and thereupon a jury having been empannelled by the Sheriff of the said County, on this behalf, and the Jurors of the said jury so empannelled to wit:— Robert Adams, Adolphus Case, Francis Haines, Levi Beemer, Robert Cattley, Isaac Chelman, George Campbell, James Carter, Walter Fink, Jacob Hess, Alexander Graham, Peter Grant, being called before me, the said Archibald McLean, and the said William Notman, acting erroneously in the premises, and by mistake, and not before me and my associates or any of them in the said

Commission and writ named, come, who being chosen, tried, and sworn, before me the said Archibald McLean, and the said William Notman, and not before me and my associates, or any of them in the said writ and commission named, to speak the truth of and concerning the premises, upon their oath say, before me the said Archibald McLean, and the said William Notman, acting as aforesaid and not before me and my associates or any of them, that the said Dennis Sullivan is guilty of the Murder aforesaid, on him above charged in form aforesaid, as by the judgment aforesaid, is above supposed against him, wherefore it is considered by the Court here composed as aforesaid, that the said Dennis Sullivan, for the offence in the said indictment above specified, be taken to the place from whence he came, and from thence to the place of execution, on Saturday the twenty-ninth day of November, in the year aforesaid, and that he be there hanged by the neck until his body be dead.

A. McLEAN,
Judge.

R E T U R N

To an Address from the Legislative Assembly of the 26th ultimo, for Copies of certain documents in the case of Moïse Plante, who was tried on the 19th July last, before the Court of Queen's Bench, at Quebec.

By Command.

E. PARENT,
Assistant Secretary.

SECRETARY'S OFFICE,

21st April, 1857.

PROVINCE OF CANADA, } VICTORIA, by the Grace of GOD, of the United
 DISTRICT OF QUEBEC. } Kingdom of Great Britain and Ireland, QUEEN,
 Defender of the Faith.

To the Keeper of the Common Gaol of the District of Quebec.

[L. s.]

GREETING:

(Signed,) EDWARD BOWEN, D.C.L.,
 Chief Justice.

We command you, that you have before the Honorable Edward Bowen, Chief Justice of Our Superior Court for Lower Canada, at the Judges' Chamber, in the Court House, in the City of Quebec, on Thursday, the twenty-fourth day of July, instant, immediately after the receipt of this Writ, the body of Moise Plante, detained in your custody, as is said, together with the day and cause of his being taken and detained, by whatsoever name he may be called therein, to undergo and receive all and singular such matters and things as Our said Chief Justice shall then and there consider of and concerning him in this behalf. And have you then and there this Writ.

Witness the Honorable Edward Bowen, Chief Justice of Our Superior Court for Lower Canada, at Our City of Quebec, in Our said District, this twenty-third day of July, in the twentieth year of Our Reign.

(Signed,) GREEN & DOUCET,
 Clerk of the Crown.

—
 A True Copy.

GREEN & DOUCET,
 Clerk of the Crown.

By virtue of an Ordinance passed in the twenty-fourth year of the Reign of His Majesty King George the Third.

(Signed,) EDWARD BOWEN, D.C.L.,
 Chief Justice.

Regina vs. Moise Plante, fyled 24th July, 1856.

(Signed,) GREEN & DOUCET,
 Clerk of the Crown.

—
 The prisoner is remanded into the custody of the keeper of the Common Gaol.

(Signed,) EDWARD BOWEN, D.C.L.,
 Chief Justice.

QUEBEC, 24th July, 1856.

—
 My Return to this Writ appears in a Schedule hereunto annexed.

(Signed,) J. MACLAREN,
 Gaoler.

QUEBEC, 24th July, 1856.

PROVINCE OF CANADA, } TO the Honorable Edward Bowen, D.C.L., Chief
DISTRICT OF QUEBEC. } Justice of Her Majesty's Superior Court for Lower
Canada.

The humble Petition of Moïse Plante, of the City of Quebec, Labourer, a prisoner now confined in the common Gaol of the District of Quebec,

RESPECTFULLY SHEWETH:—

That your Petitioner was, on or about the nineteenth day of the month of July, instant, tried in the Court of Queen's Bench, on an indictment charging him with the crime of Simple Larceny, and was convicted thereof.

That at the said trial, your Petitioner was not assisted by Counsel, not having the means to pay for the services of any professional adviser.

That at the said trial, your Petitioner established his innocence of the said crime, though he was subsequently convicted.

That your Petitioner is not guilty of the said offence.

That on the twenty-first day of the month of July, instant, your Petitioner was brought before the said Court, and was condemned, by the Honorable Jean François Duval, one of the Judges thereof, to an imprisonment in the Provincial Penitentiary, for and during the remainder of his life.

That by the law of this Country, the said sentence is illegal and unjust, and that the said Jean François Duval, in thus condemning your Petitioner to the imprisonment aforesaid, has acted contrary to Law, and inflicted upon your Petitioner, a punishment which the Law did not put it in his power to condemn him to.

Wherefore, your Petitioner humbly prays, that for the causes aforesaid, your Honor will be pleased to grant and award unto him, Her Majesty's Writ of *Habeas Corpus*, to the keeper of the common Gaol directed, commanding him to produce forthwith, before your Honor, the body of your petitioner, and that thereupon your Honor will be pleased to order your petitioner to be restored to his liberty.

And your Petitioner, as in duty bound, will ever pray.

(Signed;) MOISE ^{his} PLANTE.
mark.

QUEBEC, this 23rd of July, 1856.

Delivered in presence of us,
the undersigned,

(Signed,) "C. SECRETAN, JUNR." }
(Signed,) "RICHD. MULHOLLAND." }

Let a Writ of *Habeas Corpus* issue as prayed for, and let notice hereof be given to Her Majesty's Law Officers; the said writ to be returnable at the Judges' Chamber, in the Court House of the City of Quebec, on Thursday, the 24th day of July, instant, at ten of the clock in the forenoon.

(Signed,) EDWARD BOWEN.
Chief Justice Superior Court.

QUEBEC, 23rd July, 1856.

Received notice of the above application pursuant to the order of the Honorable the Chief Justice of the Superior Court, at the hour of half-past three of the clock, in the afternoon of this twenty-third of July, one thousand eight hundred and fifty-six.

(Signed,) D. ROSS,
Solicitor General, L. C.

(Signed,) A. STUART,
Queen's Counsel.

PROVINCE OF CANADA, }
DISTRICT OF QUEBEC. }

CITY OF QUEBEC.

TO all or any of the Constables, or other Peace Officers, in the said District of Quebec, and to the Keeper of the Common Gaol, at the said City of Quebec, in the said District of Quebec.

Whereas, Victor Nollet and Moïse Plante, of the City of Quebec, were charged before me, the undersigned, one of Her Majesty's Justices of the Peace in and for the said District of Quebec, on the oath of François Xavier Langevin, Delina Parent, Ann Brown, Marie Tourangeau (wife of François Xavier Langevin,) Vitallaine Ludurantare (wife of Prosper St. Cyr,) Narcisse Brochu, William Sanson, Odillon Montreuil, Bernard Germain, for that they, the said Victor Nollet and Moïse Plante did, on the ninth day of March, in the City of Quebec, in the District of Quebec, feloniously did steal, take, and carry away, ten yards of cotton shirting, of the value of sixpence currency the yard, twenty-five promissory notes of the Bank of British North America, for the payment of twenty shillings currency each, and each of the value of twenty shillings currency, five promissory notes of a certain bank for the payment of ten dollars each, and each of the value of fifty shillings currency, seventeen promissory notes of a certain bank for the payment of twenty-five shillings each, and each of the value of twenty-five shillings currency, a certain promissory note of a certain bank for the payment of ten shillings, and of the value of ten shillings currency; four pieces of the gold coin of the United States of America, commonly called dollars, and of the value of one dollar each; three pieces of the gold coin of the United States of America, commonly called quarter eagles, and of the value of twelve shillings and sixpence currency each; and two pieces of the gold coin of the United States of America, commonly called half eagles, and of the value of twenty-five shillings currency each; being lawful current money of this Province, the property of François Xavier Langevin, the said several sums of money secured by and payable upon the said several promissory notes being then and there and still unpaid and unsatisfied, and now due and owing to the said François Xavier Langevin.

These are therefore to command you, the said Constables or Peace Officers, or any of you, to take the said Victor Nollet and Moïse Plante, and them safely convey to the Common Gaol, at the City of Quebec aforesaid, and there deliver them to the Keeper thereof, together with this Precept; And I do hereby command you the said Keeper of the said Common Gaol, to receive the said Victor Nollet and Moïse Plante into your custody in the said Common Gaol, and there safely keep them until they shall be thence delivered by due course of law.

Given under my hand and Seal, this third day of April, in the year of Our Lord, One thousand eight hundred and fifty-six, at the said City of Quebec, in the District aforesaid.

[L. s.]

(Signed,)

J. MAQUIRE, J.P.

A True Copy.

(Signed,)

J. MACLAREN,
Gaoler.

PROVINCE OF CANADA, }
DISTRICT OF QUEBEC. } CITY OF QUEBEC.

TO all or any of the Constables, or other Peace Officers, in the said District of Quebec, and to the Keeper of the Common Gaol, at the said City of Quebec, in the said District of Quebec.

Whereas, Victor Nollette, and Moïse Plante, of the City of Quebec, Labourers, were charged before me, the undersigned, one of Her Majesty's Justices of the Peace in and for the said District of Quebec, on the Oath of François Xavier Langevin, Delina Parent, Ann Brown, Marie Tourangeau, (wife of François Xavier Langevin) Vitallaine Ladurantare, (wife of Prosper St. Cyr,) Narcisse Brochu, William Samson, Odillon Montreuil, Bernard Germain, for that they, the said Victor Nollette and Moïse Plante, did, on the ninth day of March, in the City of Quebec, in the District of Quebec, feloniously steal, take, and carry away ten yards of cotton shirting, of the value of sixpence currency the yard; twenty-five promissory notes, of the Bank of British North America, for the payment of twenty shillings currency, each, and each of the value of twenty shillings, currency; five promissory notes of a certain Bank, for the payment of ten dollars each, and each of the value of fifty shillings currency; seventeen promissory notes of a certain Bank, for the payment of twenty-five shillings each, and each of the value of twenty-five shillings, currency; a certain promissory note of a certain Bank, for the payment of ten shillings, and of the value of ten shillings currency; four pieces of the Gold coin of the United States of America, commonly called dollars, and of the value of one dollar each; three pieces of the Gold coin of the United States of America, commonly called quarter Eagles, and of the value of twelve shillings and sixpence currency each; and two pieces of the Gold coin of the United States of America, commonly called half Eagles, and of the value of twenty-five shillings currency, each, being lawful current money of this Province, the property of François Xavier Langevin; the said several sums of money secured by and payable upon the said several promissory notes being then and there and still unpaid and unsatisfied and now due and owing to the said François Xavier Langevin. These are therefore to command you, the said Constables or Peace Officers, or any of you, to take the said Victor Nollet and Moïse Plante, and them safely convey to the Common Gaol, at the City of Quebec aforesaid, and there deliver them to the Keeper thereof, together with this Precept; And I do hereby command you the said Keeper of the said Common Gaol, to receive the said Victor Nollet and Moïse Plante into your custody in the said Common Gaol and there safely keep them until they shall be thence delivered by due course of law.

Given under my hand and Seal, this third day of April, in the year of Our Lord, one thousand eight hundred and fifty-six, at the said City of Quebec, in the District aforesaid.

[L. s.]

(Signed) J. MAGUIRE, J.P.

A true Copy.

(Signed) J. MACLAREN,
Gaoler.

PROVINCE OF CANADA, } I, JAMES MACLAREN, Keeper of the Common
DISTRICT OF QUEBEC, } Gaol, of and for the City and District of Quebec,
to wit: } in Her Majesty's Province of Canada, do hereby certify,
and return to our Sovereign Lady the Queen

That before the coming of the annexed Writ to me directed, the body of Moïse Plante, therein named, was committed into the Common Gaol of the said District of Quebec, by virtue of a warrant from under the hand and seal of John Maguire, Esquire, one of the Justices of our Sovereign Lady the Queen, assigned to keep the Peace within the said District of Quebec, copy of which warrant is hereunto annexed, and on the twenty-first day of the present month of July, the said Moïse Plante having been convicted of a certain felony before the Court of Queen's Bench, was thereupon sentenced by the said Court to be imprisoned in the Provincial Penitentiary for and during the term of his natural life, and that I have not yet received a copy of the said sentence, nor any order or sentence in writing beyond the said commitment, copy of which is hereunto annexed, and that this is the only cause of the commitment and detention of the said Moïse Plante in the Common Gaol aforesaid, the body of which said Moïse Plante I have now here, as by the said Writ it is commanded me.

Dated at Quebec, this twenty-fourth day of July, in the year of our Lord one thousand eight hundred and fifty-six, and of Her Majesty's Reign the twentieth.

(Signed) J. MACLAREN,
Gaoler.

PROVINCE OF CANADA, } I hereby certify, that I at present hold and detain, in
DISTRICT OF QUEBEC. } the common Gaol of this District, the bodies of
Victor Nolette and Moïse Plante, in virtue of a sentence pronounced in my presence, in the Court of Queen's Bench, on the 31st day of the month of July, instant, by the Honorable J. F. Duval, one of the Judges of the said Court, on conviction of the crime of Larceny, condemning the said Victor Nolette and Moïse Plante, to imprisonment in the Provincial Penitentiary, for the term of their natural lives.

They the said Victor Nolette, and Moïse Plante, having up to the time of the rendering of the said sentence, been detained by me in virtue of a warrant of commitment, a copy whereof is hereunto annexed.

I hereby further certify, that I have not, up to the present period, received from the said Court, or from the Clerk of the Crown, any written order, sentence, or other authority for their detention.

Given under my hand, at the City of Quebec, this 23rd day of July, 1856.

(Signed,) J. MACLAREN,
Gaoler.

A True Copy.

GREEN & DOUCET,
Clerk of the Crown,

JUDGES' CHAMBERS, QUEBEC.

Before BOWEN, Chief Justice.

Ex parte, PLANTE, PETITIONER FOR A WRIT OF *Habeas Corpus*.

Held:—That a Judge has no jurisdiction to liberate a person found guilty of simple larceny, and sentenced to be imprisoned in the Penitentiary for life, although it might appear that the sentence was illegal; That in the particular case, the Judge having no jurisdiction to revise the sentence, must abstain from giving his opinion upon the legality or illegality of such sentence.

Judgment rendered, the 6th August, 1856.

BOWEN, Chief Justice:—When the prisoner, Moïse Plante, was brought before me on the 24th July last, the Gaoler in his return to the Writ of *habeas corpus*, certified, that he held the body of the prisoner in virtue of the Warrant of a Justice of the Peace, charging him with larceny, a copy of which was annexed (similar to that delivered to the prisoner's counsel, and on which the Writ of *habeas corpus* issued) and certifying further, that he, the Gaoler, was present on the 21st day of July, in the Court of Queen's Bench, sitting at Quebec, when the prisoner was sentenced to be imprisoned at hard labour in the Penitentiary for life, he, the prisoner, having been convicted of felony (what species of felony was not stated,) but that he had not received from the Court any copy of this sentence, or any written order on the subject.

I then intimated to the prisoner's counsel that, as the prisoner had been committed for trial during the then term of the Court of Queen's Bench, still in session, I would not interfere, and must necessarily remand the prisoner, as I was not permitted to look beyond the return to the Writ, and that the return in question showed a sufficient cause for detention.

It is true the prisoner's petition, and the Gaoler's certificate as granted to him, shew that he was convicted of larceny, simple larceny; which offence would heretofore have been distinguished either as petty or grand larceny, but no such distinction now exists by law.

Upon a former occasion, I took the opportunity of stating to the prisoner's counsel, that even admitting for a moment that the punishment awarded by the Court, was that which the law directs in cases of aggravated larceny, and which could not attach to an accusation and conviction of simple larceny, I entertained very serious doubts whether the remedy now sought for, under the writ of *habeas corpus*, could be granted, viz., to discharge the prisoner altogether from the effect of his conviction and sentence, on the alleged ground of that sentence being bad, for excess of punishment.

In England, formerly, and until the passing of the 11th and 12th Vic. cap. 78, the remedy, given in such cases, would not be under a writ of *habeas corpus*, but under a writ of error, by which the judgment would have been set aside, and the prisoner discharged; but unfortunately for the administration of criminal justice in Canada, no court of error exists; the only remedy, therefore, in a case of this description must be by petition to the Crown for a pardon.

On the occasion above referred to, I took the opportunity of referring the prisoner's Counsel to our Provincial *habeas corpus* Act or Ordinance, 24 Geo. III, cap. 1, sec. 3, for the purpose of shewing that in vacation, that is, out of term or sessions, a writ of *habeas corpus* might be obtained, from the Chief Justice or any Judge of the Court of King's Bench, in the manner therein described, by any person detained for any crime (unless for felony or treason plainly expressed in the warrant of commitment other than persons convict, or in execution by legal process,) and upon return thereof the Judge might bail the prisoner, &c. to take his trial at the next session of the Court of King's Bench; unless it should appear to the said Chief Justice or Judge that the party so committed, was detained upon a legal process, "order" or warrant out of some Court, that had jurisdiction in criminal matters, or for such matters or offences for which by law, the prisoner was not liable. In the present case the prisoner is detained under the authority of a Court having jurisdiction in criminal matter, and in term, namely, the Court of Queen's Bench.

On that occasion, I also referred the Counsel to the case of *Regina vs. Ellis*, 8 D. & R. 173, wherein it is stated that if a judgment of a Court of Quarter Sessions be bad, for excess of punishment, e.g., for sentencing a convict to 14 instead of 7 years' transportation, it is bad *in toto*, and will not operate as a good judgment of transportation for 7 years, nor will it be amended by the Court of Queen's Bench or sent back to the Sessions for that purpose, but will be reversed on writ of error, and the prisoner discharged.

In the case of *Holloway vs. the Queen*, in error, on the 11th June, 1851, 2 Denison's Crown Cases, and to be found in Sharwood's American Edition of British Crown Cases, vol. 6, p. 295, Lord Campbell, Chief Justice, said:—I entertain no doubt that under 11 & 12 Vic. cap. 78, sec. 5, if we find one good count in the indictment, although all the other counts are bad, we shall be bound to pronounce the judgment, which ought to have been pronounced by the Court of Quarter Sessions, or to remit the record to that Court to pronounce the proper judgment. In *Rex vs. Bourne* 7 Ad. & El. 58, it was held by the Court that at common law it had no power to pronounce the proper judgment in such a case, or to remit the case for judgment to the Court below; but now there is a positive enactment of the Legislature that "Whenever any writ of error shall be brought upon any judgment, or any indictment, information, presentment, or inquisition in any criminal case, and the Court of error shall reverse the judgment, it shall be competent for such Court of Error either to pronounce the proper judgment or to remit the record to the Court below, in order that such Court may arrest the judgment and pronounce the proper judgment upon such indictment, information, presentment or inquisition."

In Canada, we have no Court of Error, and the British Statute 11 & 12, Vic. cap. 78, is not law with us. It is to be remembered, that the offence charged by the Grand Jury, as found in the bill of indictment, in the present case of Moïse Plante, is not for an aggravated, but for a simple larceny, and that by the Statute 4 & 5, Vic. cap. 25, sections 3 & 7, the punishment of these several offences is there provided for, premising, that the 2nd sec. of the Act abolishes the distinction between petty and grand larceny, making all such cases, larceny generally, and directing that in every case of larceny the punishment cannot exceed the punishment hereinafter mentioned for simple larceny. The 3rd section then enacts, that every person convicted of simple larceny, or of any felony thereby made punishable like simple larceny, (excepting cases thereinafter provided for) shall be liable, at the discretion of the Court, to be imprisoned at hard labor in the Provincial Penitentiary for any term, not less than seven years, or to be imprisoned in any other prison or place of confinement, for any term not exceeding two years.

The 7th section of the same Statute then enacts, that whosoever shall, being armed with any offensive weapon or instrument, rob, or assault with intent to rob any person, or shall together with one or more persons rob, or assault with intent to rob any person or shall rob any person, at the time of, or immediately before, or immediately after such robbery, shall beat, strike, or use any other personal violence to any person, shall be guilty of felony, and being convicted thereof shall be liable, at the discretion of the Court, to be imprisoned at hard labour in the Provincial Penitentiary for the term of his natural life, or for any term not less than seven years, or to be imprisoned in any other prison or place of confinement for any term not exceeding two years (even this period of seven years, as I shall show presently, has been reduced to three years.

The 17th section further enacts, that whosoever shall steal any chattel, money, or valuable security in any dwelling house, and shall by any menace or threat put any one therein in bodily fear, shall be guilty of felony, and being convicted thereof, shall be liable to be imprisoned at hard labour in the Provincial Penitentiary for any term not exceeding fourteen years, nor less than seven years, or to be imprisoned in any other prison or place of confinement for any term not exceeding two years.

This last section would seem to apply to the case under consideration, and the indictment, instead of being for simple larceny, as laid, should have laid the offence of aggravation, as in this section, in which the extreme penalty does not exceed fourteen years, and it is only in still graver and more criminal offences that the life-imprisonment is awarded, as in the following and other sections, in which the life-imprisonment is contra-distinguished from the term of penitentiary or other imprisonment, and restricting thereby the perpetual life-imprisonment within the discretion of the Court.

The last statute, to which I shall refer, is that of the 6 Vic. cap. 5, sec. 2, intitled, "An Act for the better proportioning the punishment to the offence in certain cases, and for other purposes therein mentioned."

It amends certain provisions of the Statutes 4 and 5 Vic., caps. 24, 25, 26 and 27, and enacts, "that for each and every offence for which, by any of the Acts hereinabove cited, the offender is liable on conviction, to be punished by imprisonment in the Provincial Penitentiary, but may instead thereof, and in the discretion of the Court, be punished by imprisonment in any other prison or place of confinement for any term not exceeding two years, the offender may, if convicted after the passing of this Act, be punished in the discretion of the Court, by imprisonment in the Provincial Penitentiary for any term not less than three years, (seven years by 4 and 5 Vic. cap. 25) and not exceeding the longest term for which such offender might have been imprisoned, if this Act had not

been passed, or by imprisonment in any other prison or place of confinement for any term not exceeding two years in the manner prescribed by such Act, provided always, that nothing in this Act shall prevent such offender from being punished by imprisonment in the Provincial Penitentiary for life, if he might have been so punished, if this Act had not been passed.

Now had the prisoner been indicted for an aggravated larceny, either under the 7th or 17th sections of 4 & 5 Vic. cap. 25, the indictment ought to have stated precisely, and the evidence ought to have established the substantial and distinguishing facts, constituting the offence. In this case, the indictment states no such substantial and distinguishing facts. Whatever may have been the evidence before the Court, as to the *res gesta*, and is for larceny only.

Duarris on Statutes, at page 674 says, when a Statute directs imprisonment but limits no *terminus a quo*, it shall commence immediately, 8 Rep. 119. When it appoints imprisonment, but limits no time for its duration, the prisoner remains at the discretion of the Court, Dalt. 410.

Not sitting here as a Court of Error, and having no power to revise the sentence in this particular case, I abstain from offering any opinion, as to the discretion exercised by the Court, with relation to the prisoner, Moise Plante, it being open to him to petition the Crown for a remission of punishment in whole or in part, as to His Excellency the Governor General, in his wisdom may seem fitting.

The prayer of the Petitioner is hereby rejected.

Secretan, C. for Petitioner.

Stuart, A. of Counsel for the Crown.

PROVINCE OF CANADA, }
DISTRICT OF QUEBEC, }

IN THE QUEEN'S BENCH.

QUEBEC, } **T**HE JURORS for our Lady the Queen, upon their oath present, That to wit: } Moise Plante, late of the Parish of Quebec, in the District of Quebec, laborer, and Victor Nolette, late of the same place, laborer, on the ninth day of March, in the year of our Lord One thousand eight hundred and fifty-six, at the Parish aforesaid, in the District aforesaid, feloniously did steal, take and carry away ten yards of shirting, of the value of five shillings current money of this Province; twenty-five promissory notes, of the Bank of British North America, for the payment of twenty shillings each, and of the value of twenty shillings current money aforesaid each; five promissory notes, of the Bank of Montreal, for the payment of ten dollars each, and of the value of two pounds ten shillings current money aforesaid each; seventeen promissory notes, of the Bank of Montreal, for the payment of twenty-five shillings each, and of the value of twenty-five shillings current money aforesaid each; one promissory note, of the Quebec Bank, for the payment of ten shillings, and of the value of ten shillings current money aforesaid; four pieces of gold coin, of the United States of America, known as one dollar pieces, and of the value of five shillings current money aforesaid each; four pieces of gold coin, of the United States of America, commonly called quarter eagles, and of the value of twelve shillings and sixpence current money aforesaid each; two pieces of gold coin, of the United States of America, commonly called half-eagles, of the value of twenty-five shillings current money aforesaid each; of the monies, goods and chattels of François Xavier Langevin (and the said several sums of money payable upon and secured by the said

several promissory notes being still due and unsatisfied to the said François Xavier Langevin) against the peace of our Lady the Queen, Her Crown and Dignity.

And the Jurors aforesaid, upon their oath aforesaid, do further present, That the said Moise Plante and Victor Nolette, afterwards, to wit, on the day and year aforesaid, at the Parish aforesaid, in the District aforesaid, feloniously did steal, take and carry away, divers, to wit, forty-eight Bank notes for the payment of of divers sums of money, amounting in the whole to the sum of fifty-nine pounds five shillings, current money, aforesaid, of the value of fifty-nine pounds five shillings; and divers, to wit, eight pieces of current gold coin of the value of six pounds ten shillings, current money aforesaid, of the monies, goods and chattels of François Xavier Langevin, against the peace of our Lady the Queen, her Crown and Dignity.

And the Jurors aforesaid, upon their oath aforesaid, do further present, That the said Moise Plante and Victor Nolette, afterwards, to wit, on the day and year aforesaid, at the Parish aforesaid, in the District aforesaid, feloniously did steal, take and carry away certain money, to wit, to the amount of sixty-five pounds five shillings current money aforesaid of the monies, goods, and chattels, of François Xavier Langevin, against the peace of our Lady the Queen, her Crown and Dignity.

(Signed,) G. E. CARTIER,
Attorney General.

By A. STUART,
duly authorised.

(Signed,) GREEN AND DOUCET,
Clerk of the Crown.

(Endorsed.)

QUEBEC.

IN THE QUEEN'S BENCH,
July Term, 1856.

THE QUEEN,
against,
MOISE PLANTE, AND VICTOR NOLETTE.

—Indictment for Larceny.—

Delmira Parent,
Marie Tourangeau,

Witnessess,
Ann Brown, Widow Woodbury,
Vitallaine Ladurantare,

Narcisse Brochu,
Odillon Montreuil,
François Xavier Langevin,
Louis Blais,

Witnesses.—(Continued.)

William Samson,
Bernard Germain,
Jean Blais,
Louis Beaulieu,

—
True Bill.

(Signed,) JAMES HOSSACK,
Foreman.

—
16th July, 1856.—Arraigned,—Plea—Non Cul.

19th July,—TRIAL.

Verdict as to NOLETTE,—GUILTY.

As to PLANTE,—GUILTY.

(Signed,) GREEN & DOUCET.

—
A True Copy.

GREEN & DOUCET,
Clerk of the Crown.

PROVINCE OF CANADA, }
DISTRICT OF QUEBEC. }

COURT OF QUEEN'S BENCH.
Crown Side.

July Term, 20 Vic., 1856.

Present:

The Honorable Mr. JUSTICE DUVAL,
" " Mr. JUSTICE CARON.

On the 21st day of July, 1856.

Our Sovereign Lady the Queen,

against

VICTOR NOLETTE and MOISE PLANTE,

UNDER CONVICTION OF LARCENY.

It is considered and adjudged by the Court of our Sovereign Lady the Queen, now here, that the said Victor Nolette and Moïse Plante, on and by reason of their conviction aforesaid, be severally imprisoned, at hard labour, in the Provincial Penitentiary for and during the term of their natural lives. And it is ordered by the said Court of Our Lady the Queen, now here, that the Sheriff of the District of Quebec, having the lawful custody of the said Victor Nolette and Moïse Plante, do cause the said Victor Nolette and Moïse Plante

to be conveyed, in pursuance of the law in such case made and provided, to the said Provincial Penitentiary, and there to be delivered into the custody of the Warden thereof, together with a certified copy of the sentence aforesaid, and of this order.

By the Court.

(Signed,)

GREEN & DOUCET,
Clerk of the Crown.

A True Copy.

GREEN & DOUCET,
Clerk of the Crown.

1, ST. LEWIS STREET.

Quebec, 24th July, 1856.

Sir,—I have the honor of transmitting to you herewith a Petition addressed to His Excellency the Governor General by a young man of the name of Moïse Plante, complaining of a sentence pronounced against him by the Honorable Mr. Justice Duval, one of the Judges of the Court of Queen's Bench for Lower Canada, on a charge and conviction of simple larceny, condemning him to be imprisoned for life in the Provincial Penitentiary, and to request that you will be so good as to submit the same to His Excellency at your earliest convenience.

I have the honor to be, Sir,
Your most obedient Servant,

(Signed,)

C. SECRETAN, Junior,
Solicitor.

To the Honorable T. LEE TERRILL,
Secretary of the Province of Canada.

To His Excellency Sir EDMUND WALKER HEAD, Baronet, Governor General of British North America, and Captain General and Governor in Chief in and over the Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice-Admiral of the same, &c. &c.

The humble Petition of Moïse Plante, late of Quebec, laborer, and now confined in the Common Gaol of the District of Quebec, under conviction of simple larceny, respectfully sheweth;

That your Petitioner was, on the 19th day of the Month of July, instant, tried and convicted before Her Majesty's Court of Queen's Bench for Lower Canada, holding criminal pleas in and for the said District, on an indictment charging your Petitioner with the offence of simple larceny, and nothing more.

That two days afterwards your Petitioner was, on the said conviction, sentenced by the Honorable Mr. Justice Duval, one of the Judges of the said Court,

to suffer an imprisonment in the Provincial Penitentiary for the remainder of his life.

That your Petitioner is but eighteen years of age, and at his said trial was not defended or assisted by Counsel, being without means, and not having had any Counsel assigned to him by the Court.

That, although indicted but for a simple larceny, as before stated, the said Justice permitted evidence to be adduced at the said trial tending to implicate your petitioner in two other higher offences, of the commission of which your petitioner had not even been accused, viz.: the crime of setting fire to a dwelling house, a person being therein, punishable by death, and that of robbery attended with violence, punishable by imprisonment in the Provincial Penitentiary for life, or for any term not less than three years.

That since the passing of the said sentence your petitioner has been enabled to secure the services of an advocate, by whom he has been advised that the said sentence is illegal, null and void, the said Mr. Justice Duval not being authorized by the laws of this country to condemn your petitioner to the dreadful punishment thus inflicted on him.

That in and by the 3rd section of the Provincial Statute passed in the 4th and 5th years of Her present Majesty's Reign, chapter the 25th, which is the section of the law under which your petitioner was indicted and could only be punished, the words used in expressing the amount of punishment which can be inflicted on persons convicted, as was your petitioner, on indictment merely charging simple larceny, should not and cannot be construed as conferring the power of imprisoning for life.

That to be satisfied that the Legislature never intended conveying to any Court the authority thus to punish persons convicted of simple larceny, which is a minor offence to those hereunder mentioned, it is sufficient to refer to the 7th, 8th and 15th clauses of the said statute, which apportion the punishment in cases of robbery attended with violence, extorting property by threats and burglary, to the 3rd, 6th, 9th, 10th and 17th clauses of the 4th & 5th Vic. cap. 26, relating to arson, demolishing churches, destroying ships, impeding the saving of life, and setting fire to agricultural produce, and the 3rd, 7th, 10th, 11th, 12th and 13th clauses of the 4th and 5th Vic. cap. 27, relating to accessories to murders, manslaughter, poisoning and shooting, cutting and wounding, maiming, and trying to procure abortion. In each of these different clauses the power of imprisoning for life is given, but specially mentioned in these words, "for the term of his natural life, or for any terms not less than seven years." It is therefore perfectly clear that if, by the mere words "for any term not less than seven years" used in the clause relating to simple larceny, the Legislature intended conferring the power of imprisoning for life, they would not have employed the ones "for the term of his natural life" in establishing the punishment for higher offences. To suppose for a moment that it was intended to punish persons guilty of simple larceny to the same extent as those guilty of such crimes as stabbing, wounding or manslaughter, implies a want of discretion in Parliament fortunately to be nowhere else met with. A reference to the 3rd section of the Imperial Statute 7th & 8th Geo. 4th, cap. 29, the statute from which our provincial law in relation to larceny was taken, will show that in England the power of imprisoning for life for that offence does not exist.

That your petitioner is innocent of and never did commit the crime whereof he has been so as aforesaid convicted, and that at the said trial from 18 to 20 witnesses were produced, on his behalf, who testified on oath, that he had not and could not have participated in its commission.

Wherefore your petitioner humbly prays that your Excellency will be pleased to take his case into your serious and favorable consideration, and in the exercise

of the high prerogative of mercy delegated to your Excellency by the Crown, you may be pleased to extend the Royal Pardon to your petitioner, and order his release from imprisonment, whereby an only son may be restored to the fond embraces of an aged, widowed, and heart-broken mother, whose sole support he has for years past been.

And your petitioner, as in duty bound, will ever pray.

(Signed,) MOISE ^{his} ~~X~~ PLANTE.
mark.

Subscribed and delivered in presence of us,
the undersigned, at Quebec, this 24th of July, 1856.

(Signed,) C. SECRETAN, Junior,
Advocate.

(Signed,) J. DUNBAR,
Advocate.

1, ST. LEWIS STREET,

Quebec, 9th of August, 1856.

Sir,—Being as I am, still under the impression, that from our peculiar system of laws in relation to the Writ of *Habeas Corpus*, and the absence of a Court of Error, the power exists of discharging a prisoner in custody under color of an illegal sentence, I, with the view of not unnecessarily troubling His Excellency the Governor General, with the petition of Moïse Plante enclosed in my last letter to you, made an application to that effect, to the Chief Justice of the Superior Court for Lower Canada, at the same time referring him to two cases, in both of which I happened to be concerned some years ago, as precedent in support of the view entertained by me, of the authority vested by our law in our Judges, to discharge persons illegally sentenced by our Criminal Courts. The first was, the case of a man of the name of Christopher Todd Brown, indicted, tried, and convicted, before the Court of Quarter Sessions for this District, under the presidency of Mr. Power, then and still, one of the Circuit Judges. I conducted the case for the prosecution, and if I recollect rightly, the prisoner was defended by the present Solicitor General Ross. On the jury returning their verdict of guilty, I left the Court, and heard nothing more of the matter, until a day or two afterwards, when I was informed, to my no small surprise, that Mr. Power having passed an illegal sentence on Brown, (convicted of an assault with intent to commit a rape,) the latter had been at once discharged from his imprisonment, by order of Mr. Justice Bedard, on a writ of *Habeas Corpus*, sued out by his attorney. The next case was that of one Louise Baillargeon, indicted before the same Court on a charge of keeping a disorderly house, tried and convicted. She was defended by me, and I recollect, I was at the time under the impression she had not received a fair trial. Fortunately for her, Mr. Power again presided, and passed another illegal sentence, condemning her to a punishment he had no right to inflict. I applied to the late Sir James Stuart, then the Chief Justice for Lower Canada, and he immediately, upon a writ of *habeas corpus*, ordered her to be restored to her liberty.

Nevertheless, Mr. Chief Justice Bowen has rejected Plante's application, and as his decision clearly implies his conviction of the illegality of the sentence pronounced against Plante (an opinion he has made it no secret to communicate to

many,) I have thought it my duty, with his permission, to transmit it to you for the consideration of His Excellency, should he be pleased to peruse it.

I likewise take the liberty of attaching hereunto an Editorial Article, written by Professor Andrew, the Chief Editor of the "Quebec Morning Chronicle," in relation to this matter, as also a communication addressed to the "Quebec Gazette," by my learned friend, Colonel Gagy, both of which I beg to submit, as treating the question in a manner well worthy of notice.

I have the honor to be, Sir,
Your most obedient Servant,

(Signed,)

C. SECRETAN, Junior,
Solicitor for the Prisoner.

Honorable T. LEE TERRILL,
Secretary of the Province of Canada.

JUDGES' CHAMBERS,

Court House, August, 1856.

Present:—Chief Justice BOWEN.

Ex parte—MOISE PLANTE; on Petition for a Writ of *Habeas Corpus*.

WHEN the prisoner, Moïse Plante, was brought before me on the 24th July last, the Gaoler in his return to the Writ of *Habeas Corpus*, certified that he held the body of the Prisoner, in virtue of a Warrant of a Justice of the Peace, charging him with larceny, a copy of which was annexed (similar to that delivered to the prisoner's Counsel, and on which the Writ of *Habeas Corpus* issued) and certifying further that he, the Gaoler, was present on the 21st day of July, in the Court of Queen's Bench, sitting at Quebec, when the prisoner was sentenced to be imprisoned at hard labor in the Penitentiary for life, having been convicted of felony, (what species of felony not stated) but that he had not received from the Court any copy of his sentence, or written order on the subject. I then intimated to the prisoner's Counsel that as the prisoner had been committed for trial during the then term of the Court of Queen's Bench, still in session, I would not interfere, and must necessarily remand the prisoner, it not being then permitted to look beyond the return to the Writ, and that shewed a sufficient cause for imprisonment.

It is true the prisoner's petition, and the Gaoler's certificate as granted to him shew that he was convicted of larceny, simple larceny, which heretofore would have been distinguished either as petty or grand larceny, but now such distinction no longer exists in law.

Upon the former occasion I took the opportunity of stating to the prisoner's Counsel, that even admitting for a moment that the punishment awarded by the Court, was that which the law directs in cases of aggravated larceny, could attach to an accusation and conviction of simple larceny only, I entertained very serious doubts whether the remedy now sought for, under the Writ of *Habeas Corpus*, namely, to discharge the prisoner altogether from the effect of his conviction and sentence, on the alleged ground of that sentence being bad for excess of punishment.

In England, formerly, and until the passing of the 11th and 12th Vic. cap. 78, the remedy in such case must be found not under a Writ of *Habeas Corpus*, but

on a Writ of Error, by which the judgment will be set aside and the prisoner discharged, but unfortunately for the administration of Criminal Justice in Canada, no Court of Error exists; the only remedy therefore in such case must be by petition to the Crown for a pardon.

On the former occasion I took the opportunity of referring the prisoner's Counsel to our Provincial *Habeas Corpus Act* or *Ordonnance* 24 Geo. III, cap. 1, sec. 3, for the purpose of shewing that in vacation, that is out of term of sessions, a Writ of *Habeas Corpus* may be obtained from the Chief Justice or any Judge of the Court of King's Bench, in the manner therein described by any person detained for any crime (unless for felony or treason, plainly expressed in the Warrant of commitment other than persons convict or in execution by legal process) and upon release thereof, the Judge shall and may bail the prisoner, &c. to take his trial at the next sessions of the Court of King's Bench, unless it shall appear to the said Chief Justice or Judge, that the party so committed, is detained upon a legal process "order" or warrant, out of some Court that hath jurisdiction in Criminal matters, or for such matters or offences for which by law the prisoner is not liable—here the prisoner is detained under the authority of a Court having jurisdiction in criminal matters, and in term namely the Court of Queen's Bench.

On that occasion I also referred the Counsel to the case of *Regina vs. Ellis*, 8 D. & R. 173, wherein it is stated that if a judgment of a Court of Quarter Sessions be bad, for excess of punishment, *e.g.* for sentencing a convict to 14 instead of 7 years' transportation, it is bad *in toto*, and will not operate as a good judgment of transportation for 7 years, nor will it be amended by the Court of Queen's Bench, or sent back to the sessions for that purpose, but will be reversed on Writ of Error, and the prisoner discharged.

In the case of *Holloway vs. the Queen*, in Error on the 11th June, 1851, 2 Denison's Crown Cases, and to be found in Sharwood's American Edition of British Crown Cases, 6 vol. p. 295. Lord Campbell, Chief Justice, said, "I entertain no doubt that under 11 & 12 Vic. cap. 78, sec. 5, if we find one good count in the indictment, although all the other counts were bad, we shall be bound to pronounce the judgment which ought to have been pronounced by the Court of Quarter Sessions, or to remit the record to that Court to pronounce the proper judgment. In *Rex vs. Bourne*, 7 Ad. & El. 58, it was held by this Court, that at common law it had no power to pronounce the proper judgment in such a case, or to remit the case for judgment to the Court below; but now there is a positive enactment of the Legislature that, "Whenever any Writ of Error shall be brought upon any judgment, or any indictment, information, presentment, or inquisition in any criminal case, and the Court of Error shall reverse the judgment, it shall be competent for such Court of Error either to pronounce the proper judgment, or to remit the record to the Court below, in order that such Court may arrest the judgment and pronounce the proper judgment upon such indictment, information, presentment, or inquisition."

In Canada we have no Court of Error, and the British Statute, 11 & 12 Vic. cap. 78, is not law with us.

It is to be remarked that the offence charged by the Grand Jury, as found in the bill of indictment in the present case of *Moise Plante*, is not for an aggravated but simple larceny, and that by the Statute 4 & 5 Vic. cap. 25, sec. 3 & 7, the punishment of these several offences is thus provided for, premising, that the 2nd section of the Act abolishes the distinction between petty and grand larceny, making all such cases larceny generally, and directing that in every case of larceny the punishment cannot exceed the punishment hereinafter mentioned for simple larceny. The 3rd section then enacts that every person convicted of simple larceny, or of any felony hereby made punishable like simple larceny,

(except in the cases hereinafter provided for,) shall be liable, at the discretion of the Court, to be imprisoned at hard labor in the Provincial Penitentiary for any term not less than seven years, or to be imprisoned in any other prison or place of confinement for any term not exceeding two years.

The 7th section of same statute then enacts that whoever shall, being armed with any offensive weapon or instrument, rob, or assault with intent to rob any person, or shall, together with one or more person or persons, rob, or assault with intent to rob any person, or shall rob any person, and at the time of, or immediately before, or immediately after such robbery, shall beat, strike or use any other personal violence to any person, shall be guilty of felony, and being convicted thereof, shall be liable, at the discretion of the Court, to be imprisoned at hard labor in the Provincial Penitentiary for the term of his natural life, or for any term not less than seven years, or to be imprisoned in any other prison or place of confinement for any term not exceeding two years. (Even this period of seven years, as I shall shew presently, has been reduced to three years.)

The 17th section further enacts that whosoever shall steal any chattel, money or valuable security in any dwelling house, and shall by menace or threat put any one therein in bodily fear, shall be guilty of felony, and being convicted thereof, shall be liable to be imprisoned at hard labor in the Provincial Penitentiary for any term not exceeding fourteen years, nor less than seven years, or to be imprisoned in any other prison or place of confinement for any term not exceeding two years.

This last section would seem to apply to the case in hand, and the indictment instead of being for simple larceny as laid, should have laid the offence of aggravation as in this section, in which the extreme penalty does not exceed fourteen years, and it is only in still graver and more criminal offences that the life-imprisonment is awarded, as in the following and other sections, in which the life-imprisonment is contra-distinguished from the term of Penitentiary or other imprisonment, and restricting thereby the perpetual life-imprisonment within the discretion of the Court.

The last statute to which I shall refer, is that of the 6 Vic. cap. 5, section 2. intituled, "An Act for the better proportioning the punishment to the offence in certain cases, and for other purposes therein mentioned."

It amends certain provisions of the Statutes 4 & 5, Vic. cap. 24, 25, 26 & 27, and enacts, that for each and every offence, for which, by any of the Acts herein above cited, the offender is liable on conviction, to be punished by imprisonment in the Provincial Penitentiary, but may instead thereof, and in the discretion of the Court, be punished by imprisonment in any other prison, or place of confinement, for any term not exceeding two years; the offender may, if convicted after the passing of this Act, be punished in the discretion of the Court, by imprisonment in the Provincial Penitentiary, for any term, not less than three years, (7 by 4 & 5, Vic. cap. 25,) and not exceeding the longest term for which such offender might have been so imprisoned, if this act had not been passed; or by imprisonment in any other prison, or place of confinement, for any term not exceeding two years, in the manner prescribed by such Act: Provided always, that nothing in this Act shall prevent such offender from being punished by imprisonment in the Provincial Penitentiary for life, if he might have been so punished, if this Act had not been passed.

Now had the prisoner, been indicted for an aggravated larceny, either under the 7th or 17th sections of the 4th and 5th Vic. cap. 25, the indictment ought to have stated precisely, and the evidence ought to have established the substantial and distinguishing facts, constituting the offence. In this case the indictment

states no such substantial and distinguishing facts. Whatever may have been the evidence before Court, as to the *res gestæ*, and is for larceny only.

Dwarris on Statutes, page 769 says, when statutes directs imprisonment, but limits not *terminus a quo* it shall be immediately, 8 Rep. 119. When it appoints imprisonment, but limits no time, how long, the prisoner remains at discretion of the Court, Dalton 410.

Not sitting here as a Court of Error, and having no power to revise the sentence in this particular case, I abstain from offering any opinion as to the discretion exercised by the Court, with relation to the prisoner Moïse Plante, it being open to him, to petition the Crown, for a remission of punishment, in whole or in part, as to His Excellency the Governor General, in his wisdom, may seem fitting.

The prayer of the petition is hereby rejected.

SECRETARY'S OFFICE,

Toronto, 9th September, 1856.

Sir,—His Excellency the Governor General having had under his careful consideration, the petition transmitted by you, in behalf of Moïse Plante, whereby a free pardon is prayed for in his favor, has commanded me to state that His Excellency sees no reason for the exercise of the prerogative of mercy in favor of the petitioner.

I have, &c.

(Signed,) E. PARENT,
Assistant Secretary.

C. SECRETAN, Esquire, Junior,
Advocate, Quebec.

PRINTED BY ROLLO CAMPBELL, CORNER OF YONGE AND WELLINGTON STREETS, TORONTO.

R E T U R N

To an Address from the Legislative Assembly, of the 26th ultimo, for
Copies of Documents having reference to the subject of the Dismissal of
Louis F. Dufresne from Commission of the Peace.

By Command.

ET. PARENT.

SECRETARY'S OFFICE,

21st April, 1857.

QUEBEC, May 2, 1845.

Sir,—I have been requested to transmit to you the accompanying Petition to His Excellency the Governor General, of the *Curé*, Churchwardens, Militia Officers, and other inhabitants of the Parish of L'ancienne Lorette, in the County of Portneuf, complaining of the unfitness of Louis Flavien Dufresne, Esquire, to hold the office of a Justice of the Peace.

I am further desired to state that if His Excellency should direct an investigation of the charges preferred by the Petitioners, they will be prepared with the most complete proof to establish them.

I have the honor to be, Sir,

Your very obedient humble Servant,

(Signed,) T. C. AYLWIN.

The Honorable Mr. DALY,
Provincial Secretary.

[*Translation.*]

To His Excellency the Right Honorable CHARLES THEOPHILUS BARON METCALFE, of Fernhill, in the County of Berks, Knight, Grand Cross of the Most Honorable Order of the Bath, one of the Most Honorable Privy Councillors of Her Majesty, Governor General of British North America, and Captain General and Governor in Chief in and over the Provinces of Canada, Nova Scotia, New Brunswick, and Prince Edward's Island, and Vice-Admiral of the same, &c., &c., &c.

The Petition of the undersigned, residing in the Parish of Old Lorette,

HUMBLY SHEWETH :

That for many years, your Petitioners have been exposed to the vexatious conduct and fits of anger and violence of Louis Flavien Dufresne, Esquire, one of the Justices of the Peace for the District of Quebec, residing in the said parish.

That the conduct and manners of the said Mr. Dufresne, are a subject of public scandal, for the parish, and that unfortunately this gentleman is so addicted to intemperance that he cannot confine himself within the ordinary limits of decency, but that very often, under the influence of intoxication, he goes through the parish, committing acts of violence, and excesses of an outrageous character.

That the said Mr. Dufresne publicly avails himself of his office of Justice of the Peace, not only to shelter himself from the consequence of his excesses but also to commit them.

That recently the said Mr. Dufresne was publicly convicted, on his own avowal and confession, before J. A. Taschereau, Esquire, Police Magistrate at Quebec, of having, during the night of Sunday, the thirteenth day of April last, damaged the house of a certain Soulange Robey, and of having assaulted her, and was sentenced in consequence to pay a fine of two pounds two shillings, currency, and one pound thirteen shillings costs, and in default of payment, was imprisoned for eight days in the common gaol.

That your petitioners are unwilling, from respect to your Excellency, to specify the disgraceful circumstances under which this latter outrage was committed, but they humbly pray reference to the annexed documents, which will inform Your Excellency on these points.

That it is impossible for your Petitioners to respect the said Mr. Dufresne, and that it is painful for them to be obliged to have recourse to him, and to be subjected to his jurisdiction in parochial affairs, in which the law requires the intervention of a Justice of the Peace, and even makes him president of the parochial meetings.

That there have been already many complaints made to Your Excellency, and to former Governors of this Province, respecting the public conduct of the said Mr. Dufresne, but that hitherto nothing has been done in redress of these grievances.

That your Petitioners are prepared to prove the truth and justice of their present complaint.

Wherefore, they invoke the protection of Your Excellency, and earnestly and respectfully pray, that their Petition may be taken into consideration, and that the said Mr. Dufresne may be dismissed from the Commission of the Peace, and replaced in the parish by some person of irreproachable morals, and worthy of the honor of being Justice of the Peace under Her Majesty, and of the respect of the undersigned and of their parish; and your Petitioners will ever pray.

(Signed,)	J. LABERGE, Ptre., <i>Curé</i> of Old Lorette.
"	JEAN PLAMONDON, Churchwarden.
"	MICHEL DROLET, do.
"	JACQUES PLAMONDON, do.
"	FRANÇOIS VOYER, do.
"	ANTOÏNE BLONDEAU, do.
"	LOUIS VOYER, do.
"	PIÈRE ROBITAILLE, do.
"	JACQUES E. PAGEOT, Captain of Militia.
"	PHILIPPE DROLET, Lieutenant.
"	PIERRE DROLET, Ensign.
"	GABRIEL BELLEAU, Serjeant.
"	HENRI PLAMONDON.
"	BTE. DROLET.
"	JEAN ROBITAILLE, School Commissioner.

And one hundred and six others.

We, the undersigned, certify that the marks made above are those of the persons who have themselves given their names.

(Signed,) B. VOHL,
FRANÇOIS GILBERT.

OLD LORETTE, 1st May, 1845.

[*Translation.*]

PROVINCE OF CANADA, } SOULANGE ROBY of the City of Quebec, in the
DISTRICT OF QUEBEC. { County and District of Quebec, being of the full
age of twenty-one years (*filie majeure*.) deposeth and saith :—

That on the night of Sunday, the thirteenth of April instant, at about eleven o'clock, Louis Flavien Dufresne, of the parish of Old Lorette, did with force and arms assault the deponent with a certain water-spout, which he had torn down from the house occupied by the deponent, and having thus torn down the said water-spout, he did then and there throw it with force and violence against the window blind of the house of the said deponent, and thereby then and there break and destroy the said window blind, against the peace of Our Lady the Queen, and without cause or provocation.

Wherefore, the said deponent prays that he may be held to undergo his trial, under the Statute in such case made and provided, and has signed.

(Signed,) SOULANGE ROBY.

Sworn before me, at Quebec,
this 18th April, 1845.

(Signed,) J. A. TASCHEREAU, J.P.

—
Certified, a true Copy.

(Signed,) J. A. TASCHEREAU,
J.P.

Office of the Inspector and Superintendent of Police,
QUEBEC, 28th April, 1845.

PROVINCE OF CANADA, }
 DISTRICT OF QUEBEC. } **BE** it remembered, that on the twenty-first day of April, in the year of Our Lord one thousand eight hundred and forty-five, at the City of Quebec, in the County of Quebec, in the District of Quebec, Louis Flavien Dufresne, Esquire, is convicted before me, Joseph André Taschereau, Esquire, one of Her Majesty's Justices of the Peace, of and for the District of Quebec, for that he, the said Louis Flavien Dufresne did, on the night of Sunday, the thirteenth of April instant, with force and arms, assault one Soulange Roby, Spinster, with a certain water-spout, which the said Louis Flavien Dufresne had just before torn down from the house of the said Soulange Roby, and then and there occupied by her the said Soulange Roby :

And that the said Louis Flavien Dufresne did then and there, with force and violence, throw the said water-spout against the window-blind of the house of her the said Soulange Roby, and thereby then and there break and destroy the same, against the peace of Our Lady the Queen, and also against the form of the Statute in such case made and provided.

And I, the said Joseph André Taschereau, Esquire, adjudge the said Louis Flavien Dufresne, for his said offence, to forfeit and pay the sum of two pounds two shillings, currency, and also to pay the sum of one pound thirteen shillings, currency, for costs; and in default of immediate payment of the said sums, to be imprisoned in the common gaol of this District, for the space of eight days, unless the said sums shall be sooner paid :

And I direct that the said sum of two pounds two shillings, currency, amount of the penalty, shall be paid to the Clerk of the Peace, of and for the District of Quebec, in which the said offence was committed, to be by him applied according to the directions of the Statute in that case made and provided.

And I further order that the said sum of one pound thirteen shillings, currency, for costs, shall be paid by the said Louis Flavien Dufresne to the said Soulange Roby.

Given under my hand and seal, at the City of Quebec, on the day and year first above written.

Certified.

(Signed,) J. A. TASCHEREAU, [L. s.]
 J.P.

[*Translation.*]

To His Excellency the Right Honorable JAMES, Earl of ELGIN and KINCARDINE, Governor General of British North America, and Captain General and Governor in Chief in and over the Province of Canada, &c., &c., &c.

The humble Petition of JACQUES PAGEOT, Esquire, Mayor of the Parish of Our Lady of Old Lorette, and of BENJAMIN VOHL, Proprietor, both of the said Parish of Old Lorette,

HUMBLY SHEWETH :

That already, by a Petition signed by the majority of the inhabitants of this Parish, they have complained against both the public and private conduct of

Louis Flavien Dufresne, one of the Justices of the Peace of Her Majesty for the District of Quebec, residing in the said Parish of Old Lorette.

That in addition to the complaints already brought against the said Louis Flavien Dufresne, and maintaining at the same time their truth, your Petitioners believe it to be their duty to submit the following, which they are prepared to establish by proof, and which are within the knowledge of all the inhabitants of the said parish, that is to say :—

That the said Louis Flavien Dufresne has not hesitated to abuse his authority as Justice of the Peace to annoy the inhabitants and officers of the parish, as the *sous-voyers* and inspectors; that he has so intimidated them by frivolous and vexatious suits, that they do not dare to oblige him to fulfil the duties which the law imposes on him in common with other proprietors, nor even to have recourse to the tribunals for the same purpose.

That the said Louis Flavien Dufresne has acted as Justice of the Peace and sole magistrate in cases wherein he was an interested party, and which he alone instigated, and this after having announced beforehand to the plaintiffs the successful issue of their action.

That on many occasions he has advised, and even compelled, by threats, parties to bring their action before him, promising a favorable result to the cause of the plaintiffs, and many persons having good grounds of defense have been known to resign their case with pecuniary loss, rather than expose themselves to appear before him, his conduct on the bench being neither dignified, becoming, just, nor impartial.

That with a view of bringing the inhabitants of the said parish into trouble and difficulty, the said Louis Flavien Dufresne, Justice of the Peace, has openly opposed the execution of various Acts of the Legislature, particularly the carrying out of the Municipal Acts and the Education Act.

That the said Louis Flavien Dufresne has received, as Justice of the Peace, large sums of money for various fines imposed by him in his said capacity, and that he has never rendered any account of this money to the competent authorities, but that, on the contrary, he has appropriated this money for himself, expending it for his own uses, and boasting publicly of this conduct.

That very frequently the said Louis Flavien Dufresne has been guilty of abusive vituperation, of acts of violence, and of infractions of the peace, and that the suffering parties have not dared to bring him to punishment, being persuaded that they would thereby subject themselves to many vexatious suits, in which he would be sole judge, after having instigated them in the first instance, suits wherein the victims would have no means of righting themselves but by means of a *certiorari*, which would expose them, not only to considerable loss of time, but also to expenses and advances of money often beyond their means.

That the said Louis Flavien Dufresne has been known, notwithstanding and in spite of an appeal from the judgments by him rendered, to endeavour, by threats, by letters, and otherwise, to cause the sentences which he had pronounced to be carried into execution.

That your petitioners, in a word, do not hesitate to affirm, as well in their own name as in that of a great majority of the inhabitants of the said parish, that the conduct, both official and public, as well as private, of the said Louis Flavien Dufresne, tends only to lower in their eyes the magisterial office, with which the Government has been pleased to invest him, and which he has used as a weapon to annoy peaceable and loyal inhabitants, and a buckler to shelter his own excesses.

Wherefore your petitioners humbly pray, that your Excellency may be pleased to take their present petition into your serious consideration, and to

order, in consequence whatever may appear just and expedient: and they will ever pray.

(Signed,) J. ED. PAGEOT, Mayor,
B. VOHL.

OLD LORETTE, 30th June, 1847.

[*Translation.*]

SECRETARY'S OFFICE,
MONTREAL, 13th July, 1847.

Sir,—I have the honor to acknowledge the receipt of the petition of Jacques Ed. Pageot and Benjamin Vohl, Esquires, of the Parish of Old Lorette, bringing forward new complaints against Louis Flavien Dufresne, Esquire, in his capacity of Justice of the Peace for the District of Quebec, and to inform you that it will not fail to engage the attention of His Excellency the Governor General.

I have the honor to be, Sir,
Your obedient Servant,

(Signed,) D. DALY.

P. J. O. CHAUVEAU, Esquire, M.P.P.,
&c., &c., &c.,
Montreal.

[*Translation.*]

QUEBEC, 15th September, 1847.

Sir,—I had the honor, during the last Session of Parliament, to present to His Excellency the Governor General, a Petition, signed by M. Pageot, at that time Mayor of Old Lorette, and by M. Vohl, of the same place, complaining of the conduct of Louis Flavien Dufresne, Esquire, Justice of the Peace, and praying for his dismissal. I had also myself the honor of drawing the attention of His Excellency to the grave character of the accusations contained in this Petition, and to the urgent necessity for an inquiry, both for the satisfaction of the parties concerned and for that of the public.

At the same time I had proposed, in the Legislative Assembly, an Address to His Excellency, praying him to cause to be laid before the House copies of all Petitions presented to the Executive by the Reverend J. Laberge, or any other inhabitant of the County of Quebec, relating to the conduct of the said Louis Flavien Dufresne, and also copies of all documents and vouchers accompanying such Petitions; and also copies of all correspondence between the Executive Government and the signers of all such Petitions.

No return has been made to this Address, which was voted and must have been presented to His Excellency in the usual mode. At last, having applied to those officers of the House who are charged with the safe-keeping of documents of this nature, I was informed that there did not exist any Return to this Address.

Having subsequently inquired of the Members of the Administration in their place in Parliament, after due notice being given, to know what course would be adopted in reference to M. Dufresne, Mr. Attorney General Badgley replied, that an inquiry was to be immediately instituted on the conduct of M. Dufresne.

After the prorogation of Parliament, perceiving that no inquiry had been in fact commenced, and that M. Dufresne, in spite of the rumour of his suspension, continued to exercise the functions of Justice of the Peace, I thought it my duty to write to Mr. Attorney General Badgley, requesting him to inform me what had been done, or what was proposed to be done; reminding him, at the same time, that it was solely from the promise he had given of an inquiry that the measure had not been farther pressed. My two letters to Mr. Badgley on this subject, the latter of which bears date the 31st August last, have remained up to the present moment without an answer.

I believe I should be wanting in my duty towards those of my constituents who have entrusted me with this measure, if I did not now urgently demand of the Executive Government, that the inquiry announced in the House by one of the responsible advisers of His Excellency should take place.

The nature of the petitions, both of that which I have requested a copy of, and of that which I have had the honor of presenting, must convince His Excellency of the urgent necessity of an inquiry, the result of which can only be to render justice to the parties interested, and to Mr. Dufresne himself, if he should be found innocent of the serious charges brought against him.

Be pleased to submit these facts, and the above stated demand, to the consideration of His Excellency the Governor General, and believe me, with consideration,

Your very humble and obedient Servant,

(Signed,) P. J. O. CHAUVEAU, M.P.P.

The Honorable D. DALY,
Provincial Secretary, Montreal.

[*Translation.*]

SECRETARY'S OFFICE,

MONTREAL, 16th September, 1847.

Sir,—In answer to your letter dated yesterday, I have the honor to inform you, by order of the Governor General, that His Excellency has authorized the appointment of a Commissioner to inquire into the charges brought against L. F. Dufresne, Esquire, Justice of the Peace.

I have the honor to be, Sir,
Your most obedient Servant,

(Signed,) E. PARENT.

P. J. O. CHAUVEAU, Esquire, M.P.P.,
Quebec.

SECRETARY'S OFFICE,

MONTREAL, 18th September, 1847.

Sir,—I have the honor, by the command of the Governor General, to transmit to you the accompanying instrument, by which it has pleased His Excellency to appoint you to be a Commissioner, under the provisions of the Act 9th Vic., cap. 38, to investigate certain charges preferred against Mr. Louis F. Dufresne, Justice of the Peace, of L'Ancienne Lorette, the tenor of which you will learn from the accompanying papers. As, however, the charges preferred by the Memorial of the 30th June, last, are of a general nature. I am to convey to you His Excellency's authority for your requiring the Petitioners to particularize the grounds of charge, so as to enable you to proceed to a full and final examination of the alleged misconduct of Mr. Dufresne. His Excellency is desirous to be enabled by your report to arrive at as early a decision on the subject as possible.

I am to add that Mr. Dufresne has been informed of your appointment, and requested to place himself in communication with you; and with a view to prevent any misunderstanding on the subject, you are to notify the parties interested in the investigation, that the Executive Government will not hold itself responsible for any costs or expenses of proceedings in support of the complaint or in defence.

I have the honor to be, Sir,

Your obedient Servant,

(Signed,) D. DALY,
Secretary.HONORABLE A. W. COCHRANE,
&c., &c., &c.,
Quebec.

SECRETARY'S OFFICE,

MONTREAL, 18th September, 1847.

Sir,—Referring to my letter to you of the 1st, and to your reply of the 8th instant, I have it in command from the Governor General, to inform you, that His Excellency has been pleased, under the provisions of the Act 9th Vic., cap. 38, to appoint the Hon. A. W. Cochrane, to be Commissioner to investigate the charges preferred against you, by Messrs. J. Pageot and Benjamin Vohl.

I am accordingly to request that you will communicate with Mr. Cochrane on the subject.

I have the honor to be, Sir,

Your obedient Servant,

(Signed,) D. DALY,
Secretary.LOUIS F. DUFRESNE, Esquire, J.P.,
Quebec.

[Translation.]

QUEBEC, 7th July, 1848.

Sir,—The Signers of a Petition complaining of the conduct of L. F. Dufresne, Esquire, Justice of the Peace, and transmitted by me to the Executive Government, inform me that the inquiry ordered by Government is terminated, and desire me to solicit respectfully the attention of His Excellency the Governor General to the result of this investigation.

I have the honor to be, Sir,
Your most humble obedient Servant,

(Signed,) PIERRE J. O. CHAUVEAU,
M.P.P.

Honorable R. B. SULLIVAN,
Secretary of the Province.

[Translation.]

QUEBEC, 31st July, 1848.

Sir,—On Tuesday, the 18th instant, on behalf of the *Curé* and inhabitants of Old Lorette, who demanded an investigation into the conduct of Louis Flavien Dufresne, Magistrate, I proceeded to inquire of Mr. Cochran, the Commissioner appointed by Government, whether the investigation was closed, and when his report would be made to the Executive of the inquiry, *versus* Dufresne: he then answered me that the investigation was closed, and that his report thereof would be made during the following week. Now the following week, in relation to the time of our interview, was the week now last past, so that Mr. Cochran must have made his report to the Executive. I wish therefore to know, for the information of the *Curé*, and of the inhabitants of Lorette, whether Mr. Cochran has made his report to the Executive of the investigation relating to the Magistrate Dufresne. And if he has still not made his report, I pray you, on behalf of the Petitioners above mentioned, to take the necessary steps to oblige Mr. Cochran to report immediately. Mr. Dufresne continues his scandalous disturbances in the Parish. I am informed that last week he came back intoxicated from the *Grand Desert*; and that at two o'clock in the morning, before the Lorette Church, he poured forth a thousand imprecations and blasphemies against the *Curé*, and that he roused, with his cries and vociferations, the people of the *presbytère* and of the neighbouring houses. I have been required to receive affidavits on this subject, which I propose doing. A speedy reply will oblige.

Your devoted Servant,

(Signed,) JOS. LAURIN,
M.P.P.

The Honorable R. B. SULLIVAN,
Provincial Secretary.

[Translation.]

QUEBEC, 18th August, 1848.

Sir,—I addressed you a letter, on Monday last, in reference to the Magistrate and Mayor Dufresne; I have not yet received the answer which I requested. I sent to-day the affidavits which I mentioned in my last communication. This man is a monster of iniquity, and nevertheless it appears to be impossible to have him dismissed from his offices of Magistrate and Mayor. He is still a public officer, the first officer of the Parish of Lorette, and an officer of the Government, as he boasts publicly and frequently, titles which he proclaims most pretentiously, and which he abuses by his shameful, scandalous, and brutal actions.

I call for his immediate dismissal from his office of Magistrate and from his office of Mayor, in the name of the *Curé* and of the respectable inhabitants of Old Lorette, considering this perverse and intemperate officer, who has often been taken up drunk on the highway, to be unworthy all and every public employment.

I call for justice towards the petitioners, against Dufresne.

I request of you to lay these affidavits before the Governor in Council, and to honor me with an answer as soon as possible.

I have the honor to be, Sir,
Your devoted Servant,

(Signed,) JOS. LAURIN, M.P.P.

The Honorable R. B. SULLIVAN,
Provincial Secretary, Montreal.

[Translation.]

PROVINCE OF CANADA, } BEFORE me, Jean Zephirin Nault, Esquire, Justice
DISTRICT OF QUEBEC. } of the Peace for the District of Quebec, appeared
Demoiselle GENEVIEVE BEAULIEU, of the full age of twenty-one years (*filie majeure*), of the Parish of Old Lorette, who, being sworn on the Holy Evangelists, doth depose and say, that on Wednesday, the 26th day of July last, at about two o'clock in the morning, she heard Louis Flavien Dufresne, Esquire, Justice of the Peace, of the said Parish of Old Lorette, call out "Cursed Laberge," and that he woke a great number of persons in the vicinity by his cries and vociferations.

(Signed,) GENEVIEVE ^{her} BEAULIEU.
mark.

Sworn before me, at the *Presbytère*
of the said Parish, this 2nd August, 1848.

(Signed,) J. Z. NAULT, J.P.

[Translation.]

PROVINCE OF CANADA, } BEFORE me, Joseph Laurin, Esquire, Justice of the
DISTRICT OF QUEBEC. } Peace for the District of Quebec, appeared Dame
ANNE HERRALD, wife of Joseph Déry, Esquire, Captain of Militia of the
Parish of Old Lorette, who, after having been duly sworn on the Holy Evangelists,
doth depose and say, that on Wednesday, the 26th day of July last, at about two
o'clock in the morning, she heard Louis Flavien Dufresne, Esquire, Justice of the
Peace, of the said Parish of Old Lorette, cry out before the church of the said
parish, "Cursed Laberge, his father made him a priest with glasses of rum. The
"Holy Virgin, or the Virgin, is a harlot. Oh, Laberge, you have gone to sleep
"with your concubine, Labrie." That he called the *Curé* a hog several times, and
that, in fine, he roused many in the vicinity by his cries and vociferations; that
he was then intoxicated, and that he caused great scandal. The deponent further
declares that Madame Labrie, above mentioned, is a worthy and respectable person.

(Signed,) HANNAH DERY.

Sworn before me, at Old Lorette,
this 2nd August, 1848.

(Signed,) JOS. LAURIN, J.P.

[Translation.]

PROVINCE OF CANADA, } BEFORE me, Joseph Laurin, Esquire, Justice of the
DISTRICT OF QUEBEC. } Peace for the District of Quebec, personally ap-
peared, Sieur MICHEL Fiset, Beadle of the Parish of Old Lorette, who,
being duly sworn on the Holy Evangelists, doth depose and say, that on Wednesday,
the 26th day of July last, at about two o'clock in the morning, he heard Louis
Flavien Dufresne, Esquire, Justice of the Peace, of the said Parish of Old
Lorette, curse Messire Laberge, *Curé* of the said parish, and that he said, that the
said Sieur Laberge had been made a priest with rum, and that he went up into the
pulpit to tell lies: that he was then intoxicated, and that, in fine, he uttered horrible
maledictions and blasphemies, and roused a great number of persons in the
vicinity by his cries and vociferations. And the deponent has declared that he
is unable to write, and has made his mark, as customary.

(Signed,) MICHEL FISET.
his
mark,

Sworn before me, at the
Presbytery of the said Parish,
this 2nd day of August, 1848.

(Signed,) JOS. LAURIN, J.P.

QUEBEC, 15th August, 1848.

Sir,—I have the honor to transmit to you herewith a transcript of the evidence,
on oath, taken before me, on the charges against Mr. Dufresne, together with my

report thereon; and I also return the two petitions of the inhabitants of Lorette against Mr. Dufresne, which I was commissioned to inquire into.

Since I had the honor of addressing you on the 20th ultimo, I have been interrupted in the preparation of my report by repeated indisposition, and by my absence at the springs of St. Leon for the benefit of my health.

I have the honor to be, Sir,
Your most obedient Servant,

(Signed,) A. W. COCHRAN.

The Honorable R. B. SULLIVAN.

To His Excellency the Right Honorable the Earl of ELGIN and KINCARDINE, K. T., Governor General of British North America, Captain General and Governor in Chief in and over the Provinces of Canada, Nova Scotia, New Brunswick, the Island of Prince Edward, and their several dependencies, &c., &c., &c.

MAY IT PLEASE YOUR EXCELLENCY:

In my letter to Your Excellency's Provincial Secretary, dated the 20th July, I had the honor of reporting for Your Excellency's information, the course of proceeding I had adopted, in carrying on the inquiry into the conduct of L. F. Dufresne, Esquire, a Justice of the Peace for this District, with which I was charged, by a Commission issued by Your Excellency, dated the 13th September last, and I stated the causes which had prevented the earlier completion of that inquiry.

I now proceed to report to your Excellency the result of the inquiry, first by Appendix A. submitting for Your Excellency's information the accompanying transcript of the evidence taken orally before me, or laid before me in written documents; and secondly by submitting respectfully to Your Excellency my opinion thereupon.

In my letter to the Provincial Secretary above referred to, I stated that I had called upon the complainants to furnish me with full and particular specifications of the facts which they were prepared to prove, in support of the allegations against Mr. Dufresne, contained in the two Petitions of 1st May, 1845, and 12th June, 1847, into the matter of which I was commissioned to inquire. But in so doing I limited the inquiry to the first and second paragraphs, of the former Petition; and to the third and subsequent paragraphs to the ninth inclusive, of the latter petition. The reason of this limitation will, I think, sufficiently appear on reference to the two petitions, and from the observations which I shall presently have to submit to Your Excellency, on the more detailed statement of facts furnished to me by the complainants.

Appendix No. 1. The statement is contained in the document annexed to this Report, entitled, "*moyens de plaintes articulés,*" or Specifications of facts charged.

It appeared to me, on a careful consideration of this document, that, of the allegations contained in it, some were still too vague and general; that, in others, the facts alleged involved only a charge of irregular or informal proceedings, or erroneous judgments on the part of Mr. Dufresne, in matters brought before him

in his capacity as a Justice of the Peace; that in another instance the matter of charge, (relating to an assault committed by Mr. Dufresne, of which he had been convicted on his own confession) had already been brought under Lord Metcalfe's consideration in the Petition of 1845, (Paragraphs 3 and 4,) and that his Lordship had not thought it necessary to visit Mr. Dufresne with other censure than an expression of his regret that such a circumstance should have occurred; and that in another of the heads of charge in this paper, a general accusation was preferred against Mr. Dufresne, of indulging in habits of intemperance in drinking, which led him to occasional acts of outrage and violence.

To these matters it did not appear to me to be necessary that Mr. Dufresne should be called upon specially to answer. His judicial proceedings had already, as stated in the charge against him, been brought under the revision of the proper superior tribunal; and there was no allegation of corrupt or improper motive on his part in any particular case, except in one which will hereafter be noticed, and which has been inquired into by me. The personal assault of which he was convicted having before been brought under the consideration of the Executive Government, and a decision had thereupon, it seemed to me that if there had not been on that point a virtual condonation to him, it might be taken so far as a *res judicata* that it should not be the subject of a fresh inquiry;—although the fact alleged, being of a grave nature, may still, with perfect propriety, be taken into consideration by Your Excellency, in connection with any other acts of misconduct which may be proved against Mr. Dufresne; on the same principle on which, in the criminal law, a prior conviction is allowed to be alleged and proved in particular cases against a party accused.

With respect to the general charge against Mr. Dufresne, of habits of intemperance, I was of opinion that whatever his errors might have been in this respect, in private life, they did not come within the limits of the inquiry with which I was entrusted, unless they had led him to acts injurious to the public peace; and that it was only with respect to any such acts, distinctly averred, that I ought to call for his defence.

Acting upon this principle, which I respectfully trust may receive Your Excellency's approval, I informed Mr. Dufresne, in transmitting to him the "specification of facts" of the complainants, and in calling upon him for his answer to it, that he need not apply it to the sixth and seventh heads, or paragraphs (as numbered in the margin), excepting so much of the seventh as charges him with two distinct assaults, and with having incited another person to a breach of the peace; that in like manner, in the eighth charge, he might confine himself to that part which alleges certain threats of personal vengeance to have been used by him with respect to the Reverend Mr. Laberge; that in the ninth and tenth, his answer might be limited to the four allegations contained in the recusation, or protest offered by Mr. Chauveau (Mr. Laberge's advocate), wherein he objected to Mr. Dufresne's competency, on the ground of personal interest and partiality, to act as a Justice of the Peace in the prosecution instituted before him against Mr. Laberge; which recusation it was further alleged in the same paragraph that Mr. Dufresne had refused to receive and had overruled: he was also informed that he was not required to answer the eleventh head or paragraph, nor any part of the twelfth (except that portion in which he is accused of throwing into the highway a fence belonging to Mr. Laberge); nor any part of the fourteenth, sixteenth, eighteenth, or nineteenth, except that portion of the latter, which states certain expressions to have been used by him with respect to the costs to be incurred by Mr. Laberge in prosecuting a *certiorari* in the beforementioned case of the prosecution against him before Mr. Dufresne; and to the twentieth head he was not required to make any answer, as it relates to various prosecutions instituted before him as Justice of the Peace, in which it

was alleged (but without any charge of corrupt motive in any particular case), that he had acted illegally and unjustly; these cases having all been removed by *certiorari* into the Court of Queen's Bench, and judgment having been thereon given there, I was aware that, if I thought it necessary, I could refer to the proceedings among the records of that Court.

With these exceptions, he was required to furnish a particular answer and defence on all the accusations in the remaining paragraphs, as numbered in the margin of the document in question.

His answer will be found to consist principally of recrimination and charges Appendix No. 2. against his accusers (or those whom he supposed to be the instigators of the accusations against him), of personal animosity springing from political and party feelings, or private causes; as far as it applies to the charges at all, it contains little more than a general denegation of them.

It remains for me now to bring before Your Excellency the results of the Inquiry into the charges from which Mr. Dufresne had thus to clear himself, as far as the evidence adduced on oath before me is found to apply to them: and in doing so I shall first state the general nature of the charge (referring to the numbered page and paragraph of the "Specification of Facts," in which it is to be found,) and shall then refer to the depositions which bear upon it (with similar reference to the pages of the Transcript of Evidence); and shall finally submit to Your Excellency my opinion as to the sufficiency or insufficiency of the proof, with such observations as may appear to me to be necessary in elucidation of the whole.

SPECIFICATION 1.—On this charge, of an assault, no evidence was adduced.

SPECIFICATION 2.—On this charge, of an assault, by Mr. Dufresne on Jean Robitaille, the evidence will be found in the deposition of Robitaille, (Transcript p. —) and in that of Benjamin Chrétien, (Transcript p. —)

It appears to me that the facts as laid, are fully proved against Mr. Dufresne. The difficulty between the parties appears to have arisen from a dispute whether a tree which Robitaille was cutting down when the assault took place, was on the property of the latter or on that of Mr. Dufresne; and although it would appear, from Chrétien's testimony, that Robitaille became convinced afterwards, that the tree was not within his boundary line, this circumstance appears to me to furnish no excuse for Mr. Dufresne's assault on him; especially with such weapons as an axe, and a Bill-hook (*Serpe*.)

SPECIFICATION 3.—In the third charge, Mr. Dufresne is accused of having improperly interrupted a number of persons in their Religious exercises at the foot of a cross in a public place in the Parish.

The proof in support of this charge will be found in the deposition of François Lepine (Transcript p. —) by which the charge is so far established that it is evident that Mr. Dufresne's conduct was wanting in that decorum which the place and occasion required; and that he was considered by the deponent to have been at the time in a state of intoxication.

SPECIFICATION 4.—The fourth charge accuses Mr. Dufresne of having, when under the influence of liquor, assaulted the son of one J. B. Drolette, and committed other acts of violence and outrage, against the house and family of Drolette; the occurrence is said to have taken place at ten o'clock at night.

The evidence on this charge is to be found in the deposition of J. B. Drolette, (Transcript p. —) It appears to me to prove the facts alleged; and there is no proved defence.

SPECIFICATION 5.—Mr. Dufresne is accused in the fifth charge of having, when in a state of intoxication, behaved outrageously towards Jacques Plamondon and his family, disturbing them by abusive language and outcries, at night, upon the highway near their dwelling.

Sufficient evidence of the fact is found in the deposition of J. Plamondon, (Transcript p. —) and there is no proved defence.

SPECIFICATION 7.—The particular allegation in this charge is that Mr. Dufresne, at different times, committed assaults on Charles Robitaille and Madam Pageot of Lorette, and incited one Jeunesse to assault another person; of the latter fact no proof has been given. But the evidence with respect to the alleged assaults on Robitaille and Madam Pageot, which is found in their depositions, (Transcript p.—) sufficiently proves that Mr. Dufresne was guilty, on the occasions in question, of violence, outrageous, and unlawful conduct towards them; and that such conduct was the result, at least in the case of Robitaille, if not in that of Madam Pageot, also, of partial intoxication.

SPECIFICATION 8.—In this charge the particular allegation which Mr. Dufresne was called upon to answer, relates to certain threatening expressions of personal violence which he is stated to have used, with respect to the Reverend Mr. Laberge, the *Curé* of the Parish.

It is proved by the deposition of François Beaupré, (Transcript p. —) that Mr. Dufresne did use the expressions charged, but the deponent expresses a belief that Mr. Dufresne was at the time under the influence of partial intoxication.

SPECIFICATIONS 9. 10. 12.—These charges have reference to the conduct and proceedings of Mr. Dufresne, in his capacity of a Justice of the Peace, in a prosecution brought before him in August, 1846, in the name of Leon Robitaille, Under-Inspector of Roads, against the Reverend Mr. Laberge, for having neglected to repair the highway in front of his lands, and for having neglected to remove from the road a certain obstruction, namely, the front fence belonging to his property.

It is alleged that the defendant, Mr. Laberge, on appearing before Mr. Dufresne, to answer this complaint, by the ministry of his advocate Mr. Chauveau, objected, by a formal recusation or protest, to Mr. Dufresne's competency to sit in judgment on the case, upon the ground, First, That Mr. Dufresne was himself personally interested in the issue of it, since its object was to compel the defendant to remove his fence, in order to widen the road on the south side only, whereby Mr. Dufresne's land on the neighborhood, on the north side, would remain untouched.

Secondly, That Mr. Dufresne was himself the real author of the complaint and proceeding, in order to accomplish this personal object.

Thirdly, That after the commencement of the proceedings he had often expressed an opinion with respect to the subject of them, and had declared his determination to give judgement against Mr. Laberge.

Fourthly, That it was Mr. Dufresne himself who had caused the supposed obstruction of the road by removing Mr. Laberge's fence.

It is further alleged that, notwithstanding these objections thus formally brought before him, Mr. Dufresne, refusing to receive them, proceeded to hear the case, and gave judgment against Mr. Laberge.

Whether the proceeding by recusation, as known to the French law, can be adopted or not, in a criminal or *quasi* criminal proceeding, under the criminal law of England, it appears clear to me that the facts and considerations thus brought before Mr. Dufresne, if they were true and well-founded, ought to have prevented him from sitting in judgment on the case.

The proof of them has been found, partly in the record of the prosecution in question, as removed into the Court of Queen's Bench by *certiorari*, and remaining there; where I have had reference to it; and partly in the deposition of Mr. Chauveau, advocate (Transcript, p. —), and in those of Joseph Bedard and Jean Robitaille (Transcript, p. —), and of Benjamin Vohl (Transcript, p. —), and in the letters from Mr. Dufresne to Joseph Bedard, produced by him on his examination (as evidence that Mr. Dufresne was the real author of the prosecution), and which are annexed to this Report.—(Appendix A 3, A 5.)

The object of the prosecution in question was, to compel Mr. Laberge to remove his fence from the position in which it had stood (as well as the front fences of several of the neighbours) for an unknown period of time, and to withdraw it in order to the road being widened on one side only to the breadth required by a certain *procès verbal* of old date.

It appears by the evidence that Mr. Chauveau presented to Mr. Dufresne the written recusation or objection to his competency referred to in these charges, with affidavits in support of the facts therein alleged; and that Mr. Dufresne refused to receive it, and proceeded to hear and determine the case; Robitaille and Bedard, the Road Officers, prove that it was at Mr. Dufresne's repeated requisition that the proceeding was instituted; and it appears both by the testimony of Mr. Vohl (Transcript, p. —), and by that of Joseph Plamondon, a witness called by Mr. Dufresne (Transcript, p. —) that the latter personally attended and directed the Road Officers in marking out the line of the enlarged road; on the south side, before the prosecution was commenced; it is also proved, both by Bedard and Mr. Vohl, that Mr. Dufresne, whose land was on the north side of the road, had a clear and direct interest that the road should be widened on the south side only, where the fence in question stood.

In support of the allegation contained both in the fourth head of the recusation, and again set forth in the latter part of the twelfth charge, that Mr. Dufresne himself caused the obstruction of the road; it is proved by Mr. Vohl that Mr. Dufresne removed some of the posts and rails of the fence in question, and threw them into the road.

SPECIFICATION 13.—This and the two following heads of charge have reference to the same proceeding before Mr. Dufresne against Mr. Laberge; and in this, it is alleged (as it had been before in the third head of the recusation) that Mr. Dufresne, before Mr. Laberge's case came on before him, declared his determination to give judgment against him, and also, that he would cause him to be prosecuted in the Criminal Court for a nuisance; that during the hearing he refused to take notes of some of the testimony, except in the manner he himself thought proper; that he endeavoured to intimidate and influence the witnesses; and suggested to one of them the words he should use, to make out the case for the prosecution; and that his whole conduct and demeanor during the proceeding before him, was so vexatious and arbitrary as to indicate a personal feeling and interest in the result.

All these allegations appear to me to be sufficiently proved by the depositions of Mr. Chauveau and Mr. Vohl, above referred to. (Transcript, p. —.)

SPECIFICATION 15.—In this article it is alleged that after notice was given to Mr. Dufresne by Mr. Laberge that he intended to sue out a *certiorari* in the Queen's Bench, in order to obtain a revision of the judgment in the beforementioned case, Mr. Dufresne wrote a threatening and insulting letter to Mr. Laberge, to intimidate and prevent him from adopting such a proceeding.

The letter from Mr. Dufresne, which the complainants produce in proof of this allegation, is herewith transmitted (Appendix A 4), but it does not appear to me to sustain the charge: for the only notice to Mr. Dufresne of Mr. Laberge's

intention to sue out a *certiorari*, appears to have been given by a letter from Mr. Chauveau to Mr. Dufresne, dated 19th August, 1846, (as stated in the charge itself,) whereas Mr. Dufresne's letter to Mr. Laberge is dated two days before, when Mr. Dufresne may not have been aware that such a proceeding was intended: the letter itself does not appear to me to be of an intimidating character, otherwise than by the intimation it contains that if Mr. Laberge did not submit to the judgment rendered against him by Mr. Dufresne in respect of the obstruction of the road, he would be prosecuted for a nuisance in the criminal term of the Queen's Bench, under express instructions, which Mr. Dufresne alleges that he had received: nor do I find anything insulting in the language of the latter, although the address on the back of it, which is, "Jos. Laberge, Prêtre, Curé "and Cultivateur," appears to be studiously wanting in that respect and courtesy which was due to the position and character of Mr. Laberge.

SPECIFICATION 17.—It is here charged against Mr. Dufresne that while the *certiorari* in the case of Mr. Laberge was yet pending and undetermined in the Court of Queen's Bench he endeavoured to compel Joseph Bedard, a Parish Road Officer, to commence a new prosecution on the same subject of complaint; and in support of his allegation the complainants produce the exhibits herewith transmitted (Appendix A. 5.), being a letter from Mr. Dufresne to Bedard, dated 11th June, 1847, which is proved by Bedard, in his deposition (Transcript p. —) to have reference to the same fence which gave rise to the original prosecution against Mr. Laberge. I therefore consider this part of this allegation of this charge to be sufficiently proved; and that Mr. Dufresne's conduct in this respect was not only irregular and illegal, but indicated, moreover, a personal feeling or interest in the matter.

The complainants produce another letter from Mr. Dufresne to Bedard, dated 28th July, 1846, (Exhibit, Appendix A, 3.) which they alleged was written with the same intention as that last referred to; but it bears date prior to the institution of the prosecution against Mr. Laberge, and may be considered as merely admonishing the Road Officer of his duty.

SPECIFICATION 19.—No proof was offered in support of this charge.

SPECIFICATION 21.—In this charge Mr. Dufresne is accused of having, in his capacity of a Justice of the Peace, harassed the Road Officers of the Parish, with prosecutions or threats of prosecutions, for their not taking legal proceedings against divers inhabitants, on account of the bad state of their roads, while at the same time the road in front of his own property was in a worse state of repair; and it is particularly alleged that he cause such prosecutions to be instituted against Jean Robitaille and against Jacques Dion, both *Sous-Voyers*.

So far as regards the prosecution against Robitaille it does not appear to me, from the deposition of that individual, (Transcript p. —) that there was anything vexatious, illegal, or oppressive in Mr. Dufresne's conduct; but with respect to Dion, it is proved by his deposition (Transcript p. —) that he was prosecuted, before Mr. Dufresne, in January, 1841, for not having, as a Parish Road Officer, caused a certain road in his division, to be repaired in the preceding year; that in the month of September, before this prosecution was commenced against him, he had been obliged to give notice to Mr. Dufresne to repair his own road, and on his neglecting to do so, had caused the repairs to be made, as required by law; that having sent to Mr. Dufresne an account of the expense so incurred, he was obliged at last to sue him in order to obtain payment of the amount; and that it was immediately after this proceeding being taken by him, that the prosecution against him was commenced, before Mr. Dufresne; that the only testimony given in the case was by two witnesses who spoke nothing but English, and whose statements were only explained to him by Mr. Dufresne in a general

way; and he was thereupon condemned in a penalty with costs, amounting in all to sixteen or eighteen shillings.

Upon the facts as stated by the deponent, it appears to me that the proceeding in question was instigated by Mr. Dufresne, that it was a vexatious one on his part, and that he was actuated in it by personal motives.

SPECIFICATION 22.—In this charge it is alleged that at a meeting of the inhabitants of the Parish in July, 1845, held under the provisions of 8 Vic., cap. 40, for the election of Municipal Councillors, Mr. Dufresne from personal motives, disturbed the proceedings of the meeting, and endeavored to prevent the election from taking place.

The proofs relating to the circumstances here averred, are to be found in the depositions of Jacques Edouard Pageot, (Transcript p. —) of Joseph Jobin, (Transcript p. —) witnesses on the part of the complainants; and in those of Jean Baptiste Jobin, Antoine Parent, Michel Drolet, and Jean Marie Robitaille, on behalf of Mr. Dufresne, (Transcript p. —).

Mr. Dufresne, as senior Justice of the Peace in the Parish, presided at the meeting, which appears to have early assumed a disorderly character; but it also appears to me, on considering the whole evidence, that the disturbance only began when Mr. Dufresne suggested the names of candidates for the office of Councillor, (himself among the number) and it went no further at first than a somewhat noisy opposition to his views. It is positively stated by J. E. Pageot and Joseph Jobin, that they saw Mr. Dufresne lay hold of a person and drive him through an open window. The fact of a person having rushed through an open window in consequence of a movement made by Mr. Dufresne, is confirmed by J. B. Jobin and J. M. Robitaille, two of Mr. Dufresne's witnesses. It is true that they and the other witnesses for Mr. Dufresne who were present at the meeting (Antoine Parent and Michel Drolet) state that they did not see Mr. Dufresne lay hold of any person; only one of them however (Drolet), goes the length of saying that Mr. Dufresne could not have done so without his seeing it: but when the tumultuous and disorderly character of the meeting is considered, and the number of persons necessarily present, it can hardly be supposed that any one person could have seen every movement made by Mr. Dufresne, amidst so general a confusion, and I am therefore disposed to give full weight to the positive declaration on oath of Pageot and Jobin, who are, both of them, highly respectable and intelligent men.

It appears that soon after this circumstance occurred, Mr. Dufresne being in a state of angry excitement, gathered up his papers and quitted the meeting, at which he ought to have continued to preside. Mr. Dufresne has, indeed, filed a paper in his own hand-writing (Appendix B to this Report), which he has endorsed, "*Livre de Poll, ou Feuille de Poll,*" purporting to be the Poll-Book, or paper, opened by him that day to take the votes; at the foot of which he has certified that he declared to the meeting that it was adjourned to the morrow, in consequence of violent proceedings tending to a tumult, although he had commanded the meeting several times to keep the peace, which was refused. This certificate purports to be dated the 14th July, 1845, and by the expression "*Je déclare publiquement à la dite assemblée que j'ajourne le poll,*" it would appear as if it had been prepared at, and read to the meeting. But all the witnesses declare that the meeting was on the 13th July (excepting one person, who could not remember the date), and in fact that was the day on which by law it was to be held. But even if there were not this reason to suppose that the paper in question was made up after the transaction, the statement it contains of violent conduct on the part of the persons present cannot outweigh the testimony of the witnesses who have deposed on oath as to the conduct both of the persons present at the meeting, and of Mr. Dufresne himself.

The witnesses on his behalf state that until he was troubled (*trouble*) his conduct at the meeting was quite proper; but the trouble appears to have consisted only in an opposition, somewhat vehement, to his views.

I am of opinion, therefore, that his conduct on that occasion was violent, irregular, and illegal.

SPECIFICATION 23.—In this charge it is alleged that Mr. Dufresne advised the inhabitants of the parish not to obey the School Act (9 Vic., cap. 27), saying that when a law was favorable (or acceptable), he would obey it, but that otherwise he would “trample it under foot;” that when requested, as the senior Justice of the Peace, to call a meeting of the inhabitants, as he was by law bound to do, for the purpose of complying with the provisions of the Act, he refused to do it, assigning for reason that he did not wish the people to be taxed; and that, in fact, he did not preside, as the law required, at the meeting subsequently held.

These allegations are fully proved by the deposition of Joseph Jobin. (Transcript, p. —).

Two deponents, indeed, on behalf of Mr. Dufresne, Antoine Hamel and Pierre Hamel (Transcript, p. —), state that they had often heard him speak publicly respecting the School Act, but had never heard the expressions attributed to him by Jobin, but, on the contrary, that Mr. Dufresne had always inculcated general obedience to the laws. But I do not conceive that this merely negative and general testimony can do away with, or countervail the positive and clear statement of Jobin, an unimpeached witness, who swears that he was present when Mr. Dufresne publicly used the expressions alleged in this charge.

SPECIFICATION 24.—In this accusation it is alleged that in various cases mentioned in it, Mr. Dufresne, after having condemned parties in penalties, or prosecutions before him, and after having received the amounts thereof, had not accounted for the same according to law.

In support of this very grave charge, amounting to one of embezzlement of public money, it is proved by the depositions of Jacques Dion (Transcript, p. —), of two men named Jean Robitaille (Transcript, p. —), and of Pierre Jobin (Transcript, p. —), that these several parties (and also one Jacques Jobin, the brother of Pierre) having been convicted at different times before Mr. Dufresne in the years 1838, 1839, 1840, and 1841, of small delinquencies, and sentenced to pay six several penalties, Mr. Dufresne had received from them the amounts of such penalty and costs.

By the deposition of Mr. Doucet, Joint Clerk of the Peace (Transcript, p. —), it appears that Mr. Dufresne only paid to the Clerks of the Peace, as required by law, the crown share of two penalties, in two out of four prosecutions against the Jobins; and that in making his returns to the office according to law, for year 1840, he stated that there had been no prosecutions or convictions for penalties before him in that year; and that Mr. Dufresne made no return for 1841.

In a written statement, called on account, filed before me on the 19th July and herewith transmitted (Appendix No. 3) Mr. Dufresne states that in these two cases (of the Jobins) and in a third case, in which he paid 7s. 6d. in all, as Penalties, the payment was so made by mistake; and that the amounts in which the Defendants were respectively condemned were in fact adjudged as personal damages, and were payable to the complaining parties, for trespasses, under the Act 6 Will. 4 cap., 56. He annexes to his statement extracts from his Register of convictions (the correctness of which I have verified) and he argues that having by this mistake paid to the clerks of the Peace, for the Crown, a larger sum than the amount of the Crown's share of the penalties, (*viz.*, five shillings) in the

other two cases of Robitaille and Dion, for which he does not allege that he has otherwise accounted, he is entitled to be discharged from blame for his neglect in two latter instances.

But I cannot admit the soundness of this reasoning; it attempts to justify one irregular proceeding by another, and to make an over-payment on one case a set-off against a default and misappropriation in another. It appears to me that it is no sufficient defence, for having made in 1841, no return and payment, as the law required, of the penalty received by him in that year from Dion; that he had made in 1840 a wrong return and payment in the other cases: Mr. Dufresne does not account in any way for a fine of 5s. which in 1840 he received from Jean Robitaille, upon a prosecution, at the instance of Michel Giron, as is proved by the deposition of Robitaille, (Transcript p.—) and by Mr. Dufresne's own statement herewith transmitted (Appendix A 6), and it appears that he made a false return to the clerk of the Peace for 1840, in stating that there had been no convictions for penalties before him in that year.

In another case of the prosecution against Robitaille on the information of Angele Fortier in October 1838, where Robitaille was condemned (as appears by documents filed by Mr. Dufresne, Appendix No. 4 and 5,) in a penalty of £2 10s, for selling liquor during Divine Service. Robitaille declares on oath that he paid Mr. Dufresne forty shillings in money and the remainder in work; while Mr. Dufresne affirms that he only received twenty-five shillings, and that the costs having amounted to more than that sum, he had nothing to pay over to the clerks of the Peace.

The only evidence produced by Mr. Dufresne to show that the sum received by him was 25s. in contradiction to the positive declaration of Robitaille that he paid him 40s., is a memorandum on the back of the original complaint or information, which Mr. Dufresne states that he made at the time of the payment, purporting that the sum was 25s.

But it appears that Mr. Dufresne never reported the conviction (or accounted for the sum he acknowledges to have received) as he ought by law to have done; and there is no evidence on oath to contradict the deposition of Robitaille, that Mr. Dufresne actually received 40s. in money besides value in labor; while at the same time Robitaille's statement is confirmed by the receipt which he produced in Mr. Dufresne's hand-writing, herewith transmitted, (Appendix A. 2,) acknowledging the receipt of the fine in that case.

I am therefore led to the conclusion that this charge also is substantially made out.

SPECIFICATION 25.—It is here alleged that Mr. Dufresne in 1840, violently expelled and ejected one Charles Molloy and his family from their dwelling house, and burned it down.

The evidence bearing on this charge will be found in the depositions of John Cutter and Margaret Herron, (Transcript p.—) and of James Kelly, a witness for Mr. Dufresne, (Transcript p.—).

On considering the whole evidence and particularly that of Kelly on whose land the pretended house (a mere log hut half shanty half pig-sty) was built and stood for a few weeks, and by whose request and authority Mr. Dufresne did the acts complained of, the whole charge appears to me exaggerated, unfounded, frivolous and vexatious.

SPECIFICATION 26.—This charge alleges against Mr. Dufresne various acts of provocation, outrage and insult, committed by him, while under the influence of intoxication, against different individuals.

The only proof that the complainants thought it necessary to bring forward in support of this charge, is found in the deposition of the Reverend Mr. Huot,

Curé of the Parish of Ste. Foy, Transcript p. —) which sufficiently establishes that Mr. Dufresne without the slightest apparent provocation or circumstance of extenuation, was guilty of most violent, outrageous and insulting conduct and language towards Mr. Huot, (creating alarm in the family,) first, in Mr. Huot's house, where Mr. Dufresne went on a matter of business connected with Mr. Huot's clerical duties; and afterwards outside of the house, when Mr. Huot had with great difficulty expelled him; and subsequently, on another occasion, at night, upon the highroad opposite the house, within hearing of the neighbors; his conduct and language on both occasions being such as could scarcely have failed to lead to a breach of the peace, or to some act of personal violence in self-defence, if the party so wantonly outraged had been any other than a Minister of Religion.

SPECIFICATION 27.—No proof has been adduced in support of this charge.

I have already stated above for your Excellency's information, in reasons, in general terms, which induced me not to require Mr. Dufresne to answer the charge of his having given many judgements or prosecutions brought before him, which have afterwards been quashed on *certiorari*, in the Court of Queen's Bench. The allegations on this head are contained in the 20th article of accusation. It only states that Mr. Dufresne's judgments in those cases were illegally and unjustly rendered; in other words that they were not agreeable to Law and Justice. But as this is the universal complaint when an unsuccessful or condemned party seeks a revision of a judgment against him, and as it was unaccompanied by any averment, in the charge before me, of malicious or corrupt motives or oppressive conduct on the part of Mr. Dufresne, I considered it to be sufficient to ascertain whether any ground for such an accusation was to be found in the Judgment of the Court of Queen's Bench quashing the convictions so appealed from. But on reference to those judgments I have found that they in no case contain an assignment of the reasons on which they were rendered; and that therefore there would be no means of discovering the existence of any such corrupt or wrong motives (even had they been averred) without trying the cases over again, and examining witnesses on both sides, as to Mr. Dufresne's conduct in each instance; into such an inquiry it did not appear to me, that by the Commission given to me, it was intended that I should enter. The accusation therefore as it stands, amounts to no more than that Mr. Dufresne in a number of cases tried before him, has given judgments which the Superior Court has determined to be erroneous. But there is still this consideration in his favor to be borne in mind, that in cases of *certiorari*, especially in prosecutions in the country Parishes, it must generally happen that the convicting Justice has no opportunity, unless he employs Counsel at his own expense, of justifying and supporting in the Superior Court, the proceedings had before him, so that the Court hears only the statements and arguments of the appealing party.

But in conclusion of the whole matter, I beg leave, with great deference and respect, to submit to Your Excellency's wisdom and judgments, the opinions I have been led to form upon a consideration of the evidence.

It appears to me to be sufficiently proved, that Mr. Dufresne, while in the Commission of the Peace, has repeatedly been guilty of unlawful assaults and breaches of the Peace against different persons, and of wanton and outrageous provocations, in other instances, to the like breaches of the Peace, by his language and conduct on the public highways, and elsewhere. That he has publicly interrupted in an indecorous manner the rites of Religion; and has threatened the life of one Minister of Religion, and grossly outraged and insulted another, without any provocation. And that almost all these acts appear to have proceeded from intoxication.

That in his function of Justice of the Peace, he has, from personal or vindictive motives, instigated the institution of prosecutions before him; and that, in such proceedings, being influenced by the like interested or partial motives, he has acted illegally, arbitrarily, corruptly, and partially;

That in his said capacity he has made a false return or returns of proceedings had and penalties levied before him; and has not accounted for or paid over penalties received by him.

And that when presiding, as a Justice of the Peace, at a public meeting held under a Provincial Statute, he behaved in a violent and unlawful manner, involving also, on his part, a breach of the peace, and that in another instance he publicly encouraged the people to disobey the law.

All which is respectfully submitted to your Excellency's wisdom.

(Signed,) ANDREW WILLIAM COCHRAN, Q.C.,
Commissioner.

QUEBEC, 14th August, 1848.

QUEBEC, 15th August, 1848.

Sir,—In transmitting to you, to be laid before His Excellency the Governor General, the Transcript of the Evidence taken before me on the inquiry into the charges preferred against L. F. Dufresne, Esquire, together with my Report thereon, I beg leave to enclose likewise three Petitions, or representations, in favor of Mr. Dufresne, purporting to be signed by a large number of the inhabitants of the parish where he lives, and where most of the acts of delinquency alleged against him are said to have been committed.

The parties complaining against Mr. Dufresne having heard that these Petitions had been placed in my hands, applied to me for communication of them, in order to be enabled to prove before me that they were not what they purport to be, but were subscribed with false signatures, or were signed by persons who were ignorant what they contained.

I refused such communication, on the ground that the representations, or Petitions in question, were merely addressed to His Excellency the Governor General, and could not in form or in substance come within the scope of the inquiry with which I was charged.

In transmitting them however for His Excellency's consideration, I beg leave to submit two observations upon them.

First, These Petitions are not, as it appears to me, what they profess or purport to be. They are three in number, and the names subscribed to them are about one hundred and sixty; and on each of the documents there is a certificate appended, signed by three persons (the same persons in each case), to the effect that the signatures are genuine, and were subscribed in their presence. But these certificates are manifestly false; for it will be evident to any person accustomed to the comparison of hand-writings, that of the one hundred and sixty names subscribed to these Petitions, scarcely one-fifth can have been written by the parties themselves, all the other names being in the writing of two, or at the most, three persons.

Secondly, The Petitions in themselves contain nothing to rebut the facts distinctly sworn to in the depositions taken before me. They amount to nothing

more than an imputation of personal and hostile feelings on the part of a certain individual (Mr. Vohl, who has taken, and admits and boasts that he has taken an active part in bringing forward the charges against Mr. Dufresne), and a declaration that Mr. Dufresne's general conduct and character has been satisfactory to the supposed signers.

I have the honor to be, Sir,

Your most obedient humble Servant,

(Signed,) A. W. COCHRAN,
Commissioner.

The Honorable R. B. SULLIVAN,
Provincial Secretary.

[*Translation.*]

To His Excellency JAMES, Earl of ELGIN and KINCARDINE, Knight of the Most Ancient and Most Noble Order of the Thistle, Governor General of British North America, and Captain General and Governor in Chief in and over the Provinces of Canada, Nova Scotia, New Brunswick, and Prince Edward's Island, and Vice-Admiral of the same, &c., &c., &c.

The Petition of the undersigned proprietors residing in Old Lorette, County of Quebec and in Portneuf,

HUMBLY SHEWETH:

That your Petitioners have seen with regret and indignation the vindictive efforts made by a certain Benjamin Vohl, a stranger and alien, against the character of Louis Flavien Dufresne, Esquire, Justice of the Peace, a gentleman who has resided among us for more than five and twenty years, during the whole of which time he has filled situations of trust and honor to our full and entire satisfaction.

That up to the moment when the said Benjamin Vohl came among us, we lived in peace and harmony, but unhappily since that time we have had nothing but continual cabals and quarrelling; of which he alone is the cause. The loyalty and superior position always approved and maintained by Mr. Dufresne in the estimation of the different Executive Governments in Canada, and of your Petitioners, have been alone the cause of the attempts of the said Benjamin Vohl to destroy the character of Mr. Dufresne, in the public opinion.

That it is to be regretted that some among us have been induced to sign the petition against Mr. Dufresne, by false and malicious representations made to us by the said Benjamin Vohl, and tending to injure the character of Mr. Dufresne, which is most assuredly irreproachable.

That your Petitioners, consisting of the proprietors and inhabitants of the Parish, respectfully represent that they are of opinion that the unjust and frivolous accusations brought against Mr. Dufresne should be laid aside, so that your Petitioners may continue to enjoy the benefit of the services of this gentleman, who has for so long a time faithfully protected the interests of your petitioners; and this, both as a recompense to himself and as confirming that esteem of his fellow-citizens to which he is so justly entitled.

Wherefore, your Petitioners pray that the complaints brought against Monsieur Dufresne be declared by Your Excellency to be frivolous and unfounded, and that he be continued in his present position, to the advantage of his fellow-citizens; and your Petitioners will ever pray.

(Signed,) PIERRE BOILEAU, Senior,
And forty-one others.

[Translation.]

OLD LORETTE, 30th June, 1848.

WE, the undersigned, certify by these presents that the names and signatures on the above Petition are the true names and signatures of the Petitioners, proprietors and cultivators of the abovementioned Parish, as given and signed in our presence; in testimony whereof we have signed these presents, to serve and have effect as may be required.

(Signed,) JOSEPH HAMEL, late Churchwarden.
" MICHEL GIRARD, Lieutenant of Militia.
" FRANÇOIS DIDACE PICHE, Teacher.

[Translation.]

(The Second Petition is similar to the First.)

Signatures to the Second Petition.

PIERRE HAMEL,
And fifty-five others.

PARISH OF OLD LORETTE, 25th of June, 1848.

[Translation.]

OLD LORETTE, 30th June, 1848.

WE, the undersigned, certify by these presents that the names and signatures on the above Petition are true names and signatures of the Petitioners, proprietors and cultivators of the abovementioned Parish, given and signed in our presence; in testimony whereof we have signed these presents, to serve and have effect, as may be required.

(Signed,) JOSEPH HAMEL, late Churchwarden.
" M. GIRARD, Lieutenant of Militia.
" FRANÇOIS DIDACE PICHE, Teacher.

[Translation.]

The third Petition is similar to the first.

Signatures to the Third Petition.

(Signed,) JOSEPH HAMEL, Churchwarden in Office.
And sixty-two others.

OLD LORETTE, 25th June, 1848.

[Translation.]

OLD LORETTE, 30th June, 1848.

WE, the undersigned, certify that the names and signatures on the above Petition, are true names and signatures of the Petitioners, proprietors and cultivators of the above mentioned Parish of Old Lorette, given and signed in our presence; in testimony whereof, we have signed these presents, to serve as may be required.

(Signed,) JOSEPH HAMEL, late Churchwarden,
MICHEL GIRARD, Lieutenant of Militia,
FRANÇOIS DIDACE PICHE, Teacher.

[Translation.]

SECRETARY'S OFFICE,

MONTREAL, 26th August, 1848.

Sir,—I am commanded by the Governor General to inform you that His Excellency, after having attentively examined the documents connected with the inquiry which has been recently made on the complaints made against you, finds himself under the painful necessity of ordering your dismissal from the commission of the Peace for the District of Quebec, as well as from every other situation or office which you may hold under the Provincial Government of Her Majesty.

I have the honor to be, Sir,
Your obedient Servant,

(Signed,) R. B. SULLIVAN,
Secretary.

Mr. F. DUFRESNE,
OLD LORETTE,
District of Quebec.

[Translation.]

SECRETARY'S OFFICE,

MONTREAL, 26th August, 1848.

Sir,—In reference to your letters of the 15th September, 1847, and the 7th July last, relating to the complaints brought against Mr. F. Dufresne, of Old Lorette, I have the honor to inform you, by command of the Governor General, for your information and that of the petitioners, that His Excellency after an attentive examination of the documents connected with the inquiry made on the said complaints, has come to the determination of dismissing Mr. Dufresne from the Commission of the peace for the District of Québec, as well as from every other office or situation under the Provincial Government of Her Majesty.

I have the honor to be, Sir,
Your most obedient Servant,

(Signed,) R. B. SULLIVAN,
Secretary.

P. J. O. CHAUVEAU, Esquire, M.P.P.,
Quebec.

SECRETARY'S OFFICE,

MONTREAL, 26th August, 1848.

Gentlemen,—I have it in command from the Governor General to acquaint you, for your information and guidance, that His Excellency has been pleased to direct the preparation of an instrument for discharging the name of Louis Flavien Dufresne, Esquire, of *L'Ancienne Lorette*, from the Commission of the Peace for the District of Quebec.

I have the honor to be, Gentlemen,
Your obedient Servant,

(Signed,) R. B. SULLIVAN,
Secretary.

Messrs. PERRAULT and DOUCET,
Clerk of the Peace,
Quebec.

SECRETARY'S OFFICE,

MONTREAL, 26th August, 1848.

Sir,—I have the honor by command of the Governor General, to inform you, that His Excellency has been pleased to direct the dismissal of Major Louis F. Dufresne, of the 11th Battalion of Militia, for the County of Quebec, from the Militia of the Province, on charges of misconduct, preferred and proved against him in his capacity of a Magistrate.

You will accordingly be good enough to erase Mr. Dufresne's name from the list of Field Officers.

I have the honor to be, Sir,
Your obedient Servant,

(Signed,) R. B. SULLIVAN,
Secretary.

Lieutenant Colonel A. DeSALABERRY,
Deputy Adjutant General of Militia,
&c., &c., &c.

SECRETARY'S OFFICE,

MONTREAL, 26th August, 1848.

Gentlemen,—I have it in command from the Governor General to desire that you will be good enough to erase the name of Louis Flavien Dufresne, Esquire, of L'Ancienne Lorette, from the list of senior qualified magistrates, entitled to receive the Official Gazette.

I have the honor to be, Gentlemen,
Your obedient Servant,

(Signed,) R. B. SULLIVAN,
Secretary.

The QUEEN'S PRINTER,
&c., &c., &c.

APPENDIX TO REPORT.

- No. 1.—*Moyens de Plaintes*, or Specification of facts, by the complainants.
No. 2.—Answer of Mr. Dufresne.
Letter A.—Transcript of Evidence before Commissioner.
—A. 2.—A. 3.—A. 4.—A. 5.—A. 6.—Exhibits filed by complainants.
No. 4.—Accounts of monies filed by Mr. Dufresne, (with extracts of his Register, and remarks.)
No. 5.—Copy of an information and proceedings before him in a prosecution against Jean Rôbitaille, filed by Mr. Dufresne.
Letter B.—*Livre ou feuille de Poll*. Filed by the same.

(Signed,) A. W. C.

[Translation.]

APPENDIX No. 1.

PROVINCE OF CANADA, }
DISTRICT OF QUEBEC. } BEFORE THE COMMISSIONER.

On the Petition of JACQUES ED. PAGEOT and BENJAMIN VOHL, *et al.*

To the Honorable ANDREW W. COCHRAN, Commissioner, appointed to investigate the Complaints enumerated and contained in the Petition of the undersigned parties; bearing date the 12th June last.

The undersigned, signers of the Petition of the 12th June of this present year to His Excellency the Governor General of Canada, by which they complain of the conduct and acts of Louis Flavien Dufresne, Esquire, one of Her Majesty's Justices of the Peace for the District of Quebec, of the Parish of Old Lorette, in the County of Quebec, in the District of Quebec, in that part of the Province of Canada formerly called Lower Canada, to conform to the notice or notification dated the 24th of September last, of the abovementioned Honorable Commissioner appointed to investigate the complaints aforesaid, also to diminish as much as possible the labours of the said Commissioner, as well as to lessen the expenses, ground themselves, among other matters, on the facts specially enumerated, and on those more generally hereinafter set forth, as arguments of complaint affirmed against the said Louis Flavien Dufresne, both as a private person and as Justice of the Peace as above stated, of which they offer to give proof, and profess to establish hereafter, with the express reserve of being admitted to prove all and every the general allegations contained in the said Petition, if need be: in consequence the abovementioned signers set forth and assert the following, as particular grounds of the complaints above stated, that is to say:—

No. 1.—*Witness: Augustin Huard and Dame Huard, of the City of Quebec.*

That a certain Augustin Huard and his wife, then of the said parish, and now of the City of Quebec, when peaceably returning home, during the month of September, one thousand eight hundred and forty-one, met, in a field of the aforesaid parish, the said Louis Flavien Dufresne, Esquire, Justice of the Peace, who, armed with an axe, came to them in an angry and threatening manner, and insulted and abused them, reviling them in unmeasured terms, and holding the axe uplifted; after which he threw the said axe towards them, which fell near the woman Huard.

No. 2.—*Witness: Jean Robitaille, Lieutenant of Militia, of Old Lorette.*

That a certain Jean Robitaille, cultivator, of the above mentioned parish, being one day peaceably at work on his land, in the said Parish, that is to say, about All Saints' Day, in the year one thousand eight hundred and forty-four, saw the said Louis Flavien Dufresne, Esquire, Justice of the Peace, who armed with an axe, sought to pick a quarrel by abuse and provocation, holding his axe lifted in a threatening and angry manner against the said Jean Robitaille.

No. 3.—*Michel Drolet, Churchwarden; Francois Lepine, Cultivator; and Charles Alain, also a Cultivator; all of the Parish of Old Lorette.*

That, to the great scandal of the inhabitants of the said Parish, the said Louis Flavien Dufresne, Esquire, Justice of the Peace, in July, one thousand eight

hundred and forty-five, under pretence of preserving public order, did veritably disturb, by a zeal manifestly specious, affected and insulting, the profound quiet which prevailed among a certain number of inhabitants engaged in prayer at the foot of a cross, raised in a public place of the said Parish.

No. 4.—*Jean Baptiste Drolet, Cultivator, of the Parish of Old Lorette.*

That, without any provocation, the said Louis Flavien Dufresne, Esquire, Justice of the Peace, in one of his excursions in the said Parish, at about ten o'clock at night, in August, one thousand eight hundred and forty-five, being under the influence of intoxicating liquors, stopped at the house of Jean Baptiste Drolet, Cultivator, of the said Parish, where he committed an assault and battery on the person of the son of the said Jean Baptiste Drolet; heaped abundance of abuse and insult on the said Jean Baptiste Drolet and all his family; threw several stones at the house of the said Jean Baptiste Drolet, and finally retired, after having for a length of time provoked and insulted the said Jean Baptiste Drolet and all his family, who were the whole time peaceably at home.

No. 5.—*Jacques Plamondon, senior, Churchwarden, of the Parish of Old Lorette.*

That, without any provocation, the said Louis Flavien Dufresne, Esquire, Justice of the Peace, in another of his excursions in the said Parish, at about ten o'clock at night in August, one thousand eight hundred and forty-seven, being then under the influence of spirituous liquors, stopped near the house of Jacques Plamondon, churchwarden and cultivator, in the said Parish, at that time peaceably at home with his family, where, after having for some time annoyed, abused and provoked him, he finally called him a Church robber, as well as the other churchwardens and the *Curé*, then speaking of the churchwardens of the church-endowment (*œuvre et fabrique*) of the Parish church of Notre Dame de l'ancienne Lorette, and of Messire Joseph Laberge, priest and *Curé* of the said Parish.

No. 6. — *Witnesses: Perrault and Doucet, Clerks of the Peace, Quebec.*

That the said Louis Flavien Dufresne, Esquire, Justice of the Peace, in the course of another of his nocturnal excursions, in the City of Quebec, was taken, on or about the twenty-fifth of April, one thousand eight hundred and forty-five, to the Police Office of the City of Quebec, before Joseph André Taschereau, Esquire, Justice of the Peace, at that time Inspector and Superintendent of Police in the said City of Quebec, and then and there sentenced by this Magistrate to the fine specified in the judgment which he rendered against the said Louis Flavien Dufresne, Esquire, Justice of the Peace, for the causes, motives, and reasons therein mentioned, in support of which allegation the signers have already produced a copy of the said judgment, in support of the complaints contained in their Petition of May, one thousand eight hundred and forty-five, addressed to His Excellency the late Lord Metcalfe, in his lifetime Governor General of the Province of Canada, against the said Louis Flavien Dufresne, Esquire, Justice of the Peace, the said abovementioned Petition and copy of the judgment, being now in the possession of the above said honorable Commissioner.

No. 7. — *Witnesses: Charles Robitaille, Cultivator; Madame Pageau, wife of Jacques Edouard Pageau, ex-Major; George Jeunesse, laborer, all of the Parish of Old Lorette; Jean Brousseau, laborer, Old Lorette.*

That the undersigned are prepared to prove that the said Louis Flavien Dufresne, Esquire, Justice of the Peace, in place of having maintained, and

maintaining order in the said Parish, has attempted to break the peace therein, by his notices, his counsels, his solicitations, and his promises; has frequently taken, and still takes pleasure in breaking the peace therein, both by night and day, on the public highways and at the residences of individuals, by his provocations, his insults, his abuse, and his assaults and batteries, which they offer to prove by those persons themselves, who have suffered from his proceedings and his actions, inasmuch as the undersigned are unable to conform absolutely to the notice or notification of the abovementioned Commissioner, in relation to the whole of their just complaints against the magistrate aforesaid, those persons who have suffered from the acts and actions of the said judge declining to give the particulars required and exacted by the notice or notification aforesaid. Wherefore the signers refer to the general allegations contained in their Petition of the 12th of June last, and offer to give general proof of these allegations; but the signers can cite an assault and battery committed on the person of Charles Robitaille, cultivator, of the said Parish, in the public highway of the Parish aforesaid, by the said Magistrate, and also another assault and battery committed on the person of the wife of Jacques Edouard Pageau, of the Parish aforesaid, in the public highway of the said Parish, by the said Louis Flavien Dufresne, Esquire, Justice of the Peace, and do affirm and maintain that the said Magistrate advised and counselled George Jeunesse, of the said Parish, to beat and maltreat Benjamin Vohl, one of the above said signers, promising the said George Jeunesse to reward him, and assuring him that he would not be punished for so doing, without its being possible for the signers to give more ample information for the reasons hereinabove stated.

No. 8.—*Witnesses: François Beaupré, Cultivator, of the Parish of Old Lorette.*

That, the said Louis Flavien Dufresne, Esquire, Justice of the Peace, has on several occasions in the abovementioned parish, openly and spontaneously manifested the hatred which he cherished and still cherishes towards the said Messire Joseph Laberge, Priest and *Curé* of the said Parish, and has publicly and privately pronounced words and made remarks of a provoking and most offensive character, to the said Messire Joseph Laberge, Priest and *Curé* aforesaid, and among other words and remarks, said, on or about the tenth of August, one thousand eight hundred and forty-six "that he would as soon shoot the *Curé* as the "first dog he might meet;" then speaking of the said Messire Joseph Laberge, Priest and *Curé* as above mentioned.

No. 9.—*Witnesses: Burroughs and Fiset, P.B.R., Quebec, Jean Robitaille, Cultivator, Sous-Voyer of the Parish of Old Lorette. N.B.—Proof from the record in the cause ex parte Joseph Laberge, No. 1063.*

That by information, complaint and summons, dated the fourth day of the month of August, one thousand eight hundred and forty-six, issued at the suit of a certain Jean Robitaille, of the Parish of Old Lorette, cultivator, calling himself sub-inspector, (*sous-voyer*) of the roads of the aforesaid parish of Old Lorette, under the seal of Louis Flavien Dufresne, Esquire, Justice of the Peace, of the Parish of Old Lorette, above mentioned, the said Messire Joseph Laberge was summoned to appear before, and at the house of the said Louis Flavien Dufresne, Esquire, Justice of the Peace, in the said parish of Old Lorette, on Friday the seventh day of the month of August, one thousand eight hundred and forty six, at nine o'clock in the forenoon, to answer to an information and complaint brought against the said Messire Joseph Laberge by the said Jean Robitaille, to the effect that the said Messire Joseph Laberge had since the first day of June, one thousand eight hundred and forty-six, to the fourth of August of

the same year, neglected to repair and keep in order, the public highway in front of his land, in the concession called 'Concession St. Jean Baptiste' in the abovementioned Parish, according to law; and also to the effect that he neglected and refused, from the said first day of June, one thousand eight hundred and forty-six, to the fourth day of the month of August of the same year, in the Parish abovementioned, to put a stop to and remove all encroachments, hindrances and impediments in the said public highway in front of the said land, and this against the tenor of the Statute in such case made and provided.

No. 10.—*Witnesses: P. J. O. Chauveau, Esquire, Advocate, Quebec; Burroughs and Fiset, P.S.C., Quebec; Joseph Bedard, ex-inspector; Jean Robitaille, Sous-Voyer; François Mailly, Cultivator; Benjamin Vohl, optician, all of Old Lorette.*

That on the said seventh day of August, one thousand eight hundred and forty-six, the said Messire Joseph Laberge, appeared before the said Louis Flavien Dufresne, Esquire, Justice of the Peace; by Mr. Chauveau his Attorney, and objected to the said Louis Flavien Dufresne, Esquire, for the reasons following, that is to say:—

1. Because the said Louis Flavien Dufresne, Esquire, Justice of the Peace, was interested in the said suit, being proprietor of a land situate on the north side of the road, mentioned in the said complaint, the object of the suit being to have the said road widened on the south side at the expense of the proprietors of the lands on the north side, the land of the said Messire Joseph Laberge being situate on the south side.

2. Because the said Louis Flavien Dufresne, Esquire, Justice of the Peace, was the instigator of the said complaint, information and suit, and as such was prejudiced as to the merits of the said suit.

3. Because the said Louis Flavien Dufresne, Esquire, Justice of the Peace, since the issuing of the said summons and previously, had frequently expressed his opinion with reference to the information and complaint before him, and had said before several persons that the said Messire Joseph Laberge would be condemned on the complaint brought against him, and that he the said Louis Flavien Dufresne, Esquire, Justice of the Peace, was quite determined on giving his decision against the said Messire Joseph Laberge, whatever the said Messire Joseph Laberge might say or do to the contrary; and that thereby he the said Louis Flavien Dufresne, Esquire, Justice of the Peace, had disqualified himself and made himself incompetent to proceed to the hearing and deciding the cause before him.

4. Because the said Louis Flavien Dufresne, Esquire, Justice of the Peace, had himself displaced and broken the fence on the land of the said Messire Joseph Laberge, and himself given occasion for the complaint, information and suit before him.

P. J. O. Chauveau, Esquire, advocate, Quebec; Burroughs and Fiset, Quebec; B. Vohl, of Old Lorette.

That the said Louis Flavien Dufresne, Esquire, Justice of the Peace, went on, without taking any notice of the said grounds of exception.

Witnesses: Benjamin Vohl, optician; François Mailly, Joseph Bedard, ex-inspector, cultivator, all of the Parish of Old Lorette; P. J. O. Chauveau, Esquire, Joseph Robitaille, J.P., and Burroughs and Fiset, P.B.R., all of Quebec; Burroughs and Fiset, P.B.R., Quebec.

That the said Louis Flavien Dufresne, Esquire, Justice of the Peace, refused to receive and file the said grounds of exception, would not allow them to form

part of the record, and refused also to receive and file as forming part of the proceedings in the said cause, or information and complaint, the attestations under oath of Benjamin Vohl, of François Mailly, cultivator, and of Joseph Bedard, Inspector of Roads, who proved and established the facts alleged in and by the said grounds of exception.

Burroughs and Fiset, P.Q.B., Quebec.

That the said Mr. Chauveau drew up a written statement, taking exception to the judgment by which the said Justice of the Peace had decided on going on, and rejecting the papers and documents abovementioned, exceptions which the said Louis Flavien Dufresne, Esquire, Justice of the Peace, received and placed on record.

Witnesses: Burroughs and Fiset, P.Q.B., Quebec.

That under reserve of the said objection, as abovementioned, the said Messire Joseph Laberge, by the ministration of his attorney as aforesaid, then raised an objection in law to the proceeding before the said Louis Flavien Dufresne, Esquire, Justice of the Peace, namely, that the complaint and information before the said Louis Flavien Dufresne, Esquire, Justice of the Peace, were lodged by the said Jean Robitaille as Sub-Inspector (*Sous-Voyer*) of the roads of the Parish of Old Lorette, and that according to the law and the statutes then in force, neither the said Jean Robitaille, as Sub-Inspector, nor any other sub-inspector, was entitled to sue for the offence set forth in the said complaint and information, but that the said complaint and information ought to have been made and sued by the then Corporation of the Parish of Old Lorette, and in the name of the said Corporation, according to the law and the statute in such case made and provided.

That the said objection was set forth and reduced to writing under the appellation of a *demurrer* by the said Mr. Chauveau, and received and filed by the said Louis Flavien Dufresne, Esquire, Justice of the Peace, and formed part of the record and proceeding before him; and that notwithstanding, the said Louis Flavien Dufresne, Esquire, Justice of the Peace, went on to hear and determine the said cause on the merits.

Witnesses: Burroughs and Fiset, P.Q.B., Quebec.

That the said demurrer, or objection in law, was well founded, inasmuch as by the 8th Victoria, cap. 40, provision was made for the establishment of Municipal Corporations in each Parish or Township, which were empowered to direct the works required by law, for the maintenance, construction and repair of the public roads, and that the said Corporations were alone charged to see to the execution of the laws in force, on this subject, and had the power of appointing inspectors and sub-inspectors, who, as well as the other officers of the said Corporations, were but the servants of the said Corporations, and could only act and sue in the name, by the authority, and with the sanction of the said corporations; and therefore that the parish of Old Lorette, being at that time erected as a corporation in the manner provided by the Statute above recited, the inquiry, complaint and suit against the said Messire Joseph Laberge could only be brought by and in the name of the said Corporation, which, by the said Statute had the right of suing and being sued by its name, as abovementioned; and that the said Louis Flavien Dufresne, Esquire, Justice of the Peace, by taking cognizance of the said complaint and inquiry, hath exceeded the limits of his jurisdiction.

No. 12.—*Burroughs and Fiset, P. Q. B., Quebec.*

That the said Messire Joseph Laberge, with the reserves and exceptions above mentioned, pleaded not guilty, and denied generally all the facts alleged against him in and by the complaint and inquiry abovementioned, and that the said plea was drawn up and reduced to writing by the said Mr. Chauveau, and received and placed on record by the said Louis Flavien Dufresne, Esquire, Justice of the Peace.

Jacques Plamondon, Junior, Old Lorette; Burroughs and Fiset, P. Q. B., Quebec.

That the witnesses examined on either side did not prove that the said Messire Joseph Laberge, had at any time neglected or refused to repair and keep in good order, the aforesaid road on the front of his land, as alleged in the said complaint and information, but that on the contrary it was proved by the witnesses who were then examined on either side, that the said road on the front of the land of the said Messire Joseph Laberge, had been, and was in good condition.

Jacques Plamondon, Junior, and Jacques Plamondon, Senior, Churchwarden, both of Old Lorette; Burroughs and Fiset, P. Q. B., Quebec.

That there was not proven any impediment, hindrance, or encroachment, resulting from the act of the said Messire Joseph Laberge, as erroneously alleged by the complaint and information beforementioned, and that it was proved to the contrary by the witnesses examined on either side, that the fence on the front of the land of the said Messire Joseph Laberge was where it has always been, from time immemorial.

Witnesses: Benjamin Vohl, optician; François Mailly, cultivator, both of Old Lorette; Burroughs and Fiset, P. Q. B., Quebec; Jean Brousseau, laborer, Old Lorette.

That it was proven by Benjamin Vohl and François Mailly, witnesses cited on behalf of the said Messire Joseph Laberge, that the said Louis Flavien Dufresne, Esquire, Justice of the Peace, had himself broken and taken down the fence in front of the land of the said Messire Joseph Laberge, and thrown the bars of the said fence in the said road; and that if there had existed any impediment, it proceeded solely from the act and malice of the said Louis Flavien Dufresne, Esquire, Justice of the Peace, and was in nowise the fault of the said Messire Joseph Laberge.

Joseph Bedard, ex-Inspector, of Old Lorette; P. J. O. Chauveau, Esquire, Advocate; Burroughs and Fiset, P. Q. B., Quebec.

That no proof was made of the existence, according to law, either of any *procès verbal* of the said road in front of the land of the said Messire Joseph Laberge, or of the obligation under which the said Messire Joseph Laberge was to repair and keep in order the said road.

Jean Robitaille, ex-Sub-Inspector, Old Lorette; Burroughs and Fiset, P. Q. B., Quebec.

That there was no legal and sufficient proof made of the quality of sub-Inspector (*Sous-Voyer*) of the said parish, which the said Jean Robitaille assumed.

No. 13.—*Witnesses: Joseph Bedard, ex-Inspector, Jean Robitaille, ex-Sub-Inspector, both of Old Lorette; P. J. O. Chauveau, Esquire, Advocate; Joseph Robitaille, J.P., both of Quebec; the Reverend J. Laberge, and B. Vohl, of Old Lorette.*

That during the whole proceeding before him, the said Louis Flavien Dufresne, Esquire, Justice of the Peace, conducted himself in a partial and arbitrary manner, that before proceeding to the hearing of witnesses, the said Louis Flavien Dufresne, Esquire, Justice of the Peace, and sitting as such, said then and there, in the presence of the witnesses and others, that the said Messire Joseph Laberge was a delinquent and a culprit, and that he would cause him to be prosecuted in the Criminal Court for a nuisance; that the said Louis Flavien Dufresne, Esquire, Justice of the Peace, as above mentioned, did not examine the said Jean Robitaille as a witness, although he was present, and that the said Jean Robitaille did not take any part, either by himself or by the ministry of any Attorney, in conduct of the cause; but that the said Louis Flavien Dufresne, Esquire, Justice of the Peace, himself examined the witnesses for the prosecution, and cross-examined the witnesses for the defence, and that by so doing, he the said Louis Flavien Dufresne, Esquire, Justice of the Peace, proceeded without the ministry of any clerk or writer, and frequently refused to take note of the answers of the witnesses when they were favorable to the Reverend Joseph Laberge, and that in entering certain parts of the testimony which were favorable to the said Reverend Joseph Laberge, the said Louis Flavien Dufresne, Esquire, Justice of the Peace, said that he knew very well how to make other notes, and that he would make as many different kinds of them as he pleased, or making use then and there of other expressions to the same effect; that in interrogating the witnesses, the said Louis Flavien Dufresne, Esquire, Justice of the Peace, suggested to them answers unfavorable to the said Reverend Joseph Laberge, and intimidated them; and that the said Louis Flavien Dufresne, Esquire, Justice of the Peace, in addressing one of the witnesses by him examined, said to this witness:—"State, then, that the fence was in the road," meaning the fence in front of the land of the said Reverend Joseph Laberge, as alleged in the complaint, information and summons in the said cause, and that by reason of the conduct of the said Louis Flavien Dufresne, Esquire, sitting and acting as Justice of the Peace as above mentioned, the proceedings in the said cause were altogether oppressive and vexatious, and evidently carried on in the interest of the said Louis Flavien Dufresne, Esquire, Justice of the Peace.

Witnesses: P. J. O. Chauveau, Esquire, Advocate; Burroughs and Fiset, P.Q.B., Quebec; Jacques Edouard Pageau; and B. Vohl, both of Old Lorette.

That without any regard to the recusation or legal protest, before mentioned, or to the defence and pleading of the said Reverend Joseph Laberge, and despite the absence of all legal proof against the said Reverend Joseph Laberge, and in support of the complaint, information and summons aforesaid, the said Louis Flavien Dufresne, Esquire, Justice of the Peace, as above mentioned, did arbitrarily, illegally, unjustly, and without authority so to do, condemn the said Reverend Joseph Laberge, to a fine of five shillings and costs, the whole amounting to the sum of one pound two shillings, currency, as appears by the minute of costs in the said cause, under the folio A. 7, now produced, and, moreover, to discontinue and remove immediately every impediment, hindrance, or encroachment, which might then be found on the public highway, in front of the land of the said Messire Joseph Laberge, and this at his cost and expense.

No. 14.— *Witnesses: Burroughs and Fiset, P.Q.B., Quebec.*

That by virtue of these reasons and motives in fact and in law, hereinabove set forth, the said judgment is null and illegal, and given without jurisdiction, inasmuch as the complaint or information before the said Justice of the Peace, accused the said Reverend Joseph Laberge of two different offences, restrained by different enactments of the law and subject to different penalties, and that the said judgment does not specify of which offence the said Reverend Joseph Laberge is, or has been found guilty, and that thereby the conviction is vague and insufficient, and that moreover the time at which the said offence was committed, is not specified therein,

Burroughs and Fiset, P.Q.B., Quebec.

Also, because the said judgment does not specify the fine according to the law and the statutes now in force, and because the said judgment does not state into whose hands the fine imposed ought to be paid.

Burroughs and Fiset, P.Q.B., Quebec.

Because the said judgment condemns the said Defendant to put an end to, and immediately remove every impediment, hindrance, or encroachment on the public highway in front, on the land of the said Defendant, without specifying in what consist the said impediments, hindrances, or encroachments, and in law the said judgment is null and illegal.

Witnesses: Burroughs and Fiset, P.Q.B., Quebec.

Because the said Judgment condemns the said Defendant to pay the costs of the said prosecution, and the said costs are not taxed and determined by the said judgment.

Jacques Edouard Pageau and B. Vohl, both of Old Lorette, and production of the record formerly in the possession of the Corporation of Old Lorette, and copy of the same by the proper officer of the Municipality of the County of Quebec, now in possession of the said record relative to the tracing of the road in question, or by such other person as may be in possession of the said record.

That, moreover, the signers pretend that there is not, legally, any road traced by any *procès verbal* in the place described and designated in the complaint, information, and summons, and the judgment in the above said cause, and that the tracing or widening of the road in question was within the province of the late Corporation of the Parish of Old Lorette, which was at that time taken up with petitions relating to existing disputes between the parties interested in this matter, and that, nevertheless, the said Louis Flavien Dufresne, Esquire, Justice of the Peace, absolutely exceeded his jurisdiction by taking cognizance of the said prosecution, and that thus the judgment rendered by the said Magistrate is unjust, illegal, vexatious, and an abuse or excess of jurisdiction on his part.

No. 15.— *Witnesses: Burroughs and Fiset, P.Q.B., Quebec; P. J. O. Charvau, Esquire, Advocate, Quebec; the Reverend Joseph Laberge and B. Vohl, both of Old Lorette.*

That moreover, the signers pretend, that the said Reverend Joseph Laberge notified among others the said Louis Flavien Dufresne, Esquire, Justice of the

Peace, that he intends obtaining a revision of the judgment of the said Magistrate, by Her Majesty's Court of Queen's Bench, in the District of Quebec, as appears by notice to the said Mr. Chauveau, and to the said Louis Flavien Dufresne, Esquire, and Jean Robitaille, dated Quebec, the nineteenth of August, one thousand eight hundred and forty-six, the said Louis Flavien Dufresne having written a threatening and abusive letter, dated Lorette the seventeenth of August one thousand eight hundred and forty-six, to the said Reverend Joseph Laberge, evidently with a view of intimidating him and inducing him not to have recourse to the writ of *certiorari*, the only means that remained to the said Reverend Joseph Laberge of obtaining justice, in support of which allegation the signers produce the said letter, under letter A 4.

No. 16.—*Burroughs and Fiset, P. Q. B., Quebec.*

That by writ of *certiorari* issued on the twenty-eight of August, one thousand eight hundred and forty-six, according to the Petition of the same date, on the part of the said Reverend Joseph Laberge, addressed to the Honorable Judges of Her Majesty's Court of Queen's Bench, of the District of Quebec, the said complaint, information, and summons were evoked to Her Majesty's Court of Queen's Bench, of the District of Quebec.

No. 17.—*Witnesses: Joseph Bedard, ex-Inspector, the Reverend Joseph Laberge, both of Old Lorette; P. J. O. Chauveau, Esquire, Advocate, Quebec.*

That while the said Court was thus occupied with the information, complaint and summons above mentioned, of the fourth of August, one thousand eight hundred and forty-six, the said Louis Flavien Dufresne, Esquire, Justice of the Peace, by his letter dated "Old Lorette, eleventh of June one thousand eight hundred and forty-seven, addressed to Joseph Bedard, Road Inspector, in the said "Parish, threatened and endeavored to intimidate the said Joseph Bedard, for the "purpose of inducing him to bring a new information and complaint before the "said Magistrate, for the specious reasons mentioned in the said letter, which had "already given rise to the information, complaint and summons of the fourth of "August, one thousand eight hundred and forty-six, then pending and undecided "before Her Majesty's said Court of Queen's Bench of the District of Quebec," in confirmation of which the signers produced the said letter, under the mark A, 5, and also another letter of the said Magistrate, dated Old Lorette, the twenty eighth of July, one thousand eight hundred and forty-six, addressed to the said Joseph Bedard, Road Inspector, in the said Parish, under the letter A 3.

No. 18.—*Witnesses: Burroughs and Fiset, P. Q. B., Quebec.*

That the judgment rendered on the said information, complaint, and summons, by the said Louis Flavien Dufresne, Esquire, Justice of the Peace, against the said Reverend Joseph Laberge, was, in the cause *ex-parte*, Joseph Laberge, No. 1063, declared null and void by judgment of Her Majesty's Court of Queen's Bench of the District of Quebec, dated the twenty-first day of July last, which is now herewith produced.

No. 19.—*Burroughs and Fiset, and Stephen Tanswell, Esquire, all of Quebec.*

That the above said information, complaint, and summons of the fourth of August, one thousand eight hundred and forty-six, as also the beforementioned judgment, rendered by the said Magistrate, were illegal, vexatious, and unjust in the extreme; in consequence of which the said Reverend Joseph Laberge was obliged

to make application, by writ of *certiorari*, as aforesaid, and found himself subjected to considerable expenses, which were altogether lost to him, inasmuch as he could not in law carry the matter farther: which gave occasion to the said Louis Flavien Dufresne, Esquire, Justice of the Peace, after the intervention of judgment as aforesaid, in the said Court of Queen's Bench, in the said cause, to remark, "no matter, he has paid handsomely for it, and I shall certainly prosecute him again;" then speaking of the Reverend Joseph Laberge, of the abovementioned judgment which had thus been rendered by the said Louis Flavien Dufresne, Esquire, Justice of the Peace, against the said Reverend Joseph Laberge, and of the judgment intervened in the said Court of Queen's Bench, as before stated, in the abovementioned cause; in corroboration of all which allegations relating to the aforesaid information, complaint, and summons of the fourth of August, one thousand eight hundred and forty-six, and to the writ of *certiorari* emanated in the cause *ex parte* Joseph Laberge, No. 1063, the signers will cause to be produced the record in the above last mentioned cause, and will file a copy of the same, and also a copy of the judgment beforementioned intervened in the aforesaid cause, in Her Majesty's said Court of Queen's Bench, in the District of Quebec, and also a copy of the statement of costs incurred in the same, the whole duly certified by those whom it may concern.

No. 20.—*Witnesses: Burroughs and Fiset, P.Q.B.; F. R. Angers, Esquire, Advocate, all of Quebec.*

That the signers state positively that the said Louis Flavien Dufresne, Esquire, Justice of the Peace, pretending to fulfil the duties of his office, has, at different times, unjustly and illegally condemned a number of the inhabitants of the said parish, on information, complaint, and summons brought against them before him, and that in support of this allegation, they cite and produce all such judgments rendered by the said Magistrate which have been on issue of a writ of *certiorari* evoked to Her Majesty's Court of Queen's Bench, in the District of Quebec, in the following causes, that is to say, No. 1487, *ex parte* Olivier Doré; No. 381, *ex parte* Louis Laberge; No. 2037, *ex parte* Michel Cantin; No. 2038, *ex parte* Louis Carreau; No. 2036, *ex parte* Jacques Rochette; No. 2035, *ex parte* Louis Laberge, and which have been all declared null and void by judgments given in Her Majesty's Court of Queen's Bench, in the District of Quebec, at different times, in the aforesaid causes, to the great detriment, nevertheless, of the abovenamed parties, who have been all obliged to make application by writ of *certiorari* as abovesaid, and who have thus found themselves all subjected to considerable expenses, inasmuch as they are and were unable to recover these costs by legal process: in support of which said allegations, the signers produce copies duly certified of the judgments given in the aforesaid causes, in Her Majesty's Court of Queen's Bench, in the District of Quebec, and of the bills of costs incurred by the abovenamed parties in the causes aforesaid.

No. 21.—*Witnesses: Jean Robitaille, wheelwright; Joseph Hamel, senior, joiner; Jacques Dion, ex-Sub-Inspector, cultivator, all three of Old Lorette; and Théophile Dufresne, Esquire.*

That the signers assert as a fact that the said Louis Flavien Dufresne, Esquire, Justice of the Peace, has abused through passion his authority as Justice of the Peace, and has availed himself thereof to intimidate unjustly, and to harass by illegal prosecutions, a number of inhabitants of the said Parish, and many officers of the same, in support of which allegations they invoke a prosecution brought by instigation of the said Magistrate against Jean Robitaille, formerly Sub-Inspector of the said Parish, who, shortly before the said prosecution, had

refused to prosecute with partiality several inhabitants of the said Parish, whom the said Magistrate had particularly pointed out to him, and whom he accused of not having kept up and repaired the public highway, in front of their lands, according to law, while the roads of these inhabitants had been, and were then, as good as those of the other inhabitants of the said Parish, but that the public highway in front of the land of the said Magistrate has been, and was then, in a worse condition than those of the inhabitants of the said Parish, to such an extent that Joseph Hamel, formerly Road Inspector of the said Parish, has had the road of the said magistrate repaired at his own cost, from fear of incurring the resentment of the said magistrate, if the latter were obliged to fulfil the law in this respect: and, in addition, another prosecution brought, in the month of January, between the second and the ninth, one thousand eight hundred and forty-one, against Jacques Dion, in his quality of Sub-Inspector of the said Parish, by a person unknown, in which two abovementioned prosecutions, the said Louis Flavien Dufresne, Esquire, Justice of the Peace, sat as Magistrate, and condemned the said Jean Robitaille and Jacques Dion, to the fine and costs shewn further by a memorandum of costs, entitled, "Costs in the cause of the Queen and Michel Girard, *qui tam*, Plaintiff, and Jean Robitaille. Defendant, under letter A 6," the said memorandum being under the signature Philip Dufresne, Esquire, Clerk, produced by the signers, who are unable to give any more ample particulars of the said cases, because many of the inhabitants of the said Parish, not venturing to complain of the said Magistrate, or even to contest the prosecutions brought against them, before him, refuse to give the signers particulars of information, from the fear of finding themselves involved in prosecutions which might exceed their means.

No. 22.— *Witnesses: Joseph Jobin, ex-Counsellor; Joseph Hamel, junior, joiner; Benjamin Vohl, optician; and Jacques Edouard Pageau, ex-Mayor, all of Old Lorette.*

That the said Louis Flavien Dufresne, Esquire, Justice of the Peace, did in the said Parish, on the thirteenth of July, one thousand eight hundred and forty-six, disturb, by his personal interest and resentment, the inhabitants of the said Parish, at that time peaceably assembled therein to proceed to the election of their Municipal Councillors, conformably to the Provincial Statute 8th Victoria, cap. 40, and did then and there attempt, by indirect means and under unjust pretexes, to cause them to lose the opportunity of proceeding to their said election and of complying with the requirements of the law, the said inhabitants having previously refused to elect the said Louis Flavien Dufresne, Esquire, Justice of the Peace, as one of their Municipal officers at the said election, where he solicited in vain the votes of the inhabitants as candidate at the said election.

No. 23.— *Witnesses: Joseph Jobin, ex-Councillor, cultivator; Joseph Hamel, junior, joiner; and B. Vohl, optician, all of Old Lorette; Joseph Laurin, Esquire, Justice of the Peace, Old Lorette.*

That the said Louis Flavien Dufresne, Esquire, Justice of the Peace, far from observing and causing to be observed the laws and statutes in force in that part of the Province of Canada, called Lower Canada, for the keeping of the peace and the peaceable government of the people, as he is bound to do in his capacity of Justice of the Peace, did, on the twenty-first day of June, one thousand eight hundred and forty-six, in the Parish aforesaid, counsel and advise the inhabitants thereof not to conform to the enactments of the Provincial Statute 9th Victoria, cap. 27, relative to elementary instruction in that part of the Province of Canada called Lower Canada, saying to them then and there, "When the laws are in our

“favor, I obey them; when they are not, I trample them under foot,” or using then and there expressions of the like import; but that the inhabitants of the said Parish, without paying attention to these remarks, proceeded, notwithstanding, on the twenty-eighth of June, one thousand eight hundred and forty-six, to convene a meeting, through Joseph Laurin, Esquire, Justice of the Peace, for the election thereof of their School Commissioners, in conformity to the law, on which day the said Louis Flavien Dufresne, Esquire, Justice of the Peace, refused to convoke the said meeting, as Senior Magistrate, giving his reasons for this opposition in the following words, “I do not wish the inhabitants to be “taxed,” after which he retired, and declined to assist at the meeting, which took place subsequently at the desire of the said convocation, although the said Louis Flavien Dufresne, Esquire, Justice of the Peace, was in the habit of presiding at the public meetings in the said Parish, as being the Senior Magistrate therein.

No. 24.—*Perrault and Doucet, C.P., Quebec; Theophile Dufresne, Esquire; Joseph Bedard, cultivator and ex-Sub-Inspector; Jacques Dion, cultivator and ex-Sub-Inspector; Pierre Jobin, cultivator; Jacques Jobin, cultivator; Jean Robitaille, cultivator; and Jean Robitaille, wheelwright, all of Old Lorette.*

That the signers declare and assert that the said Louis Flavien Dufresne, Esquire, Justice of the Peace, has, since his appointment of Justice of the Peace, aforesaid, on many informations, complaints and summonses brought before him, sat and condemned a large number of individuals to pay fines received by himself, of which he had given no account on the twelfth of June last, and of which he has not, in fact, given any account in the manner prescribed by the Statutes made and passed for that purpose, in support of which allegations the signers produce a copy of an information and complaint of the eleventh of October, one thousand eight hundred and thirty-eight and of a summons annexed thereto of the fifteenth of October, one thousand eight hundred and thirty-eight, entitled, “The Queen, on information of Angèle Fortier, *qui tam*, vs. Jean Robitaille, Defendant,” under the letter A 1. Also, a receipt of the said Louis Flavien Dufresne, Esquire, Justice of the Peace, dated “Lorette, second November, one thousand eight hundred and thirty eight,” signed, “Louis F. Dufresne” in the abovementioned prosecution, and again, another memorandum of costs, entitled, “Costs in the cause of the Queen and Michel Girard, *qui tam*, for the prosecution, vs. Jean Robitaille, Defendant, signed “Philip Dufresne, Clerk,” the said receipts and memoranda being under the letters A 2, and A 6.

No. 25.—*Marguerite Herrond, wife of Charles Malloy; John Cutter; Jean Robitaille, Lieutenant of Militia, ex-Sub-Inspector; François Xavier Boivin, baker, the two first formerly of the Parish of St. Ambroise, and the two last witnesses of Old Lorette.*

The signers allege that a certain Charles Malloy, of the Parish of St. Ambroise, in the County of Quebec, and District of Quebec, was, in the said parish of St. Ambroise, the twenty-fifth of February, one thousand eight hundred and forty-six, in public possession of a certain building of wood erected on a piece of land situate within the said Parish, which wooden building the said Charles Malloy had occupied, and which was at that time occupied by the wife and child of the said Charles Malloy, who on the said day, was then and there dispossessed by violence of the said wooden building, by the said Louis Flavien Dufresne, Esquire, Justice of the Peace, who after having then and there put the furniture, child and wife of the said Charles Malloy, out of the said wooden building by force and

violence, took possession of the said building, put fire to it, and reduced it to ashes.

No. 26.—*Witnesses: Messire P. Huot, Priest and Curé, St. Foy; the Honorable Louis Panet, Notary; and R. G. Belleau, Esquire, Notary, both of Quebec.*

That the signers cannot be silent as to the provocations and insults which the said Louis Flavien Dufresne, Esquire, Justice of the Peace, has, while under the influence of intoxication, and without any reason whatever, heaped on the Reverend P. Huot, Priest and Curé of the Parish of St. Foy, in his presbytery, or ordinary residence, in the abovementioned Parish, and on the Honorable Louis Panet, Notary, of the City of Quebec, on the public highway leading to the Parish of Old Lorette, and cannot avoid alluding to the conduct of the said Louis Flavien Dufresne, Esquire, Justice of the Peace, in the Barrack-yard of the Upper Town of Quebec, formerly the Jesuits College, whence he was ejected by military authority on account of his troublesome conduct, his provocations, and insults: the signers cannot give more ample particulars of the said cases, for the reasons given hereinabove and elsewhere.

No. 27.—*Witnesses: David Turner, miller, Old Lorette; John Lill, tavern-keeper; John Pearson, baker; and Edward Glackemeyer, Esquire, Notary, of Quebec.*

That the conduct of Louis Flavien Dufresne, Esquire, Justice of the Peace, has been, and is, a subject of scandal to the inhabitants of the said Parish; that, unhappily, he is so addicted to the use of spirituous liquors, that he cannot restrain himself within the bounds of decency, and that often, under the influence of intoxication, he repairs to the dwellings of individuals, where he provokes and insults them; that in this quarrelsome condition he runs through the public highways in the country, and even frequents public places where he torments, provokes and insults the individuals who he meets there, and commits acts of violence, and assaults and batteries, in support of which allegations the signers cite the public conduct of the said Justice of the Peace, at the horse-races which took place in the Parish of Old Lorette abovementioned, on the tenth and eleventh of September, one thousand eight hundred and forty-six, at which the said Louis Flavien Dufresne, Esquire, Justice of the Peace, tormented, provoked and insulted several individuals, committed acts of violence, assaults and batteries, fought publicly and destroyed furniture and divers effects in the tents put up on the said race-grounds, or in their vicinity, where spirituous liquors were sold, and in the taverns near them, and declare positively that the said Louis Flavien Dufresne, Esquire, Justice of the Peace, did, on the seventeenth of November, of the present year, in the streets of the City of Quebec, being under the influence of spirituous liquors, provoke, insult and seek a quarrel with several persons whom he met, on the said day, in the said streets of the City of Quebec, as aforesaid.

JACQUES EDOUARD PAGEOT,
Ex-Mayor,
BENJAMIN VOHL.

OLD LORETTE, 22nd November, 1847.

APPENDIX No. 2.

PARISH OF ANCIENNE LORETTE,
31st January, 1848.

Sir,—I have the honor to acknowledge the receipt of the *Requête* of Jacques Edouard Pageot, and Benjamin Vohl, and also that of the *Curé* Messire Laberge, *et al.*, containing several grounds of complaints against me in my quality of Justice of the Peace for the District of Quebec, praying for my destitution as such Justice of the Peace, together with your letter of the 11th December last, wherein I am desired to communicate to you any explanation I may have to offer in regard to the said complaint.

In reply thereto I respectfully beg leave to submit for His Excellency's information, the following explanations:—

For some time past, and more particularly since the general election for this part of the Province, 1844, wherein my disapprobation of the unreasonable pretensions of the late ex-ministers were publicly expressed, particularly as well on the hustings at the Parish of Ancienne Lorette, where I represented the Honorable John Nelson, one of the candidates at the last contested election for the County of Quebec, as in the different parishes of the County of Portneuf, during the time that T. C. Aylwin, Esquire, was a candidate for the said County, and also my having been the bearer of the address of the loyal citizens of the City of Quebec to the late Governor in Chief, Lord Metcalfe, on his elevation to the Peerage, has placed me at variance with the most, if not the whole of the promoters and signers of the said *Requête*, some of whom, and more particularly Thomas Cushing Aylwin, Esquire, Member of Parliament for the City of Quebec; Joseph Cauchon, Member for the County of Montmorency; P. J. O. Chauveau, Member for the County of Quebec; Messire Joseph Laberge, *Curé*; Jacques Ed. Pageot, bailiff; Benjamin Vohl, a foreigner, not a British subject, who lately, at the Election of the County of Portneuf, on the fourth instant, would not take the oath of allegiance, and did positively refuse to take the said oath when he was requested by Mr. Chauveau, representing Mr. Belleau as candidate at the said election, whose hatred to the present Government of Lord Elgin is of sufficient notoriety, and, generally speaking, the whole of the political adherents of the late ex-ministers in the County of Quebec, have, for the above reason, become my personal enemies.

That it is a fact well known in the City of Quebec, that the said Petition, though purporting to be a Petition from the inhabitants of the Parish of Ancienne Lorette, is, substantially, the Petition of the said Thomas Cushing Aylwin and his political adherents of the said City, and got up under their superintendence and patronage, in the hopes of annoying and bringing into disgrace a political opponent.

That the signature of the Reverend Joseph Laberge to the *Requête* had been obtained, I apprehend, from the following circumstances. In 1837, at the breaking out of the first Rebellion in this Province, I was named one of the Commissioners to administer the oath of allegiance in the form there prescribed; on that occasion I proposed to the said Reverend Joseph Laberge, as an example to his parishioners, to take the said oath of allegiance, which he refused to do, coupling his refusal with terms far from favorable to Her Majesty's Government in this Province. The consequences of such refusal was, that not one of the Churchwardens, Militia Officers, particularly Jacques Edouard Pageot, Captain of Militia, and other parishioners of the said Parish, would take the oath of allegiance, thereby following the example of their curate. Upon that occasion I reproached the said Curate with his apparent want of loyalty, and threatened

to make his conduct a subject of representation to the then Governor General, and since that time I have never been on good terms with him, this ill-feeling, I may add, being greatly increased of late, in consequence of a difference of opinion respecting the election of Churchwardens (*Marquilliers*) for the said Parish, in which I was opposed to the Curate, and also in consequence of proceedings recently adopted by me, to force the said Curate and the said Benjamin Vohl to restitute and give up a piece of ground belonging to the Queen's highway, which they have taken possession of, and detained, and still detain at this present moment, contrary to law.

That when the peculiar and delicate position which I occupy, owing to my known political principles and attachment to Her Majesty's Government proved in many instances, and also the means adopted by certain radical leaders in getting up complaints against persons holding any office of authority under Government and who by differing with them in politics, may have incurred their enmity, is taken into consideration, it will not appear surprising that a number of signatures should have been obtained to the said *Requête*, and the more so, as it was favoured by the Curate of the Parish. Indeed from my perfect knowledge of the unprincipled character of some of the most active promoters of the said *Requête* and also from the pains taken by them to keep the matter a secret from those who would be most likely to oppose their views, and from subsequent information, I have every reason to believe, that a great portion if not the whole of the signers of the said *Requête* were never truly made aware of its contents, as will more fully appear by a letter marked A, of François Xavier Gilbert, Schoolmaster of the said Parish.

The fact of my having committed a breach of the Peace, and which has been so eagerly laid hold of by my enemies, and particularly by the said Thomas Cushing Aylwin, whose own daily habits of intemperance and indecorous conduct, ever during the time when under the late administration, he held the important appointment of Solicitor General, was of such notoriety as to call for comment in the public journals, I trust was not accompanied by circumstances of so grave a nature as I conceive would induce His Excellency to take so malicious and frivolous a case into his serious consideration.

Having been counselled by my professional advisers, under circumstances, rather to plead guilty than have so trivial an offence openly canvassed, being the only offence of the kind ever brought against me, accounts for the evidence respecting the breach of the peace complained of, appearing exclusively in the *ex parte* statement and affidavits of the complainants, and of which a copy has been furnished to me.

As to the other charges, which are all of a general nature, contained in the said *Requête*, I beg leave most respectfully to submit, that they are false, calumnious, and untrue accusations, got up at the instigation of the said Thomas Cushing Aylwin, and other of my enemies, for the purpose of injuring me in the opinion of Her Majesty's Government in this Province.

For the last eighteen years, during which I held the situation of Justice of the Peace, I have applied myself diligently to the execution of the duties confided to me as such, and have, I respectfully submit, never betrayed the trust reposed in me, but, on the contrary, have invariably acted as an honest and impartial man, and a loyal subject.

In concluding, I beg leave humbly to refer to some of the situations heretofore occupied by me under the Government in this Province.

In the year 1812, at the breaking out of the American War, I volunteered into the Incorporated Militia, raised for the defence of the Province, and was actively employed in the same during the said war.

For my conduct at the Battle of Chateaugay, where I was wounded, under the gallant DeSalaberry, for my conduct there I was immediately offered a commission in the British Army by Sir George Prévost, the then Governor General, in any of the corps employed in Canada, and accepted an ensigncy in the Canadian Fencible Regiment, in which I served up to the close of the said war, and with the rest of my corps was placed on half-pay.

In 1828 I was appointed to the Staff of the Militia, as Major commanding a division.

In 1830, a Justice of the Peace for the District of Quebec.

In 1833, a Commissioner for the Internal Communication of the Province.

In 1835, Commissioner for Roads and Bridges.

In 1837, Commissioner for the administration of the Oath of Allegiance to Her Majesty's subjects in the Province.

In 1838, I was specially called upon by His Excellency Sir John Colborne, to assist, as a British soldier, in putting down the second Rebellion; and, in fact, attended His Excellency as such in Montreal for that purpose.

For which said services, with the exception of the one first mentioned, I have never received any fee or reward.

I have the honor to be, Sir,
With consideration and respect,
Your most obedient Servant,

(Signed,) LOUIS F. DUFRESNE.

To the Honorable A. W. COCHRAN,
Commissioner.

PROVINCE OF CANADA, }
DISTRICT OF QUEBEC. }

BEFORE COMMISSIONER.

Upon the *Requête* of JACQUES PAGEOT and BENJAMIN VOHL *et al.*

To the Honorable A. W. COCHRAN, Commissioner named to inquire into the complaints preferred against the undersigned, LOUIS F. DUFRESNE, J.P., by the *Requête* above mentioned, dated 12th June, 1847.

Answers of the said LOUIS FLAVIEN DUFRESNE, paragraph by paragraph, to the said complaints, &c.

Paragraph No. 1.—No. Two individuals unknown to me were found trespassing on my farm in September, 1841, in a potatoe field, and both were taken and brought up by Warrant before Thomas A. Young, Esquire, Police Magistrate, at Quebec.

No. 2nd.—No. The said Jean Robitaille, neighbor of one of my farms, was found by me trespassing upon said farm, and cutting a large spruce tree, in the line fence of the said farm.

No. 3rd.—No. Malicious.

No. 4th.—No. Factionous.

No. 5th.—No.

No. 6th.—No.

No. 7th.—No. Absolutely false.

No. 8th.—No.

No. 9th.—No. The record in the Court of Queen's Bench in the cause *ex parte* Joseph Laberge, No. 1063, will answer for itself, and also in the cause *ex parte* Vohl, by Judgment in the term of January last.

Nos. 10th to 19th.—Answered by the ninth paragraph.

No. 20th.—The record in the Court of Queen's Bench, in the cause *ex parte* Olivier Doré, No. 381, will answer for it.

No. 21st.—No. The Register and records of conviction in my possession will answer for it when required.

No. 22nd.—No. Malicious.

No. 23rd.—No. Factious.

No. 24th.—No. The records of convictions in my possession will answer for, when required.

No. 25th.—No. The records of convictions before Joseph A. Taschereau, Esquire, Police Magistrate in the case of "The Queen *versus* Charles Molloy," will answer.

No. 26th.—No. Malicious.

No. 27th.—No. Calumny.

(Signed,) LOUIS F. DUFRESNE, J.P.

ANCIENNE LORETTE, 15th February, 1848.

APPENDIX A.

SPECIAL COMMISSION OF INQUIRY.

BEFORE the Honorable ANDREW WILLIAM COCHRAN, Esquire, one of Her Majesty's Counsel in the Law, Special Commissioner duly appointed by His Excellency the Right Honorable JAMES, Earl of ELGIN and KINCARDINE, Governor General of British North America and Captain General and Governor in Chief in and over the Provinces of Canada, Nova Scotia, New Brunswick and the Island of Prince Edward, Vice-Admiral of the same, &c., &c., &c., under and by virtue of an Act of the Legislature of the Province of Canada, passed in ninth year of Her Majesty's Reign, intituled, "An Act to empower Commissioners for inquiring into matters connected with the Public business to take evidence on oath," and under and by virtue of a Commission, authorizing the said Commissioner to inquire into certain charges preferred against Louis Flavien Dufresne, in his capacity of a Justice of the Peace for the District of Québec, and to take evidence on oath touching the same.

Transcript of evidence on oath taken before the said Commissioner touching the said charges.

At the Court House, in the City of Québec,

FRIDAY, THE 24TH MARCH, 1848.

Present :

A. W. COCHRAN, Esquire, Commissioner.

BENJAMIN VOHL, Petitioner.

LOUIS FLAVIEN DUFRESNE, Esquire, J.P.

[*Translation.*]

JEAN ROBITAILLE, of the Parish of Old Lorette, being duly sworn, doth depose and say:—About All Saints Day, two years ago, I was on my land at Old Lorette, which is next to that of Mr. Dufresne. I saw Mr. Dufresne, who was coming towards me with an axe in his hands: he accused me of having robbed him, and he lifted the axe, as if to strike me, more than once: I drew back, and then took the axe from him, and threw it to some distance in the land of Monsieur Dufresne: I think the axe was down when I seized it: I saw that he had a bill-hook in his pocket, and still mistrusting him, I went towards him seized the bill-hook, and threw it also to some distance: then we seized each other, but having disengaged himself, I again drew back, and he attempted to strike me with a stick which he picked up, but he did not succeed, and the affair terminated there.

[Cross-examined by Mr. Dufresne.]

I believe the quarrel between us had reference to a tree which I was cutting down at the time, which he pretended was on his land, but which I pretend was on mine.

[Re-examined on another head.]

I was Sub-Inspector of Roads in the said Parish in one thousand eight hundred and forty-six, and up to the month of August in the following year. Mr. Dufresne came to my house and told me that if the roads were not arranged, he would begin to prosecute, and I was afraid of being prosecuted myself; this was in the summer before last. I instituted a prosecution against Mr. Laberge, our *Curé*, for his road, which was not in good order, and the affair was brought before Mr. Dufresne: the prosecution was in my name, but I was not a witness. Mr. Jacques Plamondon was a witness against the defendant, and also a certain Bedard: I did not give the names of these witnesses either to Mr. Dufresne or to any one else. The prosecution was also on account of Mr. Laberge's having left a certain impediment, or bad fence on the public road.

[Cross-examined by Mr. Dufresne.]

There were two or three witnesses for the prosecution.

[Re-examined on another head.]

Towards the end of February, or in the beginning of March, two or three years ago, I went to a spot in the Parish of St. Ambroise, near the forest, where there was a wooden house, or hut, of which I am not aware who is the proprietor; and there I saw the mistress of the house, who was weeping outside, seated on a

box with her child: the house was almost altogether burnt: Mr. Dufresne was there, near the fire, and he was engaged in withdrawing the brands from the fire.

(Signed,) JEAN ROBITAILLE.

Sworn before me,
this 24th day of March, 1848.

(Signed,) A. W. COCHRAN,
Commissioner.

[Translation.]

FRANÇOIS LÉPINE, of the Parish of Old Lorette, being duly sworn, doth depose and say:—In the month of July, one thousand eight hundred and forty-five, either on a Sunday or a *fête d'obligation*, I was on my knees with several other persons before a cross planted by the side of the public road in the said parish: we were going through a novena (*neuvaine*): Mr. Dufresne knelt down beside me: there were some of these persons who were taller than the others, and Mr. Dufresne cried out to them to kneel down, thinking, apparently, that they were standing: he repeated this several times, and it made the young people laugh: after prayers we began to sing the *cantiques*, but Mr. Dufresne could not sing, having drunk too much: such, at least, is my opinion, and indeed it was easy to see that this was the case.

The deponent, being unable to write, has made his ordinary mark.

(Signed,) FRANÇOIS ^{his} LÉPINE.
mark.

Sworn before me,
the 24th March, 1848.

(Signed,) A. W. COCHRAN,
Commissioner.

[Translation.]

JEAN BAPTISTE DROLET, of the Parish of Old Lorette, Cultivator, being duly sworn, doth depose and say:—In the month of August, one thousand eight hundred and forty-five, Mr. Dufresne came to my house in the said Parish, at about ten o'clock at night. He came in his vehicle, and having got out, he came into the porch of my house, and there shut himself in. The door of my house was barred within, and myself and family were inside. He asked for some one to open the door, and it was done. He came into the house and laid hold of my boy who had opened the door to him; but I took him out of his hands; I pushed Mr. Dufresne out and threw him down before my door, which I then barred again. After some minutes, I went out, with my daughter holding a candle; Mr. Dufresne was concealed behind the gable of my house, but when he heard us come out he came towards me, staggering; and seeing that it was with the intention of seizing me, I struck him and pushed him back, and he fell against my fence. I tried to lift him, as he was not able to get up himself, being intoxicated, he seized me by the leg with violence, saying that I should die by

no other hand than his own. He got up, dragging himself along, and reached the public highway, and called out to me to come to him there, I think it was to fight with me. Then he began to throw stones against my house.

[Cross-examined.]

I believe that he came there on purpose to injure me, because I know he had an old grudge against me, and he was not in the habit of coming to my house. We were friends formerly, but our friendship was broken off three or four years ago. At that time we were intimate friends.

The deponent having declared himself unable to write, has made his usual mark.

(Signed,) JEAN BAPTISTE ^{his} × DROLET.
mark.

Sworn before me,
the 24th March, 1848.

(Signed,) A. W. COCHRAN,
Commissioner.

[Translation.]

JACQUES PLAMONDON, of the Parish of Old Lorette, cultivator, being duly sworn, doth depose and say:—In the month of July or August, last summer, between nine and ten o'clock at night, Mr. Dufresne stopped in the public road before my house, in the said Parish, and called me, in French and English, in a loud voice: I was then in bed, and I did not wish to go out, having reason to believe, from his manner of crying out, that he was inclined to be troublesome: he continued to call out from the road, against me, saying that I was a "church-robber, and the *Curé* and other Churchwardens, were the same:" he went away, and at the end of some minutes came back and began again to abuse me, and call out the same way, partly in French and partly in English.

(Signed,) JACQUES PLAMONDON.

Sworn before me,
the 24th March, 1848.

(Signed,) A. W. COCHRAN,
Commissioner.

Enquête adjourned to Tuesday, 28th March.

[Translation.]

Enquête continued.

TUESDAY, 28TH MARCH, 1848.

Present:

THE COMMISSIONER.

Mr. VOHL.

L. F. DUFRESNE, Esquire.

FRANÇOIS BEAUPRÉ, of the Parish of Old Lorette, being duly sworn, doth depose and say:—In the month of August, one thousand eight hundred and forty-six, I worked one day at Mr. Dufresne's, making hay: he was in a noisy mood, and came to talk with me: speaking of the quarrel which he had had with Mr. Laberge, our *Curé*, about his fence, he said he would fire upon him as upon a dog.

The deponent, being unable to write, made his usual mark.

(Signed,) FRANÇOIS ^{his} BEAUPRÉ.
mark.

Sworn before me,
the 28th day of March, 1848.

(Signed,) A. W. COCHRAN,
Commissioner.

[Translation.]

JOSEPH BEDARD, of the Parish of Old Lorette, cultivator, being duly sworn, doth depose and say:—In the month of June last I was Road Inspector in the said Parish, and I received a letter from Mr. Dufresne, dated the eleventh of June, one thousand eight hundred and forty-seven, in which he threatened me, in the view of inducing me to bring an information or complaint in reference to an old fence, which he pretended was an impediment in the public highway: the letter filed before the Commissioner, which is now shewn to me, marked A 5, is the letter in question: the fence in question was a fence, in front of the land of Mr. Laberge, the *Curé* of the Parish. Mr. Vohl was the neighbour of Mr. Laberge, and the fence of the latter was on the same line as that of Mr. Laberge; this fence has been there as long as I can remember, and I understood that it was the intention of Mr. Dufresne that I should prosecute Mr. Laberge, to have the fence taken down as illegal, and a public nuisance. Mr. Dufresne possesses a property a little farther to the north-east, which abuts on the same road. In the month of July, one thousand eight hundred and forty-six, I had received another letter of Mr. Dufresne, which related to the same road and the same fence, which letter is that now shewn to me, filed before the Commissioner, and marked A 3.

In the month of January 1841, I was prosecuted before Mr. Dufresne, on the complaint of an Englishman named O'Herron, for having neglected to repair my road, and was sentenced to pay a fine; on this occasion I paid Mr. Dufresne

about sixteen or eighteen shillings for the fine and costs. In this matter there were witnesses against me, but they were English, and I understood nothing of what they were saying. I do not recollect whether Mr. Dufresne explained to me what they said, but I think not. He himself spoke to the witnesses in English.

The deponent being unable to write has made his ordinary mark.

(Signed,) JOSEPH ^{his} ~~x~~ BEDARD.
mark.

Sworn before me,
the 28th March, 1848.

(Signed,) A. W. COCHRAN,
Commissioner.

The complainants filed exhibits, A 2, A 3, A 4, A 5, A 6.

Enquête continued on Thursday 30th March.

(Signed,) A. W. COCHRAN,
Commissioner.

[*Translation.*]

Enquête continued.

THURSDAY, 30TH MARCH, 1848.

Present :

THE COMMISSIONER.
Mr. B. VOHL.
L. F. DUFRESNE, Esquire.

JACQUES DION, of the Parish of Old Lorette, cultivator, being duly sworn, doth depose and say:—In the month of January, one thousand eight hundred and forty-one, I was prosecuted before Mr. Dufresne on a complaint brought against me by a person whose name I forget, for having neglected, as Sub-Inspector of the preceding year, to cause a road in my division to be repaired: two witnesses against me were examined by Mr. Dufresne, but I did not know what they said, because they spoke English: Mr. Dufresne explained to me, in general terms, that these witnesses had declared that I had kept my road in bad order, and sentenced me to pay a fine of sixteen or eighteen shillings, including costs: I paid Mr. Dufresne this amount on the spot.

In the month of September preceding, I was obliged, as Sub-Inspector, to cause notice to be given to Mr. Dufresne to repair the road in front of his ground; but perceiving that he neglected to do so, I was obliged to have the road repaired myself, and on leaving office on New Year's Day I sent an account

of the expense of the work, but he only paid me after a prosecution had been instituted against him; and it was immediately after having been thus compelled to pay me, that the said prosecution was commenced against me for my road.

The deponent, having declared himself unable to write, has made his usual mark.

(Signed,) JACQUES ^{his} DION.
mark.

Sworn before me,
the 30th day of March, 1848.

(Signed,) A. W. COCHRAN,
Commissioner.

[*Translation.*]

CHARLOTTE GAUVIN, wife of Jacques Edouard Pageot, of the Parish of Old Lorette, Cultivator, formerly Mayor of the Municipality of Old Lorette, being duly sworn, doth depose and say:—About the month of August, one thousand eight hundred and forty, I was on the public highway of the said Parish, returning from town in a vehicle, when Mr. Dufresne, also driving, joined me: he contended with me for a long time, and finally passed me and put his vehicle across the road, in front of my own, and began to strike my horse with a large whip. He also struck my little boy, who was sitting behind me in my cart. I had not provoked him in any way, and I do not know the cause of his conduct, except that he was under the influence of liquor. After having struck my horse and boy, he continued his journey to his own house; and I found myself obliged to go in at a neighbour's, to stop there until he got home, thinking there was yet danger of his coming back to me.

[Cross-examined.]

Mr. Dufresne blocked up the way to me, by placing his vehicle across the road, and he stopped me and prevented me from going on. His vehicle caused my horse, which is not accustomed to the whip, to draw back, and I was in danger of being upset into the ditches.

The deponent declares that she is unable to write.

(Signed,) CHARLOTTE ^{her} PAGEOT.
mark.

Sworn before me,
the 30th day of March, 1848.

(Signed,) A. W. COCHRAN,
Commissioner.

[*Translation.*]

JACQUES EDOUARD PAGEOT, of the Parish of Old Lorette, formerly Mayor of the Municipality of Old Lorette, being duly sworn, doth depose and say:—I was Mayor of the said Municipality in the month of August, 1846.

At that time there was a petition before the Municipal Council for widening the road before the lands of Mr. Laberge (the *Curé*) and of Mr. Vohl, and others, in the concession of St. Jean Baptiste, and another petition against the widening. The petitioners for the widening of the road pretended that there existed a *procès verbal* for this purpose; the others pretended that this *procès verbal* was for a road in a quite different direction.

On the thirteenth of July, one thousand eight hundred and forty-four, there was held a meeting of the inhabitants of the said Parish for the election of Municipal Councillors. Mr. Dufresne presided, though he had refused to call the meeting after having been requested to do so. Mr. Dufresne is the senior Justice of the Peace in the Parish.

At this meeting, Mr. Dufresne suggested the names of many persons as Councillors, and among others he proposed himself. Those present told him that it was for them to elect the Councillors. Mr. Dufresne was apparently angry; many persons replied to him a little sharply, and there was rather a noisy discussion: I saw Mr. Dufresne seize a man and put him out at the window; this person was doing nothing at the time, but arguing against Mr. Dufresne. It was after the voting was commenced that this difficulty took place: Mr. Dufresne then declared that he closed the election-roll, carried off his papers and went away; but we continued the election.

(Signed,) J. ED. PAGEOT.

Sworn before me,
the 30th day of March, 1848.

(Signed,) A. W. COCHRAN,
Commissioner.

[*Translation.*]

CHARLES ROBITAILLE, of the Parish of Old Lorette, cultivator, being duly sworn, doth depose and say:—While returning from town nearly two years ago, at about ten at night, in a cariole with another person, I saw Mr. Dufresne, who was coming after us, also driving: he followed us for a long time so close that the head of his horse almost touched my cariole, so that the person with me was alarmed. I requested him several times to pass on, but he did not do so. Once he said "*Marche*," but excepting this I could not understand what he said. On arriving at the road which led to his house, in place of turning off there, he continued driving towards the mill, and in passing my cariole he said, "I shall see what is the matter." On coming near the mill he turned his horse, and placed his cariole across the road, so that mine could not pass. I then got out; and on his recognizing me, he addressed me in an offensive and insulting manner, and continued to insult me for some time. On turning round to go home, he exclaimed, "Clear the way," and passed so close to my cariole that my horse was obliged to plunge in the snow. As I had not insulted him in any way, I was not aware at the time, nor am I aware at present, of any other cause of his conduct, than the influence of intoxicating liquor.

(Signed,) CHARLES ROBITAILLE.

Sworn before me,
the 30th day of March, 1848.

(Signed,) A. W. COCHRAN,
Commissioner.

Enquête continued to Monday, 3rd April.

(Signed,) A. W. COCHRAN,
Commissioner.

[*Translation.*]

Enquête continued.

—
MONDAY, 3RD APRIL.

Present:

THE COMMISSIONER.

Mr. B. VOHL.

L. F. DUFRESNE, Esquire.

—
JOSEPH JOBIN, of the Parish of Old Lorette, cultivator, being duly sworn, doth depose and say:—The deposition made by Mr. Jacques Edouard Pageot in this *Enquête*, on the 30th day of March last, having been read to me, I confirm all the facts therein averred, of the conduct of Mr. Dufresne at the election of Municipal Councillors, excepting that I am not certain whether it was on the 13th July that these occurrences took place; but it was in the year one thousand eight hundred and forty-five and not forty-four, as Mr. Pageot has stated by mistake.

In the month of June or July, one thousand eight hundred and forty, it was required by the School Act that a notice should be given for a meeting to be held in the said Parish agreeably to the said Act, for the election of School Commissioners. Mr. Dufresne, being the Senior Justice of the Peace in the Parish, was requested by some of the inhabitants, in my presence, at the church-door, to preside at this meeting; but he refused, saying that he did not wish Commissioners to be appointed, because by doing so the people would be taxed. The inhabitants said that the laws must be obeyed. Mr. Dufresne answered that when the laws were in our favor he had them carried out, but, if they were not, he trod them under foot.

(Signed,) JOSEPH JOBIN.

Sworn before me,
the 3rd day of April, 1848.

(Signed,) A. W. COCHRAN,
Commissioner.

[*Translation.*]

JEAN ROBITAILLE, of the Parish of Old Lorette, wheelwright, being duly sworn, doth depose and say:—In the month of August, one thousand eight hundred and forty, being Sub-Inspector of Roads in the said Parish, I was prosecuted before Mr. Dufresne, by Michel Girard, Road Inspector, for having neglected to keep in repair a road leading to the church. Girard had notified me to have the road widened, but not to touch the land on either side. Thus, I could not perform the work, though I had got people for the job. Girard then prosecuted me before Mr. Dufresne, and I was sentenced to a fine of five shillings with fourteen shillings costs. Subsequently, Girard again notified me to have the same work done, and I again got people together to work, and went to the spot with them. Mr. Dufresne went there also and the Inspector; he directed the

Inspector to have the work begun. The proprietor of the land on one side of the road, a certain Drolet, forbade us to touch his land, and Mr. Dufresne went towards him and seized him. From the conduct of Mr. Dufresne in this affair, he appeared to me to have some special interest in it. He came there immediately after we did, though I am not aware that he was sent for. There was no difficulty and no one disturbed the peace, either before or after his arrival. The road was in effect widened a little, but not so much as had been required.

The deponent, not being able to write, made his mark.

(Signed,) JEAN ^{his} ROBITAILLE.
mark.

Sworn before me,
this 3rd day of April, 1848.

(Signed,) A. W. COCHRAN,
Commissioner.

[*Translation.*]

JEAN ROBITAILLE, of the Parish of Old Lorette, cultivator, being duly sworn, doth depose and say:—In the month of November, one thousand eight hundred and thirty-eight, I was prosecuted before Mr. Dufresne, on a complaint brought against me by Mlle. Angèle Fortier, for having sold liquor during divine service. I was sentenced to pay a fine, with the costs. I paid Mr. Dufresne ten dollars in all, and got from him a receipt, which is now exhibited (marked A 2); filed before the Commissioner. I paid only eight dollars in money—I worked out the rest.

(Signed,) JEAN ROBITAILLE.

Sworn before me,
the 3rd day of April, 1848.

(Signed,) A. W. COCHRAN,
Commissioner.

[*Translation.*]

PIERRE JOBIN, of the Parish of Old Lorette, cultivator, being duly sworn, doth depose and say:—I was prosecuted before Mr. Dufresne, in one thousand eight hundred and forty, on a complaint brought against me by Louis Bureau; and my brother Jacques was prosecuted at the same time before Mr. Dufresne by Joseph Bedard. We were both prosecuted for a fine, for having passed over the land of the plaintiffs while going to mass. We were both sentenced on our confession of the fact. We had also been prosecuted the preceding year, before Mr. Dufresne on similar complaints brought by the same persons, and we were sentenced. For the fines and costs I paid for myself and brother ten dollars and four shillings for both times. I paid this sum to Mr. Dufresne.

The deponent declaring himself unable to write, made his ordinary mark.

(Signed,) PIERRE ^{his} ~~X~~ JOBIN.
mark.

Sworn before me,
the 3rd day of April, 1848.

(Signed,) A. W. COCHRAN,
Commissioner.

Enquête continued to Wednesday, 5th April.

(Signed,) A. W. COCHRAN,
Commissioner.

Enquête continued.

WEDNESDAY, 5TH APRIL, 1848.

Present:

THE COMMISSIONER.
Mr. B. VOHL.
L. F. DUFRESNE, Esquire.

JOHN CUTTER, of the Little River, near Quebec, labourer, being duly sworn, deposeth and saith:—My stepfather, Charles Molloy, inhabited a wooden house, built by him on the land of one Kelly about two years ago: Mr. Dufresne came to the house one day in the winter, about that time. I was the only person in the house. He told me to clear out, as he was going to level the house; he set fire to some straw in the house, and burned it down, and everything in it was burned, except a pig, and two fowls, and a small box. My father was then in gaol and my mother was absent, but she came back before the house was quite destroyed.

[Cross-examined.]

There was a hole made under the floor, where the pig went in and out; the house was built of logs and boards, and had a door, but no windows. It was a little shanty.

Deponent, not being able to write, made his mark.

(Signed,) JOHN ^{his} ~~X~~ CUTTER.
mark.

Sworn before me,
this 5th day of April, 1848.

(Signed,) A. W. COCHRAN,
Commissioner.

MARGARET HERRON, of the Little River, near Québec, wife of Charles Molloy, being duly sworn, deposes and saith:—I was away from home at the time our house was burned, as stated by the last witness, whose deposition has been read to me. I came back just as the house was nearly burned down. Mr. Dufresne was then there, throwing in the burning logs into the fire with a stick, and he had an axe in his hand. When I began to cry he threatened to strike me with the axe if I did not hold my tongue. A wooden chest of mine, with some of my clothes in it, was burned in the house.

Deponent declares that she cannot write, and makes her mark.

(Signed,) MARGARET ^{her} ~~x~~ HERRON.
mark.

Sworn before me,
this 5th day of April, 1848.

(Signed,) A. W. COCHRAN,
Commissioner.

[*Translation.*]

PIERRE CHAUVEAU, Esquire, of the City of Quebec, Advocate, Member of the Legislative Assembly of this Province, being duly sworn, doth depose and say:—I was employed as Advocate and Counsel of the Reverend Joseph Laberge, *Curé* of the Parish of Old Lorette, in a prosecution brought against Mr. Laberge before Louis Flavien Dufresne, Esquire, Justice of the Peace, on a complaint filed against Mr. Laberge, having reference to the repairing the public highway before his land. After Mr. Laberge was sentenced by Mr. Dufresne to pay a fine, I made application to the Court of Queen's Bench for this District for a writ of *certiorari*, for the purpose of obtaining a revision of Mr. Dufresne's judgment; and myself filed an affidavit in support of a rule to set aside the return of Mr. Dufresne to the writ of *certiorari*. This affidavit contains the fact, in relation to a recusation which I offered against Mr. Dufresne in the said prosecution before him, but which he refused to receive. The said recusation is annexed to the said affidavit, with the affidavits of Benjamin Vohl, François Mailly and Joseph Bedard, in support of the said recusation, which had remained in my possession, Mr. Dufresne having refused to receive them.

To the best of my knowledge, one or two of the witnesses examined before Mr. Dufresne, stated in their evidence that they had seen Mr. Dufresne pull down the fence mentioned in the cause, and throw the posts or bars into the road. I think it was François Mailly who gave this testimony.

During the whole time of the proceedings before Mr. Dufresne, there were continual altercations between Mr. Dufresne, Mr. Vohl, and the other persons present. In one of these altercations, before proceeding to proof, Mr. Dufresne said that Mr. Laberge was a delinquent as any other delinquent, and that he would be punished, or similar expressions. While the proof was being proceeded with, Mr. Dufresne also spoke of the Criminal Court, and I think he said that he would have Mr. Laberge prosecuted at this court, but I do not quite recollect his expressions. I always understood by all these expressions, that he had decided on condemning my client.

Mr. Dufresne, while taking notes of the evidence, said that he would make other notes. I asked him if he intended to make several editions of the evidence.

He replied that he had a right to make as many kinds of notes as he pleased. By the tone and manner in which this was said at the time, I was led to think that Mr. Dufresne intended to report the evidence in his own manner. Having since seen that he had reported the evidence in his return to the writ of *certiorari* by reciting the evidence in the conviction, in place of annexing the original notes, I have thought it was possible that Mr. Dufresne, by using these expressions, wished to allude to this manner of making a return.

Mr. Dufresne examined the witnesses for the prosecution himself, and interrupted one of the witnesses by saying to him, "State then that the fence was in "the road," or similar expressions, referring to the fence alluded to in the prosecution. It appeared to me that Mr. Dufresne wished thereby to suggest to the witness the answer which he was to make.

In the altercations to which I have alluded, which took place during these proceedings, Mr. Dufresne appeared to me much irritated, and carried away by passion in his expressions more than became his situation.

[Cross-examined.]

Being now asked by Mr. Dufresne what was the cause of his irritation, I must answer that in the first place, it appeared to me to proceed from his being ill-disposed towards my client, and, secondly, from the unpleasant things said to him by different persons present, with whom he entered into discussion. These persons were Mr. Roy, Advocate (my associate), Mr. Vohl, and Mr. Mailly. Perhaps I myself had some unpleasant discussions with him: I think, however, that I kept my temper.

(Signed,) P. O. CHAUVEAU.

Sworn before me,
this 5th day of April, 1848.

(Signed,) A. W. COCHRAN,
Commissioner.

Enquête continued to Saturday, 8th April.

(Signed,) A. W. COCHRAN,
Commissioner.

Enquête continued.

SATURDAY, 8TH APRIL, 1848.

Present:

THE COMMISSIONER.
Mr. B. VOHL.
L. F. DUFRESNE, Esquire.

JOSEPH FRANÇOIS PERRAULT, of the City of Quebec, Esquire, Joint Clerk of the Peace, together with ————— Doucet, Esquire, being duly

sworn, depose and saith :—Mr. Dufresne has never, to my knowledge, paid any money into the hands of the Clerks of the Peace for fines imposed by him as a Magistrate. If such payments had been made I should have known it, as I have always had charge of that branch of the business.

(Signed,) J. F. PERRAULT, C.P.

Sworn before me,
this 8th day of April, 1848.

(Signed,) A. W. COCHRAN,
Commissioner.

Enquête continued to Tuesday, the 11th April.

(Signed,) A. W. COCHRAN,
Commissioner.

Enquête continued.

TUESDAY, 11TH APRIL, 1848.

Present :

THE COMMISSIONER.

Mr. B. VOHL.

L. F. DUFRESNE, Esquire.

[*Translation.*]

THE REVEREND PIERRE HUOT, *Curé*, of the Parish of St. Foy, being duly sworn, doth depose and say :—In the month of July or August, 1845, Mr. Dufresne came to my house at St. Foy, to ask me for a burial extract. As soon as he came into my room I remarked that he was half intoxicated. I invited him to sit down in my hall, but in place of remaining there, he came suddenly into my study, and there, without any provocation, he conducted himself in so rude a manner, and used such insulting expressions, that I found it necessary to call in my servant, to put him out. My servant did not come immediately, and Mr. Dufresne continued the same insulting and provoking conduct for five or ten minutes. I requested him several times to go out, but he refused; and it was not till I had been compelled repeatedly to threaten him, that he went out. When outside the door, he spent at least a quarter of an hour in vociferating all imaginable insults and outrages against myself and my relatives, in a manner so shocking to two of my sisters who happened to be in the house, that it was necessary to close the shutters and lock the doors; at length he went away. All this took place to the knowledge of my neighbors.

I did not see him afterwards till the month of November last, when hearing cries, oaths and imprecations in the public highway opposite to my house and to those of my neighbours. I opened a window to see what was the matter, and I recognised Mr. Dufresne, who again passed ten or fifteen minutes in heaping on

myself and my relatives the same insults and outrages, speaking in a loud voice towards the house.

It was then beginning to grow dark, and I do not know whether he saw me. All that he said was necessarily overheard by the neighbors.

[Cross-examined.]

It is true that I refused to give the burial extracts to Mr. Dufresne, but it was not till after he had commenced his prosecutions and insults that I said to him that I would give him the extract when he came to ask for it in a more civil manner. I do not recollect having said to him that he was a drunkard, but it is probable that I did. It is also probable that I used other strong expressions with reference to him, but it was in consequence of his provocations. I do not recollect having insulted him in any way.

(Signed,) P. HUOT, *Ptre*,
Curé of St. Foy.

Sworn before me,
the 11th of April, 1848.

(Signed,) A. W. COCHRAN,
Commissioner.

Enquête continued generally.

(Signed,) A. W. COCHRAN,
Commissioner.

Enquête continued.

WEDNESDAY, 24TH MAY, 1848.

Present:

THE COMMISSIONER.
Mr. B. VOHL.

BENJAMIN VOHL, of the City of Quebec, optician, being duly sworn, deposeth and saith:—The *procès verbal* establishing the road of the Concession of *St. Jean Baptiste*, on which the lands owned by Mr. Dufresne, myself, and others, are bounded, was made many years ago, but the road had never been of the breadth required by the *procès verbal*. Mr. Dufresne, before the action was brought against Mr. Laberge, went with the *Sous-Voyer* and directed him in chaining the line of the road according to its proper breadth. Mr. Dufresne's land is on the north side of the road, and Mr. Laberge's lots, on which the fences were to be removed, are on both sides of the road. Mr. Dufresne insisted that the enlargement of the road should be entirely on the south side, by which means his land would not be touched. The prosecution against Mr. Laberge was for the purpose of compelling him to move his fence back as far as was necessary to enlarge the road to its full breadth, on the south side only.

After Mr. Dufresne had directed the Road Officer to mark out the line of the road to be widened, I have seen him, in passing along the road, remove the poles and rails of Mr. Laberge's fence and throw them into the middle of the road.

On the day when the prosecution against Mr. Laberge came on for trial before Mr. Dufresne, while myself and others were waiting before Mr. Dufresne's doorway, say to some persons there that he would condemn Mr. Laberge; and when some person said that the latter would appeal, Mr. Dufresne answered that he would not do that, as it would cost too much.

(Signed,) B. VOHL.

Sworn before me,
this 24th day of June, 1848.

(Signed,) A. W. COCHRAN,
Commissioner.

Enquête continued generally.

A. W. COCHRAN,
Commissioner.

Enquête continued.—For the Defence.

TUESDAY, 14TH JUNE, 1848.

Present:

THE COMMISSIONER.

Mr. B. VOHL.

L. F. DUFRESNE, Esquire.

[*Translation.*]

JACQUES PLAMONDON, of the Parish of Old Lorette, cultivator, being duly sworn, doth depose and say :—I was Sub-Inspector of Roads in the said Parish, in the year 1842 or 1843. Mr. Dufresne directed me to widen the road of the Concession St. Jean Baptiste, according to the *procès verbal* on the south side, threatening to prosecute me in town, if I did not do so. I laid the *procès verbal* before Mr. Belleau, the advocate, for his advice. He told me, after having examined it, that I should proceed to the widening of the road, but that he could not judge on which side the widening should be made, from the terms of the *procès verbal*. The Municipal Council, subsequently decided, that the road was to be widened on the south side only.

It was to the advantage of Mr. Dufresne that this widening should be made on that side, because by this means he would not be obliged to give part of his land. The fences of Mr. Laberge and Mr. Vohl were quite recently taken out of the road. It would have been for the advantage of myself and many others as well, that the road should be enlarged on the south side.

Cross-examined.

When I went to chain the road, to widen it, it was in consequence of the order of Mr. Dufresne, and he was with me, as well as several others.

The deponent not being able to write has made his usual mark.

JACQUES ^{his} \bowtie PLAMONDON.
mark.

Sworn before me,
the 14th of June, 1848.

(Signed,) A. W. COCHRAN,
Commissioner.

[Translation.]

JEAN BAPTISTE JOBIN, of the Parish of Old Lorette, cultivator, being duly sworn, doth depose and say:—I was myself present at the meeting of the thirteenth July, 1844, for the election of Municipal Councillors. Some persons disturbed Mr. Dufresne, who presided, by opposing the election of certain Councillors and talking loudly and noisily. Mr. Dufresne told them that if they were not more quiet he should be obliged to retire. He told Jean Plamondon that if he was not silent, he would turn him out. Mr. Dufresne rose as he said this, and Plamondon jumped out of the window, which was open.

I was not present during the whole time that the meeting was held, but when I was there I did not see Mr. Dufresne seize or touch any one; and, as far as I know, he conducted the meeting with becoming decorum so long as he was not disturbed.

The deponent, not being able to write, made his usual mark.

(Signed,) JEAN BAPTISTE ^{his} \bowtie JOBIN.
mark.

Sworn before me,
this 14th day of June, 1848.

(Signed,) A. W. COCHRAN,
Commissioner.

[Translation.]

ANTOINE PANET, of the Parish of Old Lorette, cultivator, being duly sworn, doth depose and say:—I was present during the whole time of the meeting of the thirteenth of July, of which the last witness has spoken. There was disputing and noise, but I did not see Mr. Dufresne seize or touch any one. He might have done so without my knowledge.

The deponent, being unable to write, made his usual mark.

(Signed,) ANTOINE ^{his} \bowtie PANET.
mark.

Sworn before me,
the 14th June, 1848.

(Signed,) A. W. COCHRAN,
Commissioner.

[Translation.]

MICHEL DROLET, of the Parish of Old Lorette, cultivator, doth depose and say:—I was present during the whole time of the meeting of the thirteenth July, held for the election of municipal councillors: Mr. Dufresne presided. There was some disputing and noise of persons talking. I did not see Mr. Dufresne seize or touch any one, and he could not have done so without my knowledge.

[Cross-examined.]

I have a license as tavern-keeper in this parish, and Mr. Dufresne is the Senior Justice of the Peace.

The deponent being unable to write, made his usual mark.

(Signed,) **MICHEL** ^{his} **DROLET.**
mark.

Sworn before me,
the 14th June, 1848.

(Signed,) **A. W. COCHRAN,**
Commissioner.

[Translation.]

JEAN MARIE ROBITAILLE, of the Parish of Old Lorette, Major of Militia, doth depose and say:—After having heard the depositions of Jean Baptiste Jobin, and Michel Drolet, taken to-day before the Commissioner, read over to me, I declare that I was present at the said meeting, and that I confirm all the facts mentioned therein in reference to the conduct of Mr. Dufresne at this meeting.

The deponent being unable to sign his name, made his usual mark.

(Signed,) **JEAN MARIE** ^{his} **ROBITAILLE.**
mark.

Sworn before me,
the 14th June, 1848.

(Signed,) **A. W. COCHRAN,**
Commissioner.

[Translation.]

BENJAMIN CHRÉTIEN, of the Parish of Old Lorette, Bailiff, being duly sworn, doth depose and say:—I was aware of the quarrel which took place between Mr. Dufresne and Jean Robitaille with reference to a tree which the said Robitaille was cutting, and which Mr. Dufresne pretended was on his ground: Robitaille told me the day after that the tree was on the line, and belonged as much to him as to Mr. Dufresne; but that he was willing to pay him the value of it, after having considered that it was not on his ground.

(Signed,) **BENJAMIN CHRÉTIEN.**

Sworn before me,
the 14th June, 1848.

(Signed,) **A. W. COCHRAN,**
Commissioner.

[*Translation.*]

MICHEL GIRARD, of the Parish of Old Lorette, cultivator, doth depose and say:—I am acquainted with the facts of which Jean Robitaille, of the said parish, wheelwright, has made mention in his deposition before the commissioner, on the 3rd day of April last. I was Road Inspector at the time, and I myself requested Mr. Dufresne to go with me on that occasion to explain the *procès verbal* to the Sub-Inspectors and others whom I had got together to work on the road in question; it was for this purpose that he went there. Drolet, the proprietor of the land by the side of the road opposed the work. I heard Mr. Dufresne tell him to withdraw and not trouble the people at their work, but I did not see him touch or seize him. I was busy working at the moment. Drolet came towards me to stop me when Mr. Dufresne told him to withdraw.

(Signed,) MICHEL GIRARD.

Sworn before me,
the 14th June, 1848.

(Signed,) A. W. COCHRAN,
Commissioner.

[*Translation.*]

ANTOINE HAMEL, of the Parish of Old Lorette, cultivator, being duly sworn, doth depose and say:—I have often heard Mr. Dufresne speak at the church door on our public affairs, and particularly on the School Law. But I have never heard him say that when the laws were in his favor he would put them in force, but when they were not he would trample them under foot. On the contrary, he has always recommended obedience to the laws, when they were in question.

The deponent, not being able to write, has made his usual mark.

(Signed,) ANTOINE ^{his} HAMEL.
mark.

Sworn before me,
the 14th June, 1848.

(Signed,) A. W. COCHRAN,
Commissioner.

[*Translation.*]

PIERRE HAMEL, of the Parish of Old Lorette, cultivator, being duly sworn, doth depose and say:—After having heard the deposition of the last witness, Antoine Hamel, read over, I confirm it throughout, in every particular.

The deponent having declared himself unable to write, has made his usual mark.

(Signed,) PIERRE ^{his} HAMEL.
mark.

Sworn before me,
the 14th June, 1848.

(Signed,) A. W. COCHRAN,
Commissioner.

Enquête continued generally.

(Signed,) A. W. COCHRAN,
Commissioner.

Enquête continued.

FRIDAY, 24TH JUNE, 1848.

Present :

THE COMMISSIONER.
MR. B. VOHL.
L. F. DUFRESNE, Esquire.

JAMES KELLY, of Quebec, inkeeper, being duly sworn, deposeth and saith :—
About four or five years ago I engaged a man named Molloy to cut some hardwood for me on a piece of land which I owned on the road from Lorette to Val Cartier. After he had been so employed some time, I went out to bring in to Quebec the wood he had cut, and I found that he had built a kind of hut or shed, of round logs, about ten feet square and had made a cellar under it, in which cellar he and his family were living, together with their pig. The pipe of their stove passed through the floor of the upper part, which served as a roof to the cellar. I asked him what right he had to build this hut on my land, and he answered that he thought I would allow him to do so that he might be near his work. Some time after that Mr. Dufresne came to me and said that the people were crying out against me for putting Molloy there; that he was cutting down their wood and selling it, and that they were afraid to pass that way in consequence of his violence and threats. I told Mr. Dufresne that I had only sent Molloy there to cut my wood, and that he had built the hut without my leave. Mr. Dufresne told me that Molloy had then been arrested, under a Warrant, for threatening some of the inhabitants; and he asked me if I would allow the hut to be destroyed. I told him he might do it if he pleased. I know no more about it, except that Molloy's wife told me afterwards that the hut was burned and some of her clothes in it. I told her I did not think she had any clothes in it to burn, and that I did not believe that Mr. Dufresne would let her things be destroyed.

At the time I made the agreement with Molloy, he said he was living on the same road, not far from my land.

(Signed,) JAMES KELLY.

Sworn before me,
this 24th day of June, 1848.

(Signed,) A. W. COCHRAN,
Commissioner.

Enquête continued generally.

(Signed,) A. W. COCHRAN,
Commissioner.

Enquête continued.

SATURDAY, 12TH JULY, 1848.

Present :

THE COMMISSIONER.

PIERRE ANTOINE DOUCET, Esquire, Clerk of the Peace, for the District of Quebec, jointly, with François Xavier Perrault, Esquire, being duly sworn, doth depose and say:—I have examined the Registers and records of the office of the Clerk of the Peace, and I find that Louis Flavien Dufresne, Esquire, one of the Justices of the Peace for the said District, made in the month of October, 1839, a quarterly return of convictions had, and penalties levied before him, and paid into the hand of the Clerk of the Peace. The Crown's share of the said penalties, to wit, 2s. 6d. in the case of Daniel McDonald against Jean Baptiste Cloutier; 2s. 6d. in the case of Louis Bureau against Pierre Jobin, and 2s. 6d. in the case of Joseph Bedard against Jacques Jobin. And that he also made, according to law, his four returns for the year 1840, in all of which he states that from the period of the three months preceding each of his said returns he had no prosecution for any offence of a public nature, or for the recovery of any penalty imposed for any such offence brought before him. I have also examined the records for 1841, and I find that during that year Mr. Dufresne did not make his quarterly returns.

(Signed,) P. A. DOUCET.

Sworn before me, at Quebec,
this 12th day of July, 1848.

(Signed,) A. W. COCHRAN,
Commissioner.

Enquête closed.

(Signed,) A. W. COCHRAN,
Commissioner.

[Translation.]

Appendix A 2.

LORETTE, 2nd November, 1838.

Received of Jean Robitaille, the fine and costs in his cause, on the prosecution of Angèle Fortier; excepting the Bailiff's costs, which are payable to himself.

(Signed,) LOUIS F. DUFRESNE.

[Translation.]

Appendix A 3.

OLD LORETTE, 28th July, 1840.

Sir,—You are hereby informed that I am directed to prosecute you immediately for fine, for your neglect of duty in your quality of Road Inspector of the said Parish, unless you cause the front road in the Concession, commonly called St. Jean Baptiste, to be forthwith put in good order, according to law, and conformably to the *procès verbal*, duly homologated, which fixes and regulates the said road.

Your Servant,

(Signed,) LOUIS F. DUFRESNE, J.P.

Mr. JOSEPH BEDARD,
Road Inspector, Old Lorette.

[Translation.]

Appendix A 4.

LORETTE, 17th August, 1846.

Sir,—As you persist in not conforming to the judgment rendered against you on the 7th instant, at the suit of the Queen, for usurpation and encroachment on the public highway, you are in consequence informed that I have positive instructions to prosecute you criminally at the Court of Queen's Bench, at Quebec, for public nuisance on the Queen's highway, and that immediately. I give you, therefore, forty-eight hours more to recover yourself, and conform to the law, so as to avoid a prosecution so unpleasant to yourself.

Your Servant,

(Signed,) LOUIS F. DUFRESNE.

JOSEPH LABERGE,
Priest, *Curé*, and Cultivator,
Present.

[Translation.]

Appendix A 5.

OLD LORETTE, 11th June, 1847.

Sir,—You are hereby informed that the public complain of you in your division, in your quality of Road Inspector, and particularly of the road commonly called "*Route de la Promenade*," as well as the Queen's highway in front, in the Concession of St. Jean Baptiste. That this latter road is obstructed by an old fence which is in the middle of the said road, so as to cause daily accidents to those who are passing and repassing, and is very dangerous at night. It appertains to you, therefore, to put an end to those complaints in 24 hours, otherwise I shall be under the painful necessity of prosecuting you immediately for fine, according to law.

Your Servant,

(Signed,) LOUIS F. DUFRESNE.

Mr. JOSEPH BEDARD,
Road Inspector,
Old Lorette.

[Translation.]

Appendix A 6.Costs in the case of the QUEEN and MICHEL GIRARD, *qui tam*,

For the Prosecution.

vs.

JEAN ROBITAILLE,

Defendant.

Order.....	£ 0	1	0
Copy	0	0	6
Original Subpcna	0	1	0
3 Copies	0	1	6
Services of Subpcna	0	5	0
do Order	0	1	6
Witnesses	0	2	6
Entry of Judgment.....	0	1	0
			£ 0 14 0
Fine	0	5	0
Total.....	£ 0	19	0

(Signed,) PHILIP DUFRESNE,
Clerk.

APPENDIX No. 4.

Amount of monies mentioned in depositions, as having been paid Mr. Dufresne, in his quality of Justice of the Peace.

By the extracts from the "Register of Louis Flavien Dufresne, Esquire, J.P." at the end of the present remarks, it will appear that the monies mentioned in the depositions given in the Inquiry, as having been paid to Mr. Dufresne as fines, were not so paid, with the exception of in three cases, viz.: those of John O'Hearn *vs.* Joseph Bedard, John O'Hearn *vs.* Jacques Dion, and Angèle Fortier *vs.* Jean Robitaille. The judgments in three or four cases against the Jobins, awarded damages for trespass, imposed under the authority of 6 Will. 4, cap. 56, secs. 2, 3, 4 & 5, of which no portion is required by law to be paid to the crown.

In the two first cases of Bedard and Dion, Mr. Dufresne should have returned 5s., viz.: 2s. 6d. in each case, or half the fines, but by mistake he did not, paying instead 7s. 6d., being half the damages awarded in the cases of the Jobins and Cloutier. But this mistake, instead of being against the Crown, made it a gainer of 2s. 6d., which Mr. Dufresne has overpaid. In the cases of Bedard and Dion, each individual deposes to have paid as fines and costs, 16s. or 18s. Mr. Dufresne conceives it would be irrelevant to the inquiry instituted to make up bills of costs—the inquiry only regarding the monies paid him as fines, in which the Crown participates.

In the remaining case, Angèle Fortier *vs.* Jean Robitaille, it will appear by the entry on the original summons, certified by Mr. Dufresne's initials at the time (copy of which, as well as copies of all other documents referred to, are hereunto annexed), that only the sum of 25s. was paid by Robitaille (and no more was ever received from him in any way), and not 50s., as pretended by him, in money and labour.

That his entry made upon the summons, as before mentioned, is sufficient to establish the true amount received by him, Mr. Dufresne assumes will be admitted as conclusive, notwithstanding Robitaille's deposition, and therefore proceeds to show how that amount was applied, which was in liquidating the costs incurred in the case, which were as follows:—

To the Clerk for summons	£ 0 1 0
To the Clerk for copy of summons.....	0 0 6
To the Bailiff (see return on subpœna) for service and transport..	0 2 9
To the Clerk for one original subpœna.....	0 1 0
To the Clerk for seven copies.....	0 3 6
To the Bailiff for signification of ditto, serving subpenas.....	0 7 9
To the Clerk for entry of judgment.....	0 1 3
To Captain Fluet, Jacques Dion, and Joseph Parent, witnesses for prosecution, 4s. each	0 12 0
Amounting to	£1 9 9

or 4s. 9d. more than the sum received, consequently there was no return to be made to the Clerk of the Peace of money received as penalty in the case.

By the above simple statement of facts and figures, Mr. Dufresne shows he is not a defaulter of one farthing, but, on the contrary, has over paid 2s. 6d.

In applying the money received by him in the liquidation of the costs incurred in the action, instead of handing it to the Government as a portion of the penalty

imposed, he considered himself justifiable in law, but if mistaken in his judgment, it is a mistake which is probably participated in by every Magistrate in the Province. If Magistrates were not justifiable in such an application, their ministry would, it is submitted, become in many cases a nullity, for neither clerks nor bailiffs would be found to risk the loss of their time and labour upon so great an uncertainty as recovering the whole amount of fine and costs, which is so seldom done. If, however, the law does not justify him in such application, it does not follow that the charge made against him, viz: that he applied the fine to his own use, is in any way made out, but, on the contrary, that he improperly applied it through error of judgment.

In concluding the subject, it may not be out of place to remark, that notwithstanding any effort of vindictive individuals to establish the heavy charge they have sounded throughout the Province, "That Mr. Dufresne had in his quality of a Justice of the Peace, received heavy (*fortes*) sums of money in the shape of fines, which he had imposed, and which he never gave any account of to the competent authorities, but appropriated the same to his own use,"—it has, as well as the assertion that he never accounted for any monies received by him, been fully, completely, and satisfactorily refuted. And that during the period of fifteen years he has acted in the capacity of a Justice of the Peace, the whole amount of the "heavy (*fortes*) sums" they have attempted to prove as received by him as fines, and costs together, amount to but £4 2s. 0d.; a fact alone, it is submitted, sufficient to stamp those who got up and fostered the present persecution, as individuals who would not hesitate at the most atrocious acts in order to satisfy their vindictive malice.

It is conceived that nothing more is necessary to be said on this head. Should however, any part of the foregoing statements require further elucidation, Mr. Dufresne will be ready, as he is anxious to answer any questions which may be referred to him.

[*Translation.*]

Extracts from the Register of L. F. DUFRESNE, Esquire, J.P.

"5th January, 1841. John O'Hearn *vs.* Joseph Bedard, Sub-Inspector. Evidence having been considered; Defendant sentenced to 5s. and costs.

"12th July, 1839. The Queen, on information of Louis Bureau, Prosecutor *vs.* Pierre Jobin, Defendant. For Trespass. The evidence having been considered. Defendant sentenced to 5s. damages, and costs."

"The same *vs.* Jacques Jobin. Same judgement."

"12th July, 1839. Joseph Bedard, Plaintiff *vs.* Pierre Jobin, Defendant. For Trespass. Judgment for 5s. damages and costs.

"The same *vs.* Jacques Jobin. The same judgment."

"18th June, 1839. Daniel McDonald, Plaintiff *vs.* Jean Baptiste Cloutier, Defendant. For Trespass. Judgment for 5s. damages and the costs."

"15th October, 1838. Angèle Fortier *vs.* Jean Robitaille, for having sold intoxicating liquors on Sunday. Judgment for 50s. and costs."

(Signed,) THOMAS PLACE,
Agent for L. F. DUFRESNE, Esquire.

The foregoing are correct Extracts from the Register of L. F. Dufresne, Esquire, J.P., which is now exhibited to me.

(Signed,) A. W. COCHRAN,
Commissioner.

QUEBEC, 19th July, 1848.

APPENDIX No. 5.

DISTRICT OF QUEBEC. } THE information and complaint of Angèle Fortier, of the Parish of L'ancienne Lorette, in the County of Quebec, in the District of Quebec, Spinster, who, as such, for our Sovereign Lady the Queen, for herself in this behalf prosecutes, made before me L. F. Dufresne, one of Her Majesty's Justices of the Peace in and for the District of Quebec, (wherein the offence hereinafter mentioned, was committed,) and one of Her Majesty's Justices of the Peace nearest to the place where the offence hereinafter mentioned was committed, the fourteenth day of October, in the year of Our Lord one thousand eight hundred and thirty-eight, who, as well for our Sovereign Lady the Queen as for herself, giveth me, the said Justice to understand and be informed, That heretofore, to wit: on the fourteenth day of October, in the year of Our Lord one thousand eight hundred and thirty eight, one Jean Robitaille, of the said Parish of Ancienne Lorette, was a Tavern-keeper in the said Parish of Ancienne Lorette. (The remainder is in the ordinary printed form of similar informations.)

Taken, this 15th day of October, 1838,
before me,

(Signed,) LOUIS F. DUFRESNE, [L.S.]
J.P.

On the back of the above information is the ordinary summons, dated 15th day of October, 1838.

(Signed,) LOUIS F. DUFRESNE, J.P.

On the back of the same is also the Bailiff's return, as follows:—

[Translation.]

I, THE undersigned, Bailiff, certify by these presents, under my oath of office, to have signified to the Defendant, the order and declaration in this case, by delivering to him then and there a true copy at his domicile, at Old Lorette, speaking to himself, on the 16th day of October, instant.

(Signed,) JACQUES ED. PAGEOT,
Bailiff.

OLD LORETTE, 16th October, 1838.

Service	£ 0 1 3
Carriage.....	0 1 6
Total	£ 0 2 9

The following is the endorsation upon the same :—

“ Dated 15th day of October, 1838.—The Queen on information of Angèle Fortier, *qui tam*, Prosecutor, *vs.* Jean Robitaille, Defendant.”

“ Information on the Provincial Statute 45 Geo. 3, cap. 10. Original.”

Judgment for £2 10s. 0d.

(Signed,) L. F. DUFRESNE.

Received 25s.

(Signed,) L. F. DUFRESNE.

The foregoing are true Extracts from the original, exhibited to me at Quebec, this 19th July, 1848.

(Signed,) A. W. COCHRAN,
Commissioner.

[*Translation.*]

PROVINCE OF LOWER CANADA, } VICTORIA, by the Grace of God, of the
DISTRICT OF QUEBEC. } United Kingdom of Great Britain and
Ireland, Queen Defender of the Faith.

To Jacques Dion, Charles Fluet, George Parent *alias* Joseph Allard, Captain Jacques Fluet, Joseph Falardeau, Henri Plamondon, all of the Parish of Old Lorette,

GREETING :

You are hereby commanded that laying aside all business and excuses, you and each of you do, be and appear in person before Louis F. Dufresne, Esquire, one of our Justices of the Peace for the District of Quebec, at his residence, on the 18th day of the month of October, instant, at nine o'clock in the morning, to give evidence and disclose the truth upon all which you may know in a certain suit between us and Jean Robitaille, of Old Lorette, tavern-keeper, defendant.

Herein, you or either of you, fail not under the penalties of the law.

(Signed,) LOUIS F. DUFRESNE, J.P.

OLD LORETTE, 15th October, 1838.

(On the Margin.)

Taxed:

Jacques Dion.....	£ 0	4	0
George Parent.....	0	4	0
Captain Fluet.....	0	4	0

(Signed,) L. F. D.

[Translation.]

On the back is the following Bailiff's return :—

“I, the undersigned, Bailiff, do hereby certify, under my oath of office, to have served the present original subpoena upon Joseph Falardeau, Jacques Dion, Charles Fluet, Henry Plamondon, George Parent, *alias* Joseph Allard, by then and there delivering to each of them a true copy of the said subpoena at their domiciles, at Old Lorette, speaking to the said Falardeau, Dion, Plamondon, and George Parent *alias* Joseph Allard, and for the said Charles Fluet speaking to a grown person of his family, on the 16th day of October, instant.

(Signed,) JACQUES ED. PAGEOT,
Bailiff.

OLD LORETTE, 16th October, 1838.

Service	£0	6	3
Travelling expenses.....	0	1	6
	<hr/>		
	£0	7	9
	<hr/>		

The foregoing is a correct copy of the original Subpoena exhibited to me, this 19th July, 1848.

(Signed,) A. W. COCHRAN,
Commissioner.

[Translation.]

APPENDIX B.

NAMES OF VOTERS.	Quality, and place of Residence.	Nature of the qualification.	Situation of the qualification.	CANDIDATES.										OATHS ADMINISTERED.			
				Charles Plamondon.	Jos. Jobin.	Captain Robitaille.	Mich. Girard.	Jean Bte. Jobin.	Jac. Pageot.	Michel Drolet.	Louis Pageot.	Amable Devarenne.	Jean Bte. Page.	Louis F. Dufresne.	Louis Fiset.	Jos. Fiset.	1	2	3
Louis Bureau.....	1	1	1	1	1	1	1	1	1	1	1	1	2	3
Joseph Robitaille.....	1	.....	.....	.....	1	1	1	1	.....	.....	.....	.....	.....	.....

I, the undersigned, President of the meeting called for to-day, the 14th July, instant, 1845, do publicly declare to the said meeting that I adjourn the poll to to-morrow, the 15th of the said month of July, instant, in consequence of acts of violence tending to create a tumult, and this after having several times ordered that peace should be kept in the name of Her Majesty the Queen; which the said meeting has refused to do.

(Signed,) LOUIS F. DUFRESNE, J.P.,
President.

OLD LORETTE, 14th July, 1845.