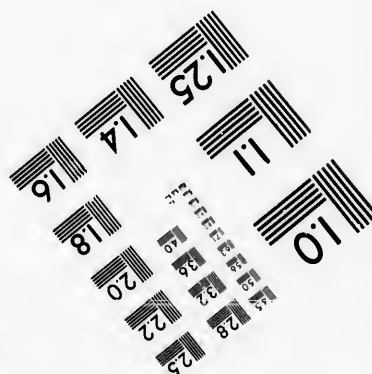
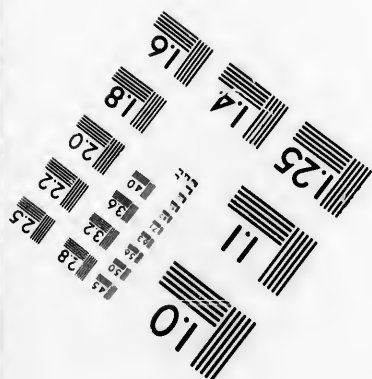
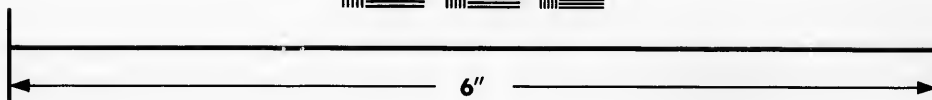
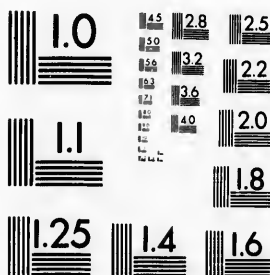


IMAGE EVALUATION TEST TARGET (MT-3)



Photographic
Sciences
Corporation

23 WEST MAIN STREET
WEBSTER, N.Y. 14580
(716) 872-4503

**CIHM
Microfiche
Series
(Monographs)**

**ICMH
Collection de
microfiches
(monographies)**



Canadian Institute for Historical Microreproductions / Institut canadien de microreproductions historiques

© 1992

Technical and Bibliographic Notes / Notes techniques et bibliographiques

The Institute has attempted to obtain the best original copy available for filming. Features of this copy which may be bibliographically unique, which may alter any of the images in the reproduction, or which may significantly change the usual method of filming, are checked below.

- ☐ Coloured covers/
Couverture de couleur
- ☐ Covers damaged/
Couverture endommagée
- ☐ Covers restored and/or laminated/
Couverture restaurée et/ou pelliculée
- ☐ Cover title missing/
Le titre de couverture manque
- ☐ Coloured maps/
Cartes géographiques en couleur
- ☐ Coloured ink (i.e. other than blue or black)/
Encre de couleur (i.e. autre que bleue ou noire)
- ☐ Coloured plates and/or illustrations/
Planches et/ou illustrations en couleur
- ☐ Bound with other material/
Relié avec d'autres documents
- ☐ Tight binding may cause shadows or distortion along interior margin/
La reliure serrée peut causer de l'ombre ou de la distorsion le long de la marge intérieure
- ☐ Blank leaves added during restoration may appear within the text. Whenever possible, these have been omitted from filming/
Il se peut que certaines pages blanches ajoutées lors d'une restauration apparaissent dans le texte, mais, lorsque cela était possible, ces pages n'ont pas été filmées.

- ☐ Additional comments:/
Commentaires supplémentaires:

This item is filmed at the reduction ratio checked below/
Ce document est filmé au taux de réduction indiqué ci-dessous.

10x	12x	14x	16x	18x	20x	22x	24x	26x	28x	30x	32x
					/						

L'Institut a microfilmé le meilleur exemplaire qu'il lui a été possible de se procurer. Les détails de cet exemplaire qui sont peut-être uniques du point de vue bibliographique, qui peuvent modifier une image reproduite, ou qui peuvent exiger une modification dans la méthode normale de filmage sont indiqués ci-dessous.

- ☐ Coloured pages/
Pages de couleur
 - ☐ Pages damaged/
Pages endommagées
 - ☐ Pages restored and/or laminated/
Pages restaurées et/ou pelliculées
 - ☒ Pages discoloured, stained or foxed/
Pages décolorées, tachetées ou piquées
 - ☐ Pages detached/
Pages détachées
 - ☒ Showthrough/
Transparence
 - ☒ Quality of print varies/
Qualité inégale de l'impression
 - ☒ Continuous pagination/
Pagination continue
 - ☐ Includes index(as)/
Comprend un (des) index
- Title on header taken from:/
Le titre de l'en-tête provient:
- ☐ Title page of issue/
Page de titre de la livraison
 - ☐ Caption of issue/
Titre de départ de la livraison
 - ☐ Masthead/
Générique (périodiques) de la livraison

The copy filmed here has been reproduced thanks to the generosity of:

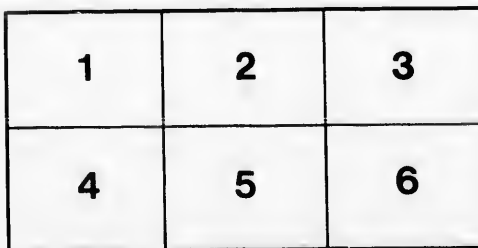
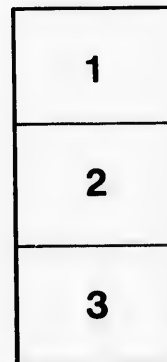
National Library of Canada

The images appearing here are the best quality possible considering the condition and legibility of the original copy and in keeping with the filming contract specifications.

Original copies in printed paper covers are filmed beginning with the front cover and ending on the last page with a printed or illustrated impression, or the back cover when appropriate. All other original copies are filmed beginning on the first page with a printed or illustrated impression, and ending on the last page with a printed or illustrated impression.

The last recorded frame on each microfiche shall contain the symbol \rightarrow (meaning "CONTINUED"), or the symbol ∇ (meaning "END"), whichever applies.

Maps, plates, charts, etc., may be filmed at different reduction ratios. Those too large to be entirely included in one exposure are filmed beginning in the upper left hand corner, left to right and top to bottom, as many frames as required. The following diagrams illustrate the method:



L'exemplaire filmé fut reproduit grâce à la générosité de:

Bibliothèque nationale du Canada

Les images suivantes ont été reproduites avec le plus grand soin, compte tenu de la condition et de la netteté de l'exemplaire filmé, et en conformité avec les conditions du contrat de filmage.

Les exemplaires originaux dont la couverture en papier est imprimée sont filmés en commençant par le premier plat et en terminant soit par la dernière page qui comporte une empreinte d'impression ou d'illustration, soit par le second plat, selon le cas. Tous les autres exemplaires originaux sont filmés en commençant par la première page qui comporte une empreinte d'impression ou d'illustration et en terminant par la dernière page qui comporte une telle empreinte.

Un des symboles suivants apparaîtra sur la dernière image de chaque microfiche, selon le cas: le symbole \rightarrow signifie "A SUIVRE", le symbole ∇ signifie "FIN".

Les cartes, planches, tableaux, etc., peuvent être filmés à des taux de réduction différents. Lorsque le document est trop grand pour être reproduit en un seul cliché, il est filmé à partir de l'angle supérieur gauche, de gauche à droite, et de haut en bas, en prenant le nombre d'images nécessaire. Les diagrammes suivants illustrent la méthode.

REPORT

(As taken by Messrs. W. B. Gurney and Sons.)

OF AN

EXTRAORDINARY MEETING

OF THE

SHAREHOLDERS

OF THE

NORTH AMERICAN

Colonial Association of Ireland,

HELD AT

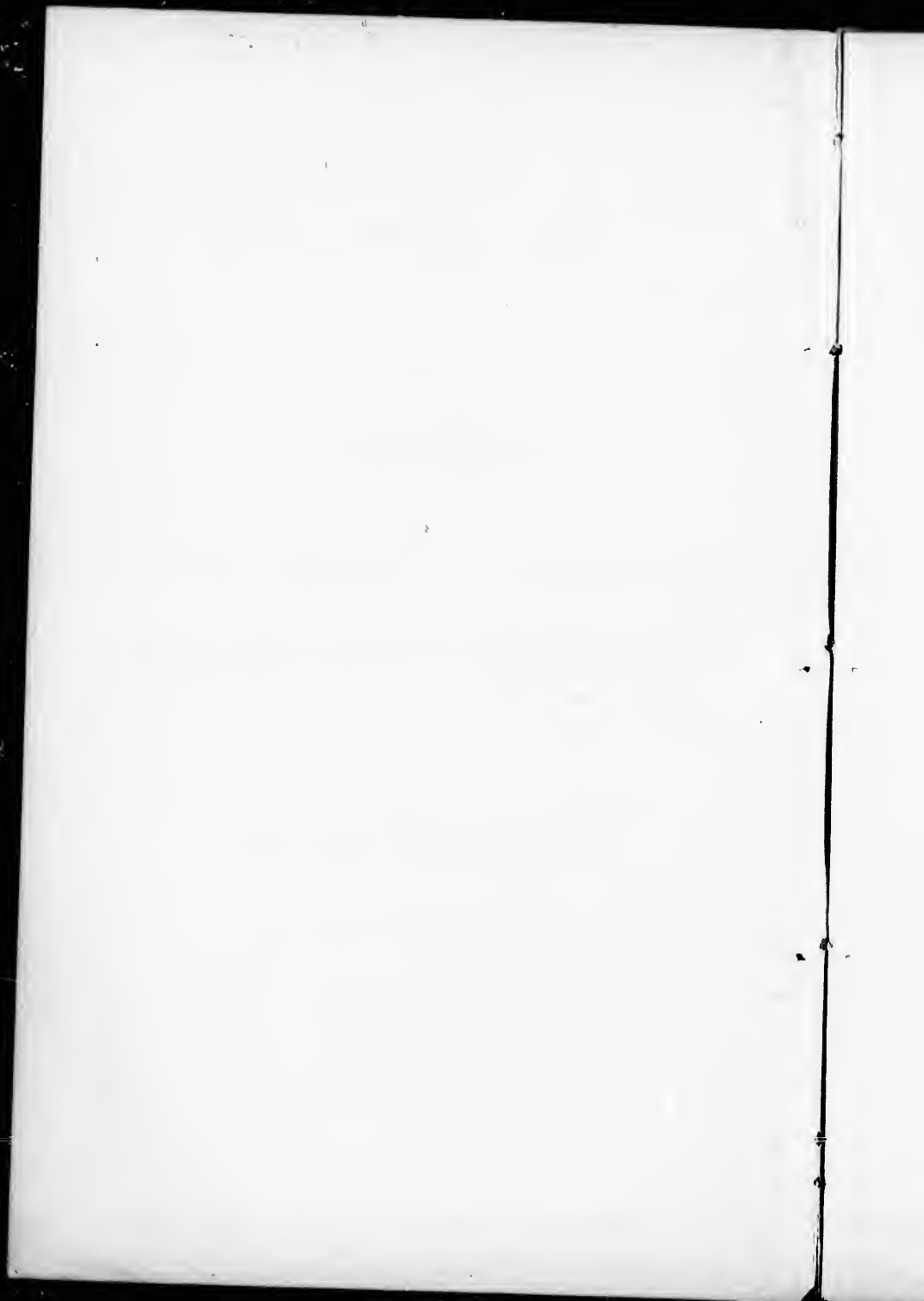
THE COMPANY'S OFFICE, BROAD STREET BUILDINGS,

ON THURSDAY THE 23rd MAY, 1844.

LONDON:

PRINTED BY G. M'KEWAN,
9, GREAT WINCHESTER STREET, OLD BROAD STREET.

1844.



NORTH AMERICAN
Colonial Association of Ireland.

GOVERNOR.

EARL FITZWILLIAM.

DEPUTY GOVERNOR.

ANDREW COLVILE, ESQ.

DIRECTORS.

JOHN AULDJO, ESQ.

COLONEL BRUEN, M.P.

EDWARD HENRY CHAPMAN, ESQ.

RUSSELL ELLICE, ESQ.

GEORGE FORSYTH, ESQ.

ROBERT LA TOUCHE, ESQ.

ROSS DONNELLY MANGLES, ESQ.
M.P.

GEORGE ROBERT MARTEN, ESQ.

LORD PETRE.

BRICE PEARSE, ESQ.

THE HON. FREDK. PONSONBY.

SIR GEORGE SIMPSON.

JOHN ABEL SMITH, ESQ., M.P.

JOSEPH SOMES, ESQ.

BANKERS.

MESSRS. SMITH, PAYNE AND SMITHS, LONDON.

MESSRS. LA TOUCHE AND Co., DUBLIN.

SOLICITORS.

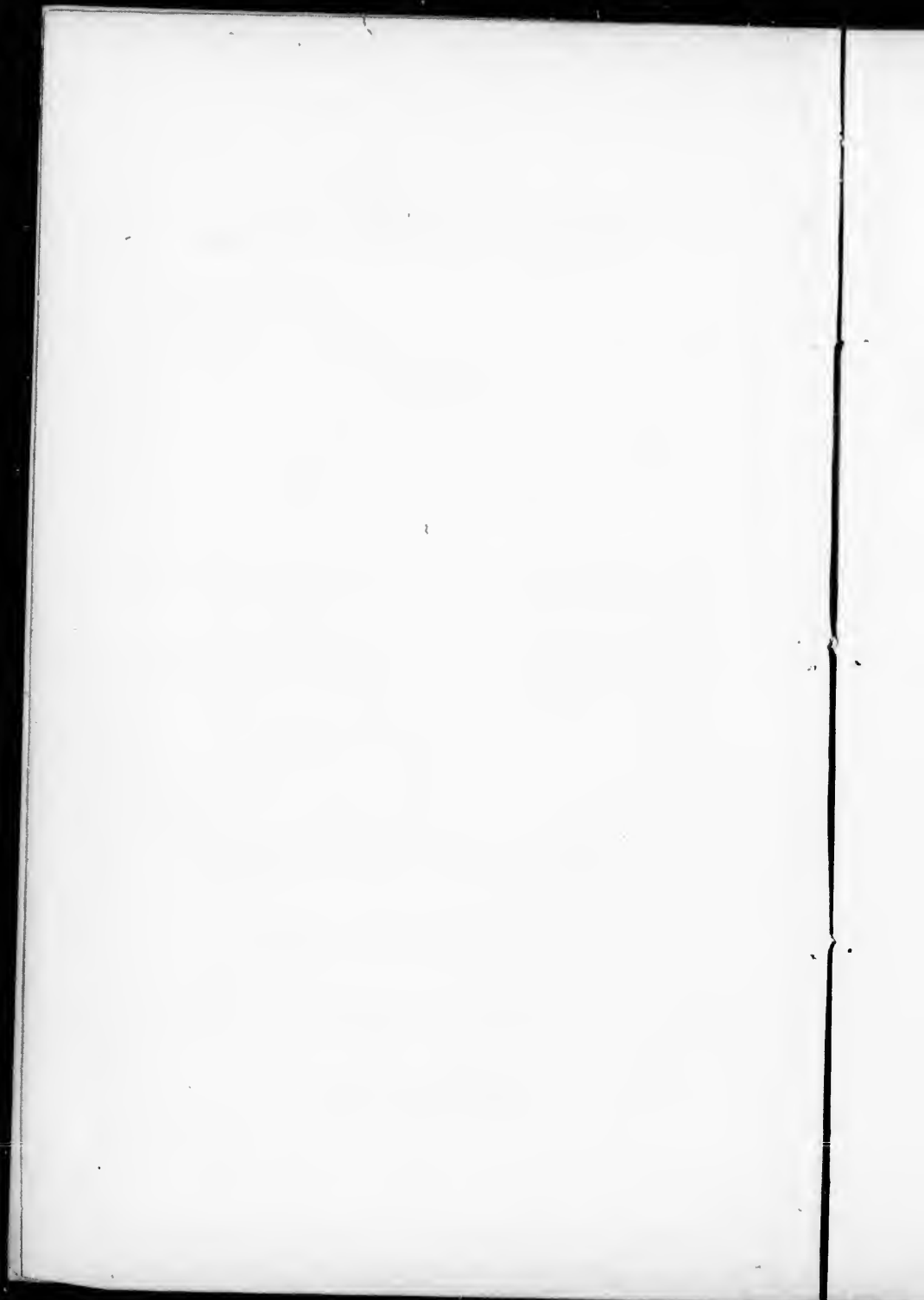
MESSRS. FEW, HAMILTON AND FEWS.

SECRETARY.

JAMES DEWAR, ESQ.

AGENT IN CANADA.

EDEN COLVILE, ESQ.



NORTH AMERICAN
COLONIAL ASSOCIATION OF IRELAND.

7, Broad Street Buildings,
London, Thursday, 23rd May, 1844.

AT AN EXTRAORDINARY MEETING OF THE SHAREHOLDERS IN THE
CAPITAL STOCK OF THE COMPANY, HELD PURSUANT TO ADVERTISEMENT.

EARL FITZWILLIAM, in the Chair.

PRESENT.

EARL FITZWILLIAM.	<i>Governor.</i>	WILLIAM ELlice, Esq.
ANDREW COLVILE, Esq.	<i>Deputy Gov.</i>	WILLIAM FRASER, Esq.
JOHN AULDJO, Esq.	} <i>Directors.</i>	WILLIAM HUTT, Esq. M.P.
EDW. HENRY CHAPMAN, Esq.		Captain HATTAN, R. N., M.P.
RUSSELL ELlice, Esq.		CHARLES HOPE, Esq.
GEORGE FORSYTH, Esq.		DONATUS HENCHY, Esq.
ROSS DONELLY MANGLES, Esq. M.P.		JOHN INNES, Esq.
GEORGE ROBERT MARTEN, Esq.		WILLIAM LVON, Esq.
The Hon. FREDERICK PONSONBY.		JAMES LEMAN, Esq.
BRICE PEARSE, Esq.		Captain EDWARD LLOYD, R.N.
JOHN ABEL SMITH, Esq. M.P.		Captain MEYNELL, R. N., M. P.
JOSEPH SOMES, Esq.		DONALD MACLEAN, Esq.
WILLIAM HENRY ASHURST, Esq.		PIERCE MAHONY, Esq.
CHARLES DICKSON ARCHIBALD, Esq.		Mr. THOMAS MOORCOCK.
SIR HENRY WINSTON BARRON, Bt. M.P.		JOSEPH PARKES, Esq.
WILLIAM FECHNEY BLACK, Esq.		SIR JOHN PIRIE, Bart.
ROBERT BARNETT, Esq.		THOMAS PURDON, Esq.
HENRY BENTLEY, Esq.		LORD DUDLEY COUTTS STUART.
GEORGE BENTINCK, Esq.		GEORGE SEDGWICK, Esq.
SIR JOSIAH COGHILL COGHILL, Bart.		HENRY SHANK, Esq.
The Rt. Hon. EDWARD ELlice, M.P.		EDWARD WILSON, Esq.

The Secretary read the Advertisement convening the Meeting, which was published in Six London and Four Dublin Newspapers.

The Secretary read the article relative to the Company which appeared in the Times of the 7th instant.

The Secretary read the Correspondence with the Times and Three of the Shareholders.

The Secretary read the Report.

It was then moved by PIERCE MAHONY, Esq.—Seconded by HENRY SHANK, Esq.

That the Report now read be received and adopted, and printed, and circulated among the Shareholders, and that thereunto be appended, the Report of the Committee, recommending the purchase of Beauharnois, and that the other Reports referring to the value of that Estate be open to the inspection of the Shareholders.

Moved by W. H. ASHURST, Esq. as an Amendment.—Seconded by Mr. THOMAS MOORCOCK.

That a Committee of Shareholders be appointed to consider the affairs of the Company, to whom all documents shall be open, and that the said Committee report to the Shareholders upon the said affairs of the Company, and upon the propriety of continuing the Association.

The amendment having been rejected by a show of hands of 27 to 3, and the original motion having been put from the chair.

It was moved by W. H. ASHURST, Esq.—Seconded by Mr. THOMAS MOORCOCK.

That the word "*adopted*" be left out, and that the words, "and all other documents relative to the said purchase," be added at the end of Mr. MAHONY's motion.

The leaving out the word "*adopted*" having been negatived by a show of hands of 27 to 2.

The original motion of Mr. MAHONY with the addition at the end proposed by Mr. ASHURST, was carried by a show of hands of 27 to 1.

Moved by SIR JOHN PIRIE, Bart.—Seconded by WILLIAM HUTT, Esq.
M. P. and

Resolved unanimously,

That this Meeting desires to express its thanks to the Governor, Deputy-Governor and Directors for their valuable attention to the affairs of the Company, and its hope, that, they will henceforth deem it unnecessary to take any notice of such totally unfounded imputations as have been the occasion of the present meeting.

EARL FITZWILLIAM having been voted from the Chair, and ANDREW COLVILE, Esq. having taken it,

It was proposed by Captain V. F. HATTAN, R. N., M. P.— Seconded
by Sir COGHILL COGHILL, Bart., and

Resolved unanimously,

That the cordial thanks of this Meeting be given to EARL FITZWILLIAM for his patient attention to the business of the day.

FITZWILLIAM, *Chairman.*

MINUTES OF PROCEEDINGS

AT AN

EXTRAORDINARY MEETING OF THE SHAREHOLDERS IN THE CAPITAL STOCK OF THE NORTH AMERICAN COLONIAL ASSOCIATION OF IRELAND, HELD AT THEIR HOUSE, NO. 7, BROAD STREET BUILDINGS, LONDON, THURSDAY, MAY 23rd, 1844.

EARL FITZWILLIAM IN THE CHAIR.

Chairman.—Gentlemen, this is an extraordinary Meeting of the Shareholders in the Capital Stock of the Company, held pursuant to an advertisement, which probably it will be right that the Secretary should now read before we proceed to any further business. Is it your pleasure, Gentlemen, that the Secretary should read that advertisement?

Mr. Dewar (the Secretary).—The advertisement is in these terms.

THE Directors of this Association hereby give special notice, that an extraordinary Meeting of the Shareholders, will be held at No. 7, Broad Street Buildings, in the City of London, on Thursday, the 23rd instant, at Twelve o'clock at noon precisely; for the purpose of taking into consideration the allegations and insinuations contained in an article relative to the affairs of the Association, which appeared in the Times paper of Tuesday the 7th inst.

By order of the Board,

JAMES DEWAR, SECRETARY.

7, BROAD STREET BUILDINGS,
London, 9th May, 1844.

This advertisement appeared in the Globe and Standard, of the 9th instant; Times, Morning Post, Morning Herald, and Morning Chronicle, of the 10th inst.; also in the Freemans Journal, Saunders's News Letter, Dublin Evening Post, and Evening Packet, *Dublin Papers*, on the 11th of May.

A Shareholder.—Would it not be right to read the article of which complaint is made?

Chairman.—The notice seems to refer to one particular article. Is

it the pleasure of the Meeting that the article referred to in that notice be now read ?

A Shareholder.—Is the article stated in the report that is to be laid before the Meeting ?

Mr. Dewar.—No, it is not copied. This article appeared in the *Times* Newspaper of Tuesday, May 7th.

Chairman.—1844.

Mr. Dewar.—1844.

Article from the Times of 7th May, 1844.

There is a virtue in classification, even in a classification of roguery. It saves the trouble of considering to what particular category of guilt any implicated culprit ought to be referred, and enables us to present him at once with chapter and verse—with the style, title, and definition of his precise delinquency—ready drawn out, ticketed, and labelled. The Commissioners on Stock-jobbing Companies have earned a title to the gratitude of the country by their services on this head. They have subdivided the pleasing subject-matter of their inquiries, *secundum artem*, with all the love and skill of accomplished anatomists, and have appropriately meted out, and dignified with a “local habitation” “and a name,” all and sundry the separate terms and variations of the whole species of fraudulency submitted to their discussions, to the eternal edification of all future inquirers, and to the great and particular easement of all those who, like ourselves, are occasionally troubled with the task of searching practically into these unexplored regions for the purpose of providing for specific candidates their fitting and appropriate names, classes, and designations.

All suspicious and rotten concerns, the Commissioners tell us in the joint-stock-jobbing line, are, either, first, well-meaning, but faulty and mistaken in their objects, construction, and nature,—or, secondly, well-meaning, and having a good object, but ill-constituted, and therefore liable to fail through mismanagement,—or, thirdly, fraudulent and faulty from the first throughout, both in intention, object, and constitution, being started only to create and to raise frauds. That is to say, they either cheat without knowing it, and this in two ways, viz, by inducing people to embark either for a mistaken object or in a mistaken manner ; or, on the other hand, they cheat, and do know, and that very well, both what they do and what they mean.

Our own column could doubtless furnish many an example for the

illustration of these *regula generales*. And many more, with equal certainty, are there, some no doubt referable to the second, and some to the third and blackest of these classes, which, for want of a fortunate exposure—

" omnes illacrymabiles

" Urgentur, ignotique longa

" Nocte, carent quia vate sacro."

But others, as we have said, are found out.

We are to-day recalled by the information of a trustworthy correspondent to one of this latter description—to a case, in short, which has been already commented upon by ourselves, but which seems now scarcely enough developed to admit of being yet referred with any decisiveness to any or either of the Commissioners' classes. We shall be curious to see to which of them it will ultimately belong.

The "North American Colonial Association for Ireland" became generally remarkable about this time last year as a company which, having existed since the year 1834, had as yet fulfilled no one object of its creation, had proceeded not a single step towards realizing any return upon its investments, had published no accounts, recorded no operations and (it is of course needless to add) declared no dividends. It was a colonization company, yet it had not colonized a single man. What it had done was to spend all, or nearly all, its subscribed capital, and as this process was effected, first by purchasing some hundreds of thousands of acres in a country where (as the former owner of those acres himself told us) "no purchasers could be found;" and, secondly, by largely remunerating the services of the agent through whom the purchase was effected, a natural suspicion arose that such purchase might possibly have been, from the first, the sole aim and end of the aforesaid company's existence, and that nothing further was ever even intended to be done. Mr. Edward Ellice, the owner of the land thus purchased, on his part, publicly asserted his individual innocence, and his ignorance of any such fraudulent intention on the part of the devisers of the company; and he denied, on his part, all collusion and underhand dealing whatever. The case on the part of the company, however, remained in *statu quo*; that body purported to be a *colonization* company—it had existed for ten years; yet it had done nothing but purchase a large estate of Mr. Edward Ellice, pay the said Edward a large sum down on account of his purchase money, secure the remainder to him by mortgage, pay his interest at four per cent., and pay a handsome agency to the gentleman who carried through the purchase, viz., Mr. E. G. Wakefield. To the share-

holders this certainly looked unpromising; but we were assured that the land was still to turn out a great speculation—that colonization was hereafter to go on like wildfire—that Ireland and Canada were to be mutually elevated, through the agency of this same colonization, to a pitch of prosperity hitherto quite unheard of—and that the shareholders of the company which was to work all these wonders were to reap golden harvests from their philanthropic and enterprising confidence.

Well, another year has gone by, and we have begun to look for some fulfilment of these magnificent pledges. What do our readers suppose has been actually done? Has any colonization commenced? By no means. Has any prospectus or scheme of *intended* colonization been put forth? No. Has a single indication been given to the public of the manner in which the company intends to realize the interest on its investment? Not one. Has even any report whatever been published during the past year? No—none at all. What then has been done? The question may perhaps best be answered by asking another. What may we suppose would the company be *likely* to have done? It might have been expected, of course, to have paid Mr. Ellice his year's interest upon his mortgage, and it has done so; and for the same reason it has, equally of course, liberally remunerated the year's services of its agent, Mr. Gibbon Wakefield. This was, of course, but natural. What further has it done? Its shares, we are told, fetch just nothing in the market; and as we cannot see any mention of them in the usual returns of these things, we much fear that it is so. They do not even seem to be at any mentionable discount—they are nowhere. Can it then be true, as currently reported, that the only further transaction of the society, in addition to the ordinary and businesslike ones which we have already recorded, has been to purchase in certain of its own shares *at par*? We confess we hardly like to give full credit to this report, though it has been invested, as narrated to us, with all the authority of circumstance.

We should really like to know, in case this society should happen by any chance—we must beg pardon for suggesting such a thing, but it will be observed that it *is* possible—in case this society should just happen to stop payment, and go to the dogs, without having advanced any further than its present stage, to what class of fraudulency would the Commissioners on Joint-stock Companies refer the scheme, and how would their proposed remedies meet such a case? The proposed registry might here have been completed. Prospectus, act of settlement, object, place of business, capital, nominal and paid-up, names of members, trustees, &c.—all might appear, and all might be real and

bond fide of their kind ; but yet what should hinder that the paid-up capital should be invested in purchasing Mr. Ellice's land as aforesaid, and in remunerating clerks, agents, &c., that matters should end here suddenly, and that not a shilling further should ever be called for or subscribed ; that Mr. Ellice should re-enter into possession of his land as mortgagee to secure the remainder of his money, and that the unfortunate shareholders should never get a farthing, principal or interest, for the money thus paid up ? We put such a case for the consideration of the Commission on Joint-stock Companies—of course, it is not to be presumed that the "North American Colonization for Ireland" will really eventuate in any such unhappy consummation as this.

Chairman.—Now Gentlemen, is it your pleasure that the correspondence with the Editor of the *Times* Newspaper and with some of the Shareholders, subsequent to the appearance of that article, be now read ? I hear no objection to that proposition.

Mr. Dewar.—The following letter was addressed by me, by the desire of the Directors.

*North American Colonial Association of Ireland,
No. 1, Broad Street Buildings, London,
9th May, 1844.*

To the Editor of the Times.

Sir,—I am desired by the Directors of this Company to request that you will favor them with the name of your correspondent, on whose authority you inserted the article relative to this Company, in the *Times* newspaper of Tuesday last, the 7th of May, instant.

(Signed) JAMES DEWAR, Sec.

ANSWER.

*2, Lancaster Place, Strand,
10th May, 1844.*

To James Dewar, Esq.

Sir,—Your letter of the 9th instant, addressed to the Editor of the *Times*, requesting the name of their correspondent on whose authority an article referring to the North American Colonial Association of Ireland, was inserted in the *Times* of the 7th inst., has been forwarded to

me. In answer thereto I beg to state that it is not the practice of the Proprietors of that Journal to give up the name of any correspondent until they are made acquainted with the intentions of the party making the application, and have an opportunity afforded them of communicating with the author. I think it right also to inform you that the columns of the *Times* are open to any contradiction or explanation of the article in question which the Company may think proper to communicate under your hand as the Secretary.

(Signed) A. DOBIE.

The following letter was then written to Mr. Dobie, by the desire of the Directors.

REPLY.

11th May, 1844.

To A. Dobie, Esq.

Sir,—In reply to your letter of yesterday's date, in which you state that it is not the practice of the proprietors of the *Times* Journal to give up the name of any correspondent until they are made acquainted with the intention of the party making the application, and have an opportunity afforded them of communicating with the Author. I am instructed to refer you to the inclosed copy of an advertisement which appeared in the *Times* of yesterday, and to inform you that the object of the Directors in desiring to obtain the name of the correspondent on whose authority the Article in question was written, is, if he be a shareholder of the Company, or the agent of a shareholder, to invite the complaining shareholder to attend the extraordinary meeting of shareholders called by the advertisement, and to repeat the complaint against the Directors which has been made to the Editor of the *Times*.

If the article in the *Times* had contained a specific complaint, the Directors might have availed themselves of your assurance, that the columns of that Journal are open to any contradiction or explanation; but as it consists entirely of inferences and insinuations, which, however injurious, do not admit of contradiction, they are desirous of calling on the correspondent of the *Times* to make, not anonymously, but in person, and in presence of the parties interested in, and acquainted with the subject, the specific accusation on which they naturally suppose the injurious article to have been founded.

(Signed) JAMES DEWAR, Sec.

To that letter, my Lord, we have had no reply.

The next is a letter addressed by desire of the Directors to Mr. Morrison :

7, Broad Street Buildings, London,
15 May, 1844.

To James Morrison, Esq. M. P., 57, Upper Harley Street.

Sir,—I am instructed to call your attention to the accompanying public notice of a General Meeting of the Shareholders.

It having come to the knowledge of several of the Directors that you have expressed yourself in terms of disapprobation of their proceedings in the management of the Company's affairs, I am directed earnestly to desire your attendance at the Meeting, when the Directors will be prepared to answer any complaints that may be made, and to justify their conduct and proceedings.

(Signed) J. DEWAR, Sec.

To that letter, my Lord, the following answer, was received yesterday :

57, Upper Harley-street, May 22, 1844.

To the Directors of the North American Colonial Association of Ireland.

Gentlemen,

I have received from your Secretary a letter in which he states that he is directed earnestly to desire my attendance at the meeting advertised for to-morrow, and this request it appears is made in consequence of its having come to the knowledge of several of the Directors, that I have expressed myself in terms of disapprobation of their management of the Company's affairs.

I am somewhat uncertain at the moment of writing whether or not I shall be able to attend—but as I learn from your printed circular that the meeting has been called for a special object, it appears to me that the proceedings of the meeting ought to be confined to that object.

My attendance is of the less importance, as the desire which you have now evinced by calling a public meeting, to establish a system of open

and explicit communication, between yourselves and the shareholders, will of itself effect most of the objects, which I could either hope or desire to accomplish.

The complaints both of myself and other Shareholders who have conversed with me on the subject of the Company, have doubtless taken their rise in the course hitherto adopted by the Directors, of confining the information given to the Shareholders very strictly within the limits of the Act of Parliament, an Act certainly not framed with a view of giving them a satisfactory insight into the state of the affairs. If, in the public light hitherto afforded us, or in any instance, we have taken an erroneous view of any of your measures, that error was unavoidable, and indeed the step which you are now taking, seems to shew that you yourselves have arrived at the conclusion, that the best mode of preventing the shareholders from falling into such error in future, is to give them a full knowledge of your proceedings.

I take it therefore for granted, that you are prepared to lay before the body whose interests you represent, a clear account of the transactions of your Board.

The history of a Company which has not yet advanced so far as to commence the undertaking for which it was constituted, can hardly be long or complex. Your expenditure however has been large. You will, I am sure, see the propriety of fully explaining it. In the short abstract of accounts, which is laid before the Shareholders, various heads of disbursements are compressed into single items.—which perhaps you will think should be dissected and explained.

By way of example I will particularize two items, the justification of which is certainly not self evident. The first is the very large sum paid to one of your Agents; and the other, the purchase at par of 500 shares from one of your own body, at a time when the value of the Shares in the Market was below zero.

A full investigation will, I trust, remove all the objections which have been raised, and I beg to repeat my satisfaction that a disposition has been shewn, to enter upon that investigation.

(Signed)

J. MORRISON.

REPLY.

7, Broad Street Buildings,
London, 22nd May, 1844.

To James Morrison, Esq. M. P. 57, Upper Harley Street.

Sir,—I am instructed to acknowledge the receipt of your letter of this day, in reply to mine of the 15th instant.

The Directors desire me to inform you that they find in your letter the strongest additional reasons for earnestly desiring your presence at the meeting to-morrow, and that they claim from you, as a right, that you will attend in person to hear a repetition of their explanation of those acts to which you refer, and which have already been approved at a general meeting of the Company.

(Signed) J. DEWAR, Sec.

(The following letter was not read at the Meeting.)

57, Upper Harley Street, May 23, 1844.

*To the Directors of the North American Colonial Association of
Ireland.*

Gentlemen,—I feel the utter inability of my attending the meeting of this day, to hear a repetition of the explanation given at the annual meeting.

My complaints are—the non-publication of accounts in a full and detailed manner—so as to shew all the transactions to the shareholders—of the payment of an excessive sum for services to one of your Agents—and of the purchase of 500 shares at par.

These complaints cannot be met by the repetition referred to in the letter of your Secretary, and no discussion upon these points will be either useful or satisfactory, which is not produced by a clear and detailed statement of the transactions and affairs of the Company, published and distributed amongst the shareholders.

(Signed) J. MORRISON.

Chairman.—Is that the whole of the correspondence?

Mr. Dewar.—The whole of the correspondence with Mr. Morrison*

* Mr. Morrison's letter of the 23rd May, was not received till just the close of the meeting, and was not opened till the meeting broke up.

There are two other letters—one to Captain George Bentinck and the other to Mr. Bentley,

7, Broad Street Buildings, London,
15 May, 1844.

The Directors present their compliments to Mr. Bentley, and beg particularly to call his attention to the enclosed notice.

7, Broad Street Buildings, London,
15 May, 1844.

The Directors present their compliments to Captain George Bentinck, and beg particularly to call his attention to the enclosed notice.

Chairman.—The next proceeding, I believe, will be to have the report of the Directors read. Is it the pleasure of the Meeting that that report be now read, or has any Gentleman any observation to make upon the correspondence previous to the report being read?

Captain Hattan, R. N. M. P.—I should be glad to ask a question relative to the charges against the Association. Some of these charges clearly refute themselves, and with respect to others—such as the charge made against the Company of not carrying out the original intention of effecting emigration to Canada, I conceive that is a matter of very little importance, because the Company's plans are not sufficiently matured to enable them to do so. But I wish to ask a question of the Secretary, whether there is any entry in the accounts of a sum of money paid to Mr. Wakefield respecting the original purchase?

Mr. Dewar.—Not one farthing.

Captain Hattan.—Because I understood that the purchase, as far as we are concerned, was a transfer of a bargain originally made with Mr. Kingscote.

Mr. Dewar.—It was so.

Chairman.—I think it will be better to hear the report read in the first instance, and then you will see whether it meets your question or not. Is it your pleasure, Gentlemen, that the report be now read? I hear no objection made and therefore it had better be read now.

REPORT

OF THE

DIRECTORS

OF THE

NORTH AMERICAN COLONIAL ASSOCIATION OF IRELAND

TO THEIR

SHAREHOLDERS

At the extraordinary Meeting, held on the 23rd May, 1811.

Although the advertisement and correspondence which have just been read to you, describe the occasion of the present meeting, we think it right to state more fully our objects in calling you together.

The article in the *Times* is not the first of which we have had to complain as being injurious to the character and interests of this Company. Such repeated charges, when left wholly uncontradicted, necessarily obtain a temporary belief.

If they had affected ourselves only, we should have been disposed to let them pass in silence, relying on our own character and their total want of foundation in truth; but their tendency is so very mischievous, as respects the property of the Shareholders, by raising doubts as to the integrity and stability of the Company in the minds of the thousands of persons with whom you have pecuniary dealings in Canada, that we are desirous of contradicting them as publicly as they have been made.

These accusations, however, as they appear in the *Times*, though quite as injurious as if they had been direct and specific, rest wholly upon inference and insinuation, and are therefore not liable to contradiction, except in the most general terms. Our wish has been to meet them in a tangible form. It was with this view that we resolved on calling you here to day,

and that we sent the letters, which you have heard read, to the Editor and Solicitor of the *Times*, and to the three Shareholders, one or other of whom we had reason to think must have made to the Editor of the *Times*, directly or indirectly, the communication on which his remarks are founded. This impression has been confirmed by steps which they have taken since the notice of this meeting was published. Mr. Bentley transferred a single share to Mr. James Leman, of the firm of Vizard and Leman, of Lincoln's-inn-fields, who are his solicitors, and another single share to Mr. Sedgwick, a short-hand writer; Captain Bentinck, formerly the holder of 200 shares, 198 of which he transferred last year to Thomas Moorcock, a porter in Lincoln's Inn, for a consideration of 5s., has transferred one of the two shares which he had continued to hold in his own name, to Mr. William Lyon, formerly a Shareholder, but who in March, last year, transferred all his shares, 200 in number, to Mr. Bentley, for the consideration of five shillings, at the same time when his brother, Mr. David Lyon, transferred his 600 shares to Mr. Bentley for a like consideration. Mr. Morrison has transferred five shares to his solicitor, Mr. Ashurst. The recent transfer of one share, one share, one share, and five shares, though made since the published notice of this meeting, were made before Mr. Bentley, Captain Bentinck, and Mr. Morrison had received the letters from us inviting their attendance here to-day, and there are documents in our possession which shew that all the recent transfers, excepting Mr. Morrison's, were prepared in the office of Messrs. Vizard and Leman. We cannot indeed compel our accuser through the *Times* to repeat, when subject to the responsibility of being known, the imputations of which he is the anonymous author; but at least we have afforded him the opportunity of pursuing that straightforward and manly course. If he is present, we call upon him to state here, in your presence and ours, not by inference or insinuation, but in plain terms, any complaint that he may have to make against us.

Whether or not this invitation shall be accepted, it behoves us to draw your attention to the charges conveyed by the article

in the *Times*, and, so far as it is possible, to contradict such mere inferences, to shew you their utter want of truth.

The principal insinuation in the *Times* is, that the Company was formed for no other purpose but that of purchasing the Beauharnois Seignior from Mr. Ellice; the words are,—“a natural suspicion arose that such purchase might possibly have been, from the first, the sole aim and end of the aforesaid Company's existence, and that nothing further was ever intended to be done * * * Mr. Ellice has asserted his ignorance of any such fraudulent intention on the part of the devisers of the Company.”

A brief Statement of facts will be the best answer to this imputation.

The Act for incorporating the Company was passed in 1835, four years before Mr. Ellice ceased to be the proprietor of Beauharnois, or had any sort of communication with any body connected with the Company respecting the sale of his property in Canada.

On the 5th February, 1839, Mr. Ellice sold Beauharnois to Mr. Henry Kingscote, who was at the time Deputy-Governor of the Company for 150,000*l*.

On the 27th March in the same year, Mr. Kingscote sold the property to the Company for the same price.

At the time of the sale by Mr. Kingscote, the number of shares issued was 2,393, representing a subscribed capital of 47,860*l*. of which 9,572*l*. was paid up, and there remained unappropriated 12,607 shares, which, if placed, would have represented a capital of 252,140*l*.

Down to this time only four of the present Directors; namely, Earl Fitzwilliam, Mr. Ponsonby, Colonel Bruen, and Mr. Latouche, were Directors of the Company; and of the present Directors, not one besides the four above-mentioned was a Shareholder.

In June, 1839; that is, nearly three months after the purchase by the Company, Mr. Auldjo and Mr. Morrison became Shareholders and Directors; and Mr. Morrison remained a Director until July, 1842, when, in consequence of his not

having attended the Board during three years, or paid calls due on his shares, his name was not inserted among those of the reduced number of Directors appointed by your Second Act of Incorporation.

It was not till the summer of 1840, full twelvemonths after the purchase and after Mr. Morrison became a Director, that the bulk of the present Directors became Shareholders, or had any connection with the Company.

At that time, no more than 3,888 out of the 15,000 shares were taken, the remainder being 11,112 shares, and representing a capital of 222,240*l.*, were in fact taken, not merely long after the purchase, but in consequence of it; for the Company had no other property, nor any immediate prospect of advantage, except from the resale of Beauharnois in small portions, and at an enhanced price, whilst the possession of such a property, and the credit and transactions which would grow out of it, were deemed a most eligible foundation on which to rest the exercise of other powers, which were supposed to be conferred by the first Act of Incorporation.

To show this still more clearly, it must be stated, that such of the present Directors as joined the Company after the purchase, (excluding Mr. Morrison,) hold 4,197 shares, and that 5,860 shares are held by their immediate connections and friends, making together rather more than two-thirds of the whole capital of 300,000*l.* These Directors, speaking for themselves and their connections, assure you that their principal motive for joining the Company was the previous purchase of the Beauharnois Seigniory, and their belief in its sufficient value. Many of them are connected, and personally acquainted, with Canada. If the 1000 shares which Mr. Morrison took after he became a Director were added to those last mentioned, it would appear that considerably more than two-thirds of the whole capital had not been subscribed till long after the purchase.

We have thus, we hope, completely disposed of the insinuation, that the purchase from Mr. Ellice was the sole aim and end of the Company's existence. We have shewn, on the contrary, that the purchase by the Company has been a principal means of

raising the greater portion of its subscribed capital, and in fact completing the subscription.

In thus disclaiming on behalf of the great majority of the present Shareholders and Directors, any responsibility for the purchase which was made long before they were in any way connected with the Company, we owe it to our predecessors to remind you that their Act has been adopted by the whole body as one calculated to prove advantageous to the Company.

Our own belief in the beneficial nature of the purchase was founded on facts which admit of no dispute, and has been strengthened by others which have occurred since the acquisition. We relied on the great extent of the property, which exceeds a quarter of a million of acres, and its vicinity to Montreal; on the fact that the amount of the original purchase money of the Seignior by Mr. Ellice's father, together with the great outlay by Mr. Ellice on local improvements during the last twenty years of his possession, and in converting nearly half the domain into a free and common socage tenure—that is, the real cost of the property to Mr. Ellice's family, reckoning principal and interest—much exceeds the price at which the purchase from Mr. Ellice was made; on the considerable income yielded by the manorial portion of the Seignior and its inevitable increase from fines on alienation as population shall increase and settlement advance; and on the possession of 120,000 acres of unsettled land, of the greatest natural fertility, relieved from the obligations of the Seigniorial tenure, and within easy market distance of the commercial metropolis of Canada. On these grounds alone we thought the value of the property at least equal to its price. But we also looked forward to circumstances, which could not but add greatly to that value; and in this hope we have not been disappointed. Since Beauharnois was so purchased by the Company, Montreal, which was always the commercial, has become also the political capital of the province.

Already, before the change took place, that City was making as rapid advance in improvement as any on the continent of North America; and we leave such of you as are acquainted with the subject of the actual and probable commerce of the

St. Lawrence, and with the facilities and encouragement to the settlement of wild lands afforded by the immediate neighbourhood of such a point of attraction as the seat of government, to determine the importance to you, as Shareholders in this Company, of the removal of the legislature and executive departments of Canada from Kingston to Montreal. But above all, since Beauharnois became yours, the British government has enabled that of Canada to proceed with those great improvements of the St. Lawrence navigation, of which the object is to enable the shipping of the great lakes to meet the shipping of the ocean at Montreal, the head of the deep water navigation. A principal link of this chain of works was to be a canal between lakes St. Francis and St. Louis; but it long remained in doubt whether this canal would be constructed through the Seigniory of Beauharnois, or through the county of Vaudreuil on the opposite side of the St. Lawrence. In the year 1841, the local interests on both sides engaged in a struggle for the preference, by which the whole province was disturbed. No political question excited more interest in the legislature; and the existence of the provincial administration at one time depended on the decision of the question by the house of Assembly.

The North, or Vaudreuil line was supported by a great majority, in consequence of the number of county members whose constituents were interested in that line, while the local interest of the county of Beauharnois, in consequence of the isolated position of that county, backed as it is by the state of New York, were defended in the assembly by only a single member. Under these circumstances a decision against Beauharnois would have been inevitable, if the exertions of our Agent had not been the means of establishing to the satisfaction of the Government and the Assembly, the great superiority of the Beauharnois line, with a view to the interests of the province in general. His indefatigable efforts for that purpose at last proved successful. Before the close of next year, the Beauharnois canal will have been completed by an outlay within your property of between two and three hundred thousand pounds. We do not pretend to estimate the value of this great public work to you as the principal landowners in the county, but of its general importance

to you in that character, you may form some conception from the powerful combination of private interests which sought to deprive you of that advantage by securing it to themselves. We cannot close our remarks on the subject of the Beauharnois property, without acknowledging with an expression of our gratitude, the obligations which we feel you owe to Mr. Ellice for the readiness and liberality with which, in our transactions with him while carrying out the contract, he has invariably given us every facility and assistance which it was in his power to afford.

It is further imputed to us by the writer in the *Times*, that we have neglected to pursue the original objects of your incorporation in any respect beyond the acquisition of the Beauharnois property. The fact is so; but the causes of it remain to be stated. When in the spring of 1840, after the whole capital had been subscribed, a plan was formed for the purpose of settling the wild lands of Beauharnois, by means of emigration from the United Kingdom, defects in the original Act of Incorporation were for the first time discovered, which, we were advised by eminent counsel, rendered it necessary for us to obtain an amendment of the Act before any thing could be done with safety. Though we applied for such an Act in 1841, the standing orders of the house of Commons with respect to notices, hindered us from proceeding in that session. It was not till 1842 that your amended Act was passed. By that Act you are precluded from carrying any of its purposes into effect, excepting only such as relate to property already acquired by you, without the consent of the Legislature of Canada. In order to give effect to the conditional powers conferred on you by the British Act, an application for a provincial Act was made to the house of Assembly in Canada during its late session. The bill was read a second time, and was going into committee, when the abrupt resignation of nearly the whole executive council and consequent termination of the session, rendered it necessary to wait till the next session for the indispensable means of carrying on colonizing operations on any comprehensive and effective plan. If, however, this obstacle had not occurred, we are of opinion that it would not have been expedient to adopt any general plan

of sale during the last two years, when Canada has been suffering deeply from a commercial crisis occasioned partly by the influence of the commercial distress of the United States, and partly by the provisions of the new British tariff as to timber duties. When you reflect that the commerce of the St. Lawrence failed in 1842 and 1843 for about £1,200,000, of which two thirds are supposed to have been lost, you will readily perceive the inexpediency of forcing sales of land at such a time.

These circumstances equally account for the arrears in the rental of the Seigniori which have recently occurred. We are happy, however, in assuring you that there is abundant evidence of a gradual restoration of the ordinary state of prices in Canada; and that we have accordingly authorized your local agent, by a letter which will be read to you presently, to open the unsettled lands to purchasers on certain conditions, which are set forth in the letter of instructions.

With respect to the insinuation in the *Times* that some wrong has been done to the Shareholders by our arrangements with Mr. Wakefield, as your temporary agent in Canada, we can only repeat now the statement on that subject which was laid before you at your last Annual Meeting on the 26th February, 1844, we then said "the accounts include a payment made to Mr. Wakefield, which may appear immoderate, unless explained by the Directors. They have therefore to state that Mr. Wakefield's services embrace a period of nearly three years, during which he has visited Canada three several times, and been absent from his home more than eighteen months; that the arrangements made by him for the management of the property, including the relations between the Company and more than 2000 tenants of the Seigniori, have had a most happy effect in reconciling bitter differences of origin, removing feelings of dislike to the Seigniorial tenure, and encouraging a spirit of industry and enterprise throughout the county of Beauharnois; that the Directors are perfectly satisfied that if Mr. Wakefield had not been on the spot in 1842, to look after the interests of the Company, the parties interested in causing the canal connecting lakes St. Louis and St. Francis to be run through the county of Vandreuil on the north side of the St. Lawrence, and out of

the Beauharnois domain, would have accomplished their object through the force of powerful local influences which were most vigorously and perseveringly exerted, and that when the Directors applied to Mr. Wakefield for his services, he at first objected to the proposal on account of his engagements in this country, and was not induced to comply with it until the Directors assented to his own terms of pecuniary remuneration.

The Directors admit that those terms appear high, but they also believe them to be moderate when compared with the ultimate value of Mr. Wakefield's services, which they felt it to be their duty to the Shareholders to obtain on the only terms which Mr. Wakefield did not decline.

We abide by every word of that portion of our last Report, and we think it due to Mr. Wakefield to take this opportunity of repeating our high sense of the obligations of the Company to him, our conviction that he discharged most conscientiously the duties which he undertook to perform, and our deliberate impression that the remuneration of his services, however large it may appear to those who are unacquainted with the circumstance, is really not excessive when compared with the advantages secured to you by his exertions.

The last of the insinuations put forth by the article in the *Times* has grown out of our relations with Mr. Wakefield, and the real facts of the case afford another proof of the ignorance or malice of our accuser through the *Times*. Some time after we came to the pecuniary settlement with Mr. Wakefield, under which we bound ourselves to pay him 9,900*l.* in July, 1846, he spontaneously offered to take 3000*l.* of that amount in the Company's stock. The Directors gladly accepted this offer, as a proof of his confidence in the stability and ultimate success of the Company.

The requisite number of shares were taken from a large number held by one of us at the request of his colleagues, and for all the payments on which he was responsible, but with an understanding that they should be kept available to meet any future application for shares, with which it might be desirable to comply. Inasmuch, however, as we had legal advice, that Mr. Wakefield could not, consistently with his engagement as

our Agent, hold shares in the Company before the conclusion of that engagement, those shares were placed in the hands of Trustees to await that event.

The foregoing explanations really contain no information hitherto withheld from any of you. Every fact that we have stated might have been learned by any Shareholder, except those who have joined the Company within the last few days, either from our Reports at your regular meetings, or by that inspection of our Minutes, to which the new Act of Parliament, augmenting your facilities of examination into our proceedings, gives every shareholder an absolute right, and we must remind you that every provision of the Act of Parliament, with respect to meetings and statements of account, has been strictly complied with; and that on each occasion of a meeting of Shareholders, our Reports and Statements of account have been unanimously adopted and approved.

Having confined ourselves in this Report to the accusations which you have met to consider, and having, we believe, fulfilled the promise with which we set out, by showing their total want of foundation in truth, we have now only to add, that if there be any other subject upon which any Shareholder desires information which it may be in our power to afford, we are ready to supply it without reserve. No question can be asked to which we shall refuse a direct and complete answer, if such should be your pleasure; for we know that there is not in all the proceedings of the Company, or in ours as your Directors, since 1840, any particular into which we should not, on our own account, court the strictest scrutiny by the Shareholders. At the same time it is our duty to point out to you, that, as respects the future management of your property in Canada, there must necessarily be many points which it would be most indiscreet to make the subject of discussion at a public meeting.

Chairman.—Now, Gentlemen, there are two courses open to you, one of which is to take the report into consideration now, but as there

is another entry of business on the paper before me, I should wish to know whether you would like to go to that first. We have to read a letter addressed to Mr. Eden Colville. That is the only remaining entry of the agenda on the paper before me. Is it your pleasure, Gentlemen, that that letter should be now read, or do you wish to go to the consideration of the report now.

A Shareholder.—It will be better to read the letter now.

Chairman.—And then the whole of the agenda upon the book will have been gone through.

A Shareholder.—May I take the liberty of asking that the report laid before the Shareholders before this property was purchased from Mr. Ellice be now read?

Chairman.—Will you allow the question to be disposed of first, whether it is considered convenient that the letter to Mr. Eden Colville should now be read. If that is read we shall have disposed of all the agenda upon the paper, and it will then be open to any Gentleman to make any observation he may think right.

Mr. Dewar.—That letter is in these terms. (*Reads the letter.*)

The Right Hon. Edward Ellice, M. P.—My Lord, I think I may ask the Meeting to hear one word from me in explanation after they have heard read the report which has been made by the Directors, inasmuch as I have been most especially the object of the attacks which have been twice made in the newspapers—attacks for which I was the less prepared because I do not think that any Gentleman will go away from this Meeting, after I shall have stated my case, with an impression at all events, that I have done anything in the most remote degree to justify those attacks.

Now, first of all, it will be probably news to many of the gentlemen who are here assembled, when they hear from me that I have not received one single shilling from this Association, except the interest of my money, which interest has been amply paid out of the returns from the estate itself. I received 25,000*l.* from Mr. Kingscote before I had anything to do with this Association. I was very willing, under all the circumstances of the case, to transfer this contract from Mr. Kingscote to the Company. There is no reason why I should go into a particular statement as to the reasons why I thought that course more for my interest; but about that time there was an expectation that a great deal might be done with the powers granted by Parliament to this Company; and there did appear to me to be good grounds for hoping that great good would be done both to the property itself and to Canada

by the arrangement. But I wish to state now how I first sold the property to Mr. Kingscote—I was not in town. The last thing that ever occurred to me was, that anybody should offer to buy my estate. I received a letter from Mr. Wakefield who was just then returned from Canada. Poor Lord Durham wrote to me first, to know whether I would receive an offer for the property. I said, certainly, if I consider it an adequate one—that I had received large offers for the property before in America—that I was uncertain as to the value of it, but that I was quite willing to receive any offer that I thought it might be reasonable under the circumstances to accept. Mr. Wakefield then made me a proposal on the part of Mr. Kingscote, and, after some correspondence, I accepted it, and came to town to carry the negotiation into effect. I see Mr. Wakefield present here, and he will I am sure bear me out in the statement I am about to make. When Mr. Kingscote was signing the contract, so afraid was I that he might be buying something he did not understand, that I gave him, first of all, all the private Reports of my Agent for the preceding ten years. He had an account of all the receipts of the property, of the rental of the property, and the Agent's opinion as to the value of the property—an opinion which was not given with a view to any sale. I gave him all these things, that he might clearly see what he was about, and then I told him,—“Now, Mr. Kingscote, my expectation from this property is, that during my life I may receive from it 3,000*l*. a-year, and unless I apply capital to advance the settlement of it, I shall be perfectly content with that result.” Therefore, it cannot be said that I sold this property to Mr. Kingscote under any disguise with respect to my own expectations. I think it due to myself to state that this was the information I gave to Mr. Kingscote before he signed the contract for the purchase. Subsequently Mr. Kingscote became desirous of disposing of this property, and he proposed to me that he should sell it to this Association, of which he was Deputy-Governor. At that time the Association was presumed to have very large powers, and I take it, that some of my friends, who entered into a negotiation for the purchase of the estate at that time, did it with the expectation that it would give them the means of carrying on very much larger transactions than those connected with the estate itself. The Company was supposed to have a complete power of banking, both in England and in Canada, under the Act of Parliament, which would have been a very valuable privilege; but it was discovered afterwards, on an examination of the Act of Parliament, that the power was either too limited, or that, in fact, it did not enable them to carry

on the transactions which they expected they should have it in their power to accomplish. There was then another plan for the settlement of the estate. All I can say is, that when that plan was laid before me, I thought it very much too promising. It was proposed to dispose of the land in lots, as had been done in some other of the colonies; and if that plan could have been carried into effect in the way proposed, after paying the sum due to me, a profit of 100,000*l*.* would have resulted to the Shareholders. I had nothing to do with the framing of that project. I was a little sceptical as to the realisation of it, but I know that gentlemen engaged in similar transactions were confident of its success. These two projects failed after the purchase was made. I think that my friend, Mr. Morrison, was himself a little led away by the prospect of profit, for I know from conversations that have passed between us, that he thought it would not be a very unsafe speculation if the expectations could have been realized. That is all I have to state with respect to my transactions up to the moment of the transfer of the contract to the Company. Since the transfer of the contract to the Company, I have received 25,000*l*. under the arrangement with Mr. Kingscote. I have since received 28,000*l*., from which there has been a deduction of 7,000*l*. for commission upon the sale, making 35,000*l*., and there is a sum of 90,000*l*. still due to me. I am a Shareholder to the whole extent of the capital paid up—28,000*l*. At all events, the Company have nothing to complain of me—for every halfpenny I have received has gone back, and is as much at risk in this Association as any money which any Shareholder has subscribed. Now, with respect to the interest from the estate, during the transaction with Mr. Kingscote, the matter was so little complete and accomplished, that I held not only the title to the property in myself, but I required that my agents should alone have the control over it. I think my account states, that in those three years there was 10,900*l*. received beyond all the expenses, because I find in my account the Company charge me with 10,900*l*., which went towards payment of my own interest. I have only received interest from the Company for a year or two, I think, but I am satisfied that the estate itself has produced it; therefore why, under these circumstances, I should be represented to the public as having been de-

* In the Report of the meeting which appeared in the Times of 24th May, among other misrepresentations this "£100,000" is mentioned as "£100,000 a year;" and upon the gross mis-statement in its own Report, the Times has since founded a charge against the Company of seeking exorbitant profits.

sious to form some conspiracy for the sale of my estate, I cannot understand. I do not know who has imputed it to me. I am very unwilling to say a word upon the subject, for I have no facts to justify me in imputing anything to Mr. Morrison. I have been told, however, that Mr. Morrison says he has paid 6,000*l.* to go into my pocket. Now, Mr. Morrison is a gentleman, supposed by the world to be tolerably wide awake with respect to his own affairs, and although some poor Shareholder might have reason to complain if he thought I had gained an advantage at his expense, I do not think the world will sympathise very much with Mr. Morrison, or quite go along with him, if he represents that in a matter of this kind (in which he was concerned long before I had anything to do with it), I persuaded him to transfer money from his pocket into mine. I wish Mr. Morrison had been here. I have no right to impute these things to him. I am told, however, that he has charged me with having 6,000*l.* of his money. I have told you before that I have not a single shilling of any man's money belonging to this Society. The money I have in my pocket is the 25,000*l.*, which I received from Mr. Kingscote, and the interest which I am sure has come from the estate. I do not choose to mix myself up with the other proceedings of the Company, for the best of all reasons, that having a peculiar interest, I have kept very much aloof from the proceedings of the Company itself. I have the utmost confidence in the gentlemen who manage the affairs of the Company. If they want my advice at any time, it is, and it always has been, at their service; but considering the way in which I have been pointed at, as being joined with them in a conspiracy to defraud others, I have rather kept away; and they know as well as I do, that the Report which has been read, and all the facts and details of it, are as new to me as they are to any gentlemen in this room. It was proposed to me, shortly after the arrangement with the Company, to make a title to the estate. To this I made not the least objection. It was supposed that my Agents, being in possession of the estate, and controlling the management of it, rather interfered with, and impeded the progress of the arrangements of the Company. My answer was, that I might not, under other circumstances, be so much disposed to denude myself of the title; but I said, "If you wish it, I have no objection," and I have accordingly made a title to this estate. And let me tell you, that denuding myself of the management of the property, and making a title to the property, cost me 400*l.* a-year in pensions, which I am paying to the Agents. I have nothing more to say upon this subject. I should have very much preferred that any gentleman,

feeling dissatisfied with my conduct, should have come to me and asked for an explanation of it. It is very well known that I am not in my habits very uncommunicative. If anybody had come to ask me a question upon the subject, I should have answered him with much pleasure; and I think that such a course would have been much fairer and more straightforward than having recourse to these anonymous attacks in newspapers.

Mr. Bentinck.—My Lord, it might appear from my name having been mentioned as one of those with whom the Secretary has communicated on the subject of this Meeting, that I am connected directly or indirectly with the late article which appeared in the *Times* newspaper; and as this would give me the appearance of being an anonymous accuser, I am anxious to state that I have no knowledge, directly or indirectly, of the article, or of the writer of it. It is true, as has been stated by the Secretary, that I have disposed of the shares I originally held at the price which has been named. I offered them, in the first instance, to the Directors at par. I was abroad at the time when the first attacks were made upon the Company in the *Times* newspaper. There were one or two attacks made about a year and a half or two years ago. At that time I was abroad. On my return to this country, I naturally inquired from various sources as to the prospects of the Company; and from all I could then hear, and from the opinions of some of the principal Brokers in London, and the repute in which the Company generally was held in the money world, I came to the conclusion that the concern was in a very bad and unprofitable state, and I was induced to take the step of getting rid of my shares, and so divesting myself of all responsibility. I find that many of my friends have taken the same course. I received no information either here or elsewhere, to lead me to suppose that the step I took was an unwise one, nor have I yet heard anything which leads me to regret it. I shall be very glad if I can be shown hereafter that I have made a mistake, and that the prospects of the Company are brighter than I have supposed them to be; but from all I have seen and all I have heard, I do not regret the course I have taken. My object in addressing the Meeting now, is to state that I have made no accusation against anybody, except by word of mouth, at present; and as to any other accusations which have been made by other people, I am altogether disconnected with them, and ignorant of their authors. If the Directors can prove to me that I have taken an unwise and unfair view of the merits and pros-

pects of the Association, I shall be very glad to find that such is the case; and so no doubt will be the person who now holds my shares. Perhaps I ought also to add, that I subsequently offered the shares to a Director at 50 per cent. discount. There were 200 shares, upon which 6*l.* has been paid; and after I had disposed of them to the person who now holds them, an offer came to me from the Secretary to buy those shares in the name of the Company for the sum of 60*l.*

Mr. Dewar.—Not in the name of the Company.

Mr. William Lyon.—My Lord, I will trouble the Meeting with a very few observations.

Chairman.—I feel it my duty, and a very disagreeable duty it is—to ask you a question—

Mr. William Lyon.—I shall be very happy to answer you.

Chairman.—May I ask how long you have been a Shareholder?

Mr. William Lyon.—The share in right of which I come here I have been in possession of but a very few days. I am the person who has been mentioned by the Secretary as being one of those who held 200 shares, which have been sold for 5*s.*

Chairman.—My reason for putting that question to you is this—I do not know how the Act of Parliament is framed, but according to all the analogy of all our constitutions and all the establishments under our constitution, persons who acquire rights a very short period before the time of exercising them have been generally speaking by the wisdom (I suppose) of the Legislature forbidden to exercise those rights which they would otherwise have. For instance, a person cannot vote at an election for a Member of Parliament without having been in possession of the property in right of which he votes for a given period. Now I do not exactly know how this Act of Parliament runs, but as I was coming along this morning, and considering by myself how I should perform the duties of Chairman of this Meeting, it certainly did occur to me that that was a question it would be my duty to put to any gentleman who offered to address the Meeting.

Mr. William Lyon.—Your Lordship has put the question to me and I have answered it. If I have no right to be here I will of course withdraw at once, but I may state that I had notice to attend the Meeting.

Chairman.—I think that the fact of your having had notice gives you the right.

Mr. Colville.—There is no provision that a Shareholder shall be in possession of his shares at any particular period before voting or attending a meeting of Proprietors. Mr. Lyon, or any gentleman, holding only one share would not have a right to vote in case of any question arising. No person has a vote who holds less than five shares.

Mr. William Lyon.—My object, my Lord, in coming here is not to vote but to speak what I know of the facts of this case, and I promise to detain you, my Lord, and the Meeting, as short a time as possible. In the first place I would observe that we are met here in consequence of an article which has appeared in the *Times* newspaper, and I wish to give you my word that I have no knowledge whatever of that article, directly or indirectly. I am particularly anxious to avoid adopting the term *rogue*, and other words of that description which are to be met with in the article in question, but at the same time I adopt every word of the facts (which have been called, however, insinuations here) that that article contains. The only fault I find with the article is that it is written by a person who, in the first place, has committed an error in not proving *rogue* if he knows of it; and who is ignorant of many facts with a relation of which I shall have the pleasure of enlightening the party here met. Having said thus much as regards myself, and having disclaimed all connection with the article in the *Times* newspaper, I only wish to observe with regard to the report, which is extremely long and which has been read to me for the first time to day, that I do not feel able, nor probably does any other gentleman present feel able, to go over the whole of it. It may be a very able report for anything I know to the contrary—it certainly appears to me to be a very rambling one. However, such as it is, I will only offer one observation about it, which is, that a great deal of trouble seems to have been taken to prove how improving this property has been, and how very good it is; whereas, the best answer to all those assertions is given by referring to the value the shares have held since they have been in existence. The last proof attempted to be brought forward in the report with regard to the value of the shares is, that Mr. Wakefield has accepted 500 of those shares in payment for money due to him. All that I can say is, that, that does not carry conviction to my mind as to the value of those shares. Mr. Wakefield may be aware that it is not probable that he will ever get a penny from the property, and therefore it will be better to have the shares than nothing at all; and I do not at all agree, therefore, that the fact of his taking these shares goes any way to

prove their real value. Now there are many other charges which have not been mentioned in the *Times* newspaper, which I will now take the opportunity of mentioning. In the first place I may observe with regard to the application of the term insinuations to all those facts, that, that is not the proper term to apply to them. If any Proprietor will read this article in the *Times*, he will perceive that it states positively what has not been done and what has been done. These are no insinuations. It speaks of a certain number of shares being sold at par. That is either a fact or not a fact. It speaks of this being an Association got up for the avowed purpose of colonization. That no ship has been bought. That no one person has been sent out to colonize, and that no one thing has been done to forward the plan. Either that is a fact or it is not a fact. It is a positive assertion, not an insinuation. There is no answer to the facts set forth in the *Times* except the broad word "insinuation." I conceive that they are facts and not insinuations. For my own part I was led some two or three years ago to investigate a little closer into this matter, on account of reports which were flying about as to the character of this Association. At the same time also, or about the same time, there appeared a letter (which was answered by Mr. Ellice), probably of a similar character and by the same writer as this letter in the *Times*. This furnished a very good ground for me and some of the members of my family who held shares in this Association to stir ourselves. We entered into this Association with a tacit understanding—I do not say altogether a binding one, but certainly with a tacit understanding that two calls, which would be 4*l*. upon each share, would be the number of calls to which we should have to submit. At the same time I speak of, a third call was made, and some of the Directors probably thought it necessary, when that third call was made, to communicate with persons holding shares as to the cause of that call being made, and then the question arose whether that was a good or a bad reason for making the call. The reasons given to us were, that as the Government were going to run a canal through the Beauharnois property, it had been recommended by Mr. Wakefield to clench the matter as far as possible by lending the Government a certain sum of money. This, therefore, was the cause asserted for that call being made, which was another call of 2*l*. upon each share. I, with many others, and together with Mr. Morrison, refused to pay that call; but we found on referring to the Act of Parliament that we could be forced to pay; and I then also with other gentlemen, came here to ascertain exactly how that money had been

applied. We asked the Secretary, who gave us an answer, and referred a friend of mine to some of the Directors who were willing to see him. He stated that the call had been made for the purpose as I state, of lending money to the Government; but that when the call had been made and the money collected, it was found that the Government did not want the money, and therefore the money was applied elsewhere. I stated then as I state now, that if that was the case, and if I am quoting the conversation correctly, that was a misapplication. I have made this assertion more than once, and my friend Mr. Bentinck called and saw one or two of the Directors here, and he also made the same observation, and the answer always made to us was such as might have been expected if we had said, "You have stolen the money—you have taken it and applied it to your own purposes, or you have taken it from us to put it into Mr. Ellice's pocket, or have done something with it which amounts to what is stated in this article in the *Times* newspaper." But we have never said, nor do we mean now to say, that the money was applied so dishonorably as that, although we do state—and if we get an answer now, it is after an application made for years for the information—that that money has been misapplied, because it has been applied to a purpose for which it was not raised. I have a right to say that it has been misapplied. The misapplication of money may be so great as to render the parties liable to a prosecution for fraud; but we do not charge them with that. All we say is, that the money has been misapplied, and very much so. That is what is stated in the *Times*, and that is what I say myself, and what other gentlemen also have said. From neither the Secretary nor from the Directors have we ever received any satisfactory reply, but on the contrary, we have received what I hope I do not use too strong a term in characterizing as an evasive answer, and if any one of the Directors should now get up and enter into a long story about the way in which the money has been applied, I say that however it was applied, unless applied to the purposes in respect of which the call was made, there has been a misapplication.

Mr. Mangles.—I think it is desirable that Captain Lyon should state who told him, and upon what authority that that third call was made for the purpose of enabling the Company to lend money to the Government of Canada.

Mr. William Lyon.—Mr Russell Ellice told me so.

Mr. Edward Ellice.—I may perhaps be allowed to mention, that I was

informed also, that the money was wanted to send out to Canada for that purpose.

Mr. William Lyon.—And I have a note also, which would prove it if necessary, so far then with regard to that call and the misapplication of it. Then there are a great many other facts which I can prove, and which led Mr. Bentinck and myself to ask further questions, but to no purpose, one has been alluded to with regard to the heavy legal expenses due to Mr. Wakefield. I have not a very good memory, and cannot recollect all that has been read in the Report. It would require that it should be in one's hands some days before it would be competent to one to speak of it. I do not think that the sum is named in the Report.

Mr. D'war.—Yes—it is stated not only in the Report to day, but also in the former Report.

Mr. William Lyon.—I dont understand whether it is £9,000, or £12,000—£12,000 I am informed. Now that is another subject which has been mentioned frequently. It was mentioned by Mr. Bentinck also, and no satisfactory answer has been given with regard to it, nor do I think the Report gives anything like a satisfactory answer. The Directors themselves say they are of opinion also, that the sum is large, but that as no other person could be found, Mr. Wakefield was allowed to go making his own terms with them. Unsatisfactory as this Report appears to me to be, we have never yet been able to get anything half so lucid, nor have we been able to obtain anything like so full an amount of information as to the position of our affairs as that which has been now delivered. Then again as to the value of the property, with regard to which Mr. Edward Ellice has spoken, I consider that the short answer to all that (particularly from us who have never been much in Canada), is that we have a right to judge as to the value of the land, by the value of the shares, to a certain extent. If this were a thing of a year's standing, and we were immediately to expect that the shares should be at a premium, that would be unreasonable; but this association has been now going on I believe for ten years, and we are told that many gentlemen who are conversant with the subject, and conversant with Canada, are of opinion that the thing though not paying immediately, is a very good speculation, or rather that it will turn out to be so, I mention these things merely to remove an idea that we have sacrificed our shares—about 1000 in number for the nominal price of 14s. or 15s. merely to serve our own purpose, or merely to make this Association appear in an unfavourable light. That is not the case, even the parties

who have been addressing the Meeting upon the subject, and who state that this Association will eventually turn out a good thing have refused, as Mr. Bentinck has told you to accept his shares at par; and further they have refused to name a price for them at all, and that being the case there was nothing for us to do in order to get rid of all further responsibility but to go at once to the City. If I mention the name of Mr. Vine, and also of Mr. Thomas, Brokers in the City, they are both very well known as most respectable men. When applied to, the answer of one of them was that these shares were not in the Market at all, and the other said that they were totally worthless. If I am wrong in stating that these shares are so wholly valueless, how is it that not one of the Merchants who know of this Association, and many of whom are in the direction of it, would offer a farthing for any share, so that at last we were driven to get rid of a most dangerous responsibility, by selling our shares to persons whose fortune was so moderate in comparison with our own, that they would not stand in the dangerous position in which we should stand? How is it that finding 200 shares falling into the hands of a Ticket-Porter, the Secretary writes and offers £40 for these shares,* and finding that will not be taken, I suppose this Direction composed of gentlemen of considerable wealth, muster another £20 among them, and offer £60 for them. But the man is not so needy as may be supposed, and therefore holds them still. If I have not made out a case as to the valuelessness of these shares, I ask you my Lord, and I ask this Meeting whether the public will believe that I am wrong, merely because Mr. Ellice has stated the case more ably and more clearly than I have been able to do? Will the public believe that these shares are of any value at all, when they find that nothing whatever can be got for them, until when they fall into the hands of a person of whom the Directors are afraid there is an offer of £40 made for them. The public may say that Mr. Ellice is more accustomed to speaking than I am, and that he has made a much better case than I have done, but I ask you my Lord and the Meeting, whether the public will not say that the shares are totally valueless at this time? It is not as if the Association was started only yesterday, it has been ten years in existence. Now there are two subjects which I wish to mention—one of which is rather a startling one. I dare say when I first mention it, before I explain that

* Only *one* offer was made by the Secretary for these Shares, and that in person, and of that offer the Directors were ignorant, till after it was made.—SECV.

I can prove it, it will scarcely be credited—It is that this Association, or rather the Directors of it, or some person concerned in the direction of it, have had a map, or have probably now a map placed in some part of this house, shewing the property and where it exists. It has been reported to me—I heard it and have therefore gone into the enquiry and found it to be an undoubted fact, that some persons concerned in this Association coming into the house and examining that map, said “This is the map of our property I suppose,” to which the Secretary or some person there said “Yes,” the party replied “It does not look at all a promising thing—I think a good many more trees in that direction would improve the picture very much, and make the property appear of greater value, and therefore I think you had better have those trees added.” “Well,” said the Secretary, “I think you are right—I think it would be better.” Now I am not prepared to prove whether those trees were actually added or not but I am prepared to prove the manner in which this occurred, and that the order was given to put them in; and after all this I certainly was not much surprised when the Brokers told me what was the state of the Market with regard to these shares. There is one other observation which I have to make with respect to the sale, I have not seen the papers, for in the management of the concerns of this Association, there has not been that publicity which perhaps there ought to have been, and which would have enabled me to go into this question. If I am not wrong however the sum paid for the Estate was £150,000, and the number of acres 270,000, or thereabouts, but of those 270,000 acres, there are I believe about 150,000 let at a quit rent. I am merely going into this question to shew whether the sale was a good one or a bad one. If it be correct that about 150,000 acres were set at a quit rent, then we must ascertain what is the revenue produced by that?

Mr.

£.5000.

Mr. William Lyon.—I believe that the expense of collecting it, and the different expenses upon it eat up the whole. I understand, however, it is stated that if we get upwards of 1000*l.*, that would leave about 20*s.* an acre; and I believe the price of land in Canada is about 11*s.* or 12*s.* an acre. Probably this may admit of some explanation; but, before I could argue the case, I think I ought to have a more full investigation of the accounts.

Now, I have mentioned these facts, because, as I said before, I am very unwilling it should be thought that I adopted, without being able to prove them. I think I have proved the valuelessness of the shares. I

am prepared to prove what I have said with regard to the trees. With regard to the purchase of the property, I have stated what I believe to be the fact. With regard to the produce we receive Mr. Edward Ellice has just whispered to me that I am mistaken, and that it is 5,000*l.* that this property gives, and not 1,000*l.* a-year; but if you look into the accounts, I think you will find that our expenditure exceeds our income; and, if so, the whole property does not produce anything clear. If the expenses of collecting it are as great as the sum it produces, then, in fact, it produces nothing. We seem to me to receive about 4,000*l.* or 5,000*l.* a-year, and to pay 6,000*l.* or 7,000*l.*; and, so far as I can understand it, my conviction is, that the calls are the only means out of which the interest is paid to Mr. Ellice. As far as I can understand it, the calls, added to what we receive, make up our expenditure, but that the sum we receive alone is not sufficient, I am not a very good accountant myself, but others who are, have looked into the matter, and their report is that no surplus whatever is shewn; but that on the other hand there is a deficit of 2,000*l.* a-year. There do not appear to be any settlers at all upon the property. I need not say that I purchased the share which I now hold for the purpose of enabling me to come here and do what I have done. I have mentioned, as far as I am able, all the facts which have come to my knowledge; and I am quite prepared to prove those things which I have said I can prove. The other things which I have said are only reports I have only mentioned as such.

Mr. E. Ellice.—I wish to say one word in explanation. I offered no opinion with respect to the Company or its affairs. I only come here to explain my own position as the seller of this estate to the Company. What the value of the shares may be I am sure I do not know. I have not ever interfered with respect to the management of the Company.

Mr. William Lyon.—I only meant to quote Mr. Ellice as an authority for the value of the property, not of the shares.

Mr. E. Ellice.—With respect to the value of the property I have stated that I told Mr. Kingscote that I expected, during my life to receive 3,000*l.* from it, beyond the immense quantity of unsettled land which you, in your opinion, think worth about 12*s.* an acre. With respect to the land producing nothing, while it was in my possession, for three years, all that I can say is, that the Association have charged me 11,000*l.* for money received by me after deducting all the expenses.

Mr. William Lyon.—We get nothing, according to the accounts therefore, our agent administers it very badly.

Andrew Colvile, Esq.—I think the conversation has wandered away from the real question before this Meeting. We have heard a great deal about the possible value of this estate, and whether it was a good or a bad purchase, I do not think that now is the time to go into that subject. The purchase has been made, and the purchase must be adhered to, and fulfilled, and carried through; and I do not think it probable that any gentlemen here, or, at all events, but a very small proportion of the shareholders present can, by any possibility, have any ground of complaint whatever with regard to the purchase. They were cognizant of the purchase before they became shareholders. It was because the purchase was made that they really did become shareholders; and, therefore, I say it is not competent to those gentlemen to turn round and say to Directors who did not make the purchase, or to any even who did, "You have made a very foolish bargain." It may be a bad bargain or a good one, but surely the bargain will not be benefitted by gentlemen acquiring for the purposes of to-day a single share in order to enable them to come forward and decry your Association and your position, and hold out, in conversation, that you are a — Company. I do not know what designation he would give it, but a Company not likely to produce any good to the Shareholders. What benefit can possibly arise to the Shareholders or to anybody by a person buying a share merely for the purpose of entitling him to come and decry the concern?

Mr. Bentinck.—At least the benefit of knowing that he cannot be made responsible for any further calls without knowing his exact position.

Mr. Colvile.—If a man makes himself responsible to the extent of 1*l*. that is not a matter of any very great moment; 6*l*. has been already paid, and the utmost amount to which a man can be responsible is 1*l*.

Mr. Bentinck.—It is a question whether it is not desirable to have a complete investigation of the affairs of the Company so as to enable parties to know whether they are not going on at a dead loss by remaining under a liability to pay fresh calls. That seems to me to be the object of the investigation sought, and a very clear straightforward and simple one.

Sir H. W. Barron, M. P.—As one of the original Shareholders in the Association, and as the person who brought the Bill into

Parliament, and took a good deal of pains in the original formation of the Society, I may be permitted to say two or three words. I feel, of course, naturally anxious for the welfare of the Society. I hope it may succeed with all my heart. I do not come here for the purpose of accusing the Directors, or with any view to decry the Association. I am really one of those who come here for information; and I must say that, after the lapse of ten years, it is natural that we should wish to have some information, and that we should know in what position we stand now, and to what we have to look forward. Let us have that explanation *bona fide*, and then let us determine whether we shall go on, or whether we shall dissolve and sell our property. I think it is the height of imprudence for us to go on from year to year, with deferred hopes, without coming as men of business to understand how we are really circumstanced. I do not make any allegations against the Association, its respected Chairman, its Directors, or its Managers, for I know them to be men above all suspicion, and who can have no object in leading us astray. I, therefore, claim from them, as men of business, as men of the world, and as men who understand these matters a fair and *bona fide* explanation. If what has been done to-day is not considered satisfactory let us adjourn in order that we may have an opportunity of reading and considering the Report. Let every thing be fair and above board; and above all things let us come to a determination either to dissolve the Association and sell our property, or else let us see that there is some prospect of our doing good by continuing its existence.

Mr. Colville.—I was stating when I was interrupted by Capt. Bentinck that, from a great deal of what fell from the honourable gentleman who had addressed the shareholders, gentlemen might suppose that no communication had ever been made to the shareholders as to the state of their affairs, or as to any of the transactions of the Directors. But that is not the case. There have been Annual Meetings held according to the provisions of the Act of Parliament constituting the Company. A statement of the Accounts has been regularly submitted to the shareholders, and under the provisions of the amended act, which is now on the table, those Accounts are required to be for fourteen days open to the inspection of the shareholders, as they have been, and some of the shareholders, one in particular, Mr. Bentley, the holder of a large number of shares, did come here and was occupied more than one day I believe in the examination of these accounts. He saw every thing that he required to see. He was told, "there are the books, you may go through them and see every transaction of the

Company." The whole thing was open and is open under the provisions of the Act of Parliament to every Shareholder. The Report which was read at the last Meeting, held in February I think, stated all the transactions that it was necessary to communicate to the Proprietors. The Accounts were laid before them, and the Meeting adopted that Report and those Accounts which had been laid upon the table in the regular mode. No opposition was made either to the Report or to the Accounts; and, therefore, I do not think it is reasonable now, and certainly it is not in accordance with the usual practice in concerns of this kind, that parties should come forward at a subsequent day and say, "we have been told nothing," the fact being quite the reverse, full statements having been made at the regular Annual Meetings, every provision of the Act of Parliament having been complied with, and no opposition having been made at the proper time. I hold that it is not fitting now to go into these Accounts which were passed regularly at the Annual Meeting. But, at the same time, the Proprietors have, under the Act of Parliament, a perfect right to inspect and examine into the affairs and proceedings of the Directors, and as far as those provisions go there can be no objection, and no objection has been ever made to any Proprietor availing himself to the full of the rights which the Act of Parliament gives him.

With regard to the suggestion which has been made, that the Association should now take into consideration the question what is best to be done, and whether you can wind up the affairs of the Association and sell the shares in the market for what they will bring, I think it does not admit of that. The Company has possessed itself of a large landed property. You cannot sell that in shares in the market here. You must go through with it. You must hold that property until it can be realized by actual sales, and the money collected from the purchasers. That is an operation of time. When a concern of this kind invests its money in the purchase of land in a new country like Canada, it cannot look for annual dividends immediately. It is a speculation which is to yield a profit not in the way of rent but by actual sales of the land purchased; and it is upon the winding up of the accounts of the sales that parties ascertain whether they have made a profit or sustained a loss. A man has no right to expect dividends and annual income until the sales have been made, therefore it does not appear to me to admit of a consideration as to what is to be done. The Company must hold by the purchase, and hold by their shares, and they must carry through their speculations, managing it with as little expense as

possible. The expenses here are very small. The Directors are unpaid, the Secretary has a small salary; and as it is necessary that accounts should be kept, there is a clerk who has been appointed for that purpose. That is the whole establishment here. On the other side of the water, also, the expenses are but small. Your Agent there has not a large salary. There is also a book-keeper there to keep the accounts, and there is no great expense going on there to set against the income of the estate. Owing to the situation in which Canada has been for the last two or three years, the receipt of reserved rents, and the fines on alienation, which we have a right to draw according to the feudal tenure on which part of the lands have been conceded has not been so great as might have been anticipated. The people have not had the means to pay, and it has not been considered expedient to press them—it would have been improper management of the estate if they had been pressed for payment more than they have already been. That is a matter which must be entrusted to the discretion of the Directors, and I would not be a Director for an instant if that discretion is not to be left with them. I will not consent to be put into such a position as to be the instrument of oppression and tyranny to the people who hold those lands. The state of Canada has been such, partly from the state of mercantile matters in the neighbouring country, (the United States,) and partly from bad seasons and bad crops, that the people have not had the means of paying; and it would have been the height of indiscretion to have urged them for more payments than have been obtained from them. The result of that, however, is to show a much less amount of income received than would be the fair annual rental of the property. I believe that nearly 22,000*l.* is the amount of the arrears that are now due. Considering the better times and the better prospects that are now in view for Canada, and taking the fair average of seasons, (and we may justly expect that good seasons must come in their turn,) I have no doubt in my own mind that the whole of that 22,000*l.* will be ultimately received, because the right which these parties have in land, and their position altogether affords ample security to the Company for the claims that they have upon them. I have no doubt, therefore, that the whole 22,000*l.* will be ultimately received; and if that sum is received, the accounts will assume a very different appearance. Now, all those matters a Shareholder, instead of making a complaint that he cannot sell his shares at an increased price, or get a dividend, and instead of coming here to utter his grumble, and to decry the Association, should have found out for himself by looking into the accounts, and by making himself master of the subject. If he had done

that, he would have seen at once the whole state of the thing. But be it good or bad, he must adhere to it as long as he holds his shares. I really think it is not the proper business of this Meeting to consider what is the value of the shares in the market. He has a certain share in the concern, and he must stand by it. Neither do I admit for one moment that the real value of the property of this Association can be ascertained by ascertaining what is the value which a stock-broker puts upon a share. It is not a share in a concern in which any dividend can be expected until you are in a situation to realize a sufficient sum to pay Mr. Ellice the balance due to him; and when that balance is fully paid, the surplus will become divisible among the Shareholders. That, however, must be at some distant period, and therefore, a share in a concern like this, is not of a nature to bear a current price on the Stock Exchange. I cannot, therefore, at all admit, that the value which a stock-broker may put upon a share is at all a just thing by which to ascertain its real value.

Pierce Mahony, Esq.—Until I came into this room I was entirely ignorant of the object for which this Meeting was convened. It happens very accidentally that I am here. But if I rightly understand the article complained of in the *Times* newspaper, it amounts to this—that this Association was got up fraudulently for the purpose of buying an estate from Mr. Ellice. Now I happen to have been professionally as well as personally engaged in the origin of this undertaking, and I can state here that the object of the undertaking was anything rather than fraud. The object was to benefit the poor Irish people who were in the habit of emigrating to Canada. It was got up by Gentlemen, many of whom I now see in this room; Mr. Ponsonby, your Lordship in the chair, Sir H. W. Barron, Admiral Sir Josiah Coghill, Mr. Macartney and others, all Irishmen, ignorant of the fact that Mr. Ellice had an estate in Canada at all. We formed the Association and subscribed our money most freely, all parties agreeing to forget their differences both political and religious; and I will say that although if there was ever an Association which, looking to its Members, might be described as "orange," this was that Association; yet both whigs and radicals were most willing to co-operate in a common national object; and, therefore, I do think it hard, that we who are responsible for the origin of the affair, should be charged with having formed a conspiracy to cheat the shareholders, by getting money from them in order that we might buy an estate from Mr. Ellice. I hope, therefore, that I shall not be considered as intruding upon the Meeting by utterly disclaiming both

on my own part and on the part of those with whom I acted, any such intention or oblique as that which has been imputed to us. For some two or three years we were most desirous to carry out our object, which was this. You, my Lord, have managed your estate with great advantage to yourself, to your tenantry, and to your country, but you have been obliged, as other landed proprietors have been obliged, to find room for those who wanted room elsewhere, and you have sent them out at a great expence to yourself to Canada. Humble as I am, I have done the same, and I might appeal to other friends who have done so too. But we wanted an estate which should belong to an Association, where our Agent would be present, and where the poor emigrants who had no home to go to might be received in houses, and where facilities might be afforded them to procure land. Having failed in getting sufficient capital, this Company was taken up, as I understand. The first name that I read connected with it was the name of Mr. John Abel Smith, to whom Ireland was so much indebted. That gave it a great recommendation to us, and we were exceedingly happy to find that it had got into such good hands. We then found a most wealthy and respectable direction, and we find your Lordship continuing in the direction. We found Mr. Ponsonby and others, who occasionally came here, and we were quite content with your management, and felt happy that the undertaking was to go on. We found Mr. Morrison also a Director. We all know his wealth and his intelligence, and it never occurred to me, certainly, that he was a person likely to have made a bad bargain. I must say, from the amount of information that I have before me, it does appear to me that we have made a bad speculation, but I must likewise say in Mr. Ellice's presence, that I cannot blame him at all if the bargain does turn out a bad one. Mr. Ellice sold his estate to a most respectable and intelligent gentleman, who re-sold it to the Company, who have stepped into that gentleman's shoes, and Mr. Ellice has embarked 28,000*l.* of the purchase money in our joint speculation, so that if we lose our money he will lose his subscription likewise. I do say, with Sir Henry Barron, that it is doing a great injury to a Company such as this is, to allow charges of this nature to be brought forward without their being met and refuted; I am sure that there is no measure of explanation in the power of the Directors which they will not readily give, and no measure of enquiry which they will not most willingly meet. I am exceedingly glad that this course has been taken instead of having recourse to publications in newspapers. I think that the Directors have taken a most wise and manly course, and I am told, that by tomorrow's post, the base imputations which

have been put forward will be dispelled, for I see that the press is here. I have been very glad to hear what the honorable Proprietor has stated. I think he has brought it forward in the straight forward manner to which Englishmen are accustomed. I will merely add that I should be very glad to find Sir Henry Winston Barron's proposition carried, that the report should be printed, and that an opportunity should be afforded of considering it.

Donatus Henchy, Esq.—Having been long connected with this Company it is natural that I should wish to address a few words to the Meeting. I never was more surprised in my life than when I read the charge that this Association was formed for the purpose of buying Mr. Ellice's property. I was one of the original Directors of the Association, and I can assert, without the possibility of contradiction, that Mr. Ellice's name was not known to us when we formed the Company. When Mr. Kingseote purchased the property I was in London. I objected to the property being purchased for this Association because I conceived that we ought to have a larger tract of Country, and then Mr. Kingseote said he would purchase it for himself. Sometime afterwards Mr. Kingseote said that the Company ought to purchase the property from him. I said "No, let a Committee be appointed, let us examine into the value of the property, and if we find that it is worth what you propose to sell it for, of course it shall be purchased." Sir Josiah Coghill, myself, and other Directors were appointed a Committee to investigate it. We sat for days over it, and I should be glad, for the sake of the Shareholders, that the report which we then made with regard to the property should be read. We certainly conceived, and I am still of that opinion, that it was a very eligible and safe purchase; but I conceive also, that a larger tract of country might be got at a cheaper rate on which to settle some of the Irish Emigrants, who were daily going out to Canada, as I conceive that the property which we had was not such as they could be settled upon, for nobody ought to be settled upon it who could not take out capital. However, I was one of the first strongly to recommend the purchase from Mr. Kingseote. I am here willing to take my share of the responsibility and of the blame. I know it will turn out to be a good purchase. I know that the present Directors are men of high character, of undoubted honor, and of large fortune. I know it is their interest to make the property as valuable as they can, and I know that they will do so. I have stopped in London merely to state these facts. Having been connected with the direction of the Company from the year 1834 up to the year 1840, and having thought

it necessary that I should be nearly every day sitting at the board, both in London and in Ireland, I conceived that I could give some explanation of these matters. To conceive that Mr. Ellice had anything to do with the formation of the Company is as great a falsehood as could possibly be uttered. He had nothing to do with it. When it was first proposed to purchase this property, the Honorable Mr. Ponsonby, now sitting at the board, moved a resolution that we should not purchase it, and I seconded it. It was then purchased by Mr. Kingscote, who held it for a length of time in his hands. We were then negotiating for a purchase from the new Brunswick Company, and we sent out an agent to Canada at an expence of 200*l.*, to inspect the property which he did. Finding some difficulty about it, I suggested to the board the propriety of purchasing Mr. Kingscote's property; but that, before doing so, it should be investigated by a Committee. That Committee was appointed and Sir Josiah Coghill was a member of it. We made a report as to the value of the land, and I should wish that report to be read, because I conceive it will clearly shew the position in which we then stood. We have already advanced 6*l.* a share, and my feeling is that if we advance more we shall get a return for it. When I look at the property in Ireland which was purchased by the Irish Society, and find that they held it for a number of years before it made any return, and that it is now very valuable, I cannot help thinking there is very reasonable and good ground to hope and believe that this will turn out ultimately to be valuable in the same way. I remember when the subject came before us that Sir James Duke was the only individual Director who opposed the purchase of this property. A memorandum has been put into my hands, shewing that he gave as a reason for it that it was departing from the original plan upon which the Association was formed. He was the only person, however, out of a board of eight or nine Directors, who opposed the purchase.

Sir H. W. Barron.—In corroboration of what Mr. Henchy has just stated, I can safely say that this Association was formed at least five or six years before the purchase was made from Mr. Ellice. I ought to know something of the origin of the Association, for I brought the Act into the House, and got it passed; and I know that Mr. Ellice had not an intention of selling his property at that time; and we did not hear a word of it for years after the Association was formed. There cannot, therefore, be a greater mistake than to accuse us of forming the Association for the purpose of benefiting Mr. Ellice by purchasing his property.

Mr Henchy.—I wish to say one word in explanation. Sir Josiah Coghill, in fact, purchased more shares after the purchase of this estate than he had before. He was a member of the Committee, and, therefore, understood pretty well the value of the property from having gone over the particulars of it day by day for a great length of time.

R. D. Mangles, Esq., M. P.—As a Director of this Association—as a Shareholder who became a Shareholder at the same time that Captain Lyon became a Shareholder, and as having, therefore, embarked in the same boat with him, and only differing from him in position in this respect,—that I still hold the shares which I then purchased, I am desirous, being also one of those Directors whose conduct has been so unjustly maligned by some person or persons unknown, (for in this room nobody seems willing to come forward to own the smallest connexion with this article in the *Times*, all the gentlemen who have spoken having alluded to it only for the purpose of disclaiming the smallest knowledge or participation in it,) to reply to the speech of the hon. gentleman (Captain Lyon). Captain Lyon commenced his address by stating, that he found nothing in this Report in answer to the facts stated in the article in the *Times*. That in truth this Report seemed to him to contain no facts at all. I will do it very briefly, but I think it will be well to recapitulate shortly to this Meeting, what facts there are stated in this Report.

Mr. Wm. Lyon.—I beg your pardon; but that is not exactly what I said. I said that the Report was so long, that I was not prepared then to go into it. I denied that the statements contained in the *Times* were insinuations as they are stated to be in the Report, and alleged that they were facts. I am in the recollection of the Meeting that I declined going into the Report altogether—I said I was unable to do so. I passed it over merely observing, that it was not an answer to the facts stated in the *Times*, and said that I had not time to go over it.

Chairman.—I think that is the correct statement of what you said.

Mr. Mangles.—It is very far from my intention to misrepresent anything that has fallen from Captain Lyon. I know how essential it is to a good answer that you should fairly state the case of your opponent; and my object certainly was to state fairly what Captain Lyon said. Captain Lyon then says, that those facts (called insinuations in the Report) which are stated in the *Times*, have not been answered upon the present occasion. Now, what are those facts, which are called insinuations. The first is, that this Company was apparently formed for the purpose of buying up this estate from Mr. Ellice. Now, I appeal to

this Meeting, whether both in the Report and by the testimony of Sir Henry Winston Barron, and the testimony of Mr. Henchy, that insinuation, or fact, whichever you call it, has not been most completely refuted.

Mr. Wm. Lyon.—What I said was, that the article, if you read it, says that the estate was purchased from Mr. Ellice for the purpose of emigration. The hon. member behind me has proved my case. According to his statement you purchase an estate for the purpose of emigration and do not emigrate. That is what the *Times* says.

Mr. Mahony.—I stated that one of the original objects was to buy an estate to which to send emigrants. The emigrants were sent out, but when they arrived they had no place to go to. We found that a great difficulty, and our object was to buy an estate, where we might have agents to receive them.

Mr. Mangles.—I will address myself to the ground which the hon. gentleman takes. Now, what does the Report state upon that subject? Gentlemen here present, who are only responsible for their own acts, joined this Association when less than three thousand shares had been taken up. We by ourselves, or by our friends, filled up the whole amount of the Association. We subscribed the full capital; and that I think may be in some degree an answer to the charges that have been insinuated, that we have conducted ourselves (in the words of the *Times*) with "roguery" in this matter. If we are rogues we are rogues to the great cheating of ourselves, for we and our own immediate relations and friends hold two-thirds of the whole property of the Association. When the whole capital was paid up, the Association, and the Directors of the Association, naturally, as prudent men, looked about to see in what position they were. We, having entered the Association at the same time as Captain Lyon, believed, and certainly I believed for my own part, that we possessed an Act of Parliament amply sufficient to enable us to carry out all our plans. The first thing we did as prudent men, and which we were bound to do, not only with reference to our own interests, but with reference also to the interests of the Shareholders, was to ascertain whether the Act of Parliament was so framed as to enable us safely to carry out all our objects. Doubts were suggested upon that head, and we referred the matter to able counsel, whose answer was, that the Act was not such as would enable us safely and advantageously to proceed. I think that that may be considered a sufficient reason for not carrying out the principle of emigration, under an Act which would have subjected Captain Lyon, and all of us, to very grave responsibilities.

Mr. William Lyon.—That was the old Act.

Mr. Mangles.—That was the old Act. We then proceeded to get a new Act of Parliament; but after we had discovered the inadequacy of the old Act, we were not able to give the notices required by the Standing Order Committee in sufficient time, and were, therefore, thrown out for that Session of Parliament. We went before the Standing Order Committee, but Lord Shaftesbury threw us out. We lost that year, therefore, and no gentleman present, I should think, will blame us for not having carried out emigration under an insufficient Act during that year at least. We took the requisite steps to obtain an Act in the ensuing session. We did obtain it; and it is perfectly true that we might, if we had been so minded, have proceeded at once to carry out emigration. That Act of Parliament, however, required us also, before we could carry on any operations under it with benefit or safety, to obtain an Act from the local Legislature to empower us to act there. That Act, through circumstances connected with Canada, we have not been able to obtain, though every endeavour has been used to obtain it. But this is not all. There is no gentleman in this room so ignorant as not to know what has been the state of the money-market, and what has been the state of commerce in America during the last three or four years; and gentlemen who know the great depreciation that has taken place in the value of property there, will say whether we should have been justified as honest men (to say nothing of our own large interest in the matter) in selling parts of the estate at a time of such depreciation. But not only that. We knew that it was determined to complete the navigation of the St. Lawrence from the seas to the great lakes. We knew how desirable an object it was that a canal turning the rapids, so as to complete the navigation, should be carried through the Beauharnois property instead of on the other side of the river; and we knew how greatly the completion of that canal would enhance the value of the property. I ask again, whether as honest and wise trustees, we should have been justified in selling land before that great work was carried, when we knew that that great work would add greatly to the value of our property. But that is not all. We knew that the capital of Canada had been placed at Kingston, a small and remote village. We felt sure that common sense would induce the Legislature to establish Montreal as the capital; and we knew that that also would add greatly to the value of our property. Knowing this, as honest trustees, should we have been justified in selling part of our property while Kingston remained the capital? In the first place our Act was insuf-

ficient. There was the loss of a Session, not through any default of ours. When we did get the Act, there was a clause inserted in it, (not by ourselves,) rendering it essential that we should obtain an Act from the Local Parliament. That Act, from political causes, quite independent of ourselves, we have not been able to obtain. Again,—we were desirous of getting the canal made before we sold our property. Again,—we were desirous that Montreal should be established as the capital of Canada before we sold our property. Those were sufficient reasons to our minds. If we have erred (and to err is common to mortals) we have erred to our own disadvantage. Having a very large stake in the concern, and being, as I hope, honest trustees for the whole body, we felt that we could not agree to sell our property under these circumstances. But then the hon. gentleman is dissatisfied with the large sum of money paid to Mr. Wakefield, and he says that the Report contains no sufficient explanation and justification of the circumstances of that case. Now, the facts of the case were these. The Directors, as trustees for the rest of the Shareholders, and as possessing themselves a very large share in the property, were bound to act as they thought best for the concern. They knew that a very strong party—by far the strongest political party in Canada—were interested to carry this canal to the north of the St. Lawrence. It was our interest that it should be carried to the south side of the St. Lawrence; and we were persuaded and are persuaded now, that that was the proper line for the canal to take; but we believed that that which was proper would be defeated by jobbing, and undue influence in the province, unless we made vigorous efforts to obtain what was right and proper. Mr. Wakefield was thought to be a proper, and, perhaps, the only person, from his knowledge of Canada, as well as from his general ability, zeal, and energy, and from the confidence with which he was looked up to by a large portion of the population of Canada to carry the matter through. He was applied to to know whether he would go out to undertake this matter. Mr. Wakefield said on such and such terms I will go out, but on no other. He named his own sum as his remuneration, and also stated what is not stated in the Report, and which I think is an omission in it, that if he did not effect the object for which he went, he should receive nothing. It was not that he was to have this sum of 12,500*l.* merely for going to Canada and trying to do this; but he was to have nothing at all if he did not carry into effect the main object for which he went out, that object being to procure the Beauharnois canal to be carried through the territory. He attained that object, and I for one, as a considerable pro-

prietor in this Company, and a trustee for other Shareholders, am persuaded in my own mind that the enhanced value of the property greatly exceeds the sum paid to Mr. Wakefield, so as to make it a great speculation on the part of the Company to have retained Mr. Wakefield's services. Captain Lyon bought his shares at the same time that I did. The estate had then long been bought. It was his business to inquire whether the estate was really worth the sum which we had given for it, and he will excuse me for saying, that instead of coming here as he has done, with a complaint that he has been taken in, when he finds, or thinks he has found, that he has made a bad bargain, he ought to have looked into the matter before. I satisfied myself that it was a good bargain, and I am still satisfied of it ; and it seems to me that all that the hon. gentleman has to complain of is, his want of nerve to hold his shares as I hold mine. But now, I come to another matter. The hon. Gentleman said, that he had a charge to bring against the Association of so grave, so serious, and so formidable an aspect, that it was hardly to be believed that such a thing could be true ; and at several periods, as he was coming to the climax of this story, he entreated you to believe that which he admitted was almost incredible. The first fact (and no doubt a startling one) was, that we had a map of this property hanging up somewhere in our office. The second fact was, that somebody or other came in and spoke to the Secretary about this map. That he asked him whether it was a map of our property, and that the Secretary said it was. Who it was that asked the question did not appear. All was kept a mystery—*omne ignotum pro magnifico*. This gentleman without a name, then, said, I think this map looks so ugly at present, would it not look better if some trees were added to it ? The Secretary said he thought it would.

Mr. Wm. Lyon.—I beg your pardon. I do not think it was the Secretary.

Mr. Mangles.—That makes the story still more mysterious and more formidable. Not only is there an unknown enquirer, but an unknown enquiree. The enquiree said he thought it would look better with the addition of some trees. Now, I thought that this was only the introduction of the story that was to come, and that the statement would go on to say that the trees were put in, and that the whole thing was cooked up and made to look much more flattering than it was before ; but whether the hon. gentleman forgot the point of his story, or whether that was the point of it, I do not know. At all events, he added nothing to that statement. All it seems to amount to is, that some

gossiping person, unknown, says to some other person, unknown, I think this map looks very ugly as it is, would it not be better to add a few more trees? The other says, "Yes, I think it would," and then that conversation is to be brought forward to-day as a story almost incredible, but the effect of which is that it is to blacken all our faces, and to shew that this board is unfit to exercise the trust reposed in it, and that the whole concern is a swindle.

Mr. William Lyon.—I believe I said I did not know whether the trees were put in, in fact, but that I could prove the order was given to put them in.

Mr. Colville.—Do not make a mystery about it—let us know who did these things.

Mr. Mangles.—It was that the property would be better represented if the map had trees upon it, and no doubt they would make it look more like wild lands in Canada. Another of the grave charges made by the honorable gentleman is, that there was a tacit understanding that there should be no more than two calls made. I became a Shareholder at the same time as he did. I never heard that there would be no more than two calls made. On the contrary, I believed, and for my own part have always pressed that more calls should be made, and that more money should be paid up to improve this property, which I believe to be very valuable. At any rate I never heard, and I am sure that many gentlemen in this room will bear me out in that, that such a tacit pledge was given. The honorable gentleman also says it was notified that the third call was made to enable the Company to lend money to the government for the purpose of beginning of the Beauharnois canal, and that the money not having been applied to that purpose there was misrepresentation and fraud in that.

Mr. William Lyon.—Misapplication.

Mr. Mangles.—And that in that respect the Directors were highly culpable. Now, I never heard that that was the object of the third call. I believe that the third call was made as the second had been, for general purposes; but this I do know, that no such misapplication in fact took place, because the money was actually lent to the Board of Works in Canada, to enable them to commence the Beauharnois Canal at a certain time. The money was actually lent to the Board of Works—I do not know why, as proprietors of this estate, we should not admit what was our object, it being a perfectly honest one—our object no doubt was to get the work begun because we knew the power of jobbery and misrepresentation on the other side; and we knew that, if possible,

even at the eleventh hour, in case of any change in the Administration or other circumstance, the works would be carried to the other side of the St. Lawrence to the detriment of our property. I may say I have been told by the highest authority in this country connected with the treasury, that they have no doubt whatever from the report of Captain Philpotts, the Royal Engineer, who was sent out to examine it, that the south was the proper line. My friend Mr. Trevelyan told me that he had examined the reports and had no doubt that it was the proper line. Great influence, however, was used to get it carried on the other side. We believed that our property would be greatly benefited if the canal were carried through it, and therefore we were very anxious to have it begun, and lent our money in order that the public money being embarked in the work, it should be carried through. That money being so lent remained in their hands for more than a year, and it has been now repaid to us. So that if the honorable gentleman did understand that the third call was made for the purpose of being lent to the Government, he has the satisfaction of knowing that it was applied to that very purpose. It was lent to the Government, and has been since repaid by them to the Company.

I will now say a few words as to the value of the property. That is a matter of opinion. Captain Bentinck and Mr. William Lyon have told us they think it an entire loss, and that they have been glad to sell their shares for five shillings to a ticket porter and to other parties to get out of the responsibility. My belief is, that the estate is a very valuable one, and if those shares have been in reality transferred, I hope those gentlemen will live to repent it. I have no doubt whatever in my own mind (though it is purely a matter of opinion derived from the information I have received from persons who have been in Canada, and who are competent to give an opinion upon the subject), that from the circumstance of the Beauharnois Canal being carried through the estate, and from the circumstance of Montreal being made the capital, the estate has become exceedingly valuable. It has been said truly that the price of shares among jobbers in the share market is no criterion whatever as to the value of property. Property may be worth fifty times more than what we give for it. It is certain that from causes which I have explained to the Meeting, we have been unable to carry on any operations upon the property, and that circumstance, no doubt, has greatly added to the depreciation in the value of the shares in the market. I have embarked in the concern and I intend to remain in it. I have no interest in misrepresenting it. If these transfers, which have been

made to the ticket porter and others, have not been *bona fide* transfers, I cannot see what advantage can result to these gentlemen from what is commonly termed fouling their own nest. Every information they could desire would have been and will be given to them. From the commencement, and long before these attacks appeared in the *Times*, there has been no sort of intentional concealment on the part of the Directors. There is not a single fact known to ourselves connected with the management of the affairs of the Company, that I would not myself have personally communicated to any Shareholder who had asked me for information. There is not a fact that would not have been made known to any gentleman who came here to ask it. We have held public meetings of the Shareholders annually. Our accounts have been regularly laid upon the table. There is no part of the transaction that has been attempted to be concealed, because, being as I hope, men of honor, we have nothing whatever to conceal. Now as to the value of the property there are these proofs of it. I would refer to any gentleman who has been to Canada, as to the value of land there which has a large Canal like this Beauharnois Canal running through it. But, besides that we have the report of Mr. Tower, who was sent out by Mr. Kingscote. He is a member of a well known Essex family, and the brother-in-law of Mr. Kingscote. He went out to survey the property. He was on the estate for two years, and there is his report, which is at the command of any gentleman who wishes to see it. We have also the report of Mr. Aitcheson, a gentleman well known in Canada, and who is perfectly competent to form an opinion on such a subject. I should say that his report is a little over sanguine, but let any gentleman enquire who and what Mr. Aitcheson is, and what are his qualifications for forming an opinion—let me beg of you or of whoever does it, before you charge honest and honorable men with deceiving you, to take the trouble, in the name of fairness, to enquire into this matter—take the trouble to enquire who Mr. Aitcheson is from any Canadian gentleman, and whether he is competent from his character and ability to give a fair report upon the value of lands in Canada; and when you shall have done that, let me beg of you to read his report, which our Secretary will shew you or any of you, and then see whether you do not wish to get back your shares from the ticket porter. I do not know that I have anything to add to what I have already said, but this one thing I will say, I do not know whether any gentleman is in the room either representing Mr. Morrison or representing the party who wrote those articles in the *Times* or caused them to be inserted.

I have my belief as to who was the instigator of those articles. If either he personally or his representative is in the room, I ask him to come forward as an honest man and say by what right he seeks to blacken my face, for I am personally concerned in this matter. I ask him to come forward as an honest and honorable man, and prove, if he can, that I and the honorable gentlemen with whom I have been and am associated, have acted with roguery; and I say, in conclusion, that if he does not come forward before this meeting, and either disavow all knowledge of the article in the *Times*, or prove the matter which is there asserted, he stands, if he be present, in the position of a convicted slanderer.

Mr. E. Ellice.—I wish to say one word in explanation. A question was asked as to the value of the unsettled property. I see that from the year 1834 to 1839, before I sold this property to the Association, I sold 9,700 acres of this wild land, 8,900 of which were sold at from 20s. to 30s. an acre, and the greater part of the value (all the money remaining on mortgage) is now the property of the Association.

James Leman, Esq.—My name being mentioned in your projected report, rather in the way of insinuation, I beg to say that neither directly nor indirectly do I know anything of the article which appeared in the *Times*, and I may, I presume, say the same on behalf of the ticket porter also. One observation which has been made by Mr. Ellice, induces me to go a little further into this matter than I originally intended. I think he stated that the probable income which he expected to arise from this property during his life was but £3,000. a year.

Mr. E. Ellice.—Certainly I did.

Mr. Leman.—The purchase money paid for the estate was 150,000*l.* therefore it is impossible not to see that instead of getting 3,000*l.* a year, Mr. Ellice in fact gets according to the rate of interest double that sum. I wish to draw the attention of the gentlemen present to that fact. Mr. Ellice says I never expected more than 3,000*l.* a year for this property, whereas the company have given him 6,000*l.* a year. He has at this moment a mortgage for 90,000*l.* and therefore he may take the estate back from you if you do not pay him the interest and principal. A gentleman at the end of the room said that there was a report upon the subject. We never heard of Mr. Aitcheson before.

Mr. Mangles.—You might have done.

Mr. Leman.—Instead of the Society or the Directors of the Society being indignant at the article which appeared in the *Times*, they ought to be much obliged to the writer for giving them an opportunity of

explaining that which has been kept a mystery—this startling thing that we start upon with respect to the 3,000*l*.

Mr. E. Ellice.—I did not state that 3,000*l* was the value of the property. Half the property was unsettled. I did expect from that part that was settled 3,000*l* a year during my life, but I did not intend to give to the purchaser a hundred and twenty acres of this property near Montreal. I considered that as a reversionary interest, which would come to me afterwards.

Mr. Leman.—I certainly understood Mr. Ellice to say, that the whole income that he expected from this property was 3,000*l* a year.

Mr. E. Ellice.—I admit that perfectly. But are not people to have reversionary interests? Will the honourable gentleman allow me to state the nature of this property. Every body must be aware that I have been very cautious about giving an opinion as to the value of the property, from the very first. I stated to Mr. Kingscote at the time he had my agent's valuation in his hand, which estimated the value of this property at two hundred and odd thousand pounds. I refused afterwards the 100,000*l*. for the property before, let me tell this meeting, if that is of any importance. I refused it when I was in America myself. I gave to Mr. Kingscote the valuation which my agent had made some years before, not with any intention of sale, and I said to him, "I think it fair to tell you when you are purchasing that which you cannot understand, that though I look on this property as valuable, and I shall leave the reversion of it, I do not expect, without applying further capital to it, to receive more than 3,000*l* per annum during my life."

Mr. Leman.—That is precisely what I state—that this property was not to produce, except with a considerable outlay, more than 3,000*l* a year. If that is so, it does seem to be a large sum for this company to have given 150,000*l* for this property. Thirty years purchase I considered to be a very high price for land, but this is more than sixty. That is the mode in which I look at it. Mr. Ellice had a most perfect right to make the best sale he could of his property, and nobody can doubt that he acted quite right in getting from Mr. Kingscote the highest price he could obtain. I do not stand here to complain of what Mr. Ellice has done, but I stand here as a shareholder to say, that I doubt whether the Directors have acted with prudence. I am told, that in fact, even 3,000*l* a year is not received, and that, if the accounts are looked into, it will be found that there is no income at all. I am told by a shareholder that he could find no report of any.

Mr. Mangles.—Name.

Mr. Leman.—Mr. Bentley. I appeal to Mr. Abel Smith, who told me that there were large arrears.

John Abel Smith, Esq., M. P.—There have been 40,000*l.* received during the last five years.

Mr. Leman.—Altogether; I certainly did not understand you to say that one shilling of that had been received. I mean arrears from squatters.

Mr. Smith.—If I am asked the question, I am most ready to give an answer to it. When the property was purchased there were considerable arrears due, a large amount of which has been since collected, and we believe with confidence that all the arrears now due are good, and will be paid. I have already stated that the arrears have accumulated during the last two years. The fact was stated in the Report, and I now repeat it.

Mr. Leman.—Of course the arrears are carried back; you receive the arrears when you receive the rents. The only fact which I intended to bring before the notice of the meeting was the startling one that the property was to produce only 3,000*l.* a year, and that 150,000*l.* was given for it.

Mr. Colvile.—You have been told over and over again, within these ten minutes, that it is not the fact—that you are misapprehending the thing—you do not understand the question.

Mr. Leman.—I do not think that is quite the language which should be addressed to me.

Mr. Colvile.—You do not understand the nature of the property of which you are speaking, and therefore you do not understand the question.

Mr. Leman.—I shall be very glad to be enlightened then. What I say that if the probable income to arise from that property is only 3,000*l.* per annum, there is not income enough to pay the interest of 150,000*l.* at 4 per cent. An hon. Shareholder has suggested the propriety of appointing a Committee to investigate the matter. I think that that would be the wisest course for all parties. The fact to which I have adverted did certainly seem to me to be a very strong one, and I felt it right to bring it before the notice of the Meeting. It appears to me to be quite clear, that the income of this estate, according to Mr. Ellice's view, would not be sufficient to pay the interest upon the purchase-money.

Mr. Smith.—Mr. Ellice read to you himself from that Report that the year before he sold his estate he sold 9,000 acres of the land. That is not income.

Mr. E. Ellice.—I do not think that my hon. Friend, Mr. Leman, knows anything about American property. I have inherited American property, and have probably had more experience in it for forty years, than any man in this country. I have bought a great deal of American property which has yielded no income. You buy land with the expectation of selling it at some future day to repay the advance which you originally made. I hold a great deal of American property, and there is very little of it from which I get any income. It does happen in Canada, that rents are received, but instances of that are very rare in America. You buy land which produces no income, to sell again by degrees.

Mr. Leman.—I do not think that that quite answers the question. This Company is bound, I apprehend, to pay the interest to Mr. Ellice, and it is liable to very large expenditure. Some one tells me that there is a lumping sum of 15,000*l.* charged for management. That must come out of the pockets of the Shareholders by calls. My friend who has addressed the Board to-day says, that there are no sources from which to pay the interest to Mr. Ellice and the expenses, except the calls.

Mr. Ellice.—I merely wish to say, that Lord Egremont, with the very objects of this Society, bought a large tract of land in Upper Canada, to which he sent out emigrants. Lord Egremont never expected a shilling of income from that estate until he should be able to sell it.

Mr. Mangles.—What advantage does Mr. Leman expect to result from this? If it be a bad purchase we cannot get out of it. The present Directors did not make the purchase. What is his object to be gained by proving that this is a very bad concern?

Mr. Leman.—You are come here to give the Shareholders an explanation; and surely nothing should be withheld. You ought to be anxious that I should make these statements, in order that you may explain them to the public. Some one said just now, that by doing this I am fouling my own nest. I want to get at the facts, and that you should be able to show that what has been done is all right.

Mr. Mangles.—The question is, whether we are honest men or not. The attack made upon us is, that we are not. Honest men may make bad purchases.

Mr. Leman.—I know nothing whatever of the article to which you refer, either directly or indirectly.

W. H. Ashurst, Esq.—I am too old a stager to be induced, by the observations of the gentleman who spoke immediately before Mr. Le-

man, to enter upon personal matters which are wholly irrelevant to the objects for which we are called here to-day, but I take the opportunity of saying that Mr. Ellice forgot to state one fact, which I know he will state when I call his attention to it. I did not know that this was to be attempted to be made a personal question. I understood that the Directors of this Company felt that they themselves were upon their trial, and that they had called this meeting in order to give to the Shareholders full and explicit information in relation to a particular article which contained certain facts; which facts it was their business on this occasion, and which facts they themselves had declared it was their business on this occasion to give an answer to. The fact to which I desire to call Mr. Ellice's attention is, that Mr. Morrison, last year, was applied to by him upon the subject of the article which then appeared in the *Times*, and which, it strikes me, was written by the same hand that wrote the article which has given rise to this meeting, to know whether he (Mr. Morrison) had anything to do with it. Mr. Ellice then received an answer from Mr. Morrison, which probably Mr. Ellice ought, when he referred to the matter and saw the course the thing was taking, and when he was paying a compliment to Mr. Morrison, to have stated to the meeting. I now go to the business of the meeting.

Chairman.—You are a Shareholder I presume.

Mr. Ashurst.—I am. This is not a charge against the Directors of anything that is personally imputative except it be that they have denied information (and I am here to state that fact relative to their course) which the Shareholders were entitled to receive.

Chairman.—That is not the charge in the paper.

Mr. Ashurst.—The charge you will find, my Lord, is in the paper.

Chairman.—But that is not the charge.

Mr. Ashurst.—The charge in the paper I will read if it be material—but it is a charge which I, at all events, desire to make here, because it is the root of all the matter as against the Directors. The whole sum and substance of any charge or imputation that has been made against the Directors, has been founded upon the fact that they have withheld information from the Shareholders. Now, I was extremely desirous myself to get information on behalf of Mr. Morrison, relative to the course which the Directors had taken, and I refer to my own proceeding because I am here with a knowledge of that fact from those on whom I can rely. I was also a party to a correspondence with the Directors' Solicitor, in which I sought the information which would have rendered it satisfactory to Mr. Morrison, to pay the calls which were made upon him, but the information was refused by Mr. Dewar upon the ground

that the present Act did not authorise any Shareholders to require information beyond the period of its own date, so that with reference to material facts which lay at the root of everything, and from which any deduction was to be made as to the present state of circumstances and the propriety of going on with the Association, could not be got at, and I rise now with the object of putting something specific before the meeting, so that if it be the desire of the Directors to give full information, that full information may be put within our reach. Shareholders are but a rope of sand unless they can be congregated in some way or other like the present, and unless some definite course is proposed or adopted by which they may be enabled to investigate matters and come to a satisfactory conclusion. It is useless to read long documents prepared by those who know all the facts intimately, and to call upon the Shareholders who know nothing of them until they come to the meeting, to declare them to be satisfactory when suspicion of any kind has been aroused. The real question here is, whether the Shareholders are entitled to ask for that full information in such a way as they can use it. It has been professed by all the speakers, particularly by the last but one (a Director), it is the anxious desire of the Directors to afford. If that be so I take the liberty of suggesting that one mode by which that end might be attained, would be to appoint a Committee of Shareholders—a suggestion not responded to by the Directors—and to allow those Shareholders to see all the documents and matters connected with the estate, and to consider the propriety of carrying out the objects for which the Association was originally incorporated. I was quite alarmed when the gentleman sitting on your Lordship's right hand stated that we must go on with it. If that is the case, then it becomes the more important that we should see exactly what is the state of the concern and what is likely to be the result of going on with it, having as yet produced nothing whatever to the Shareholders. Now I beg it to be understood that I impute nothing to Mr. Ellice, or to Mr. Kingscote, or to the Directors, in this matter, beyond the fact that they have withheld information from the Shareholders, which it was important to them to receive. It may have been all right that this excessive amount as it appears to the Shareholders should have been paid for this estate, and I have not a doubt but that the Directors will shew that they were well justified, under all the circumstances, in making the purchase from Mr. Kingscote, not from Mr. Ellice, who appears to have had nothing to do with it; and that the circumstances and information supplied to them justified them in making the investment.

But supposing that to be so, does that change the object the Shareholders have. The purchase has not turned out productive to them, and it would appear also that the instructions given to Mr. Colville, the agent in Canada, are not at all consistent with the objects for which this Society was incorporated in the first instance. I should take the liberty of suggesting also, that the instructions would be important when compared with the professed objects with which this Society was originally constituted; and that it is desirable that all such documents should be put before the Shareholders, in order that they may see whether the benevolent objects to which one of the Proprietors has called the attention of the Meeting, as being those to promote which the Society was first instituted, are sought to be promoted by the instructions which have been now sent out. It was a good and benevolent object at first, and now it is to be made a trading object. I think there is nothing inconsistent with the notion that it is a trading object in the instructions sent out to the Agent, and it surely may be permitted to the partners in such a concern to see whether it is desirable to put an end to the concern at once, or to carry it on further. I say that it is an alarming thing if persons having a large interest in this Company are not to be furnished with the means of coming to a conclusion as to whether it is wise to go on with the speculation or to abandon it at once. None of the Directors have adverted to the 3,000*l.* said to have been paid for shares. I merely call your attention to it because Mr. Mangles undertook to make out the case, but the honourable Director wholly forgot it. Now, it is certainly very desirable that the whole transaction relative to the purchase of Shares at par, when they have been offered for sale by Shareholders at a price so much below par, should be laid open. I impute nothing to anybody, but I say that it is a thing which requires investigation, which is what all men ought to contend for, and no man ought to refuse. I have therefore to suggest that an investigation should be had in such a form as to satisfy the Shareholders, and I would therefore propose the appointment of a Committee of Shareholders to be nominated by your Lordship—

Chairman.—Oh! no, no.

Mr. Ashurst.—Then, that a Committee fairly chosen be appointed to examine all documents, and to make such a report as they may feel under the circumstances it is desirable should be made. There has been a caution thrown out and a very judicious caution no doubt it is, that there may be facts and circumstances which it is not desirable

should be publicly made known. Be it so. Cannot a judicious selection of Shareholders be made, and can they not be trusted with the discretion of not making known facts which it is their interest to conceal. When I speak of concealment, I do not mean concealment in an improper sense, but we all know that there are frequently facts and circumstances which it is desirable should not see the light until a certain time. If there be any such (and the suggestion having been thrown out from authority it is reasonable to infer that there may be), surely it is not a point for the Shareholders to enquire. Let us have this enquiry, and if the enquiry be granted, let the resolutions to which the Committee may come, if they come to any, or let the report that they make be printed and circulated among the Shareholders, or let such means be taken as will enable parties to see really what their situation is, and that being done, any resolution that may afterwards be come to by the Society will doubtless be satisfactory, otherwise, whatever statements may be made here to day will not be considered satisfactory, and the parties having been once refused information, and having felt that there was something which they were not to see, and that you would not allow them to walk by sight, will never be induced to walk by faith. Let us now, therefore, appoint a Committee who will be able after their enquiries shall have terminated, to give us that information which every Director has professed his willingness to give. Let the facts be distinctly brought before the Shareholders, and they will then be able to come to a satisfactory conclusion.

Mr. Mahony.—I think it is plain that there is a mistake between Mr. Ellice and Mr. Leman. The view which I take of Mr. Ellice's statement is this, that he had a net rental of 3,000*l.* a year out of this estate. He had besides that, a hundred and twenty thousand acres of unsettled land. He did not intend to spend any more capital in bringing that into cultivation, but he did intend to sell it, and he told us that he had sold a portion of it at the rate of 1*l.* an acre on the average.

Chairman.—That he had sold about eight thousand acres at that rate.

Mr. Mahony.—That was the value that he put upon it according to the data furnished to him in his accounts. That, of course, could not be realized within a short period of time, but still it was to be realized after the lapse of some years.

Mr. E. Ellice.—5,000*l.* was the rental, and the net 3,000*l.*

Mr. Mahony.—His agent reported it to be worth two hundred and odd thousand pounds. He sold it to Mr. Kingscote, making to him a

full disclosure of every thing, and giving to him all the information he himself possessed. Now if Mr. Leman will bear in mind, that it was not a mere rental that was sold, out capital, the realization of which was only deferred, he will at once see that all this clamour is not so just, as at first sight, it might appear to be and that the price paid was not so extravagant as it would seem to be, if the rent only were looked to. But I think that Mr. Ashurst's object may be obtained, without casting an unjust slur upon the Directors. If the proprietors should come now to a resolution, such as that proposed, they would in effect be casting a slur upon their Board. They would be saying, there was justifiable ground for our seeking information and enquiry, in consequence of the articles of which complaint has now been made. I think that Mr. Ashurst's object can be fairly gained by another mode. I have asked Mr. Ashurst to lend me the Act of Parliament, and I have no hesitation in saying that I can, if I like, go into Mr. Dewar's office, and by law satisfy myself upon every one of these points. I have no doubt also, that the Directors, after this meeting, will feel the propriety of giving the Shareholders an opportunity of considering the Reports which they possess one, supplied by Mr. Ellice himself, and the other by Mr. Tower, Mr. Kingscote's brother-in-law, who, I understand, spent two years in Canada, and who made a Report to him upon the subject. There is another Report which has also been referred to—Mr. Aitcheson's. That Report, the Directors likewise have, and that I know I can, as a matter of right, read. I refer to no document that I am not by law entitled to read.

Mr. Smith.—Mr. Tower's Report is a private Report.

Mr. Henchy.—That report was laid before the Committee, who made a Report, which I wished to have read, because I conceived it would shew that all these other Reports were noticed in it, and that it was upon those Reports, that the land was purchased. I really do feel, that where a just suspicion exists, the amount of enquiry should be most searching; but when men of honor have been put forward in this way, and that anonymously—and when the articles which have appeared in the newspaper have been disavowed by every one who has spoken, I, for one, will not vote for the appointment of any Committee; but I will press upon the Directors the propriety of submitting to the meeting a resolution, that the Report read to-day be printed and circulated, and that in an Appendix to that Report, there should be printed, all the various Reports which have been made from time to time, and which formed the basis of the contract.

Mr. Leman.—I have only one word to say, I quite understand what Mr. Ellice says,—that there was a present positive income of 3,000*l.* per annum, and a chance of selling the estate, consisting of a hundred and twenty thousand acres *in futuro*. The present income, therefore, is precisely what I supposed it to be. No man can feel [more strongly than I do that Mr. Ellice had a right to sell his estate to Mr. Kingscote for any sum he could get. I do not for a moment insinuate anything against Mr. Ellice in regard to his conduct in selling the estate to Mr. Kingscote. But the directors entered into a negotiation with Mr. Kingscote. A gentleman who has addressed the Meeting to-day has said that the original object in forming this Company was to benefit Ireland. That object has not been carried out. No one can doubt for a moment what was the benevolent object intended; but it appears to me that in the progress of this business that object has been lost sight of. Now, I have no desire to misstate anything. I have heard it stated that Agents have been employed to buy up shares in Ireland, and that they succeeded to a great extent in collecting them together.

William Hutt, Esq., M. P.—I rise to order. We are really wandering from the matter before the Meeting. I and other gentlemen present have business at the other end of the town, and I do trust that gentlemen who have frequently addressed the Meeting in the course of the morning, will consider that it is not desirable for them to travel into new matter.

Joseph Parkes, Esq.—The object of this Meeting I need not state further than to say it was called simply to consider certain articles which have appeared in the public press, commenting on the proceedings of this Association, implicating many persons in relation to it, and the Board of Directors who manage our affairs. I do not know that we have any right to complain of the course taken by the public press with regard to those comments, but we have a right to complain of any individual or individuals who have been parties to misleading the public press. I have heard several gentlemen here differing in opinion as to the policy and good judgment shown in the conduct of the Association, come forward in a plain and manly and straightforward manner and disclaim all knowledge of, or connexion with, the author of the articles in the *Times*, which have occasioned the present Meeting, either directly or indirectly. It is obvious, that the origin of those articles must be within our own body, and really, in my humble judgment, suspicion is limited to a very few individuals. I do not mean to say that at all offensively. There are gentlemen here present representing the great

corpus of subscriptions, and there is here, more or less, every gentleman opposed to the principles of management, if not themselves, by parties to whom they have transferred shares. I have heard with very great pleasure the disclaimer, not only of the original Shareholders who have thought it to their interest to get rid of their shares, but the disclaimer of Mr. Leman, a member of my own profession. I am not going to comment on the conduct of any man who, considering that the course pursued by this Company has been erroneous, may have lent himself to the insertion of articles in the public press; but I think that the manly and proper course for any individual, whether he be present or absent, who may labour under the imputation of having caused the articles in question to be written and published, is to state frankly whether he has so acted or not. Now, it has been stated, and very fairly, by Mr. Ashurst that a disclaimer of any connexion with the article which appeared in the *Times* twelve months since was made in a private letter written by Mr. Morrison to Mr. Ellice. I heard of that disclaimer and give credit to it. I do not hear Mr. Ashurst state to the Shareholders present any disclaimer of all knowledge of the present article either by Mr. Morrison or by himself. As a modern Shareholder, and the representative of thirty-five shares, I think that, if in that quarter the article in question originated—and I do not say it has, for I have had no more than my own ordinary means of forming an opinion—or from whatever quarter it proceeds, the more manly course, and the course proper to be pursued by every man of business, who has any knowledge of an article, such as that in question, particularly when it is pretty well shown, as I think it has been here, that a great deal of the article is erroneous, both in letter and in spirit—I think it is incumbent on any gentleman who has been directly or indirectly concerned in making such imputations to come forward and state whether he is the author, directly or indirectly, of such articles. I have other reasons for desiring to put the question to Mr. Ashurst personally, and in relation to Mr. Morrison, whom he represents, because my humble services as a Shareholder were nearly, two years since, personally requested by Mr. Ashurst, with a view to my interfering between this Association and Mr. Morrison in an action then pending at law. I certainly did take very great trouble, not professionally, but personally, to bring about a better spirit between the parties; and I hoped that I had succeeded. I have reason to believe now that I have failed. But with reference to those circumstances, I should desire to know from Mr. Ashurst whether he will take the opportunity of stating that neither himself nor Mr. Morrison, to his know-

ledge, has any knowledge, directly or indirectly, of the writer of the articles in question. I do not think that if they were the authors it would justify any reflection upon either of them, provided they now come forward and state they admit that representations have been made by them not altogether founded in fact.

Mr. Ashurst.—I cannot answer for Mr. Morrison. I can answer for myself. I have every reason to believe as regards Mr. Morrison, that he has neither directly or indirectly had any connexion with the *Times* newspaper on this subject. As regards myself I have spoken on many occasions, and to many persons connected with the *Times* with regard to the treatment I received at the time when I applied for information, and was denied it; and in that way it is possible those former articles may have originated. But with reference to the article which has called you together to-day, I pledge my word that I never knew directly or indirectly anything of the writing of it, nor did I know that it was written or published until twenty-four hours after it appeared. I had purchased the paper, but had not seen the article; nor did I know anything of it until it was pointed out to me. I hope, however, it is not intended by this to avoid explanation, or to refuse that information which it was the great object of my coming here to procure, and which has been so constantly proffered in the course of this discussion.

Russell Ellice, Esq.—There is no doubt that when I first spoke to Mr. David Lyon respecting taking shares, I did lead him into a belief that 4*l.* a share would be all that he would be called on to pay, because I understood from that gentleman that he did not propose to take shares for the purpose of an investment but with a view to turn an honest penny when the shares should get to a premium. I think that from thence has arisen the mistake. I could not mean that 4*l.* was all that the Shareholders were likely to be called on to contribute, inasmuch as I knew that banking was one of the objects of the concern, and that capital would be required for the purpose of carrying on that business. With reference to what Mr. Ashurst has said about information being denied to him, it must be recollected that Mr. Ashurst came here as the Solicitor of Mr. Morrison, his object being to obtain information with a view to his defence to an action for calls due to him. It was not reasonable, therefore, that he should get from us information which was to be made use of for the purpose of defeating our just claims. Then with regard to the payment of 3,000*l.* for the purchase of certain shares at par, the fact is, that when the subscription for these shares was first made, Mr. John Abel Smith, in the most liberal way, said, whatever

shares are not subscribed for I will take, upon the understanding that when shares are wanted for any purpose they are taken from me. That agreement was made, and accordingly a great number of shares having been taken by Mr. Smith, the shares which were wanted for Mr. Wakefield were purchased by that gentleman. With regard to emigration the fact is, that we did propose to carry on emigration, and the thing was begun. Prospectuses and plans were issued and circulated, and other steps were taken, but we were stopped by finding that the Act was not worth a farthing for our purposes.

Mr. Parkes.—I merely wish to state, that upon the action arriving at the stage of notice of trial, and pending for the Croydon Assizes in the winter of 1842, Mr. Ashurst waited upon me, as a common friend of several of the parties, and as enjoying the good opinion of Mr. Morrison, with a desire that some arrangement might be made to avoid the trial which was then pending. I wrote to Mr. Morrison a private note, which Mr. Ashurst forwarded to him, expressing a very strong opinion that I did not conceive that in law or equity there was any reason why he should resist the payment of the calls. I understood from Mr. Ashurst, that Mr. Morrison's great grounds of complaint were want of access to the accounts and papers of the Association, and, in consequence of that some few days afterwards seeing Mr. Ashurst, and finding that I could bring the action to an amicable determination, I accompanied him to Mr. Few, the Solicitor, and I have Mr. Few's permission and request, that in his absence I would state, that there it was agreed between themselves (I being there merely as *amicus curiæ*) that the calls should be paid, and the action stayed. I think the calls were to be paid with interest, and the costs were to be remitted, the express understanding on my part being, that Mr. Morrison was in future to have access to the accounts and papers, and that he should give us his aid in promoting the objects of the Company. Really, until the appearance of the article in question, I was not aware, except by private communication occasionally, that there was any hostility between Mr. Morrison and the Company, and I think it very much to be regretted, that it should be continued. I do not see what practical good could result from carrying the proposition made by Mr. Ashurst, after the explanation which has been given, and after the Report has been read, which details the real situation of the Company. I cannot see how any good can arise from taking the course, the effect of which would be to diminish that confidence, which the Shareholders ought to feel in the Directors. I think our affairs are much better left in their hands. I am a Shareholder to

the extent of thirty-five Shares. Ten Shares I had originally, and although I have never been in more than three public companies in my life, and am not partial to speculations in them, I sent for the other twenty-five Shares partly in consequence of knowing that Mr. Morrison's name was added to the direction, and that he was about to take a considerable stake himself in the concern.

Mr. William Lyon.—I would rather occupy the meeting five or ten minutes longer, than return, saying I am not satisfied with the answers which have been given to my complaints. Not being satisfied with those answers, I will state very shortly my reasons for being dissatisfied, which will be better than leaving the thing open. One fact has lately come out in this discussion, which surprises me very much. It is what we have been long trying to get at, and never could. I mean the fact which has just now been stated by Mr. Russell Ellice, with regard to the sale of those Shares to Mr. Wakefield. There is said to have been an agreement between the Company and that gentleman at the time of his taking shares that he was to have the privilege of selling those shares again to the Company at par. Are the Directors authorized to take the Shares of a Shareholder at par, when they can get them from other persons at a much less price? If there was any such an agreement as that entered into, I own I should like to see it. If the Directors want to purchase Shares, why do they not go into the market for them?

Chairman.—The Directors might have bought them at a much lower price, no doubt, but if they had done so, that would have been a breach of the engagement entered into with Mr. Smith. It was not a job of the Directors.

Mr. William Lyon.—If such an agreement was entered into, I should like to know whether it was a written agreement, and if it was, I should like to see it. Then with regard to the value of this property, and with regard to the arrears, I am not a man of business, but Mr. John Abel Smith is. I understood him to say, large arrears have been paid up, and that the arrears are continually increasing.

Mr. Smith.—Yes.

Mr. William Lyon.—I do not see any sense in that. If so, it shews a most rotten state of affairs.

Mr. Smith.—The property has been in the possession of the present proprietors, somewhat less than five years. During the three first of those five years, very large collections of arrears were made. During the last two of those five years, (those being most calamitous years in Canada,) fresh arrears have arisen.

Mr. William Lyon.—Then that shews the most unfavourable possible

view of our property. However, with regard to the objections I originally raised, I think Mr. Colville said, first of all, that he would rise to answer them. In his speech, however, which was cut rather short, I believe he only touched upon one fact, stating that I had said, and rather insinuating, that I was wrong in saying so, that the opinion of stock-brokers in the city was a test by which you might fairly ascertain the value of these Shares. I assure you I did not say so. I said—I applied in the first instance to the Directors, and then to some of the most respectable Stock-brokers in the City: and that I did every thing in my power to ascertain what the Shares were worth. It is mis-stating me, therefore, to say that I confined my enquiries to Stock-brokers.

Mr. Colville.—On what occasion did you speak to the Directors with a view to ascertain their opinion as to the value of the Shares. If you applied to me as a Director to buy your Shares, it might not be convenient to me to do so.

Mr. William Lyon.—I applied to two Directors upon the subject, and therefore you mistake me when you say that I made the criterion of value the word of a Stock-broker.

Mr. Colville.—I beg to know precisely what was the communication that you made to any Director. Did you ask him what is your opinion as to the value of these shares? If you did, I can only say, that it would have been extremely indiscreet in a Director to give any opinion on the subject, and it is no part of his business to do so. I think he would be stepping beyond the proper line of his duty if he gave any such opinion.

Mr. William Lyon.—I did not.

Mr. Colville.—If you said to a Director I want to sell so many shares will you buy them, his refusal to buy them does not give you any means by which to judge of the value of the shares.

Mr. William Lyon.—I did not do as you suppose. I and my brother wrote and made it known to our friends in the Association, that if they or anybody they knew would like to have the shares they might have them.

Mr. Ashurst.—The point is that 3,000*l.* was paid by the Directors for certain shares, which they might have had for 1,000*l.*, and therefore that 3000*l.* will stand against the Company instead of 1000*l.*

Mr. Smith.—With regard to the purchase of these shares, as my name has been mentioned, I will state what occurred when the Company was formed. I took such a number of shares as I thought fit, and a considerable number too. Those shares I hold now. Afterwards

it was thought desirable to fill up the number of Subscriptions, there being at that time a certain number of shares unappropriated, and I took those shares upon myself, entering at the same time into an agreement with the Directors such as Mr. Russell Ellice has stated, and in compliance with that agreement when the Directors wanted these shares for Mr. Wakefield they took them from me.

Mr. William Lyon.—I think that the Committee are not authorized to enter into any such agreement.

Chairman.—I really think my duty now is to remind the Meeting that it would be desirable that some practical proposition should be put into my hands to put to the Meeting.

Mr. William Lyon.—Instead of rising and merely saying I am not satisfied with the explanation which has been given, I will, if it so pleases you, tell you why I am not satisfied. If, on the other hand, you do not wish to hear my reasons, I am quite ready to sit down.

Mr. Russell Ellice.—I would much rather you should come here and talk to me for half an hour some day.

Mr. Mahony.—In order to carry out practically your Lordship's suggestions, I beg leave to move that the report now read be received and adopted—that it be printed and circulated, and that in an appendix all the reports in relation to the value of the property should be also printed.

Mr. Colville.—I beg to mention that those reports are very fit documents to be seen by the Shareholders, but they are not reports which could be printed and circulated to the world with benefit to the Shareholders. They are reports containing suggestions as to the best mode of disposing and dealing with the property, and there are many other subjects there stated for the consideration of the Directors, but not in a shape for general publication.

Mr. Mahony.—Then I will confine myself to the printing of the Report of the Committee of Shareholders, and add that the original documents therein referred to are open to the inspection of any Proprietor.

Henry Shank, Esq.—I beg to second the motion.

Chairman.—Will you have the goodness to state the precise terms of your motion that I may take them down.

Mr. Mahony.—That the Report now read, be received and adopted, and printed, and circulated among the Shareholders, and that thereunto be appended, the Report of the Committee recommending the purchase

of Beauharnois; and that the other Reports referring to the value of that estate, be open to the inspection of the Shareholders.

Chairman.—Then I will put the question.

Mr. Ashurst.—I beg to move as an Amendment, that a Committee of Shareholders be appointed to consider the affairs of the Company, to whom all documents shall be open, and that the said Committee do report to the Shareholders the state of the affairs of the Company, and upon the propriety of continuing the Association.

Mr. T. Moorcock.—I beg to second that.

Mr. Mahony.—Mr. Ashurst seems to have forgotten what both he and I are familiar with. I have heard that there has been a litigation between this Company and Mr. Morrison, and that one of the causes of the bad feeling which has existed has been, that certain documents were not given to Mr. Ashurst. It was afterwards agreed, that every information should be given. I hope the Proprietors will not sanction this motion, which I consider as tantamount to a motion for a vote of censure on the Directors. We know, that as a matter of right he can have what he wishes, and I would rather propose to Mr. Ashurst, that he should exercise his right, and if he finds in the course of the investigation, that there are things which ought to be brought before the Committee, a meeting might be called for the purpose of considering that question on a requisition to that effect being made by him, and other persons agreeing with him. Do not let it be forgotten, that what we are now doing, will be before the world to-morrow. If there are any facts which, in the opinion of any Shareholder justify a vote of censure, let those facts be plainly stated, and let the vote of censure be plainly put from the chair, but do not let it be done by insinuation.

Mr. Ashurst.—The matter which has been adverted to between Mr. Parkes and myself, has nothing whatever to do with the question of to-day. The question is, whether the Shareholders shall see through their own instrumentalities. If they are not allowed to do that, then let the public judge of it.

Mr. Mahony.—If you reject the original motion, it amounts to a vote of censure.

Chairman.—The original motion made by Mr. Mahony is, "That the Report now read be received and adopted, and printed and circulated among the Shareholders, and that thereunto be appended the Report of the Committee recommending the purchase of Beauharnois, and that other Reports referring to the value of that estate, be open to the inspection of the Shareholders." The Amendment moved by Mr. Ashurst

is, "That a Committee of Shareholders be appointed to consider the affairs of the Company, to whom all documents shall be open, and that the said Committee report to the Shareholders upon the state of the said affairs of the Company, and upon the propriety of continuing the Association." As many as are in favour of Mr. Ashurst's Amendment, will be pleased to hold up their hands.

(Three hands were held up.)

As many as are in favour of the original motion will please to hold up their hands.

(Twenty seven hands were held up.)

Chairman.—Then the original motion is carried.

Mr. Ashurst.—Will your Lordship allow me to suggest that Mr. Mahony's is now become an original motion, to which I have to move an amendment. I beg to move the omission of the word "adopted," and the introduction at the close of the motion, of the words, "and all other documents relative to the said purchase," and I would make this observation in support of my motion. If you adopt a Report of that kind you do so after it has been submitted only to one hearing on the part of the Shareholders, who cannot be supposed to be able to go into such a document, and who have all along considered and expressed an opinion that they ought to have time to examine it.

Mr. Moorcock.—I beg to second the amendment.

Chairman.—The original motion was "That the Report now read be received and adopted," upon which Mr. Ashurst moves as an amendment to leave out the word "adopted." I will put the question upon that first. As many as are of opinion that the word "adopted" should stand part of the resolution will please to hold up their hands.

(Twenty-seven hands were held up.)

As many as are against that word remaining as part of the resolution will please hold up their hands.

(Three hands were held up.)

It is then proposed to add at the end of the Resolution the words, "and all other documents relative to the said purchase."

Mr. Mangles.—There is no objection to that, I think.

Mr. ——— No, I do not see any objection to it.

Chairman.—Then the motion now stands as it did originally, with the addition of the words at the end, proposed by Mr. Ashurst, "and all other documents relative to the said purchase." As many as are in favour of that Resolution will be pleased to hold up their hands.

(Twenty-seven hands were held up.)

As many as are against it will be pleased to hold up theirs.
(One hand was held up).

Sir John Pirie, Bart.—At this late hour of the day, and having the highest possible opinion of the characters of the gentlemen who compose the Direction, I will simply take the liberty of moving the following Resolution: that this Meeting desires to express its thanks to the Governor, Deputy Governor, and Direction, for their valuable attention to the affairs of the Company, and its hope that they will henceforth deem it unnecessary to take any notice of such totally unfounded imputations as have been the occasion of the present Meeting.

William Hutt, Esq. M. P.—I rise to second this Resolution, and perhaps the Meeting will not think me an unfitting person to do so when I state that I was the person who had charge of the Bill under which the operations of the Association are now conducted. I am, therefore, necessarily cognizant of the extreme difficulties which the gentlemen forming the Direction have had to encounter in their endeavour to carry the legitimate purposes of the Association into effect. Being well acquainted with that fact, I say with confidence, that they have carried on the purposes and the object of the Society with a remarkable degree of prudence, sagacity, and ability, and in my opinion they deserve the warmest thanks of the Proprietors. The other part of the Resolution moved by my honorable friend Sir John Pirie, I would also advert to for one moment, only for the purpose of saying that inasmuch as every gentleman who has adverted to the article which appeared in the columns of the *Times* newspaper a few days ago, evidently is of opinion that those charges are very little creditable to any of the parties who have been in any way concerned in their publication. There can hardly be any one present who will not heartily concur in the second part of the Resolution, namely, that this Meeting expresses its hope that the Directors will henceforth deem it unnecessary to take any notice of such totally unfounded imputations as have been the occasion of the present Meeting.

Mr. William Lyon.—I have stated from the beginning to the end that I do not think the facts are unfounded. I think I have established most of them. I find fault with the letter in some respects certainly. I thought it a very tame one, but I do not like correspondents who are anonymous. I am sure that every gentleman in this room acquits me of having written the article, and if any one should for a moment imagine even that I knew who it was who wrote it, I should be very glad to give him my handwriting authorizing the editor to give up the

name of the writer. If I had had anything to do with it I would not hesitate to avow it; but at the same time I cannot remain silent, having said already so much and heard it stated that we are of opinion that the facts stated in the *Times* are unfounded. For my part I do not think that any one of those facts is unfounded.

Mr. E. Ellice.—I think it necessary, after the appeal which Mr Ashurst has made to me with reference to Mr. Morrison's disclaimer of the former article in the *Times*, to say I was perfectly satisfied with that gentleman's assurance, that he had no connexion with it; and I do hope that Mr. Ashurst will report to him what has passed to-day, and I am sure that on a little consideration and reflection Mr. Morrison has too much sagacity not to see that these attacks can do no good, but that whether the concern be a good or a bad one—whether there have been mistakes made or none—whether we are in a prosperous state or not, common sense would teach us to make the Association appear in as favourable a light as possible.

Mr. Ashurst.—I am sure you have only to allow him to walk by sight.

Chairman.—It is moved and seconded,—“That this Meeting desires to express its thanks to the Governor, Deputy Governor, and Directors, for their valuable attention to the affairs of the Company, and its hope that they will henceforth deem it unnecessary to take any notice of such totally unfounded imputations as have been the occasion of the present Meeting.” As many as are in favour of that Resolution will be pleased to hold up their hands. [*Eighteen hands were held up.*]

As many as are against it will be pleased to hold up theirs. [*No hands were held up.*]

Mr. Mangles.—Mr. Ashurst said just now, that we had only to allow Mr. Morrison to walk by sight. I beg to say in answer, that Mr. Morrison was for three years a Director of this Association, and that he never thought fit to attend once.

Captain Hattan.—I think the Meeting ought not to separate without thanking Lord Fitzwilliam for the patient hearing which he has given to the business of the day.

Sir C. Coghill, Bart.—I beg to second that Motion.

Captain Hattan.—I beg to Move that Lord Fitzwilliam leave the Chair, and that the Chair be taken by Mr. Colvile. [*Earl Fitzwilliam left the Chair.*]

Mr. Colvile.—It is proposed and seconded that the cordial thanks of this Meeting be given to Earl Fitzwilliam for his patient attention to the business of the day. As many as are in favour of that Resolution.

will be pleased to hold up their hands. [*The resolution was unanimously carried.*]

Earl Fitzwilliam.—I am sure, gentlemen, I feel grateful for this expression of your feelings. I wish merely to state a word or two, and those will be on matters of business. I have been desirous of acting as impartially as I possibly could in the Chair, and I hope I have given to every gentleman present an opportunity of saying anything he might wish. It is always painful to advert to dissatisfactions which may arise in a Company of this description, which was originally, no doubt, founded for purposes of a benevolent kind; but I will not say that it was entirely unmixt with an opinion that that benevolence would be exercised with profitable results by the persons engaged in it. I say it is very painful that any disagreements should have arisen in a Company of this description. Nevertheless, we know that parties will take different views of the mode of conducting affairs. I trust, however, that from henceforth a greater degree of unanimity will exist, and that those who have thought they have had some reason to complain, and who may, perhaps, have regretted a little that everything they have touched has not turned into gold, as a great many things they have touched before have done—who may feel, perhaps, that at least they have touched something which has not been quite so profitable as all the other things which they have touched before, will forgive it, even if there should have been any little misconduct, or any little indiscretion, in the mode of conducting the affairs of the Company—that they will have a little forbearance towards those who have been innocently the cause of this one failure among a hundred pieces of success, and that we shall all of us have the same good opinion of one another which I hope every one of us deserves, though we know that all of us are occasionally led, when those circumstances do arise, to be, perhaps, a little incautious in our mode of dealing with those whom we fancy have misconducted affairs in which we have an interest.

REPORT,

RECOMMENDING THE PURCHASE OF BEAUHARNOIS.

*To the Governor, Deputy Governor, and Directors
of the North American Colonial Association of
Ireland.*

Gentlemen,

WE, the undersigned, the Committee to whom, by the Resolution of your Board, it was on the 18th day of March instant referred to consider the propriety of the Association purchasing the Seignior and estates of Beauharnois in Lower Canada, do report, that we were attended by Mr. Kingscote who informed us that he had purchased the whole of the estate of Mr. Ellice for the sum of 150,000*l.*, that he had not the slightest wish to part with the property, but if, after examining all the circumstances connected with it, the Association were desirous of taking it, he would be willing to transfer his interest in the estate to the Association upon the same terms as he had purchased it, provided they paid the commission of 2½ per cent. to the gentleman who had negotiated the purchase—one thousand guineas, which he had agreed to give to the gentleman he had sent out to take possession of the property, and all the law expenses which he may incur in the transaction—and we further report, that by the directions of Mr. Kingscote, the agreement under which he purchased the property from Mr. Ellice, together with the correspondence that had taken place between himself and that gentleman, and every paper and document which had been submitted to him as the basis on which the purchase had been effected, were laid before us, and as from the local situation of the property and other circumstances connected with it, your Committee were necessarily obliged to place much dependence upon the statements which these documents contain, your Committee deem it right to explain the nature and character of the documents themselves, that the Court of Directors may be enabled to exercise their own judgment as to the degree of weight which may be justifiably

attached to them on the score of accuracy and fidelity. The documents are fifteen in number, and purport to be Reports annually transmitted from Mr. Brown (Mr. Ellice's Land and General Agent, resident on the estate) to his principal in England—they are consecutive, and embrace a period from 1823 to 1838—the *original* documents signed by Mr. Brown are those which have been submitted to our consideration, and without taking into the account the character which Mr. Brown sustains in the province, and the respectability of the gentlemen by whom they were handed to Mr. Kingscote, your Committee are convinced, from the *internal* evidences of the documents themselves, that they are, *in fact*, what they are represented to be, the confidential Reports from an agent to his principal from year to year, made at times and under circumstances which exclude the supposition that the writer had any sinister object to serve in making them; and they appear to contain a regular systematic and minute narrative of every circumstance connected with the conduct and management of the property for the series of years to which they relate. We should add, that they are drawn up with great clearness and perspicuity, and manifest on the part of Mr. Brown a thorough knowledge of every part of the subject.

There is amongst the number one document which differs in one respect from those we have just described, inasmuch as in addition to the details which it contains in common with them, it likewise gives an hypothetical valuation of the property as it then stood, a summary of which we append to this our report. This document bears date in the month of February, 1836, and was furnished in reply to certain specific questions which had been propounded to Mr. Brown, by Mr. Ellice, for his own consideration, preparatory to his visit to the estate in the following summer. The report of the two years succeeding the date of this report has been compared with this statement, and as it exhibits no important change in the condition of the property, except in augmentation of its value from improvements directed to be executed by Mr. Ellice pending his visit, and which have been executed at a cost of £15,000, we have adopted the report of February, 1836, as the basis of our calculation of the

then monied value of the property, looking at it in that light alone—the influence which political events since that period have exercised over the estimated value of the estate, ought of course to be taken into consideration, and it has not escaped the attention of your Committee.

It appears that the Seignior of Beauharnois and the contiguous township lands contain about 271,000 acres, of which about 135,000 are in concession (that is to say, are granted according to the old French tenure in perpetuity), at annual rents amounting to £3,000, together with a fine upon alienation proportioned to the value of the property. The average of the fines (called, *lods et ventes*) throughout the Seigniories in the province, it appears, generally bear a proportion of about one third to the amount of the rents. In Beauharnois it is something more, arising from the improved character of the Seignior, and this item will of course increase in amount as the general improvement of the district creates a corresponding improvement of the particular properties in concession. Payment of these rents and charges is secured upon the property, and the law for enforcing it appears to be most stringent and effective, but it is represented that from peculiar causes arising from Mr. Ellice's political position, and from temporary circumstances affecting the province, those rents and charges have been permitted to run in arrear to the amount of nearly £20,000.; these arrears pass with the purchase, and it is strongly advised that the purchaser should immediately proceed to enforce payment, or to resume the possession of the farms by legal process, it being represented that in every instance the value of the property is such that it would readily command an increased price, either to let or to sell, more than equal to the arrears due and all possible charges attending the resumption of possession.

It appears that the net annual produce of the grist and saw mills was at the date of Mr. Brown's report, in 1836, one thousand pounds, since which time upwards of £5,000 have been laid out by Mr. Ellice, in building and improving these edifices. The unsettled state of the province has prevented Mr. Ellice from fixing the additional rents; but he represents that the

arrangements in progress, when the mills were built, assured him an additional return in this respect equal to £500 per annum. In Mr. Brown's estimate of the revenue of the estate, he introduces an item of value amounting to £300 per annum for casual receipts. We do not take this item into our account in estimating the value of the property, as it appears that a part of these receipts is produced from timber, and the report does not say whether it arises from timber lands in the course of periodical cutting, or from waste of the freehold; if the latter is the case, it ought not to appear at all as a source of income, without an equivalent reduction from the value of the fee simple estate, and we leave the other casual receipts to balance any casual expences that may occur. We likewise dismiss from Mr. Brown's valuation as a source of income, the annual payment of the arrears, and we make a suitable allowance for these arrears in our calculation of the amount of the purchase-money.

In an estimate of the net revenue derivable from the estate from that part which is now in profitable occupation, we apprehend from the facts before us, that we shall not be wrong in considering it as £4,500 per annum. Mr. Ellice assures us that it will not, under good management, fail to produce a net annual revenue of above £5,000.

These rents and revenues leave untouched the domains and farm in the hands of the Seignior which in 1836 were estimated at £4,500, and also 105,000 arpens of land in the Seignior, and 24,147 acres in the adjoining townships, and 6,500 other acres at Clifton, all unlet and valued by Mr. Brown in 1836, together at £125,542 Halifax currency.

Were we to look at the property as a means of *Investment* only, unconnected with other objects and uninfluenced by extraneous circumstances, we should pause before we recommended its purchase, but we find that in the estimation of persons who from their habits, their connexions, and their situations, are best able to give a solid opinion upon this subject; the existing monied revenue of the property and the nominal price of the lands unlet afford but a very inadequate standard by which the real value of the estate is to be measured, whether considered as a pur-

chase effected by an individual for the ground work of a pecuniary speculator or by this association, for the important objects contemplated by the Act of Incorporation.

To enable the Board to consider the influence upon the amount of the purchase-money which these extrinsic circumstances ought to possess, they may be thus referred to.

1st. It is represented, and we believe with perfect truth, that the water privileges throughout the Seignior are of the most important and valuable character, and that they have been carefully preserved by the Seignior in all his grants—he having always had a view to the greatly augmented value which they would possess as mill sites, when the increase of population should create a suitable demand for them, for the various purposes to which they are applied in the United States.

2nd. For similar reasons the Seignior has reserved the land which will be required as sites of villages. A great spirit of activity and improvement has shewn itself throughout the Seignior of late years, and but for the check it has recently received from political causes, there is every reason to believe that these lands would have readily found customers at a greatly enhanced price. Churches and chapels, and other public edifices have been built—bridges constructed, and roads made through the Seignior, and considerable sums have been laid out in effectually draining the lands destined for new townships, as means preliminary to their settlement. As these lands are now held in free and common soccage, they can be leased or sold at the pleasure of the owner. And whether looked to as the source of annual revenue by leasing, or the means of reducing the purchase-money by sale, it appears, by the various reports submitted to us, that, under ordinary circumstances, the prices assigned to the land by Mr. Brown may be obtained, and that with the stimulus to the prosperity of the district which the establishment of the association would give, and with the example of many new settlements in the United States before our eyes, it is impossible for us to affix limits to the increased value which property so situated may be reasonably expected to acquire.

3rd. The Seigniorv of Beauharnois has been selected as the spot where great improvements will have speedily to be executed. Surveys have already been made—plans and sections have been prepared for a railroad through the Seigniorv, and a subscription list has been got up in the colony for this purpose. Mr. Ellice himself proposed to subscribe £10,000, which is nearly one third of the whole capital required. A survey by the order of government has likewise been made for a ship canal through the Seigniorv. This is the only thing required to complete the navigation of the St. Lawrence, and there appears considerable probability that it will be adopted. Should either of these works be executed, the value of all property in the Seigniorv will of course be greatly increased.

4th. There is every reason for believing that among the political changes which the government of the Canadas is destined to undergo, Montreal will become the seat of the united legislature; this has been long admitted to be a desideratum of the greatest importance—Montreal already possesses a population of 30,000 souls—when established as the capital of our North American Colonies it cannot fail to attract to it the wealthy and enterprising, and to establish itself as the principal seat of commerce as well as of government. Beauharnois already possessing 12,000 inhabitants, in such an event must become a place of the greatest consequence, and every yard of land will acquire a proportionate value.

A careful consideration of the foregoing facts and circumstances has led us to the conclusion that it will be greatly to the advantage of the association to make the purchase of Beauharnois upon the terms stated by Mr. Kingscote. And we are of opinion that that gentleman is entitled to the thanks of the Shareholders for the very handsome and liberal manner in which he has placed the property at the disposal of the Board upon the same terms on which he made the purchase; notwithstanding, as we have reason for believing, that had he been desirous of parting with the property, he might have disposed of the whole in one lot at an advanced price.

In the course of our inquiries respecting Beauharnois, we

have been struck with its singular adaptation both in situation and circumstances, to the complete carrying out of all the objects of the Association as defined by their Act of Incorporation —by their Act the Company are appointed *Carriers of Emigrants, Bankers to Emigrants, and Settlers of Emigrants*. For the first of these purposes Beauharnois possesses unequalled advantage: it is situate on the River St. Lawrence, the high road for emigration from the United Kingdom; it is opposite to Montreal, which may be called the Portal of Upper Canada, and, as appears by the Emigration returns, it is the point from which five-sixths of the emigrants from this country are distributed over the several parts of both provinces in which British settlements are effected.

The same circumstances that render this spot the centre of distribution for newly arrived emigrants, point it out to be indispensable to the Association as the principal seat of their banking operations. Viewed as the place of final settlement for such of the Company's own emigrants as choose to be located on their lands, Beauharnois possesses many advantages scarcely to be found in any other part of either province. Settlers may here be landed without changing from the ship that conveys them from their home; and there is no location in any part of the settlement more distant than half a day's journey from the port of debarkation. At the very threshold of the colony and to the place of his ultimate destination the emigrant will be greeted with the sight of commodious churches and chapels; good roads and bridges; substantial mills and stores, and the various other indications of civilization and settlement. At the back of the Seigniorie in the townships of Godmanchester, Hemmingford, and Hinchinbrook, there are (we understand) large tracts of ungranted crown lands: these lands, though intrinsically valuable, yet shut in as they are by the surrounding Seigniorie, they, in the ordinary course of events, would command but a small price; and we are of opinion, if the Seigniorie be purchased by the Association, that application ought to be made to Government for a grant of these lands upon favourable terms:—by the possession of this property, in

connection with the unconceded lands of Beauharnois, the Association will have an ample field in which they may carry out the plans of settlement propounded in their prospectus to the Irish landowners. In these, as in all other settlements in North America, the labouring emigrant can only expect to achieve independance by the conquest of the wilderness—the operation here, however, may be effected by a regular set of clearances from the settled to the wild district, and the emigrant will be cheered in the prosecution of his labour by the knowledge that he is not cut off from the enjoyment of those Christian services and civilized associations which are intertwined with the habits and feelings of his earliest days.

Your Committee have not, in their estimate of the property, taken into the account the value of the churches, chapels, schools, houses, roads, bridges, and other public works already constructed. Yet as they have been principally effected at the expence of the late proprietor, and are indispensable to the colonization of the district, your Committee are of opinion that to a considerable extent the amount of their present value may be treated as so much fixed capital; which, but from these improvements on the estate, would have to be expended in making them. Your Committee are confirmed in this view of the subject from the fact that in all new settlements the construction of similar public works forms a considerable item of expence, and were this Association to commence the colonization of an extensive wild tract, it would consume a considerable length of time, and require the expenditure of a large sum of money before they could hope to get it into a state of readiness for the comfortable location of their emigrants.

As Mr. Ellice is now wholly unconnected with the estate, and has disposed of his entire interest therein, we are inclined to attach considerable importance to the evidence which he gives of his opinion of its value and adaptation to the purposes of the Company, by the readiness he has expressed to take for himself and family £10,000 worth of shares, and the willingness of his son to take a seat in the direction, should it be offered to him. Other gentlemen, friends of Mr. Ellice, who are connected with

North America, and are, like himself, well acquainted with these Colonies, have likewise expressed a disposition to become connected with the Company, should Beauharnois be selected as the principal field of their operations. Although our judgment of the expediency of making the purchase is irrespective of these opinions, we confess that we recommend it to the Board with the greater confidence, from the knowledge that those who possess the best means of information concur with us in our views and opinions on the subject. It should be observed, that our opinion of the expediency of the Association making the purchase is founded upon the belief that arrangements are in progress for promoting tranquility to the province.

JOSIAH COGHILL COGHILL, CHAIRMAN.

D. MACLEAN.

J. SIDNEY NORTH.

JOHN HARMAN.

D. HENCHY.

T. LAMIE MURRAY.

REPORT
OF
THOMAS TOWER, ESQ.
MARCH 30, 1840.

My Lord and Gentlemen,

HAVING been requested by the Board of Directors of the North American Colonial Association of Ireland, to embody the several reports and despatches transmitted to this country relative to the Seignior of Beauharnois, and the township lands in Godmanchester, Hinchinbrook, and Clifton, in order that the same may contain, as well the result of our proceedings from the month of February, 1839, to the commencement of this year, as a general descriptive account of their locality and present condition, I have attempted, in the short time to which I can devote myself to that object, to give you such a succinct and comprehensive description of them as may be a guidance for your present proceedings, and assist yourselves and others who may become interested in its affairs.

I have, therefore, collected from the several statements rendered to me by Mr. Brown, the Right Hon. Mr. Ellice's Agent, as also from other sources, such matters as seem most capable of rendering you every immediate information, offering at the same time such suggestions as my personal residence in that country enables me to dictate, for the speedy development of the vast resources of that choicest spot in Lower Canada, and its ultimate settlement.

Trusting that my task may be considered as satisfactorily completed, and tendering my services or information on such future occasions in which you, perhaps, may absolutely require them.

I have the honor to be,

My Lord and Gentlemen.

Your obedient Servant,

(Signed) THOMAS TOWER.

Situation of Beauharnois.

These vast territorial possessions are situated in the county of Beauharnois, in the flourishing district of Montreal; and the country is bounded on the north-east by the county of La Prairie and island of Montreal, on the north-west by the river St. Lawrence and north-eastern extremity of Upper Canada, and south and south-west by the state of New York, one of the United States of America. It comprises the Seigniory of Beauharnois and the townships of Godmanchester, Hinchinbrook and Hemmingford; contains a population of upwards of 20,000 inhabitants, the majority of whom are of British origin; and it was entitled, before the temporary suspension of the constitution of Lower Canada, to a representation of two Members in that Provincial Legislature.

Its principal rivers are the St. Lawrence, which, together with that part of it called Lake St. Francis, runs along its entire frontage; the river Chateauguay, which traverses the whole country; and the St. Louis, English, Ontario, Norton Creek, and Black rivers, all of whose streams may be found, on reference to the accompanying map, in various parts of the Seigniory.

Having given this outline of the general features and position of this important county, I now confine myself to those vast portions of it which are comprized in your agreement for purchase from the Right Hon. Edward Ellice; and purpose dividing their consideration under two heads; first, that portion forming the Seigniory of Beauharnois, and, secondly, those of the townships of Godmanchester, Hinchinbrook, and Clifton, contained in that purchase.

1st. The Seigniory of Beauharnois. This Seigniory, consisting of six leagues in front, is immediately bounded on the north and north-west by the river St. Lawrence, along which and the lake St. Francis, it extends for six leagues; on the south-west by the townships of Godmanchester and Hinchinbrook; on the north-east by the Seigniory of Chateauguay, in the county of La Prairie; and on the south-east by the township of Hemmingford. Its total superficial contents, as stated by Mr.

Brown, consist of 254,016 arpens,* exclusive of the Grande Isle, which is supposed to contain 6000 arpens, making in all 260,016 arpens. Of these 140,176 have been conceded to settlers under the feudal tenure, a general account of whom will be given herein; 10,031½ have been sold in free and common soccage since the commutation of the tenure of the wild lands of the Seigniori under the provisions of the Canada Tenures Act; about 20,000 arpens (including the contested lands in Russell Town are squatted upon, or, in other words, occupied without title; about 13,000 are unavailable (comprising the Blueberry Plains, and other lands) from natural causes, and 76,809 remain available for settlement.

The summary of the above is as follows:—

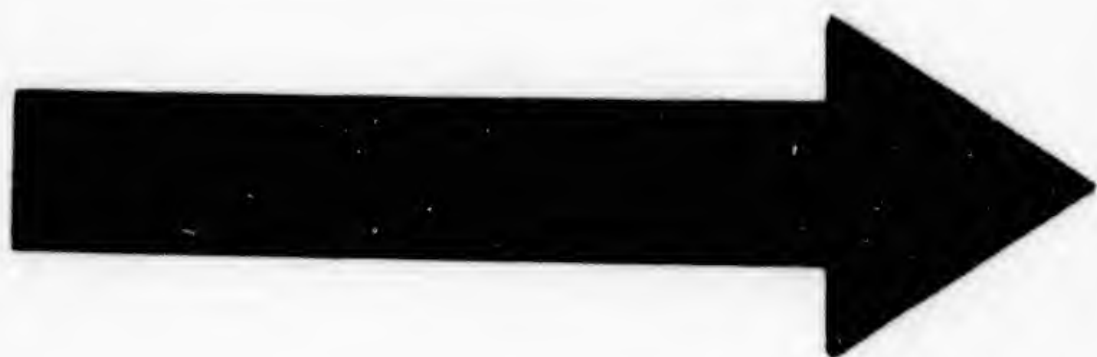
140,176	conceded under feudal tenure.
10,031	sold in free and common soccage.
<hr/>	
150,207	alienated by deeds.
20,000	squatted upon.
13,000	unavailable.
76,809	available.

260,016

of the above 76,809, 1780 arpens, as also the domains St. Louis, Buisson, Grande Ile, Peches au Saumon, Norton Creek, and river Outarde, remain subject to the feudal tenure, and the remainder to that of free and common soccage.

I will now, after a brief account of the nature and principal ingredients of the former tenure, which may be useful in giving you a correct knowledge of that to which so large a proportion of the property is still subject, particularize those parts comprising the 149,176 arpens of conceded lands, showing the state of the Livre Terrier (which forms, as you will see one of the incidents of the feudal law and of the Seignior's rights), and adding an account of the general condition and class of the holders, the rental arising from their collective holdings, the gross rental of the Seigniori, a description of the churches and schools already established, the mills, their sites and value, the

* An arpen, or canadian, is rather less than an English acre.



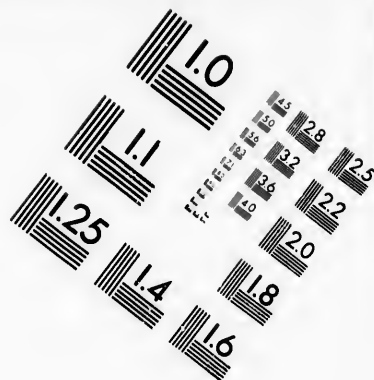
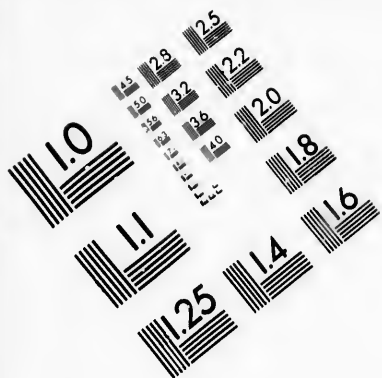
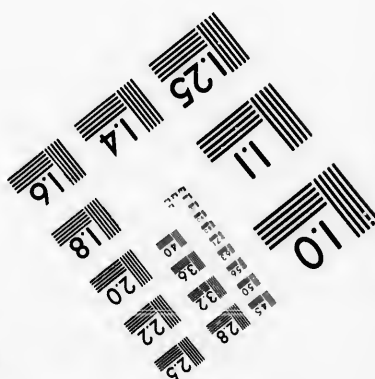
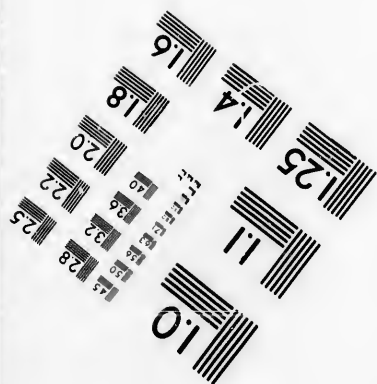
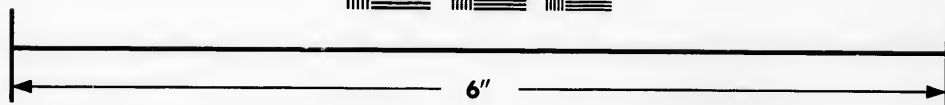
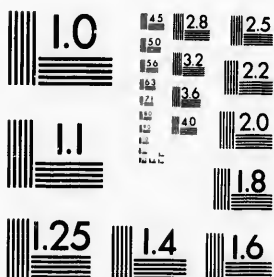


IMAGE EVALUATION TEST TARGET (MT-3)



Photographic
Sciences
Corporation

23 WEST MAIN STREET
WEBSTER, N.Y. 14580
(716) 872-4503



mill sites which may be rendered available, the villages now built, and the various spots upon which future towns or villages may be advantageously erected, in the general settlement of the property.

The Kings of France, as feudal Lords paramount of the soil, in order to facilitate settlement, and at the same time reward distinguished persons, granted large tracts, comprising what are called the Seigniories to nobles and others who held immediately from the Crown, on condition of rendering fealty and homage, and of payment in the event of the transfer of their respective properties of the quint or one fifth of the purchase price.

The Seignior was obliged to concede land to persons applying, and was entitled to subject the censitaires (or farmers) to whom he made such concessions, to the payment of the cens et rentes (or a species of quit rent) to the payment of one twelfth of the purchase price of any terre or farm which might be acquired by purchase within the limits of the Seignior, and to the obligation of grinding all their wheat at his mills upon the payment of one minot in every fourteen so ground. The Seignior was compelled on his part to execute certain things, as for instance, the erecting adequate mills, opening new roads, &c., and was prevented from doing others, as for instance, the selling any land other than that reserved to his own use, which he called his domains.

He was entitled also to execute a droit de retrait or the assumption of any land purchased by any censitaire within the Seignior, on the payment of the price at which it had been sold, and legal expences. This privilege seems to have been given him in order that some check might be put upon collusive sales between censitaires tending to defraud him of his just alienation fines, the one twelfth of the actual value of the terre. He was entitled also on application to the court of King's Bench, or other tribunal then in existence, to the formation of a Land Roll or Lettres de Terrier, and to oblige all his censitaires to exhibit their titles and acknowledge their Seignior and his dues upon their several lands. Thus it will be seen that this system in a new Country, and one in which the little capital possessed by an individual was not adequate to the purchase of lands

worked well in a two-fold respect. It enabled the Seigneur, a person raised into importance by his position and large territorial possessions, to derive an yearly revenue from his property and obliged him to concede in perpetuity to the intended settlers, lands in small lots of 100 arpens each, at a trifling rent and subject to other dues, and also to erect and promote such necessary objects in a new settlement as mills and roads for their immediate benefit.

The only objectionable part of this tenure in a new and improving country is the lods et ventes, or mutation fines, which, it must be allowed, offer some check to energy and enterprise, when it is considered that every outlay or advancement of the value of such conceded property is shared by the Seigneur, as well as the censitaires so enhancing it. If these could be made *per se*, the subject of commutation, the censitaire would be entirely released from anything savouring to himself of oppressiveness or hardship, and in paying the small amount of cens et rentes, he would be enabled to save his capital for the settling himself upon, and the cultivation of the soil.

The immediate operation however of the commutation of the wild lands in the Seignior of Beauharnois, described in the re-grant from the Crown to the Right Hon. Edward Ellice, in 1839, is that as between the Crown and the Seigneur, the latter is released from the quint, and all other dues upon the Seigniorial lands to which the Crown would have been otherwise entitled; and the wild lands so described are converted into free and common soccage lands. And as between the Seigneur and the censitaires, the tenure remains unaltered as to the conceded Seigniorial lands, until the censitaires call upon the Seigneur for a commutation thereof upon the valuation of his (the Seigneur's) rights and dues, which would be extinguished by such an act.

It will be as well here to state, that in no instance has any censitaire yet availed himself of this power, though Mr. Ellice proposed terms for general acceptance, and it is quite clear that an object of so much importance as a general commutation, and on which persons in Lower Canada are becoming so clamorous, cannot be effected until the introduction of more capital into the country enables them to pay a compensation for burthens

which they conceive to be so irksome. The longer the commutation is deferred in the Seigniory of Beauharnois, the greater will be the amount of compensation, when it is effected.

I have already transmitted to the Board a plan having this object in view, but it seems to me that the censitaires generally are neither able nor anxious to accept that or any other at the present time.

Livre Terrier.

The state of this document which, when completed, will form an official land roll of all the censitaires and their holdings in the Seigniory, is explained by the following outline rendered by the commissioner. This will be more plainly seen on reference to the accompanying account from that individual, specifying the several districts in which the exhibitions have been made.

The total amount of exhibitions of titles is 1,839, of which 1,350 titres nouvelles, or fresh titles, have been delivered to the censitaires, (copies whereof have been reserved for the Seignior) 529 exhibitions were on the 21st of January last in various stages of progress, and the quantity of land contained in this statement, comprises from 120,000 to 125,000 arpens. This work is being now more vigorously prosecuted than heretofore, but a few actions will, I fear, be necessary to secure its completion.

The population in the Seigniory consists of about 12,000 souls, of whom the Canadians bear the proportion of 2 to 1 to those of British origin, giving as its result, 8000 Canadians and 4000 British.

Of the former, kind, cheerful, and hospitable as they are, no one can know them, their social feelings and politeness, without feeling deep interest in their welfare—no one can know them without hoping that a race who, in former times showed themselves such good and loyal subjects, may in the final and satisfactory adjustment of all Canadian difficulties—return to that loyalty and allegiance from which it were well for them that they had not been so blindly and foolishly seduced.

Many of the principal Canadian censitaires in this Seigniory live in a great state of comfort and independence, possessing

excellent farms; as for instance, those upon the banks of the St. Lawrence, and others in the Carcan settlement, and in various parts of the Seigniory.

Their good and substantial stone-built houses and extraordinarily fertile lands, place them among some of the best and wealthiest settlers, but the generality of the remainder are poor and their lands impoverished.

The British are thriving in that degree which skill, capital, and industry, those elements of wealth, properly applied, cannot fail to attain in the cultivation of a rich and fertile soil. Many have I met with in the Seigniory, who commenced with little or no capital, and have in a few years acquired one, two, or three farms, of 100 arpens each, by that perseverance and enterprise which so pre-eminently distinguish them, and which can secure to others as it has already secured to these that independence and happiness, for which they might in vain have toiled for years in this over-peopled country. There are now to be seen upon the north bank of the Chateauguay and also upon the English river, British settlements extending for miles, which, if they could be witnessed by small capitalists in this country, I confidently believe would at once cause the sale of all the wild lands, supposing that the qualities of the soil of the one and the other are similar.

Sub-division of Farms.

I now add the following interesting table of the sub-divisions which have taken place in the original concessions to Canadians and British.

This table shews plainly, that unless the former improve materially their system of agriculture, extend their sphere of action, and diverge from their present confined limits, they will, year after year, become poorer from these minute divisions, and be ultimately, as far as the great bulk of them are concerned, compelled to forego the remaining the proprietors of soil upon which they can no longer live. The contrast of the comparatively entire condition of the farms held by the British, is as favourable to their prospects, as it is distressing in those of the Canadians. But I am happy to add, in most of those instances in which the Canadians have purchased free and common soccage

lands, they are paying their instalments with great regularity, and are thriving upon their lots.

The rental arising from the deeds under which the 140,176 arpens have been conceded, is as follows:—

Arpens.	Rental.	
140,176		Halifax currency,
	Whent.	
	Minots Pots.	
	6,659 8 @ 5s.	£1664 17 0
	Money.	
	Livres. Solb.	
	42,249 7	1760 7 9
		<hr/>
		£3425 4 9

This rental, which is received in money and wheat in nearly portions, is taken as to the latter at 5s. per minot. This is far below the price of many years, as for instance in the present, during which it was worth 7s. 6d. per minot at Beauharnois and Montreal. The other sources of revenue may be classed under two heads, the lods et ventes, or fines on mutation, and the profits of the mills—omitting all other casual annual receipts.

In the Seigniory of Beauharnois, the yearly gross revenue, taking the lods et ventes at the usual estimate, or rather under it, namely, one third of the cens et rentes, and the mills at the price at which they would let, may be thus stated.

Cens et rentes	£3400	0	0	
Lods et ventes	1006	0	0	
Mills	1450	0	0	
Other profits including houses and two saw mills	150	0	0	
	<hr/>			
	£6000	0	0	Halifax currency.

BRITISH.

CANADIAN.

	Undivided.	Divided.	Divisions.	Emplacements.	Undivided.	Divided.	Divisions.	Emplacements.
Marystown.....	39	50	101	5	1	1	1	
Helenstown	42	64	140	20				
Catherinestown	9	15	30	1				
Grande Isle.....	20	17	34					
Annstown	97	161	342	56				
North Georgtown.....	30	77	146	3	62	37	65	4
Ormistown	—	2	4		137	4	8	
Jamestown.....	1	2	3		56	8	16	
Williamstown.....	60	180	399	26	145	56	133	1
Edwardstown.....	7	7	13		71	11	19	
South Georgtown	1	1	1		72	12	24	2
Russeltown.....	10	11	21		2			
	296	587	1234	111	536	129	236	7

I now proceed with an account of the churches and schools already established in the Seigniory.

Of the former there are twelve.

4 Catholic.	Situation.	Officiating Priest.
St. Clement.	Beauharnois.	Mr. Quintal.
St. Timothée.	Elliceton.	„ Archambeault.
St. Martin's.	Chateauguay.	„ Power.
Ormstown.	—	„ F. Moore.

5 Presbyterian.

Village of Beauharnois.	Rev. W. Roach.
South George Town. }	„ Jas. C. Muir.
North George Town. }	„ Jas. Anderson.
Durham, Ormstown.	„ Thos. McPherson.
Beech Ridge.	

1 Episcopal.

Durham, Ormstown.	Rev. Wm. Brethour.
-------------------	--------------------

2 Independent.

Russeltown, Upper Part }	No resident ministers.
Russeltown, Lower Part }	

The catholic churches and parsonages are always kept in a good state of repair, each church having a fund for that purpose, which institution is called the *fabrique*, and is the only object with whose local management the people comprised in such locality are entrusted.

The church at Beauharnois is a plain edifice of stone, which it was intended to have replaced by a new and more handsome one at a cost of 2000*l*. This improvement will be ultimately effected, and it is to be hoped that the wish of the present liberal and with justice highly esteemed minister may be gratified, to convert the present building into a large school for the education of the children of the inhabitants. The parsonage is a comfortable stone house, and to the church, as indeed to all the others, is attached a public hall or *salle des Habitans*, at which public meetings and judicial courts are held.

This priest receives about £200 per annum from the tithe of all grain $\frac{1}{8}$ th to which he is by law entitled, besides other fees, which together with the above tithe, may produce a revenue of about £250 per annum.

The St. Martin's church is a large stone one, superior to the other two. The parsonage is a comfortable stone house, and the living worth about £250 per annum.

The small chapel at Ormstown was erected by funds supplied from the catholic establishment at Montreal, for the benefit of the Irish catholics of that neighbourhood. It was at first served by a curate of the priest at St. Martin's, but a priest now lives upon it.

In these churches in which the priests officiate with the same zeal and earnestness so justly allowed to be the characteristics of the catholic priesthood of Lower Canada, Canadians and British Roman Catholics mix together in divine worship, religious distinction forming no obstacle to their union in the discharge of those important duties in a country, in which whatever unfortunate differences have in past times occurred between the two races, intolerance or religious discords are as yet happily unknown to them.

The Presbyterian churches are all new buildings.

The one at Beauharnois village is a handsome stone one, with a portico and cupola, and was liberally erected by the Seigneur in 1835, (whose property it still is) at an expense of £500.

The churches at North and South George town are built of wood; the first, a respectable-looking kirk, and the minister has built for himself a neat manse or parsonage, in the village of Durham. That in South George Town, of which Mr. Muir is the incumbent, was built by the parsonioners.

The church at Beech Ridge is of stone, plain and decent, and a manse has been built for the minister.

The Episcopal church was erected by means of funds, chiefly furnished by the late Bishop of Quebec, and is a small, but neat wooden edifice, standing in the same lot of land in Durham, which had been reserved for ecclesiastical purposes, and was divided between that church and the Presbyterian.

The two Independent churches were erected wholly by voluntary subscriptions, are plain wooden buildings, but no resident clergymen are annexed to them, nor is service I believe, regularly performed in both, or either of them.

I am happy in being able to speak most highly in favour of all

these ministers. They are deservedly esteemed, performing their duties with regularity, zeal, and attention, to the spiritual wants of their several charges; and I wish I could add, that they are all placed in that degree of comfort and independence, which their merits deserve. Mr. Ellice allowed the four Presbyterian ministers £12 10s. each, annually, but finding their incomes, averaging under £100 per annum, were insufficient to maintain them in that position, which I conceive should be rendered much superior to, and to a certain degree independent of the generality of their respective flocks, I ventured to increase each contribution from 12*l.* 10s. to 20*l.* on the part of the association, and to make the same allowance to the Episcopal clergymen, expressly however stating that these alterations were made on the part of the association, and that should the transfer of the property not take place, they could not expect them as of any right to be continued. This I felt called upon to state in justice to Mr. Ellice, but I need not add, that these small additions, and the unexpected contribution to the Episcopal clergymen, received as well their grateful thanks, as the approval of all those who knew their position.

Schools.

As to these, I state generally, referring the Board to the letters already transmitted, and others which I have received from the several ministers, which I now lay before them, that they consist of 22 in all: 8 in the Canadian settlements, and 14 in the British settlements. As to the first, they were originally built by legislative aid, but are now converted into private houses, and the Canadians are, and have been without instruction ever since the cessation in 18 , of all the legislative aid heretofore allowed by the Provincial Legislature.

As to the second, they are, with the exception of the one at Beauharnois village, to which 10*l.* per annum is allowed by the Seigneur, entirely dependent upon voluntary contributions, and the exertions made by the British in this respect, are most praiseworthy. I strongly recommend, for a time at least, a small contribution to each of them, until the enactment of a systematic and comprehensive measure for education by the

Local Legislature guarantees to the settlers some assistance towards so important, and by them, highly appreciated, an object for their childrens sake.

MILLS AND MILLSITES

OF THE FORMER, THEIR NUMBER AND SITUATION, ARE AS FOLLOWS.

STATION.	Flour.	Oatmeal.	Carding.	Felling.	Saw.	Runs of Stones.
1. Helenstown, Ellicott.....	1	..	1	1	..	2
2. Annstown, Beauharnois	1	1	..	..	..	6
3. Williamstown, St. Martin	1	..	..	..	1	2
4. English River, Howick	1	1	..	..	..	2
5. Ormstown, Durham	1	..	..	..	..	2
6. Edwardstown, Norton Creek...	1	..	..	..	1	1
7. River St. Louis	1	..	..	..	..	..
	6	3	1	1	2	17

Mills.

1. A stone building erected in 1831, of sufficient capacity for doubling the machinery when required, with one adjoining to it, containing the fulling and carding apparatus, is good and substantial, and has recently been put in a complete and improved state.

2. A large handsome stone building, erected within the last three or four years, at the village of Beauharnois, comprising a flour mill with three runs of stones—an oatmeal mill with two, and drying kiln, one run for cattle provender, a smut mill, and large shed as stabling for frequenters. It is of high power and superior machinery, with a wheel of 28 feet diameter, and a water power from 21 feet of fall. It contains accommodation in the interior for two millers, who reside there with their families.

3. This is upon the Chateauguay river, was built in 1824, and is a small, but good working stone mill, with two runs of stones, and a smut mill. In 1837 it was thoroughly repaired, and received several improvements and additions. Attached to it is a good miller's house.

4. English river mills are of wood, on stone foundation, and were built in 1832, comprising a flour mill, oatmeal mill, with a kiln and saw mill. Houses for the miller, dryster, and sawyer, and stabling for the horses of the frequenters, are there affixed.

5. Ormstown mills on the Chateauguay are of stone, large and handsome in their erection and position, comprising a flour mill, oatmeal mill, with kiln and smut mill. The miller's house is attached to them, and the whole was completed in 1839.

6. Edwardstown, a large substantial stone building erected in 1829, and capable of containing double its present machinery. It was extensively repaired in 1837, and comprises a flour mill and smut mill, with stabling and barn. It does an inadequate business from an occasional failure of water, and it would be very desirable to apply steam power to it, which it seems could be effected at a small cost, and, in all probability, at a great profit.

7. This saw mill has been let to Christmas next, to the former occupier, who has made a contract for the supply of a large

quantity of hemlock boards for building purposes, and repaired completely its dam, and other adaptations. It was erected in 1831, and has two saws and a circular saw. Rent £50 per annum.

The saw mill mentioned in No. 6 at English river, has two saws, and is very efficient, working well and with great rapidity. It was let for £100 per annum, but is now in the Seigneur's hands and worked for the benefit of the censitaires by the former occupier, who has been hired at wages for such times as the mill can work.

The Seigneur receives one half of all the timber brought for sawing, as his profit.

All these mills are in excellent order, and with the exception of Norton Creek, in very high estimation.

The millers, who are all very respectable, are in the employ of the Seigneur, in whose hands they are at present, and it is perhaps advisable to retain them, as they cannot fail of increasing in value yearly, as the population extends. They at present manufacture grain only for the censitaires, or those resident in the Seigniory, and as they are not worked half the time of which they are capable, they are fully adequate to twice the population, or in the absence of such an increase, could manufacture at a greater profit, flour for the Montreal market, or as an article of export. Should the population however double (as may be reasonably expected in a few years, without the assistance of emigration) the mills would proportionably increase in value.

Mill Sites.

The whole of these, comprising also those of the above mills are now good, as in some cases where mills are now erected on one side of a river, ample water power is to be found on the opposite side of the stream.

On the St. Lawrence.

	Quality.	Mills erected.
Cascades Rapid.	Very good.	
Buisson	Excellent.	
Chut à Bouleau.	Do.	Elliceton.
Le Beufs, 36 Helenstown	Do.	
Langerin's.	Middling.	

On River St. Louis.

Before enumerating these I will mention, that by the proposed canal cut or, feeder, from the lake St. Francis to this river, a vast increase of water power could be obtained thereby.

The present sites are :—

	Quality.	Mills erected.
6. Mouth of the river.	Excellent.	Beauharnois. western side
7. Bridge rapid.		
16 Annstown.	Middling.	
8. Colbornes.	Good.	St. Louis saw mill.
9. Rapid at 11. 6 range.		
Helenstown.	Middling.	
10. Labreches. 45 North		
George Town	Good.	
11. Rapids at 1, 2, 3, and 4		
range Ormstown.	Do.	
" Fitzwilliam."		

On River Chateauguay.

12. Fountains, termination of		
La Beauce road	Good	
13. Pêche au Saumon	Excellent.	St. Martin mill, south side.
14. Pine Rouge, 42 Williamstown Mid.		Formerly saw mill thereon.
15. Ogilvie's, 15 So. Georgetown	Do.	
16. Morrison's, 29, N. Georgetown	Do.	
17. Steeles, 36, So. Georgetown	Do.	
18. Jones's, Durham	Excellent,	Durham mills on south side.

On English River.

19. Howick	Excellent.	English river mills
20. Long, near 82	Good.	
Williamstown.		

- | | | | |
|-----|------------------------|-----------|---|
| 21. | Sangs, 1 English river | | |
| | Edwardstown | Middling. | |
| 22. | Rapidat, 7 ditto ditto | Do. | |
| 23. | Duncan's | Good. | Saw mill erected on one side, it is said, without permission. |

On Norton Creek.

- | | | | |
|-----|--------------------------|-----------|--------------------|
| 24. | Brownville | Middling. | Norton Creek mill. |
| 25. | Nicolls, 30, Edwardstown | Do. | |

On river Outarde, in Russeltown and Jamestown, there are also several small sites that cannot easily be pointed out, and on the Bl ~~k~~ River and Sturgeon River, there are also two small rapids, the one near 34, 1st range Russeltown, the other at or near 1, Williamstown.

With respect to the above enumerated mill sites, of which the Seigneur has not availed himself, he has expressly reserved the following power in all deeds of concession—"to take a space of ground fit for the erection and building of mills, containing six arpens in superficies, in case a proper situation shall be found hereafter for that purpose upon the conceded lands, the said Seigneur, or his representatives, paying a fair price for the same, according to the estimate of competent persons, to be chosen by the parties, in case such ground should be cleared and improved, and not otherwise, and reducing the rent of the said land, in proportion of the said six arpens, or other less quantity of ground."

It is clear, therefore, that the Seigneur could resume the possession of all these sites, including that on which Mr. Duncan has, without any right, (as stated to me by Mr. Brown) erected his saw mill, but it would be a very questionable proceeding as to its expediency, as being certain of producing angry feeling, and, in all probability, litigation with the censitaires.

They are not allowed to erect mills, nor with the above exceptions have they done so, and cannot therefore interfere with the profit of the present ones belonging to the Seigneur.

The private buildings comprise the following :—

1. Seignior house and Seignior office, near the same.
2. Farm buildings and appendages.
3. The old mill or barracks, at Beauharnois.
4. Houses in Beauharnois village.
5. House in Elliceton.
6. Ditto on Buisson Point.
7. Houses in various parts of the Seignior.

1. This is about 60 feet in length, one story high, and in the cottage form, with a verandah. It was, originally, a Canadian farm dwelling, built more than fifty years ago, upon a beautiful point of land, at the confluence of the river St. Louis, with the St. Lawrence.

It has been recently put into as complete a state of repair as such an old and uncomfortable building will admit of.

2. The farm buildings are of a very superior description, and on an extensive scale, comprising a range of stabling, sheds, barns, &c., forming three sides of a quadrangle, with a house for the farm steward, and blacksmith's and carpenter's shops immediately opposite; all these are in an excellent state of repair, and are superior to anything of the same sort that I met with in Lower Canada.

Besides their exterior, they contain 19 cows and heifers, eight of the best Canadian cart horses, all kinds of farming implements, and a good supply of other stock, which I requested to be encouraged as much as possible in the preservation of seed stock, for the benefit of new comers.

I may safely say, that the whole of this establishment is not only a most creditable possession in Lower Canada, but would be so in England.

The best results have been produced from it, as well in the example set, as in the improvements effected thereby in the breed of stock, and the system of agriculture generally, through the Seignior, but it has been a constant source of outlay and expense, rather than profit.

I have brought with me a specimen of the produce of the Beauharnois flock, and of the carding and fulling mill at Elliceton, and strongly recommend the flock to be greatly

increased, and this breed of animals, encouraged as much as possible in the Seignory.

3. Barracks at Beauharnois.

These are now occupied by a small party of regulars, but belong to the Seigneur, and may be made very useful as a temporary abode for immigrants, being fitted for one hundred persons.

4. The houses at Beauharnois village comprise two very good wooden ones; at one of which Mr. Bull resides, which was erected by Mr. Ellice. The other one has been let until the 1st May, to the government, as an abode for the small police establishment at the village. For the latter which was purchased by Mr. Ellice, an instalment will be due in the course of this year.

5. The house at Elliceton is a large building with a portico in its front, and was erected as an hotel, commanding a very fine view of the magnificent rapids between Elliceton and the north bank of the river St. Lawrence, (on which stands the "Cedars" village) and of the surrounding river scenery and its interspersed islands. This has also been let on the same terms, and for the same object as the above house at Beauharnois, but will eventually, in the establishment of a town at this spot, prove well worthy of its original object.

6. The summer residence at the Buisson Point is of wood, and nearly new, and its site has been admirably chosen, commanding as it does, a view of the magnificent rapids round its base, and a view of the river on both sides of it, on the eastward to the mountain, at the bottom of which Montreal stands, and on the westward, to the Grand Ile, Elliceton, and the cedars.

7. These comprise the farm houses, built upon various lands which have been purchased at Sheriff's sale by the Seigneur.

Having given this general account of the locality and state of settlement, I will now enumerate the villages situated within the Seignory, those which we may look forward to their occupying places of importance, and considerable request in the general settlement of the property, and those spots, which, from their picturesque and grand scenery, as well as locality, may be eventually, eagerly sought and settled.

In doing so, I must draw your attention to the peculiarly advantageous position of the Beauharnois property, in being more easily and at a less expense than any other part of the Lower Province, made the direct line of communication between it and the Upper, by means of a canal or railroad. Reserving the statement of the reports of the several civil engineers employed on the examination of these projects to another part of this report, and to your perusing them in detail, as already transmitted to you. I will briefly state that such a work could not fail to enhance the value of that section of the country through which it might pass, and it may be reasonably anticipated, that its completion would produce similarly surprising results, in the creation of towns, and a highly flourishing country, as may be witnessed by all who have had the opportunity of seeing in the United States, such extraordinary advances in the value of property by the completion of similar undertakings, in parts which were before in a state of wilderness.

The most promising and advantageously situated villages already established, and in which a population, churches, inns and stores, or shops may be now found, are Beauharnois, Elliceton, and Durham. The two first are on the banks of the St. Lawrence, and the latter upon the Chateauguay river.

The first, Beauharnois, is admirably adapted as the western terminus of either the canal or the railroad; the point St. Louis at the western end of this village juts out upon the river St. Lawrence, from which it ascends to a height formed as a natural and advantageous terminus of the railroad.

Its site may be extended largely by the purchase of the two intermediate farms, between it and the principal home farm, which latter is in the Seigneur's hands, and occupies the space of about 400 arpens, with a river frontage. One of these farms is now offered for sale, and if these purchases were effected, and the present site of the Seignior's house and buildings, the large field opposite to the latter, the point St. Louis, and a field or two farther westward were appropriated to building lots, ample space would be afforded for a very extensive and flourishing town, independently of the lower home farm, and the domain St. Louis, which last lies inland, at the back of the town.

The second, Elliceton, in which also a large church and mills are erected with water power to an almost unlimited extent from the great St. Lawrence, comprises lots laid out as village lots, and can be vastly extended. In its selection as a spot for a town, great judgment is shewn.

The third, Durham, all of which is occupied on the north side, and on which three churches and extensive mills have been erected, is about to be extended to the south side of the river Chateauguay, (by means of a bridge, the materials for which are being now prepared by the inhabitants) and on its frontage, a lot of 100 acres has been reserved for that purpose. This last town possesses great advantages in being in the midst of very flourishing British settlers, and in the direct mail line of communication between Montreal and the northern parts of the State of New York, via Huntingdon. Besides these, the Grande Ile and Buisson Point afford attractions hardly to be equalled in the Province, from the grandeur of their position—both are situate near the most magnificent rapids in the St. Lawrence; the former forming a large island in its centre and comprising about 6000 arpens, only a small portion of which has been conceded. The latter extending four or five miles into the interior of the country, and possessing a most beautiful river frontage and a fishery, from which large quantities of sturgeon and other fish are taken.

Of the other villages, that at Howick, Norton Creek, and , reserved as a village site near St. Martin, are good, but not in any advanced state, except in the mills, which are erected at them.

We re-purchased four lots on the banks of the St. Louis, comprising 1, 2, 3 and 4 range Ormstown, which we have designed as Fitzwilliam, and it possesses water power for the erection of mills, which power can be, as above stated, vastly extended by means of a feeder, from the St. Lawrence. Being situated about half way between Elliceton and Durham, it may be made the direct line of communication between those two towns or villages.

The rivers, villages, mills, churches, as well as all the above named spots, will be seen on reference to the map, together

with the extent of settled and unsettled lands in the Seigniorie, to which last I will now allude.

Unsettled Lands.

These, comprising, as already stated, of those which are available, consist of about 76,809 arpens, and are situated in various blocks—the position of which will be best explained by reference to the map. I must also refer you to the letters transmitted from Canada in the month of August, containing the reports of the surveyor, employed in the survey of those parts situate in Helenstown and Armstown, for a complete description of the soil, timber, position, &c., rendered by him some few years back.

For purposes of settlement, considering above all, that no such land can be now obtained by the settler, within fifty miles of Montreal, it offers great attractions, being in the midst of civilization and advancement, with mills so judiciously selected, as to be adequate to supply immediately, the wants of the occupiers of those tracts.

The situation of Beauharnois, shows it to be easily made part of the direct channel of communication between the two Provinces, or nearly the centre of them if united, to be within easy reach of the market at Montreal, at which all surplus produce can always obtain a ready sale for ready money, and to be within such a distance from it, as to enable the settler (as is now constantly done) to leave Beauharnois with his goods in the morning by the steam boat to Lachine, and return again on the same evening.

With such advantages, the war with the forest may be said to lose most of its horrors and inconveniences, and to secure to the settler, prospects which he will rarely meet elsewhere.

To the report of Mr. Livingston, I will add, that the soil of Beauharnois is good, generally speaking, and grows large quantities of wheat, oats, barley, pease, potatoes, clover, hay, and turnips—though as to the wheat, which is of so much importance to the settler, inasmuch as he is enabled to sell all his surplus produce at Montreal, for the consumption of that town, or as an article of export to the mother country, under the pri-

vileged moderate 5s duty, it has much fallen off in late years, in both Provinces, from the ravages of the fly and rust. These destructions seem chiefly to attack in the Seignior of Beauharnois, old and impoverished lands, but their cause and its remedy are unknown. In many instances, I know of the production of good crops of wheat during the past year, and the absence of both one and the other upon fresh lands, but the settlers generally, unwilling to risk any failure, have turned their attention to other crops, particularly green crops.

It would be well worth the experiment of sending from this country a small quantity of good wheat, and trying the effect of a change of seed upon lands, in which these ravages have been the greatest.

The best proof of the value of these lands, as estimated by settlers resident upon the spot, (many of whom have been there born) is, that since the commutation of the tenure into that of free and common soccage, 10,031½ arpens have been purchased by them, for the sum of 9,709*l.* 5*s.*, Halifax currency, averaging nearly 1*l.* per acre, and these, it must be borne in mind, have been so purchased not for purposes of speculation in large blocks, but in 100 acre lots, upon almost all of which, both Canadians and British are living, and improving their own condition and that of the country by their buildings, cultivation of the soil cleared, and their annually extended clearance of the wild parts of each lot. In the year 1839, 2601 arpens or acres were sold in various parts of the Seignior and townships of Godmanchester and Hinchinbrook, for the sum of 2,650*l.* 2*s.* 6*d.* to settlers, who are now resident upon them.

Township Lands.

These, possessed by the Right Hon. Edward Ellice, comprised originally, 26,704 acres in Godmanchester and Hinchinbrook, and 6,000 in Clifton.

Of the two first, 10,670, or thereabouts, have been sold, besides 838 which have been transferred to the Indians—8,000 acres, or thereabouts, are squatted upon—1833 are claimed and possessed by two persons named Dupuis and Monagui, and the remainder are available for settlement.

The inhabitants of the townships of Godmanchester and Hichenbrook, are amongst the best British settlers at present established in the Lower Province—possessing, at least many of them, large farms, and capital, and enterprize, with which they have brought them into cultivation most successfully. Their principal town, that of Huntingdon, is rapidly extending its limits, and is in a very promising condition. All these lots are surveyed and average about £1 per acre.

The township of Clifton is situate near the town of Sherbrooke, in the eastern townships, and is from the extension of the cultivation and settlement of the surrounding country, increasing in value, and is described to me by those resident upon the spot, and competent of giving a correct opinion—a “settling” part. A mill has been erected very recently, within a few chains of one of the lots which will facilitate the progress. A reference to a letter received from Mr. Wells, one of the Surveyors of the B. A. L. C. whom I employed for the purpose of examining them, will shew the lots and their position.

I can generally state from an examination into the returns made by Mr. Brown and Mr. McGibbon, the local agent for the lands in the townships of Godmanchester and Hichenbrook, that inclusive of the 6,000 acres in that of Clifton, from 10,000 to 12,000 acres remain alone available of the whole of those comprised in the original grants, but as to the squatted lands in those two townships, I am expecting daily some further information, as well as of the Russeltown ones in dispute, I must defer an accurate account of them until such receipt.

I now proceed upon the actual condition of the property when I first arrived in the country, in the month of March last:—

From various causes the greatest irregularity was perceptible in all its affairs—the books or censitaires ledgers, were in arrear from the years 1831—1832—the livre terrier or Land Roll was not advancing to its termination—the arrears of debts due by the censitaires for cens et rentes and lods et ventes were startling in the extreme, as productive, in the lax system introduced, of the worst consequences to both the Seigneur and the censitaires—in a word, the property was as fast as possible deteriorating in its value.

Having at length, by great exertions urged upon Messrs. Brown and Norval, ensured the completion of the first, and striking the balance in September 1838, at which time of the year the cens et rentes are in almost all cases payable, the amount as ascertained thereby to be due (much remaining still unknown, as to various mutations which have taken place without the knowledge of the Seignior, or rather his agent,) exceeded the sum of £17,000 Halifax currency. Of this sum, no less than one than upwards of £5,000 has been paid between the months of February 1839 and January 1840, and I expect to learn shortly by letters from Canada, that since the accounts were then made up, more has been paid.

The greatest exertions were made by the censitaires so indebted to make payments, and I am happy to add that these were made in the absence of ill feeling or harshness, not a single action having been commenced for the purpose of enforcement.

Of the free and common soccage land sales, the receipts upon instalments and interest thereon are shown in the accompanying monthly abstracts, as rendered to me by Mr. Brown, and the sum of 5,999*l.* 4*s.* 5*d.* for principal, and 601*l.* 1*s.* 6*d.* for interest, including the sales of the past year, remained due on the first of January in this year.

Of the Godmanchester and Hinchinbrook sales, the receipts are also shown for principal and interest, and 2915*l.* 4*s.* 7*d.* for principal, and 997*l.* 14*s.* 11*d.* for interest remained due, including the sales of the past year, on the 4th of January in this.

The instalments upon the sales in Godmanchester and Hinchinbrook, and in free and common soccage, carry the legal rate of interest, six per cent.

The total gross receipts from February 5th, in last year, to January 31st, in this, amount to between 11,000*l.* and 12,000*l.* as will be seen in detail on reference to the principal items stated in the monthly accounts, and the general application of them is also therein stated; those marked, having been done under correction of Mr. Brown as payments made on account of Mr. Ellice, comprising all sums of money paid out of the gross receipts after the 5th of February, for the discharge of debts due previous to that date, and other payments on his separate account.

No debts were allowed to remain unpaid for works or services rendered since the 5th of February, and the utmost regularity as to the monthly payment having been enjoined and whilst I was in the country acted upon—this improvement upon the old system, in its adoption, has caused the best results to all parties.

I established also by means of a most respectable firm in Montreal, that of Messrs. Kidd and Mc'Cormack, a branch store at Beauharnois connected with their firm, and a ready money system in the sale of goods at the Montreal prices. I am happy to add that it has been, as I had anticipated, a great boon to the inhabitants, both Canadians and British, in protecting them from the enormous charges to which they were before obliged to submit, and the best prospect of advantage to the firm in the custom which they had already obtained.

Another object undertaken by Mr. Gerrard and myself (for his concurrence I invariably in the first instance sought) was the examination of Mr. Thompson, a surveyor at Montreal, of great ability in such matters, of the western terminus of the projected canal, for the purpose of ascertaining the depth of water in the river St. Lawrence, and the rapidity of its current from McPherson's point to La Grosse Point, and laid his plan and report (a copy of which is now handed in) before the Board of Works for the Lower Province, to whom the canal reports had been referred by the Governor General, and objections had been started as to the impracticability of the line on the South side of the river from these two causes, a too great rapidity of current round La Grosse point, and a shallowness of water between it and McPherson's, which would prevent vessels running to and fro. These objections were removed by the accompanying report and plan, and the latter shows the existence of a very favorable canal or rail road and terminus for steamers or vessels running to or from its mouth. This statement brings me to the several reports of the lines of canal and rail road which have been proposed by the several engineers, Messrs. Baird, Stevenson, and Casey.

The rail road can be effected according to the latter at the cost of 50,000l. Hy. Cy. from the St. Louis point at Beauharnois Village to McPherson's, including the cost of two

moderate sized steamers, for which he allows 10,000*l.*, to run upon the river from Beauharnois village to La Chine at the Eastward, and McPherson's point to Cornwall at the Westward.

The distance between the two terminis is only 14½ miles, and the country is stated to be peculiarly favorable to the undertaking, the difference of level being only 82 feet, and the chief and only great ascent being from the St. Louis point to the hill immediately above the St. Lawrence.

By this means the communication would be complete from La Chine to Cornwall, or in the event of the anticipated success being realized of stemming the rapids between Cornwall and Dickenson's landing, as will be shewn early in this spring, in the experiment to be then made by a fine steam boat erected for that purpose, it would be complete to Kingston or Toronto in the Upper Province.

In either case the saving of time would be very great, but it will, however, be well worth your consideration whether, should this undertaking be determined upon, it would not be desirable eventually to extend the rail road to La Prairie, as greatly facilitating the communication between Montreal and Toronto, and the whole Upper Province, and which line could never be interfered with should the proposed canal communication between the Lakes St. Louis and St. Francis be carried into effect, in continuation of the Cornwall canal. The great success of the steam plough overcoming all impediments occasioned by snow in the Northern States of America, shew clearly that such a lengthened line could be used during the winter as well as the summer, and it would afford still greater attractions in being far more expeditious, in being unbroken, and in close communication with the St. John's and La Prairie rail road, near the terminus of which it would also end.

The following are the several canal routes proposed upon the South and North Sides of the St. Lawrence, as taken from the reports of the several Engineers employed for the purpose of surveying them, and the comparative cost of each.

North Side of the St. Lawrence.

1st Route.—Per Lake of the two mountains } 442,762 19 11½
as estimated by Mr. Mills, }

2nd	—— Inland route along the banks of the St. Lawrence (16 miles)	324,943	11	5
3rd	—— River improvement line (16 miles)	235,782	3	2½

South Side of the St. Lawrence.

1st	—— Inland route along the 1st concession of Helenstown, Beauharnois estimated by Messrs. Stevenson and Baird,	224,444	15	0
2nd	—— Communication by the river St. Louis estimated by Mr. Baird,			
		194,800	7	10

These estimates were made upon similar premises, viz. for locks of 200 x 55 x 9 feet water.

It seems to be quite clear from the several statements already transmitted to the Board, that a rail road would afford a large return at even the present rate of passengers traffic only, between the two Provinces, and if continued from the Western terminus to Huntingdon, as has been offered to be executed by the inhabitants of Huntingdon and its vicinity in Godmanchester and Hinchinbrook, by means of a tram road, a connection would be also formed between the Provinces and the Eastern States—Lake Champlain and the settlements on the Provincial Line—a rail road being projected, and an Act having been some time ago obtained from the Legislature of New York States, from Ogdensburgh to Lake Champlain.

The canal offers the additional tempting prospect of ensuring the transport of the freight (which a rail road from Beauharnois to McPherson's could not be expected to convey on account of the transshipments, though *a continuous one might be made from La Prairie to that point*), if constructed on the dimensions proposed for a ship canal in continuation of the one at Cornwall, to and from the Upper Province and the Western States of America, in competition with the Erie canal.

My advice is forthwith to employ a competent civil engineer of the United States, to run a line for both the canal and the railroad, and to report upon the expense and expediency of the undertaking. For the canal, an additional line seems feasible, namely, from Convillan's landing to the western side of the Suisson Point,—thence along the St. Lawrence to Elliceton—

and thence again by a canal to a point opposite to the Grand Ile, across which a dam could be thrown, as successfully applied in the Rideau Canal, rendering the stream above a slack water navigation, and sufficiently still for vessels—thence to the lake St. Francis. If this can be found by a civil engineer to be practicable, the line would be shortened by some miles, and the village of Elliceton, and the projected ones at the Buisson Point be rendered valuable and immediately available.

It requires, in my opinion, but activity and honesty to ensure the carrying eventually of the canal upon the south side of the St. Lawrence, by means of an United Provincial Legislature, for however specious the objection, the only remaining one is, of its being more assailable in the event of a rupture with the United States. The advantageous position and diminution of cost, are admitted to be much in favour of such line, and it would entirely fail when urged before those who did not consider it to be of any importance in the formation of the Cornwall canal within musket shot of the United States. Besides, such an objection would be a just ground of complaint by all resident on the south side of the river, if they are thus to be told that no improvement is to be effected in the parts in which they are living and interested, because such parts are less safe under the British dominions, than others placed upon the opposite side of the river.

My remaining recommendations are the immediate adoption of measures for the complete settlement of all the wild lands, and the selection of an able surveyor for their examination; the ascertaining the exact quantity and quality comprised in the several blocks, the laying out lots in the Seignior and Grand Ile, and additional town, and village lots. I recommend also (this should be the first object) the selection of an Agent in whom the Association can place the fullest reliance for the faithful and vigorous discharge of the duties intrusted to him; the selection also of a competent American civil engineer for the examination and survey of the proposed lines for the canal and rail-road, and the undertaking on the part of the Association such public and private works as will tend to the ultimate

enhancement of the value of the whole of that section of the country, give immediate employment to artisans and labourers immigrating thither, but which, without such assistance, it is not probable, nor can it be expected that the inhabitants will themselves undertake. I recommend also the introduction of a Bank of deposit at Beauharnois.

In conclusion, I beg to urge upon you the consideration in the selection of emigrants to be sent out to those parts, that this spot is the only valuable and available one within fifty miles of Montreal; that it is in a high state of advancement and civilization from its position and the judicious assistance heretofore rendered to it by its liberal owner in the erection of churches, schools, mills, and the establishment of good roads, that it is within easy reach of an excellent market for the sale of its surplus produce, and that these advantages are invaluable to the new settler, who should be taught the fact, that the last consideration on his part should be the price of the land—the first the existence of such advantages.

You must, therefore, bear in mind the importance of adhering to your right determination of not sending out a pauper emigration, but of introducing persons of capital, and of all classes and conditions, and those only who, from their past good conduct in this country, afford some guarantee of maintaining the same orderly and industrious habits in that of their adoption.

Such immigrants cannot, I think, fail of benefitting themselves by the change; and you may confidently anticipate from them the most favourable accounts, and the most grateful recollection of those who may have been the means of enabling them to substitute for themselves, and by their own exertions, a state of independence instead of distress or misery; and brightened prospects instead of dread in the consideration of their own or their children's condition in this their own native and dear, but thickly peopled, soil. I will merely add, that the above anticipations are founded upon the past success of the settlers now resident upon the property, and upon the supposition that the large blocks of wild land are as capable of

improvement as those which in their immediate locality have been so successfully cultivated; and

I have the honor to remain,

My Lord and Gentlemen,

Your obedient Servant,

(Signed) T. TOWER.

London, March 30th, 1840.

