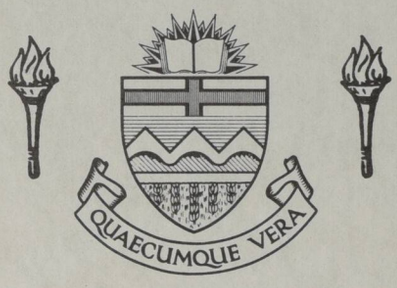
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1850-51

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CANADA.

PAPERS

RELATING TO THE

REMOVAL OF THE SEAT OF GOVERNMENT,

AND TO THE

ANNEXATION MOVEMENT.

Presented to both Houses of Parliament by Command of Her Majesty,
15th April, 1850.

LONDON:
PRINTED BY W. CLOWES AND SONS, STAMFORD STREET,
FOR HER MAJESTY'S STATIONERY OFFICE.

1850.

SCHEDULE.

CANADA.

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CANADA.

No. 1. (No. 55.) No. 1.

Copy of a DESPATCH from Governor-General the Right Hon. the Earl of Elgin and Kincardine to Earl Grey.

Government House, Montreal, May 29, 1849.

(Received June 19, 1849.)

(Answered July 11, 1849, No. 392, page 22.)

My Lord,

I have the honour to transmit herewith for your Lordship's information, the copy of an address presented to me by the Legislative Assembly on the subject of the removal of the seat of government from Montreal, with a copy of my reply. This address was founded on resolutions moved in the Assembly by the Honourable Mr. Sherwood, an eminent member of the Conservative party, and Attorney-General for Canada West, in my late administration.

I have, &c.,

The Right Hon. Earl Grey, &c. &c. &c. (Signed) ELGIN AND KINCARDINE.

Encl. 1 in No. 1.

Enclosure 1 in No. 1.

To his Excellency the Right Honourable James Earl of Elgin and Kincardine, K.T., Governor-General of British North America, and Captain-General and Governor-in-Chief in and over the Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice-Admiral of the same, &c., &c., &c.

May it please your Excellency,

We, Her Majesty's dutiful and loyal subjects, the Legislative Assembly of the Province of Canada, in Provincial Parliament assembled, humbly beg leave to approach your Excellency with feelings of respect, and to represent—

That the time has arrived when a different and much more satisfactory arrangement may be made as regards the place of convening Parliament than at present exists.

That it was the cause of complaints on the part of many of the inhabitants of Upper Canada, that the Parliament was, in 1843, removed altogether from within the limits of their province.

That it was suggested at that time, as each province had enjoyed the advantages of having a separate legislature within its limits, from the first establishment of its representative form of government down to the time of the union, that after the union it would be an act of common justice only for the representative of the Sovereign to convene Parliament alternately at Toronto, in Upper Canada, and at Quebec, in Lower Canada; but the Legislature to whom the subject was submitted thought otherwise, and advised Montreal as the place to be selected, which advice was received and acted on. Within a very short period of time, however, we have seen the building in Montreal occupied by the Legislative Council and Legislative Assembly, rented and fitted up as it was, at a great expense to the country, wilfully burnt before our eyes, and the libraries belonging to the respective houses, and their records and proceedings consumed with it.

That such then, being the state of the case, and with the view of removing every obstacle that may have a tendency to hinder, or in any way interfere with the well working of the union, we most respectfully beg leave to recommend to your Excellency to adopt the suggestion referred to, that after the present session, your Excellency will be pleased to convene the Parliament alternately at Toronto and Quebec, during periods not exceeding four years at each place. The first sitting under this arrangement to be held at such of the two places mentioned as your Excellency in your discretion may deem most advisable for the general good. That the plan now submitted to your Excellency is not without precedents in other countries, and that it can now more easily than at any antecedent period be carried out, inasmuch as all former records and proceedings in Parliament have been destroyed.

That each branch of the legislature will now have to commence anew again, and with a view to alternate sittings as herein recommended, their records and proceedings ought henceforward to be made out in duplicate, so that one copy may be deposited in the vaults of the Parliament House at Toronto, and the other within the walls of the Citadel of Quebec, where they will be secure from the ravages of fire, and from the attacks of external and internal foes.

That the Parliament buildings at each of the cities of Toronto and Quebec are the property of the province; that they are commodious and comfortable, and can be made ready for the reception of the legislature at comparatively small expense. That under this arrangement the members of the legislature will have a better opportunity of ascertaining and understanding by

personal observation, the condition, the wants, and the wishes of the whole people, instead of being confined, as they now necessarily are, in their knowledge of public affairs, to the narrow limits of their respective sections of the province.

Legislative Assembly Hall, Saturday, May 19, 1849.

Legislative Assembly, Saturday, May 19, 1849.

Ordered—

That the above address be presented to his Excellency the Governor-General, by such members of this House as are of the Honourable the Executive Council of this Province.

(Attested) W. B. LINDSAY, Clerk of the Assembly.

Enclosure 2 in No. 1. Encl. 2 in No. 1.

GENTLEMEN,

THE subject of your address invoking the exercise of the Royal Prerogative, in a matter involving very serious considerations of public policy, shall receive my best attention.

I must not conceal from you, however, that in my opinion so serious a change in that policy ought not to be lightly adventured upon, and that above all, the pressure of an apparent temporary necessity for that change, must not be allowed to exercise an undue influence upon the adoption of it.

(No. 65.) No. 2. No. 2.

COPY of a DESPATCH from Governor-General the Right Hon. the Earl of ELGIN AND KINCARDINE to Earl GREY.

Government House, Montreal, June 11, 1849.

(Received June 25, 1849.)

(Answered July 11, 1849, No. 391, page 22.)

MY LORD,

I HAVE the honour to transmit for your Lordship's information, the copy of a letter from the Mayor of the City of Kingston, accompanied by a copy of a petition to Her Majesty from the City Council, which has been entrusted to him for presentation to your Lordship, praying that the seat of Government of Canada may be fixed at that place. 1st June.

I have, &c.,

The Right Hon. Earl Grey, &c. &c. &c. (Signed) ELGIN AND KINCARDINE.

Enclosure 1 in No. 2. Encl. 1 in No. 2.

SIR, Kingston, June 1, 1849.

I HAVE the honour to request that you will be pleased to lay before his Excellency the Governor-General, for the purpose of being transmitted to Her Majesty's Secretary of State for the Colonies, the accompanying copy of a petition to the Queen.

I beg most respectfully to ask that his Excellency will be pleased, by the ensuing mail, to inform the Colonial Secretary of the request, that I may be permitted, as mayor of this city, accompanied by a member of the City Council, to have the honour of presenting the petition in London; and also, that I may be indulged with an interview at the Colonial Office.

I expect to sail from Boston on Wednesday next in the mail steamer.

I have, &c.

Major Campbell, &c. &c. (Signed) FRANCIS M. HILL, Mayor.

Enclosure 2 in No. 2. Encl. 2 in No.2.

TO VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth.

MAY IT PLEASE YOUR MAJESTY.

WE, Your Majesty's most dutiful and loyal subjects, the City Council of the city of Kingston, in that part of the province of Canada known as Upper Canada, having learned that it is in contemplation to remove the seat of Government of Canada from Montreal, in consequence of the insults to Your Majesty's representative, and the violent disturbances and destruction of property, so much to be deprecated, which have recently occurred there, consider it a duty which they owe to the inhabitants of Upper Canada, as well as to their fellow-citizens, to set forth the claims of this city to be restored as the capital of Canada.

We humbly beg to assure Your Majesty, that the union of the Canadas was effected with a distinct expression of opinion on the part of the Legislature of Upper Canada, that the seat

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of the united Government should be placed within the limits of that province, and their assent was undoubtedly given upon that understanding; accordingly, the seat of the Canadian Government was fixed at Kingston by the late Lord Sydenham after the "most mature deliberation" (as stated in the Despatch of the Colonial Secretary, Lord Stanley, dated in February, 1842), and where it remained for three years until removed to Montreal.

We further beg humbly to inform Your Majesty, that a large and valuable tract of land in this city, now lying vacant, was procured by Lord Sydenham in order to erect thereon the necessary provincial buildings, which tract still remains public property, and is now available for the purpose for which it was purchased: That the inhabitants and Corporation of Kingston, under the assurance that the town was permanently fixed upon as the seat of Government, expended large sums of money in erecting public and private buildings to provide for the increased population, which expenditure, upon the removal to Montreal, occasioned serious and ruinous losses to many citizens, and has ever since caused great embarrassment to the Corporation.

This Council humbly express to Your Majesty their opinion, that had the seat of Government been allowed to remain at Kingston, a far better opportunity would have been afforded for carrying out the main objects of the Union, which are understood to have been gradually to remove sectional interests, to amalgamate the population, and make the united province one people, "British in fact as well as in name:" That one branch of the Provincial Legislature having recently expressed an opinion in favour of alternate seats of Government at Quebec and Toronto (a scheme which has since been unanimously condemned by the other branch of Parliament), we humbly crave Your Majesty's attention to a message from Sir Charles Metcalfe to the Legislative Assembly of Canada, dated the 6th day of October, 1843, when that nobleman communicated the instructions of Your Majesty's Government in these words:—"The former capitals, Quebec and Toronto, being alike too remote from the centre of the province, and the plan of alternate sessions at one or the other of these last mentioned, or any other places, being deemed objectionable and impracticable, on account of its manifest and extreme inconvenience."

We most humbly beg to state to Your Majesty, that the rapidly increasing population of Canada tends almost entirely to the west, which circumstance will, in a short period, cause the census of Upper Canada to be equal to, if not greater than that of Lower Canada, and that Kingston, from its central situation at the junction of the great chain of lakes with the River St. Lawrence; at the head of the communication with the River Ottawa by the Rideau Canal; its accessibility at all seasons of the year; the great strength of its position and fortifications, with its public buildings, superior to any in the province for Government purposes, recently offered by your petitioners to his Excellency Lord Elgin for such purposes, and immediately available, is peculiarly eligible for the seat of the Canadian Government.

Your petitioners, therefore, humbly beg, in view of these various circumstances, most strongly, but most respectfully to urge upon the attention of Your Majesty, that the loyal and peaceable inhabitants represented by your petitioners have strong and undeniable claims for a restoration to Kingston of the seat of Government, and which they humbly solicit may be restored accordingly.

And that heaven may bless Your Majesty, long to rule over an united empire, your petitioners will ever humbly pray.

FRAS. M. HILL, Mayor.

No. 3.

(No. 68.)

No. 3.

COPY of a DESPATCH from Governor-General the Right Hon. the Earl of ELGIN AND KINCARDINE to Earl GREY.

Government House, Montreal, June 14, 1849.

(Received July 2, 1849.)

(Answered July 11, 1849, No. 392, page 22.)

MY LORD,

* Page 2.

WITH reference to my Despatch, No. 55,* of the 29th May, I have the honour to transmit herewith a copy of a resolution of the Legislative Council on the project of holding alternate Parliaments at Quebec and Toronto.

I have, &c.,

The Right Hon. Earl Grey, &c. &c.

(Signed) ELGIN AND KINCARDINE.

Encl. in No. 3.

Enclosure in No. 3.

Legislative Council, Friday, May 25, 1849.

Resolved—

That it is the opinion of this House that it would be extremely inconvenient and expensive to hold alternate Parliaments at Quebec and Toronto, inasmuch as such an arrangement would keep the public mind unsettled and uneasy under the constant influence of local and personal feeling; and therefore this House cannot withhold its opinion that any such measures would prove injurious to the best interests of the whole Province.

Saturday, May 26, 1849.

Ordered—

That the Resolution adopted by the House yesterday, on the subject of holding alternate Parliaments at the cities of Toronto and Quebec, be communicated to his Excellency the Governor-General by such Members of the Executive Council who are members of this House.

(Attest)

CHARLES DE LERY,
Clerk of the Legislative Council.

(No. 99.) No. 4.

COPY of a DESPATCH from Governor-General the Right Hon. the Earl of ELGIN AND KINCARDINE to Earl GREY. No. 4.

Government House, Montreal, August 20, 1849.

(Received September 4, 1849.)

(Answered September 14, 1849, No. 417, p. 22.)

MY LORD,

I HAVE the honour to transmit herewith, for your information, the copy of a letter which has been addressed to the Provincial Secretary by the Police Magistrates for the City of Montreal, reporting the occurrence of disturbances on the occasion of the arrest of certain persons charged with having demolished and set fire to the Parliament House in April last.

I have, &c.,

The Right Hon. Earl Grey, (Signed) ELGIN AND KINCARDINE.
&c. &c. &c.

Enclosure in No. 4. Encl. in No. 4.

SIR, Government House, Montreal, August 16, 1849.

WE have the honour to report, for the information of the Governor-General, that warrants for the arrest of persons charged with having demolished and set fire to the Parliament House were issued, and were yesterday placed in the hands of the high constable of the city for execution.

From the time it was known that arrests were to be made great excitement prevailed in the city, the general idea being that the arrest of a very large number of persons was contemplated.

It was thought in consequence necessary to communicate the apprehension of disturbances of the peace to Lieut.-General Rowan, who was pleased to order a picket of 100 men to be posted at the Government House, near the Court House, where the prisoners were to be examined, in order to prevent any attempt at rescue, and to hold a troop of cavalry in readiness to escort the prisoners to gaol. A picket of 100 men, with a half battery of artillery, were in readiness to turn out in support, if necessary, and all the troops in garrison were confined to barracks during the day.

The arrests were made without any difficulty; one attempt at rescue was made which was promptly resisted by the troops.

The excitement increased towards the evening.

At half-past nine o'clock, P.M., it was reported that a large mob was collected opposite Mr. Stafford's shop, in Notre Dame-street; one of the magistrates proceeded to the spot to ascertain their intention and object; it appeared that the party assembled had some ill feeling towards Mr. Tully, a member of the City Council, who was then in the House, and towards whom they seemed inclined to direct their hostility.

On the return of the magistrate it was deemed necessary to call out the picket stationed at the Government House, and a detachment of cavalry, and the streets were cleared.

Shortly before this a report was made that a mob had started for the purpose of attacking the house of the Hon. M. Lafontaine.

A magistrate was instantly despatched thither with troops.

In the mean time an attack had actually been made on the house, when immediately a magistrate was despatched with a troop of cavalry to the spot.

On his arrival there he learnt that the house had been assailed with stones from a mob in the street which flanks it, who then forced the gate, entered the grounds, and discharged a volley of stones and one shot at the house.

The party within returned the fire, which was answered by a volley of seven or eight shots.

The mob was heard to say, "We are too weak, we must go back for more force," and retired. A party of troops were left in charge of the house for the night.

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Information of the construction of barricades reached the magistrate at the Government House at ten o'clock, when he called out the troops and proceeded to demolish them, which was easily done.

From this time the city was tranquil. At five o'clock on the following morning the police report having found barricades erected in the same street. All the attempts at barricades were most insignificant, and apparently thrown together for no practical object.

It was necessary to continue the same military precautions during the night of the 16th, in consequence of the excitement caused by the inquest then being held on the body of the man who died from wounds received in the attack on Mr. Lafontaine's house. Small mobs, composed of the lowest class, collected at several parts of the town, but were dispersed. Mr. Drolet, who gave evidence against one of the men arrested for arson, was attacked and severely beaten, and a number of blocks of wood, used for paving the street, were thrown together in Notre Dame-street, in humble imitation of a barricade. They were soon knocked down by the troops.

On the 17th the inquest continued its sitting, and the coroner requested a party of troops to to protect the witnesses, which was granted.

The town was placarded with inflammatory notices of the funeral of the man who died of his wounds. The same military arrangements were made for the night; the guard increased at Mr. Lafontaine's house; and the mayor, who had issued a proclamation against assemblages, was on duty with the city police and two city councillors during the night, and Lieut.-General Rowan visited the different posts.

No disturbance took place. On the 18th strong military detachments were ready to turn out in the event of riot.

(Signed) C. WETHERALL, Special Magistrate.
W. K. McCOORT.
W. ERMATINGER, J. P.

The Hon. Jas. Leslie, Secretary,
&c. &c. &c.

No. 5.

(No. 113.)

No. 5.

COPY of a DESPATCH from Governor-General the Right Hon. the Earl of ELGIN AND KINCARDINE to Earl GREY.

Government House, Toronto, November 18, 1849.

(Received December 19, 1849.)
(Answered January 1, 1850, No. 442, p. 23.)

MY LORD,

* Page 22.

1. WITH reference to your Lordship's Despatch, No. 417,* of the 14th September, in which you express the opinion, that the spirit of insubordination existing in the city of Montreal, would appear to render it a very unfit place for the seat of the Provincial Government, and for the meeting of the Legislature, I have the honour to report, that I have resolved on the advice of my Council, and after full and anxious deliberation, to act on the recommendation of the House of Assembly, conveyed in the address of which a copy was transmitted

† Page 2.

to your Lordship in my Despatch, No. 55, of the 29th May, and with that view to summon the Provincial Parliament for the next session at Toronto.

2. Exception is taken to the system of alternating Parliaments on various grounds, chiefly on that of its alleged inconvenience and expense. It is to be observed, however, on this head, that buildings which with moderate additions and repairs may be fitted for the uses of Parliament and of the departments of State, exist both at Toronto and Quebec, while the St. Lawrence and its canals afford the greatest facilities for the cheap and expeditious conveyance of the records of Government between these two points. Looking at these facts and to the considerations of public policy advanced in the address of the Assembly, I am disposed to believe that the advantages attending this arrangement will be found in practice to outweigh its inconveniences.

3. I enclose a copy of the Minute of the Executive Council embodying the decision of this Government on the subject of the removal of the seat of Government.

I have, &c.,

(Signed) ELGIN AND KINCARDINE.

The Right Hon. Earl Grey,
&c. &c.

Enclosure in No. 5.

CANADA.

Encl. in No. 5.

EXTRACT from a REPORT of a COMMITTEE of the Honourable the EXECUTIVE COUNCIL on Matters of State, dated October 18, 1849, approved by his Excellency the Governor-General in Council on the same day.

THE Committee of the Executive Council have had under consideration upon your Excellency's reference, the Resolution of the Honourable the Legislative Council, and also the Address of the Honourable the Legislative Assembly of last Session, on the subject of the place at which the future Sessions of the Provincial Parliament should be holden, together with your Excellency's answer to the latter; and the Committee most respectfully beg leave to report, that after the best consideration that they have been able to give the matter, they see no sufficient grounds arising out of anything that has transpired since the prorogation of Parliament, to lead them to a different conclusion upon this question from that arrived at by the popular branch of the Legislature in their Address. The Committee therefore respectfully advise your Excellency that the recommendation of the House of Assembly, that Parliament be in future convened alternately at Toronto and Quebec during periods not exceeding four years at each place, be adopted and acted upon.

As it would be manifestly most inconvenient to have the public archives and the departments of the State at a different place from that at which the Parliament is to sit, the Committee conceive that the adoption of the views of the House of Assembly in this particular, leads of necessity to the removal of those archives and departments to the place at which Parliament is to be assembled. They therefore conceive it to be expedient that the place where it may be your Excellency's pleasure to summon Parliament for the next session should be decided upon, and the necessary steps taken for the removal of the public departments thither with as little delay as possible. And they are respectfully of opinion that, under all circumstances, it will be most expedient that such removal should in the first instance be to the city of Toronto, for the period of the constitutional duration of the present Parliament, and that the quadrennial periods of alternation be commenced with the removal to Quebec, at the expiration of that time.

The Committee would also recommend that, in order to prevent any misapprehension as to the full intention of the Government and Parliament to carry out strictly the principle of an alternate periodical residence in each section of the Province, estimates be prepared and submitted to Parliament at the next session, for making such alterations and additions in and to the public buildings, both at Toronto and Quebec, as may be necessary for the accommodation of the Representative of the Sovereign, the departments of State, and both houses of Parliament in each of those cities.

The Committee are also of opinion, that the Honourable the Commissioners of Public Works be charged with the removal of the public archives and property to Toronto, and with the making the necessary temporary arrangements there for the reception and accommodation of your Excellency, the public departments, and both houses of the Provincial Parliament, and that accountable warrants, to an amount not exceeding in the whole the sum of 3,000*l.*, be from time to time issued to them, to cover the necessary expense of such removal and arrangements.

With respect to the expense of removing the public officers, their families and effects, the Committee would advise that the course followed on the removal from Kingston, in 1844, be adopted on the present occasion, that the payment of such expense out of the public funds should be favourably recommended by your Excellency to Parliament at the next session, and that in the meantime these different parties be informed that transport will be provided for them by the Commissioners of Public Works, with whom they must communicate on the subject; and that, should the Legislature not approve of its being done at the public expense, the respective amounts paid on their account will be deducted from their salaries falling due on the 1st of July next.

The Committee also respectfully recommend, that the substance of this Minute be communicated by Mr. Secretary Leslie to the heads of the different public departments, for the information of themselves, their officers, and clerks.

(Certified) J. JOSEPH, C. E. C.

(No. 114.) No. 6. No. 6.

COPY of a DESPATCH from Governor-General the Right Hon. the Earl of ELGIN AND KINCARDINE to Earl GREY.

Government House, Toronto, November 19, 1849.

(Received December 19, 1849.)

(Answered January 9, 1850, No. 448, page 23.)

MY LORD,

I HAVE the honour to transmit herewith, in order that it may be laid at the foot of the Throne, an Address to Her Majesty the Queen, from the warden and councillors of the Municipal Council of the Gore District.

I have, &c.,

The Right Hon. Earl Grey, &c. &c. (Signed) ELGIN AND KINCARDINE.

CANADA.

Encl. in No. 6.

Enclosure in No. 6.

MOST GRACIOUS SOVEREIGN,

WE, Your Majesty's most dutiful and loyal subjects, the Warden and Councillors of the Municipal Council of the District of Gore, in Council assembled,

Having seen a document issued from, or by a portion of the inhabitants of the city of Montreal, advocating the separation of Your Majesty's North American provinces from their connexion with the parent state, would embrace the present opportunity of repudiating, in the strongest manner, the doctrines and views propounded therein.

We feel it our duty, representing, as we do, the inhabitants of this loyal district, to express our determination to oppose, by all means in our power, any movement of such a traitorous tendency. Your Majesty's Government having conceded to us the entire management of our local affairs, and all the blessings of British constitutional Government, we desire no more, can we imagine that annexation to the adjoining republic will have any tendency to remove any or all of the evils of what kind soever, real or imaginary, under which these provinces at present labour.

(Signed) SAMUEL CLARKE,
Warden, Gore District.

Council Chamber, City of Hamilton,
November 1, 1849.

No. 7.

(No. 127.)

No. 7.

COPY of a DESPATCH from Governor-General the Right Hon. the Earl of ELGIN AND KINCARDINE to Earl GREY.

Government House, Montreal, December 3, 1849.

(Received December 31, 1849.)

(Answered January 9, 1850, No. 448, page 23.)

MY LORD,

I HAVE the honour to transmit herewith copies of addresses which I have received from the officers of militia and others, in various parts of Lower Canada, expressive of their dutiful attachment to Her Majesty, and of their desire for the maintenance of the connexion between the colony and the mother country.

I have, &c.,

The Right Hon. Earl Grey, &c. &c.

(Signed ELGIN AND KINCARDINE.

Encl. 1 in No. 7.

Enclosure 1 in No. 7.

MONSIEUR,

Pointe Levy, 30 Octobre, 1849.

JE prends la liberté de vous adresser l'adresse des officiers du 8me bataillon de Dorchester à son Excellence le Gouverneur Général protestant contre le manifeste des annexionistes de Montréal, et exprimant le desir des signataires de demeurer fermement attachés au Gouvernement de Sa Majesté Britannique. Vous voudrez bien la remettre à son Excellence et lui témoigner pour moi le respect le plus profond de

Votre très humble et très obeissant servateur,

E. DALAIRE, Lieut.-Col., 8 B. R.D

A son Excellence le très Honorable Comte D'ELGIN ET KINCARDINE, etc., etc., etc.

NOUS soussignés Lieutenant-Colonel et Officiers de Milice du 8me bataillon du regiment de Dorchester, désirons faire connaitre à votre Excellence les sentimens de régrets et de désapprobation que nous avons éprouvés à la lecture d'une adresse au peuple du Canada, ayant pour but la séparation du Canada d'avec la Grande Bretagne et l'annexation aux Etats Unis d'Amerique. Nous croyons devoir assurer votre Excellence que nous nous opposerons par tous les moyens possibles à toute agitation tendante à renverser la constitution et que nous serons toujours prêts à marcher à la défense de la Constitution sous laquelle nous avons l'honneur de servir.

St. Henri, se 29e jour d'Octobre, 1849.

(Here follow 29 signatures.)

MONSIEUR, S . Anne de la Pocatière, 4 Novembre, 1849.

J'AI l'honneur de vous prier au noms de mes concitoyens de vouloir bien présenter à son Excellence le Gouverneur Général l'adresse ci-inclus.

J'ai l'honneur d'être, Monsieur,

Votre très humble et obeissant serviteur,

L' Honorable J. Leslie, Montréal. D. S. MARGUIS.

A son Excellence le très Honorable Comte D'ELGIN ET KINCARDINE, etc., etc., etc.

NOUS les soussignés Officiers de Milice commandants le 4me bataillon du régiment de Kamouraska, et les habitants de la paroisse de Ste Anne de la Pocatière dans le comté de Kamouraska, nous empressons de protester hautement contre un certain manifeste publié dernièrement à Montréal adressé au peuple du Canada, lequel document, sous le specieux prétexte de demander une séparation paisible du Canada d'avec la Grande Bretagne, ne tend à rien moins qu'à troubler la paix publique, et servir les vues séditieuses d'une minorité de démagogues. Nous saisissons cette occasion pour prier votre Excellence de vouloir bien agréer l'expression de notre sincère attachement à notre très Gracieuse Souveraine, et de compter sur notre loyauté si jamais le devoir nous appelle à la défense de notre constitution.

Ste. Anne de la Pocatière, 3 Novembre, 1849.

(Here follow 35 signatures.)

SIR, Quebec, November 3, 1849.

I HAVE the honour to transmit a memorial of the Lieutenant-Colonel and officers of the 1st battalion of the county of Dorchester, assuring his Excellency of their opposition to the annexation, and of their loyalty towards the British Empire, which I pray you will be pleased to submit to his Excellency the Governor-General.

I have, &c.,

Hon. J. Leslie, Provincial Secretary, F. LEMIEUX.
&c. &c. &c.

A son Excellence Lord ELGIN, Gouverneur-Général de la Province du Canada, etc., etc., etc.

NOUS soussignés, les Officiers et la Lieutenant-Colonel du premier bataillon du régiment du comté de Dorchester, désirons manifester à votre Excellence,

Que nous avons vu avec chagrin certaines entreprises originées à Montréal, relativement à un projet d'annexion de cette province aux Etats voisins;

Que voulant rester fidèles et sincèrement attachés au Gouvernement de Sa Majesté en cette province, nous repoussons loyalement l'esprit et les tendances de ces entreprises;

Que nous sommes disposés à maintenir par nos paroles et nos actes les sentiments de notre loyauté, en même tems que nous sommes également disposés à les rappeler à nos subordonnés tel que les devoirs de notre position l'exigent;

Que nous reconnoissons plus que jamais les bienfaits de la Couronne Britannique, envers ce pays, et que par conséquent, outre tant d'autres motifs puissants de lui rester attachés nous aimons à dire que loin de chercher aujourd'hui à rompre les liens de notre union, c'est plutôt le tems de les resserrer d'avantage.

St. Joseph Pointe Levy, 2 Novembre, 1849.

(Here follow 38 signatures.)

SIR, Quebec, October 20, 1849.

I HAVE the honour to enclose herewith an address to his Excellency the Governor-General from several field-officers of militia, in Quebec, expressive of our firm attachment to Our Most Gracious Sovereign and our assurance of support in defence of the Constitution, which I have to request you will be pleased to place before his Excellency as early as possible; and with an assurance of my respect for his Excellency personally as well as in his capacity of representative ofour Sovereign,

I have, &c.,

Hon. James Leslie, Provisional Secretary, J. G. IRVINE, Lieut-Col.
&c. &c. &c. Dep. Quartermaster Gen. of Militia.

P.S. May I beg the favour of an acknowledgement of the address, that I may communicate its reception to my brother officers?

J. G. I.

CANADA.

To his Excellency the Right Hon. the Earl of ELGIN AND KINCARDINE.

MAY IT PLEASE YOUR EXCELLENCY,

WE the undersigned officers of militia and lieutenant-colonels commanding battalions of the regiments of Quebec, desire to convey to your Excellency our deep concern and regret on reading a document lately issued by a number of persons in Montreal addressed to the people of Canada, having for its object the severance of this province from the British Empire.

And as it it our duty, so shall we oppose by every means in our power, any agitation having a tendency to subvert the constitution.

And we further beg leave respectfully to assure your Excellency of our firm attachment to our most Gracious Sovereign, and that we are, and ever shall be, ready to stand forward in defence of the glorious constitution under which it is our happiness to serve.

[Here follow 11 signatures.]

Quebec, Oct. 20, 1849.

Encl. 2 in No. 7.

Enclosure 2 in No. 7.

SIR, Secretary's Office, Toronto, Nov. 28, 1849.

I HAVE laid before the Governor-General, the loyal protestation of the field officers of militia of Quebec, against the attempts lately made with a view to the dismemberment of the powerful and glorious empire of which this fine province forms an important part; and I am commanded by his Excellency to express to those gentlemen the lively satisfaction with which he has received this new proof of the attachment of Her Majesty's Canadian subjects towards the British Crown, and of a due appreciation, on their part, of the advantages secured to them under their present political state, which requires but the cordial co-operation of her inhabitants to make Canada one of the happiest and most prosperous countries of the world.

I have, &c.

Lieut.-Colonel Irvine, &c. &c.

J. LESLIE, Secretary.

[*Mem.* Answers similar to the above were given in French (*mutatis mutandis*) to the three preceding addresses.]

No. 8.

(No. 129.)

No. 8.

COPY of a DESPATCH from Governor-General the Right Hon. the Earl of ELGIN AND KINCARDINE to Earl GREY.

Government House, Toronto, December 3, 1849.

(Received Dec. 31, 1849.)

(Answered January 9, 1850, No. 448, page 23.)

MY LORD,

Encl. 1, page 11.

I HAVE the honour to transmit herewith the printed copy of an address to the people of Canada, which appeared some weeks ago in Montreal, and has been extensively circulated, recommending separation from Great Britain, and annexation to the United States, as the remedy for certain ills under which the province is alleged to suffer. Among the signatures to this document are those of two Queen's Counsel, and of some gentlemen holding commissions as justices of the peace and officers of militia. I have considered it to be my duty to cause a circular letter to be addressed to these gentlemen with the view of ascertaining whether their names have been attached to it with their consent. Some have answered this inquiry in the negative, some in the affirmative, while others have denied the right of the Government to put the question, and declined to reply to it. I have resolved, with the advice of the Executive Council, to remove from such offices as are held during the pleasure of the Crown, the gentlemen who have admitted the genuineness of their signatures and those who have refused to disavow them. The Minute of Council which I enclose herewith, gives the ground of this decision.

Encl. 2, page 13.

I have, &c.

The Right Hon. Earl Grey, &c. &c.

(Signed) ELGIN AND KINCARDINE.

Enclosure 1 in No. 8.

MONTREAL ANNEXATION MANIFESTO!

TO THE PEOPLE OF CANADA,

THE number and magnitude of the evils that afflict our country, and the universal and increasing depression of its material interests, call upon all persons animated by a sincere desire for its welfare to combine for the purpose of inquiry and preparation, with a view to the adoption of such remedies as a mature and dispassionate investigation may suggest.

Belonging to all parties, origins, and creeds, but yet agreed upon the advantage of co-operation for the performance of a common duty to ourselves and our country, growing out of a common necessity, we have consented, in view of a brighter and happier future, to merge in oblivion all past differences, of whatever character, or attributable to whatever source. In appealing to our fellow colonists to unite with us in this our most needful duty, we solemnly conjure them, as they desire a successful issue and the welfare of their country, to enter upon the task, at this momentous crisis, in the same fraternal spirit.

The reversal of the ancient policy of Great Britain, whereby she withdrew from the colonies their wonted protection in her markets, has produced the most disastrous effects upon Canada. In surveying the actual condition of the country, what but ruin or rapid decay meets the eye! Our provincial Government and civic corporations embarrassed; our banking and other securities greatly depreciated; our mercantile and agricultural interests alike unprosperous; real estate scarcely saleable upon any terms; our unrivalled rivers, lakes, and canals, almost unused; whilst commerce abandons our shores; the circulating capital, amassed under a more favourable system, is dissipated, with none from any quarter to replace it! Thus, without available capital, unable to effect a loan with foreign states or with the mother country, although offering security greatly superior to that which readily obtains money both from the United States and Great Britain, when other than colonists are the applicants. Crippled, therefore, and checked in the full career of private and public enterprise, this possession of the British Crown—our country—stands before the world in humiliating contrast with its immediate neighbours, exhibiting every symptom of a nation fast sinking to decay.

With superabundant water power, and cheap labour, especially in Lower Canada, we have yet no domestic manufactures; nor can the most sanguine, unless under altered circumstances, anticipate the home growth, or advent from foreign parts, of either capital or enterprise, to embark in this great source of national wealth. Our institutions, unhappily, have not that impress of permanence which can alone impart security and inspire confidence; and the Canadian market is too limited to tempt the foreign capitalist.

Whilst the adjoining States are covered with a net-work of thriving railways, Canada possesses but three lines, which, together, scarcely exceed 50 miles in length, and the stock in two of which is held at a depreciation of from 50 to 80 per cent.—a fatal symptom of the torpor overspreading the land.

Our present form of provincial Government is cumbrous, and so expensive as to be ill suited to the circumstances of the country; and the necessary reference it demands to a distant Government, imperfectly acquainted with Canadian affairs, and somewhat indifferent to our interests, is anomalous and irksome. Yet, in the event of a rupture between two of the most powerful nations of the world, Canada would become the battle-field and the sufferer, however little her interests might be involved in the cause of quarrel or the issue of the contest.

The bitter animosities of political parties and factions in Canada, often leading to violence, and, upon one occasion, to civil war, seem not to have abated with time; nor is there, at the present moment, any prospect of diminution or accommodation. The aspect of parties becomes daily more threatening towards each other, and, under our existing institutions and relations, little hope is discernible of a peaceful and prosperous administration of our affairs, but difficulties will, to all appearance, accumulate until government becomes impracticable. In this view of our position, any course that may promise to efface existing party distinctions and place entirely new issues before the people, must be fraught with undeniable advantages.

Among the statesmen of the mother country—among the sagacious observers of the neighbouring republic—in Canada—and in all British North America—amongst all classes, there is a strong pervading conviction that a political revolution in this country is at hand. Such forebodings cannot readily be dispelled, and they have, moreover, a tendency to realize the events to which they point. In the meanwhile, serious injury results to Canada from the effect of this anticipation upon the more desirable class of settlers, who naturally prefer a country under fixed and permanent forms of government to one in a state of transition.

Having thus adverted to some of the causes of our present evils, we would consider how far the remedies ordinarily proposed possess sound and rational inducements to justify their adoption:—

1. "The revival of protection in the markets of the United Kingdom."

This, if attainable in a sufficient degree, and guaranteed for a long period of years, would ameliorate the condition of many of our chief interests; but the policy of the empire forbids the anticipation. Besides, it would be but a partial remedy. The millions of the mother country demand cheap food; and a second change from protection to free trade would complete that ruin which the first has done much to achieve.

2. "The protection of home manufactures."

Although this might encourage the growth of a manufacturing interest in Canada, yet, without access to the United States market, there would not be a sufficient expansion of that interest, from the want of consumers, to work any result that could be admitted as a "remedy" for the numerous evils of which we complain.

3. "A Federal Union of the British American Provinces."

The advantages claimed for that arrangement are free trade between the different provinces, and a diminished governmental expenditure. The attainment of the latter object would be problematical, and the benefits anticipated from the former might be secured by legislation under our existing system. The markets of the sister provinces would not benefit our trade in timber, for they have a surplus of that article in their own forests; and their demand for agricultural products would be too limited to absorb our means of supply. Nor could Canada expect any encouragement to her manufacturing industry from those quarters. A Federal Union, therefore, would be no remedy.

4. "The independence of the British North American colonies as a Federal Republic."

The consolidation of its new institutions from elements hitherto so discordant—the formation of treaties with foreign powers—the acquirement of a name and character among the nations—would, we fear, prove an over-match for the strength of the new republic. And, having regard to the powerful confederacy of States conterminous with itself, the needful military defences would be too costly to render independence a boon, whilst it would not, any more than a Federal Union, remove those obstacles which retard our material prosperity.

5. "Reciprocal free trade with the United States, as respects the products of the farm, the forest, and the mine."

If obtained, this would yield but an instalment of the many advantages which might be otherwise secured. The free interchange of such products would not introduce manufactures to our country. It would not give us the North American continent for our market. It would neither so amend our institutions as to confer stability nor ensure confidence in their permanence; nor would it allay the violence of parties, or, in the slightest degree, remedy many of our prominent evils.

6. Of all the remedies that have been suggested for the acknowledged and insufferable ills with which our country is afflicted, there remains but one to be considered. It propounds a sweeping and important change in our political and social condition, involving considerations which demand our most serious examination. This remedy consists in a "Friendly and peaceful separation from British connexion, and a union upon equitable terms with the great North American confederacy of sovereign States."

We would premise, that towards Great Britain we entertain none other than sentiments of kindness and respect. Without her consent we consider separation as neither practicable nor desirable. But the colonial policy of the parent state, the avowals of her leading statesmen, the public sentiments of the empire, present unmistakeable and significant indications of the appreciation of colonial connexion. That it is the resolve of England to invest us with the attributes, and compel us to assume the burdens of independence, is no longer problematical. The threatened withdrawal of her troops from other colonies—the continuance of her military protection to ourselves only on the condition that we shall defray the attendant expenditure, betoken intentions towards our country, against which it is weakness in us not to provide. An overruling conviction, then, of its necessity, and a high sense of the duty we owe to our country, a duty we can neither disregard nor postpone, impel us to the idea of separation; and whatever negotiations may eventuate with Great Britain, a grateful liberality on the part of Canada should mark every proceeding.

The proposed Union would render Canada a field for American capital, into which it would enter as freely for the prosecution of public works and private enterprise as into any of the present States. It would equalize the value of real estate upon both sides of the boundary, thereby probably doubling at once the entire present value of property in Canada, whilst, by giving stability to our institutions and introducing prosperity, it would raise our public, corporate, and private credit. It would increase our commerce both with the United States and foreign countries, and would not necessarily diminish to any great extent our intercourse with Great Britain, into which our products would for the most part enter on the same terms as at present. It would render our rivers and canals the highway for the immigration to, and exports from, the West, to the incalculable benefit of our country. It would also introduce manufactures into Canada as rapidly as they have been introduced into the Northern States; and to Lower Canada especially, where water privileges and labour are abundant and cheap, it would attract manufacturing capital, enhancing the value of property and agricultural produce, and giving remunerative employment to what is at present a comparatively non-producing population. Nor would the United States merely furnish the capital for our manufactures. They would also supply for them the most extensive market in the world, without the intervention of a Custom-House officer. Railways would forthwith be constructed by American capital as feeders for all the great lines now approaching our frontiers; and railway enterprise in general would doubtless be as active and prosperous among us as among our neighbours. The value of our agricultural produce would be raised at once to a par with that of the United States, while agricultural implements and many of the necessaries of life, such as tea, coffee, and sugar, would be greatly reduced in price.

The value of our timber would also be greatly enhanced by free access to the American market, where it bears a high price, but is subject to an onerous duty. At the same time there is every reason to believe that our shipbuilders, as well at Quebec as on the Great Lakes, would find an unlimited market in all the ports of the American continent. It cannot be doubted that the shipping trade of the United States must greatly increase. It is equally manifest that, with them, the principal material in the construction of ships is rapidly diminishing, while we

possess vast territories, covered with timber of excellent quality, which would be equally available as it is now, since under the free trade system our vessels would sell as well in England after annexation as before.

The simple and economical State Government, in which direct responsibility to the people is a distinguishing feature, would be substituted for a system at once cumbrous and expensive.

In place of war and the alarms of war with a neighbour, there would be peace and amity between this country and the United States. Disagreement between the United States and her chief, if not only, rival among nations would not make the soil of Canada the sanguinary arena for their disputes, as under our existing relations must necessarily be the case. That such is the unenviable condition of our state of dependence upon Great Britain is known to the whole world, and how far it may conduce to keep prudent capitalists from making investments in the country, or wealthy settlers from selecting a fore-doomed battle-field for the home of themselves and their children, it needs no reasoning on our part to elucidate.

But other advantages than those having a bearing on our material interests may be foretold. It would change the ground of political contest between races and parties, allay and obliterate those irritations and conflicts of rancour and recrimination which have hitherto disfigured our social fabric. Already in anticipation has its harmonious influence been felt—the harbinger may it be hoped of a lasting oblivion of dissensions among all classes, creeds, and parties in the country. Changing a subordinate for an independent condition, we would take our station among the nations of the earth. We have now no voice in the affairs of the Empire, nor do we share in its honours or emoluments. England is our parent state, with whom we have no equality, but towards whom we stand in the simple relation of obedience. But as citizens of the United States the public service of the nation would be open to us—a field for high and honourable distinction on which we and our posterity might enter on terms of perfect equality.

Nor would the amicable separation of Canada from Great Britain be fraught with advantages to us alone. The relief to the Parent State from the large expenditure now incurred in the military occupation of the country—the removal of the many causes of collision with the United States, which result from the contiguity of mutual territories so extensive, the benefit of the larger market which the increasing prosperity of Canada would create, are considerations which, in the minds of many of her ablest statesmen, render our incorporation with the United States a desirable consummation.

To the United States also the annexation of Canada presents many important inducements. The withdrawal from the borders of so powerful a nation, by whom in time of war the immense and growing commerce of the lakes would be jeopardized,—the ability to dispense with the costly but ineffectual revenue establishment over a frontier of many hundred miles,—the large accession to their income from our Customs,—the unrestricted use of the St. Lawrence, the natural highway from the Western States to the ocean,—are objects for the attainment of which the most substantial equivalents would undoubtedly be conceded.

Fellow Colonists:

We have thus laid before you our views and convictions on a momentous question, involving a change which, though contemplated by many of us with varied feelings and emotions, we all believe to be inevitable,—one which it is our duty to provide for and lawfully to promote.

We address you without prejudice or partiality,—in the spirit of sincerity and truth,—in the interest of our common country,—and our single aim is its safety and welfare. If to your judgment and reason our object and aim be at this time deemed laudable and right, we ask an oblivion of past dissensions; and from all, without distinction of origin, party or creed, that earnest and cordial co-operation in such lawful, prudent, and judicious means as may best conduct us to our common destiny.

[969 signatures.]

Enclosure 2 in No. 8.

Encl. 2 in No. 8.

Extract from a Report of a Committee of the Honourable the Executive Council, dated 1st December, 1849, and approved of by His Excellency the Governor-General on the same day.

The Committee of the Executive Council have had under consideration, on your Excellency's reference, certain letters addressed to Mr. Secretary Leslie by individuals holding commissions during the pleasure of the Crown, whose names appeared to an Address to the people of Canada, which was lately published in several of the newspapers of the province, and in which address, separation from the British Empire and annexation to the United States of America, are recommended as a remedy for certain evils under which the province is therein alleged to be labouring. These letters are in reply to inquiries made by Mr. Secretary Leslie, as to whether the name of the parties referred to had been attached to the Address by themselves, or with their consent. The Committee of Council observe, that some of the parties called on for explanation by Mr. Secretary, complain of this as an invasion by the Executive Government of their constitutional rights as British subjects. The Committee of Council, however, see nothing in the step thus taken partaking of such a character. There can be no doubt, in the opinion of the Committee of Council, that your Excellency must feel bound by a sense of duty as well to our beloved Sovereign and to the empire at large, as to the entire people of Canada, not only to maintain the connection with the parent state by the fullest exercise of all the powers conferred on you by Her Majesty, but to discourage by all the means constitutionally within your control any attempt calculated to impair it. In the performance of this duty, there can be no desire to question any one upon mere abstract specula-

tions regarding different forms of Government. It is for parties to satisfy themselves to what extent they may proceed with such speculations without the risk of compromising themselves by a breach of the laws of the land. When, however, an individual arrives at the deliberate conclusion that what he deems the evils under which his country labours, requires not merely a reformation of the Constitution, but its entire overthrow; and when such person entertains this opinion, not as a mere speculative theory possibly to be realized in some remote and undefined future, but actually takes measures directly intended to bring about such revolutionary change, it appears to the Committee perfectly obvious, that apart from all consideration or inquiry as to consequences of a still more serious character, such party should not be permitted to remain in the anomalous and invidious position of holding a commission during the pleasure of a sovereign power which he desires to subvert. The object of Mr. Secretary Leslie's letter was to ascertain whether the respective parties, being holders of such commission, had placed themselves in the position referred to. And the Committee find from the answers, that in some instances the signatures have been admitted; in others, they have been denied; while in others again the parties have failed to answer directly. Under these circumstances the Committee of Council would respectfully recommend that those gentlemen who have admitted their having been parties to the Address in question, and likewise those who have failed to give a direct denial of their having been so, should be removed from all offices held by them during the pleasure of to the Crown. And that the Honourable Mr. Leslie, Her Majesty's Provincial Secretary, do give the necessary directions herein accordingly.

(Certified) J. JOSEPH, C. E. C.

No. 9.

(No. 134.) No. 9.

COPY of a DESPATCH from Governor-General the Right Hon. the Earl of ELGIN AND KINCARDINE to Earl GREY.

Government House, Toronto,
December 14, 1849.
(Received January 10, 1850.)

(Answered, February 9, 1850, No. 448, page 23.)

MY LORD,

I HAVE the honour to transmit herewith, for your Lordship's information, the copy of Resolutions unanimously adopted at a public meeting of the inhabitants of the town of London, expressive of loyalty to Her Majesty and attachment to British connexion.

I have, &c.,
(Signed) ELGIN AND KINCARDINE.

The Right Hon. Earl Grey,
&c. &c. &c.

Encl. in No. 9.

Enclosure in No. 9.

SIR, London, C. W., October 19, 1849.

IN compliance with a resolution passed at a public meeting of the inhabitants of this town, I have the honour to hand you a copy of the resolutions which were unanimously adopted on that occasion.

I have, &c.,
(Signed) CHARLES HUTCHINSON,
Secretary of the Meeting.

The Hon. J. Leslie,
Provincial Secretary.

AT a public meeting of the inhabitants of London, C. W., on the 19th October, 1849, convened by Thomas C. Dixon, Esq., Mayor, in compliance with a requision numerously signed, the followingly requisitions were unanimously carried:—

1st.—That we view with surprise and regret the late movement in Montreal, suggesting a separation from the mother-country, and advocating a union with the United States.

2nd.—That our allegiance to our beloved Queen and attachment to the British Empire, are subjects of principle and feeling, and are not to be weighed in the scales of uncertain interests and speculations.

3rd.—That a calm comparison of the alleged advantages and disadvantages shows that it is not desirable, even on the grounds urged by its advocates.

4th.—That a copy of these resolutions be forwarded to the Secretary of this province.

(No. 138.) No. 10. CANADA. No. 10.

COPY of a DESPATCH from Governor-General the Right Hon. the Earl of ELGIN AND KINCARDINE to Earl GREY.

Government House, Montreal,
December 28, 1849.
(Received January 23, 1850.)

(Answered February 18, 1849, No. 468, page 24.)

MY LORD,

IN reply to your Lordship's Despatch No. 433, of the 16th November, I think it right to state that the signature of Mr. J. G. Mackenzie is affixed to the document transmitted in my Despatch No. 129,* of the 3rd instant, in which separation from Great Britain and annexation to the United States of America is recommended as the remedy for certain evils under which this province is alleged to suffer; and that it was affixed thereto with his consent, as appears from a letter from him to the Provincial Secretary, of which I enclose a copy. I am not aware of any other objection to the confirmation of that gentleman's appointment as Portuguese Consul at Montreal.

* Page 10.

I have, &c.,
(Signed) ELGIN AND KINCARDINE.

The Right Hon. Earl Grey,
&c. &c. &c.

Enclosure in No. 10. Encl. in No. 10.

SIR, Montreal, November 2, 1849.

I HAVE the honour to acknowledge the receipt of your communication, dated 30th ult., requesting, by order of the Governor-General, to know whether my name, which has appeared in a document recommending annexation to the United States, had been placed there with my consent. In reply, I do not hesitate to declare that my signature was placed there not only deliberately, but cheerfully and voluntarily, conscientiously believing as I do that the best interests, ultimately, alike of this my adopted as well as that of the mother country, would be benefited by the change.

I have, &c.,
(Signed) J. G. MACKENZIE.

The Honourable James Leslie,
Provincial Secretary.

(No. 141.) No. 11. No. 11.

COPY of a DESPATCH from Governor-General the Right Hon. the Earl of ELGIN AND KINCARDINE to Earl GREY.

Government House, Toronto,
December 31, 1849.
(Received January 25, 1850.)

MY LORD,

WITH reference to my Despatch, No. 129,* of the 3rd instant, I have the honour to transmit herewith, for your Lordship's perusal, the printed copy of a further "Address to the people of Canada," from the body styling itself the Montreal Annexation Association.

* Page 10.

I have, &c.,
(Signed) ELGIN AND KINCARDINE.

The Right Hon. Earl Grey,
&c. &c. &c.

Enclosure in No. 11. Encl. in No. 11.

ADDRESS of the MONTREAL ANNEXATION ASSOCIATION to the PEOPLE of CANADA.

FELLOW COLONISTS,

WHEN those whom we have the honour to represent undertook to recommend to you, in the address to the people of Canada, published in October last, the consideration of the peaceable separation of this province from Great Britain, and its annexation to the United States, they were fully aware of the responsibility which they assumed, and were, therefore, anxious to adopt only such measures as would be perfectly safe for those whose co-operation they sought

to enlist. They were ready to suffer whatever odium might for a time be cast on the movers in such a project; but they were resolved to do nothing which could cause civil commotion or personal calamity. Prepared to maintain the right of every people to choose that government which they believe most calculated to promote their own happiness and prosperity, they would not ask assent to any proposition which, followed out, might bring those who thought with them into armed conflict with those who differed from them. Conscious of obeying no other motives than those springing from patriotism disinterested and sincere, it was yet not without some hesitation that they committed themselves to a course which, although just and lawful, might divide them from many of their fellow-subjects, and from associations long endeared to them. The vast interest at stake—the welfare of themselves, their fellow-countrymen, and their posterity—urged them to proceed; and the favourable reception accorded to the expression of their opinion, has shown that they did not make a false estimate of the circumstances by which they were surrounded, nor of the good sense, justice, and liberality of the people of Great Britain. If we refer for a moment to the condemnation passed on the address by certain public writers of this province, (who, we are convinced, do not express the sentiments of the great body of the people,) we do so in no spirit of triumph. But it is of importance, for the advancement of the change we seek, to keep steadily before the public of Canada the fact, that this condemnation has not been confirmed by those in whose behalf it was professedly pronounced. Men in this colony, who arrogated the right of speaking for the Government and people of Great Britain, declared that we asked an impossibility, something to which Great Britain would never consent, which she would put down at all costs, even at that of bloodshed. They even urged the infliction of punishment—such as arbitrary power is able to visit on the guiltless expression of opinion without waiting to learn if those in whose behalf they would persecute, were really offended. We now stand in a totally different position from that which was occupied by the signers of the original address. The most influential organs of public opinion in the mother-country, as well as the understood organs of its Government, have spoken with as much distinctness as was possible in reply to an unofficial demand. We now know with certainty that for which we had before only well-founded belief—that the people of Great Britain acknowledge the right of the inhabitants of this province to choose for themselves, and to establish the government which they deem best adapted to secure prosperity, and comfort the greatest number. We here place a few of these declarations on record, not as our title to rights which we did not possess before, but as valuable acknowledgments of their existence :—

(*From the London Times, October* 31.)

"There was a time when so singular a document as this would have exposed its authors to the penalties of high treason, and the colony in which it was broached to the calamities of civil war; when every Englishman would have boiled with indignation at the presumption which complained of English dominion, and at the temerity which proposed to carry the presumption of language into action. But those days have passed away. We have been taught wisdom by experience; and the most valuable, as well as the most costly of our lessons, has been taught by the barren issue of a precipitate conflict with a province, which from remonstrances proceeded to rebellion, and crowned rebellion with independence. We should not go to war for the sterile honour of maintaining a reluctant colony in galling subjection; we should not purchase an unwilling obedience by an outlay of treasure or of blood. If, indeed, with colonial dependence or independence there were indissolubly bound up metropolitan prosperity or decay; if it were tolerably clear that the preservation of our colonial empire would ensure the preservation of metropolitan greatness, and that the latter would wane with the extinction of the former—then such suggestions as the Montreal Address contains would find no place in the discussions, no sympathy in the feelings, of the people in England. They would one and all identify their own interests and prosperity with that which their forefathers were content to regard for and by itself, viz., the supremacy of English power. But the difference between them and their forefathers is, that they will count and ponder on that more vulgar balance of profit and loss which was forgotten by the generation which hailed the commencement and lamented the conclusion of the great American war. Is the retention of Canada profitable, will its loss be hurtful, to England? is the question which Englishmen of the present day will put to themselves, as the converse of this question is that which Canadians are already discussing on their side. . . . . Meanwhile—ere this question be solved—let us congratuate ourselves on the reflection that the document which we have quoted proves that the political training which England gives to her colonists is one which need neither make them ashamed of her, nor her of them; and that the future which awaits men thus trained can never be obscure nor dishonourable."

(*From the London Times, November* 2.)

"We retract nothing that we have said on the tone, the temper, and the gravity of the document. By whomsoever it was proposed, by whomsoever concocted, it reflects great credit on the skill, tact, and adroitness of its authors."

(*From the London Weekly Dispatch.*)

"This movement is a fine and cheering example which is wonderfully well-timed for the world's instruction. Here is no bluster and bravado. No vituperations are uttered for past wrongs. No appeal is made to the god of battles. A violent separation is not proposed; nor even one which shall be involuntary on the part of Great Britain. We are treated like

rational beings, by those who act like rational beings themselves. The actual tangible loss of the present connexion is put in evidence, and, side by side with it, the actual tangible gain of the proposed measure. Canada exhibits her day-book and ledger, and asks Lord John Russell to add up the columns, and see the account for himself. Revolutions, separation, independence, annexation, are words that conjure up the ideas of armed multitudes, troops in hot pursuit, desperate patriots dying for the Queen, and dying for the people, courts-martial, and shootings, courts civil, and hangings, sea-fights and land-fights, with a bitterness engendered by the result, whatever it be, that alienates men's hearts through many a generation. All these associations, inevitable in European outbreaks, are superseded by these straightforward Canadians. They show how the whole is settled by logic and arithmetic. The Duke of Wellington is not the least needed. A common accountant, or his clerk, is all the extraneous aid the Cabinet requires. Revolution is tamed and civilized. The Peace Congress may be congratulated."

(*From the Dundee Advertiser.*)

"In all likelihood, Canada will cease to be a British possession, and that in a very short time. There has been a tendency to this separation for a considerable time back, and we do not think that the loss of Canada as a colony is to be regretted. On the contrary, we are convinced that both the colonists and the British will be benefited. The operation of free trade will relieve colonists from the obligation of protective duties, and they will have no interest in continuing to submit to the British rule, except in so far as they require British protection against their enemies. If Canada be annexed to the United States, she requires such protection no longer. She will be as independent of England as America is, and England will be as independent of her as she is of America. Canadian produce will find its way to our markets as readily as ever, and our manufactures to the Canadian markets. We shall simply be saved the trouble and expense of her government, and these have been of no trifling nature. We believe our colonies have cost this country an amount of money which it is impossible to estimate, in wars, in protective duties, and in expenses of government. We shall not regret to see more of them follow the example of Canada, and be at the trouble and expense of maintaining themselves. There is no doubt that the majority of the Canadian population have a right to judge for themselves, and to choose what government they please. It is said that they are under obligations to us, and that they are, therefore, not free so to choose. We say the sooner we cease from conferring obligations the better for us: hitherto we have paid dearly enough for maintaining our connexion with this colony. We shall now maintain all that is worth preserving—our commercial intercourse—without being taxed for it."

(*From the Illustrated News.*)

"All these arguments are good as regards Canada; and could the statesmen of this country believe that they were the sentiments of the large majority of the Canadian people, there can be little doubt but that they would agree to annexation, which, in such a case, would sooner or later be accomplished in spite of them. Sooner or later, the independence of Canada is sure to be accomplished—as surely as the infants born yesterday shall grow into men; unless, indeed, we shall decree all our colonies to be integral parts of the kingdom of Great Britain, and allow them to send members to Parliament, by the same right and for the same reason that we accord the franchise to London or to Manchester, to Middlesex or to Lancashire. It is possible that by such a course of proceeding we might preserve some of our larger colonies for a time; but even with such a participation in British power, we doubt whether we could retain Canada for two generations, or the great continent of Australia for three. Their independence is a question of time; and it will be well for us at home if we have sufficient wisdom to know when the time has come, and sufficient virtue to reconcile ourselves peaceably to that which is inevitable. To be deprived of Canada by force, and the connivance of the United States, would be humiliation indeed; but to yield it up of our own free will would be but a small sacrifice. We question, indeed, whether it would not be a gain."

We seize the first opportunity to observe, that the magnanimous promptitude of the greater portion of the British public to admit our rights, and to appreciate the feelings, and respect the motives which actuated the framers of the original address, calls for the grateful acknowledgments of the people of Canada.

The response of the people of the United States to the Address has not been less satisfactory than that from Great Britain. Not only has the press generally declared in favour of receiving Canada into the Union, if she seek that admission in a legitimate and peaceable manner; but one of the States lying immediately on our own border, in the proceedings of its legislature, has pointedly alluded to the fact that the admission of Canada was contemplated by the original articles of confederation, and has by the following resolutions declared its desire to see that union effected:—

"PROCEEDINGS OF THE VERMONT LEGISLATURE, 1849.

No. 29.—Resolutions relating to the Annexation of Canada to the United States.

Whereas, by the original articles of the confederation, adopted by the States of this Union, it was provided that "Canada, acceding to this confederation, and joining in the measures of these United States, shall be admitted into and entitled to all the advantages of this Union."

CANADA.

"And whereas, recent occurrences in the said province of Canada indicate a strong and growing desire on the part of the people thereof to avail themselves of the advantages of the foregoing offer, and to apply for admission among the sovereign States of this Union;

"Therefore, Resolved by the Senate and House of Representatives,—That, believing the admission of Canada into this Union to be a measure intimately connected with the permanent prosperity and glory of both countries, the Government of the State of Vermont is earnestly desirous to see such re-union effected, without a violation, on the part of the United States, of the amicable relations existing with the British Government, or of the law of nations.

"Resolved,—The peaceful annexation of Canada to the United States, with the consent of the British Government, and of the people of Canada, and upon just and honourable terms, is an object in the highest degree desirable to the people of the United States. It would open a wide and fertile field to the enterprise and the industry of the American people; it would extend the boundaries, and increase the power of our country; it would enlist a brave, industrious, and intelligent people under the flag of our nation; it would spread wide the liberal principles of republican government, and promote the preponderance of free institutions in this Union. We therefore trust that our national Government, in the spirit of peace and of courtesy to both the British Government and the people of Canada, will adopt all proper and honourable means to secure the annexation of Canada to the United States."

We were always persuaded that the people of Great Britain would consent to allow the separation which we desired, without which consent we would consider it neither practicable nor desirable, provided that separation were demanded by the majority of the people of Canada; but we know that many of our fellow-colonists thought otherwise, and were therefore waiting for the judgment of the people of Great Britain, before committing themselves to our movement. We can now confidently call on such persons to dismiss all considerations of that nature, and to apply themselves only to the comparison of our present position with that which we must expect to occupy as a sovereign State of the North American Union. If the change be beneficial, nothing prevents its accomplishment. YOU HAVE ONLY TO WILL IT. Motives for the change were set forth in considerable detail in the original Address to the people of Canada. Nothing has since occurred to make that statement less true. After all the vain attempts to show that a few expressions were exaggerated, or to disprove some isolated assertions, that representation of our condition remains unshaken. The belief in the more rapid progress of the United States than of Canada, does not, indeed, depend upon the evidences of any body of men who may address you to-day. The contrast is matter of daily, and to us of mortifying, observation. It has been related and deplored by every British traveller who has compared the two borders. All well-informed men, even in England, have repeatedly heard it, and read of it. It is past all honest doubt or denial. We here adduce the evidence of some witnesses—of men uninfluenced by prejudice except what is in favour of British rule.

(*From the London Daily News.*)

"To all who are acquainted with Canada, or have read the publications respecting it, which have appeared for a series of years back, this (the Manifesto) is quite intelligible. The contrast between the United States side of the boundary line and the Canadian has been the subject of frequent remark. A cool and dispassionate man of business, who visited Canada about a month ago, expresses himself, on this subject, in a letter that now lies before us, as follows:—

"I had often read of the contrast presented between the American and Canadian shores (of the St. Lawrence), but I could not have comprehended it in all its fulness unless I had witnessed it with my own eyes. On the one side all is life, activity, and prosperity; on the other it is like the stillness of death. Montreal is a very fine city, more like a European town than anything I have yet seen on the American continent; but where the universal complaint is, that their trade is gone. The mercantile classes seemed to me to be unanimous in favour of annexation; and one cannot wonder at it, when you find a merely nominal line separating them from the prosperity of their neighbours."

(*From Lord Durham's Report.*)

"Under such circumstances, there is little stimulus to industry or enterprise, and their effect is aggravated by the striking contrast presented by such of the United States as border upon this province, where all is activity and progress. * * * I allude to the striking contrast which is presented by the American and British sides of the frontier line, in respect of every sign of productive industry, increasing wealth, and progressive civilization. By describing one side, and reversing the picture, the other would also be described. On the American side all is activity and bustle. * * * * * On the British side of the line, with the exception of a few favoured spots, where some approach to American prosperity is apparent, all seems waste and desolate. * * * * Throughout the course of these pages, I have constantly had occasion to refer to this contrast. I have not hesitated to do so, though no man's just pride in his country, and firm attachment to its institutions, can be more deeply shocked by the mortifying admission of inferiority. * * * The contrast which I have described is the theme of every traveller who visits these countries, and who observes on one side of the line the abundance, and on the other the scarcity of every sign of material prosperity, which thriving agriculture and flourishing cities indicate, and of that civilization which schools and churches testify even to the outward senses."

(*From Dr. Dixon's Tour in America.*)

"I found the country full of complaints and dissatisfaction from one end to the other. The people everywhere, and of all shades of politics, spoke the same language. Their fortunes were wrecked, their commerce destroyed; their agriculture, the sinews of the colony, enfeebled, ruined. * * * *

On the enactment of Lord Stanley's Bill respecting the admission of Canada flour into this country, a vast outlay in building mills took place, which mills had just begun to work profitably; but the new policy effectually crushed this trade. I myself saw one of these mills, belonging to one of our friends,—a new building of great size, and which must have cost many thousand pounds in its erecting,—standing still. This I understood was generally the case. * * * * * In the present state of things, cast off by the mother-country, and left to their own resources, with the United States just by their side, possessing vast political power and influence; a growing credit, and monetary resources; a prodigious mercantile and commercial navy; an active, industrious, and virtuous people; a Government capable, in all respects, and equally disposed, to foster, protect, and strengthen all its possessions;—we say, with all these things staring them in the face, the policy of this country has made it the plain, palpable interest of the Canadians to seek for annexation. This is as clear as any problem in Euclid."

From a Letter by the Great Apostle of Temperance, Father Chiniquy, addressed to the Melanges Religeux of October 19, 1849, *on his return from the United States.*

"I do not exaggerate when I say that there are not less than 200,000 Canadians in the United States, and unless efficacious means are taken to stop this frightful emigration, before 10 years 200,000 more of our compatriots will have carried to the American Union their arms, their intelligence, and their hearts. It is no part of my present plan to examine the causes of this deplorable emigration; but it must be always true, that when a people *en masse* quits its country, it is because that unfortunate country is struck with some hideous plague—is devoured by some cancer. * * * * * God has placed in the heart of man love for his country, and when a man turns his back upon his country, and with the eye moistened by tears bids it an eternal adieu, it is because something essential has been wanting to him in that country. It is because he has wanted bread, room, or just liberty. I leave others to say which of the three has been deficient in Canada. All that I can assure you of is, that in the United States these three essential elements of the life of nations are found in abundance."

Nor is the decline in prosperity caused by the reversal of the protective policy of the mother-country, by any means less evident than when the former Address was issued. We need go into no proofs of this allegation; they have been recently proclaimed by those who are opposed to the course we desire to adopt.

Under these circumstances, encouraged by Great Britain and the United States to act with freedom in the exercise of an enlightened judgment, do you see any other probable means of escape from a position of acknowledged inferiority than that which has been set before you by the advocates of annexation? Those who have protested against the Address to the people of Canada have declared their belief that the evils of which we complain, and which they recognize, might be removed by judicious legislation. They are now told that Great Britain can do nothing to restore our past advantages.

Thus says the London *Times* on this subject:—

"It must be admitted that the latter have grievances, though not all equally oppressive nor all of the same origin. They have been planted and thriven under protective laws, Those laws are now abrogated; and abrogated—as the people of Canada have the sense to see—without a chance of re-enactment. So far they suffer, in common with all our colonies, the effects of a bad and obsolete colonial system. The change, however, is made. The colonists know that what has been done will not be undone, and that the grain crops of Western Canada must compete in the markets of England with the grain crops of the United States, of Poland, and of the whole world. They are suffering from the revulsion."

In this particular, as in every other, the views of those who addressed you in favour of annexation have been fully confirmed.

Is there any brighter hope from another quarter? Our opponents maintain that present causes of complaint would be removed by the attainment of reciprocal free trade with the United States. It is perhaps too soon to affirm as a positive fact that this advantage cannot be obtained; but it is quite clear that those who lately vaunted most loudly the benefits to accrue from it, now despair of securing it. They have already begun to depreciate it as something of very inferior utility.

For the social and political disadvantages under which we labour no adequate remedy other than that which we advocate, has ever been proposed. The most able British writers—those best acquainted with the colony, acknowledge, and at the same time deplore them as inseparable from the colonial condition, and inevitable while that condition continues.

Our country is of no account in the congress of nations; as individuals we are practically excluded from the honours of the empire, while men, who have no permanent interest in our welfare, acquire riches, and obtain honours on our soil. We have no common objects of national pride and solicitude; but as citizens of the United States, we should attain a nationality worthy of our highest aspirations.

These sentiments have been so well expressed in a late work, "The Colonies of England," by J. A. Roebuck, Esq., M.P., that we here transcribe his language:—

"The career that lies between two men, one of whom has been born and lives upon the

southern shore of the St. Lawrence, and the other on the north of that river, is a striking example of the observation here made. The one is a citizen of the United States, the other a subject of England, a Canadian colonist. The one has a country which he can call his own: a great country already distinguished in arms, in arts, and in some degree in literature. In his country's honour and fame the American has a share, and he enters upon his career of life with lofty aspirations, hoping to achieve fame for himself in some of the many paths to renown which his country affords. She has a senate, an army, a navy, a bar, many powerful and wealthy churches; her men of science, her physicians, philosophers, are all a national brotherhood, giving and receiving distinction. How galling to the poor colonist is the contrast to this, which *his* inglorious career affords! *He* has no country—the place where he was born, and where he has to linger out his life unknown to fame, has no history—no past glory, no present renown. What there is of note is England's. Canada is not a nation; she is—*a colony*—a tiny sphere, the satellite of a mighty star in whose brightness she is lost. Canada has no navy, no army, no literature, no brotherhood of science. If, then, a Canadian looks for honour in any of these various fields, he must seek it as an Englishman; he must forget and desert his country before he can be known to fame."

If all these substantial arguments in favour of annexation remain unchanged, or have been strengthened by lapse of time, you will certainly not be deterred from pursuing the course indicated as desirable, by the arbitrary commands of those who assume to be your masters. Those who addressed you were known to be beyond suspicion of seeking personal emolument from the public funds. They employed no force but that of reason—they repudiated every means but that, most lawful—the assent of every constituted authority in the State. They desired to fortify, and where necessary, to create a public opinion in favour of their views, which should be manifested, not on paper merely, but in that authoritative way which the constitution has contemplated, in giving to the people the right of electing their legislators. They therefore did not endeavour to obtain all the names which might have been procured to the document they put forth. They were satisfied, when they had enrolled sufficient adherents without solicitation, to show that they were not a few deluded men, acting without warrant of wide-spread public thought. How have they been replied to? Their opponents have sent agents through the most populous counties immediately adjoining the city unexpectedly favoured by the removal of the seat of Government. As well there, as in this city, they have employed against us every influence derived from official patronage, and yet how trifling has been their success!

In the absence of argument, persecution has been resorted to by an Executive, affecting to owe its existence to the popular will, against such as dared assert the right, not of British subjects merely, but of intellectual beings,—the right of thought and of free discussion.

Fellow-colonists, will you submit to have your free political action suppressed by such means? Are your servants to dictate to you the subjects which may engage your attention, and prohibit all others under pain of their interference and censure? We trust not. We feel assured that you will be the more inclined to support those who have been opposed, by means which we will not characterise otherwise than as oppressive. We now call on such of you as are favourable to our views, to exert yourselves in order that the great object before us may be speedily attained. All agree in believing that annexation is inevitable; a mere question of time. It is our conviction that there can be no settled policy—no established public credit—no cessation of political strife—no prosperity—until we reach the state to which we are destined. Let us then unite to secure it as early as possible.

JOHN REDPATH,
President.

R. MACKAY,
A. H. DORION,
Secretaries.

Montreal, 15th December, 1849.

* * * The Annexation Association of Montreal begs to thank such portions of the Press as have lent them assistance for the able aid they have afforded. The Association, while it recognizes no exposition of its views, except those which shall be signed by its officers, feels a deep debt of gratitude to those who have generously stood up for truth and the people, against the obloquy which have been cast on both.

Despatches from the Right Hon. Earl Grey, Secretary of State.

CANADA.

No. 1. (No. 391.) No. 1.

COPY of a DESPATCH from Earl GREY to the Right Hon. the Earl of ELGIN AND KINCARDINE.

MY LORD, Downing-street, July 11, 1849.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 11th June,* transmitting the copy of a letter from the Mayor of the City of Kingston, accompanied by the copy of a petition to Her Majesty from the City Council, praying that the seat of Government in Canada may be restored to that place.

* Page 3.

In compliance with the request preferred by the Mayor in the letter addressed to your Secretary, I have granted that gentleman an interview, but in my opinion the question which has brought him to this country can best be decided by the local Government.

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

The Right Hon. the Earl of Elgin and Kincardine,
&c. &c. &c.

No. 2. (No. 392.) No. 2.

COPY of a DESPATCH from Earl GREY to the Right Hon. the Earl of ELGIN AND KINCARDINE.

MY LORD, Downing-street, July 11, 1849.

I HAVE the honour to acknowledge the receipt of your Despatches, No. 55,* of the 29th of May, transmitting an address from the Legislative Assembly, together with your reply on the subject of the removal of the seat of Government from Montreal, and No. 68,† of the 14th June, enclosing a copy of a resolution of the Legislative Council on the project of holding alternate Parliaments at Quebec and Torento.

* Page 2.

† Page 4.

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

The Right Hon. the Earl of Elgin and Kincardine,
&c. &c. &c.

No. 3. (No 417.) No. 3.

COPY of a DESPATCH from Earl GREY to the Right Hon. the Earl of ELGIN AND KINCARDINE.

MY LORD, Downing-street, September 14, 1849.

I HAVE had the honour to receive your Lordship's Despatch of the 20th of August, No. 99,* transmitting the copy of a letter addressed to the Provincial Secretary of Canada by the police magistrates of Montreal, reporting the occurrence of disturbances on the occasion of the arrest of certain persons charged with having destroyed the Parliament House in April last.

* Page 5.

I have received with great regret, the intelligence of these fresh interruptions of the public peace in Montreal, and I cannot withhold the expression of my opinion, that the existence of such a spirit of insubordination in that city would appear to render it a very unfit place for the seat of the Provincial Government, and for the meeting of the Legislature.

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

The Right Hon. the Earl of Elgin and Kincardine,
&c. &c. &c.

(No. 433.) No. 4. CANADA. No. 4.

COPY of a DESPATCH from Earl GREY to the Right Hon. the Earl of ELGIN AND KINCARDINE.

MY LORD, Downing-street, November 16, 1849.

THE Portuguese Minister at this Court having requested Her Majesty's Government to grant the necessary exequatur to enable Mr. J. G.Mackenzie to be Portuguese Consul at Montreal, to enter upon the duties of his office, I have to desire that you will inform me whether you are aware of any objection to the confirmation of this gentleman's appointment.

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

The Right Hon. the Earl of Elgin and Kincardine,
&c. &c. &c.

(No. 442.) No. 5. No. 5.

COPY of a DESPATCH from Earl GREY to the Right Hon. the Earl of ELGIN AND KINCARDINE.

MY LORD, Downing-street, January 1, 1850.

I HAVE had the honour to receive your Lordship's Despatch and its Enclosure of the 18th November, No. 113,* reporting that you had resolved, on the advice of your Council, and after full and anxious deliberation, to act on the recommendation of the House of Assembly on the subject of the place at which the future sessions of the Provincial Parliament should be held, and summon the next Parliament to meet at Toronto. * Page 6.

As the Assembly in their Address, of which you transmitted me a copy on the 29th of last May, proposed this arrangement, I have only to express my hope that it may prove successful, and my approbation of your Lordship's determination to act upon the opinion expressed to you by the representatives of the people of Canada.

I have, &c.,
(Signed) GREY

The Right Hon. the Earl of Elgin and Kincardine,
&c. &c. &c.

(No. 448.) No. 6. No. 6.

COPY of a DESPATCH from Earl GREY to the Right Hon. the Earl of ELGIN AND KINCARDINE.

MY LORD, Downing-street, January 9, 1850.

I HAVE to acknowledge your Despatches of the dates and numbers quoted in the margin.

2. I have laid these Despatches before Her Majesty, and also the Addresses of the Warden and Councillors of the Municipal Council of the district of Gore; of the Lieut.-Colonel and Officers of Militia of the 1st and of the 8th Battalions of the Regiment of Dorchester; of the Officers of the 4th Battalion of the Regiment of Kamouraska, and the Inhabitants of the parish of St. Anne de la Pocatière; and of the Officers of Militia and Lieut.-Colonel commanding Battalions of the Regiment of Quebec; enclosed in the two first of these Despatches, which Her Majesty has been pleased to receive very graciously. It has afforded Her Majesty great satisfaction to receive these expressions of that loyalty and attachment to the British Crown which she trusts is generally felt by Her Canadian subjects.

No. 114, Nov. 19, 1849.
127, Dec. 3, 1849.
129, Dec. 3, 1849.
134, Dec. 14, 1849.

3. With regard to the Address to the people of Canada in favour of severing the province from the British dominions for the purpose of annexing it to the United States, which forms the subject of the 3rd of these Despatches, I have to inform you that Her Majesty approves of your having dismissed from Her service those who have signed a document which is scarcely short of treasonable

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in its character. Her Majesty confidently relies on the loyalty of the great majority of Her Canadian subjects, and she is, therefore, determined to exert all the authority which belongs to Her, for the purpose of maintaining the connexion of Canada with this country, being persuaded that the permanence of that connexion is highly advantageous to both.

4. Your Lordship will, therefore, understand that you are commanded by Her Majesty to resist, to the utmost of your power, any attempt which may be made to bring about the separation of Canada from the British dominions, and to mark in the strongest manner Her Majesty's displeasure with all those who may directly or indirectly encourage such a design.

5. And if any attempt of this kind should take such a form, that those who are guilty of it may, according to such advice as you may receive from your law advisers, be made responsible for their conduct in a court of justice, you will not fail to take the necessary measures for bringing them to account.

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

The Right Hon. the Earl of Elgin and Kincardine,
&c. &c. &c.

No. 7.

(No. 468.)

No. 7.

COPY of a DESPATCH from Earl GREY to the Right Hon. the Earl of ELGIN AND KINCARDINE.

MY LORD, Downing-street, February 18, 1850.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, No. 138,* of the 28th of December last, and to acquaint you, in answer, that I have apprised Viscount Palmerston that I regard the conduct of Mr. J. G. Mackenzie, in having affixed his name to the document advocating the annexation of Canada to the United States of America as a disqualification for the office of Consul which the Portuguese Government proposed to confer upon him.

* Page 15.

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

The Right Hon. the Earl of Elgin and Kincardine,
&c. &c. &c.

LONDON:—Printed by WILLIAM CLOWES and SONS, Stamford Street,
For Her Majesty's Stationery Office.

HUDSON'S BAY COMPANY.

PAPERS presented by Command of Her Majesty to The House of Commons, in pursuance of an Address praying that Her Majesty would be graciously pleased to direct that such Means as to Her Majesty shall seem most fitting and effectual, be taken to ascertain the Legality of the Powers in respect to TERRITORY, TRADE, TAXATION and GOVERNMENT, which are, or recently have been, claimed or exercised by the HUDSON'S BAY COMPANY, on the Continent of *North America*, under the Charter of his Majesty King CHARLES the Second, issued in the Year 1670, or in Virtue of any other Right or Title, except those conveyed by or under the Act 43 Geo. 3, c. 138 (extending the Criminal Jurisdiction of Canadian Courts), and 1 & 2 Geo. 4, c. 66, intituled, "An Act for regulating the Fur Trade, and establishing a Criminal and Civil Jurisdiction within certain Parts of *North America*."

Colonial Office, Downing-street,
11 July 1850.

B. HAWES.

Ordered, by The House of Commons, *to be Printed,*
12 *July* 1850.

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PAPERS presented by Command of Her Majesty to The House of Commons, in pursuance of an Address praying that Her Majesty would be graciously pleased to direct that such Means as to Her Majesty shall seem most fitting and effectual, be taken to ascertain the Legality of the Powers in respect to TERRITORY, TRADE, TAXATION and GOVERNMENT, which are, or recently have been, claimed or exercised by the HUDSON'S BAY COMPANY, on the Continent of *North America*, under the Charter of his Majesty King CHARLES the Second, issued in the Year 1670, or in Virtue of any other Right or Title, except those conveyed by or under the Act 43 Geo. 3, c. 138 (extending the Criminal Jurisdiction of Canadian Courts), and 1 & 2 Geo. 4, c. 66, intituled, "An Act for regulating the Fur Trade, and establishing a Criminal and Civil Jurisdiction within certain Parts of *North America*."

No. 1.
H. Merivale, Esq. to Sir J. H. Pelly, Bart., 23 August, 1849.

— No. 1. —

COPY of a LETTER from *H. Merivale*, Esq., to Sir *J. H. Pelly*, Bart.

Sir, Downing-street, 23 August 1849.

I AM directed by Earl Grey to transmit to you the enclosed copy of a Resolution of The House of Commons; and as it was with your concurrence, on behalf of the Company, that the adoption of this Resolution was assented to by Her Majesty's Government, I have to request you to move the Directors of the Hudson's Bay Company to render their assistance in complying with the Address of The House of Commons, by furnishing his Lordship with a statement of the rights to which the Company consider themselves entitled, and the extent to which those rights are at present, or have recently been, exercised in relation to the several heads of inquiry specified in the Resolution.

5 July 1849.

I have, &c.
(signed) *H. Merivale.*

— No. 2. —

COPY of a LETTER from Sir *J. H. Pelly*, Bart. to Earl *Grey*.

Hudson's Bay House, London,
13 September 1849.

My Lord,

No. 2.
Sir J. H. Pelly, Bart., to Earl Grey, 13 Sept. 1849.

I HAVE to acknowledge the receipt of Mr. Merivale's letter of the 23d of August, written by your Lordship's direction, enclosing a copy of a Resolution of The House of Commons, dated the 5th July last, that an Address be presented to Her Majesty, praying that Her Majesty will direct means to be taken to ascertain the legality of the powers, in certain respects therein specified, which are claimed or exercised by the Hudson's Bay Company on the Continent of North America.

That letter has been submitted to the Directors of the Hudson's Bay Company; and, in compliance with your request, that they would render their assistance in complying with the Address of The House of Commons, by furnishing your Lordship with a statement of the rights to which the Company consider themselves entitled, and the extent to which those rights are at present, or have recently been exercised, in relation to the several heads of inquiry specified in the Resolution; I have now the honour to forward to you a statement of the

Enclosure.

 rights

rights as to territory, trade, taxation and government claimed and exercised by the Hudson's Bay Company on the Continent of North America, accompanied with a Map of North America, on which the territories claimed by the Hudson's Bay Company, in virtue of the Charter granted to them by King Charles the Second, are coloured green, the other British territories pink, and those of Russia yellow.

Map *at the end.*

I have, &c.
(signed) *J. H. Pelly.*

Enclosure in No. 2.

STATEMENT of the Rights, as to Territory, Trade, Taxation and Government claimed and exercised by the Hudson's Bay Company on the Continent of *North America.*

Encl. in No. 2.

By the charter of his Majesty King Charles the Second, dated the 2d May 1670, by which the Hudson's Bay Company was constituted, his Majesty granted to the Company as follows:—

"We have given, granted and confirmed, and by these presents, for us, our heirs and successors, do give, grant and confirm, unto the said Governor and Company, and their successors, the sole trade and commerce of all those seas, straits, bays, rivers, lakes, creeks and sounds in whatsoever latitude they shall be, that lie within the entrance of the straits commonly called Hudson's Straits, together with all the lands and territories upon the countries, coasts and confines of the seas, bays, lakes, rivers, creeks and sounds aforesaid, that are not already actually possessed by or granted to any of our subjects, or possessed by the subjects of any other Christian Prince or State, with the fishing of all sorts of fish, whales and sturgeons, and all other royal fishes, in the seas, bays, inlets and rivers within the premises, and the fish therein taken, together with the royalty of the sea upon the coasts within the limits aforesaid; and all mines royal, as well discovered as not discovered, of gold, silver, gems and precious stones, to be found or discovered within the territories, limits and places aforesaid; and that the said land be from henceforth reckoned and reputed as one of our plantations or colonies in America, called "Rupert's Land": And further, we do by these presents, for us, our heirs and successors, make, create and constitute the said Governor and Company for the time being, and their successors, the true and absolute lords and proprietors of the same territory, limits and places aforesaid, and of all other the premises, saving always the faith, allegiance and sovereign dominion due to us, our heirs and successors for the same; to have, hold, possess and enjoy the said territory, limits and places, and all and singular other the premises hereby granted as aforesaid, with their and every of their rights, members, jurisdictions, prerogatives, royalties and appurtenances whatsoever to them the said Governor and Company and their successors for ever, to be holden of us, our heirs and successors as of our manor of East Greenwich, in our county of Kent, in free and common soccage, and not in capite, or by knight's service; yielding and paying yearly to us, our heirs and successors, for the same, two elks and two black beavers, whensoever and as often as we, our heirs and successors, shall happen to enter into the said countries, territories and regions hereby granted."

Under this grant the Company have always claimed and exercised dominion as absolute proprietors of the soil in the territories understood to be embraced by the terms of the grant, and which are more particularly defined in the accompanying map; and they have also claimed and enjoyed the exclusive right of trading in those territories.

It may be right here to mention, that, although the original title to the territory and trade in question was derived under the charter above referred to, the rights of the Company have, in various instances, received the recognition of the Legislature.

The Act of 14 Geo. 3, c. 83, which is intituled, "An Act for making more effectual Provision for the Government of the Province of Quebec, in North America," in describing the boundaries of Canada, expressly refers to their lying "northward to the southern boundary of the territories granted to the Merchants Adventurers of England trading into Hudson's Bay;" thereby distinctly recognizing the existence of such a grant, and referring to the known boundary on the south of the territories so granted.

Again, an Act was passed in the 43d year of the reign of Geo. 3, c. 138, intituled, "An Act for extending the Jurisdiction of the Courts of Justice in the Provinces of Lower and Upper Canada to the Trial and Punishment of Persons guilty of Crimes and Offences within certain Parts of North America adjoining to the said Provinces;" and this Act, having stated in the preamble that crimes committed in the Indian territories were not then cognizable by any jurisdiction whatsoever, declares that such crimes should be considered as if committed within the jurisdiction of the Canadian courts.

A doubt having arisen whether this provision extended to the territories possessed by the Hudson's Bay Company, because, although they formed part of the Indian territories, crimes therein committed could not be said not to be cognizable by any jurisdiction whatsoever, inasmuch as the Hudson's Bay Company had a distinct jurisdiction conferred upon it by its charter, an Act was passed in the 1st & 2d Geo. 4, c. 66, intituled, "An Act for regulating the Fur Trade, and establishing a Commercial and Civil Jurisdiction within certain Parts

Parts of North America," by which, after reciting that doubts had been entertained whether the provisions of the Act of Geo. 3 extended to the territories granted by charter to the Governor and Company of Adventurers of England trading into Hudson's Bay, and that it was expedient that such doubts should be removed, and the said Act should be further extended, it was declared and enacted, that the provisions of the Act of 43 Geo. 3 should be deemed and construed " to extend to and over, and to be in full force in and through all the territories theretofore granted to the Hudson's Bay Company;" thus again distinctly recognizing the existence of the grant of the soil, as well as the jurisdiction; for the Act contains an express reservation that nothing therein contained should affect the rights, privileges, authority or jurisdiction of the Hudson's Bay Company; and, in consequence, from that period, the Company and the Canadian courts have exercised a concurrent jurisdiction as to offences committed within the territories of the Company. By this Act also power was given to the Crown to make, grant or give licenses for the exclusive privilege of trading with the Indians in all such parts of North America as should be specified in any such grants or licenses not being part of the lands and territories granted to the Governor and Company of Adventurers of England trading to Hudson's Bay, and not being part of any of the Crown provinces in North America, or of any lands or territories belonging to the United States of America.

By virtue of licenses granted under the powers of this Act, the Company are entitled to certain exclusive rights of trading beyond the limits of their own territories; but this Act is referred to here as distinctly recognizing the rights of the Company to exclusive trade within their own territories.

With regard to Taxation and Government, the Company, under their charter, are invested with power " to make, ordain and constitute such and so many reasonable laws, constitutions, orders and ordinances as to them, or the greater part of them, being then and there present, shall seem necessary and convenient for the good government of the said Company, and of all Governors of colonies, forts and plantations, factors, masters, mariners and other officers employed or to be employed in any of the territories and lands aforesaid, and in any of their voyages, and for the better advancement and continuance of the said trade or traffic and plantations, and the same laws, constitutions, orders and ordinances so made, to put in use and execute accordingly, and at their pleasure to revoke and alter the same, or any of them, as the occasion shall require: and it is provided, that the said Governor and Company, so often as they shall make, ordain or establish any such laws, constitutions, orders and ordinances, in such form as aforesaid, shall and may lawfully impose, ordain, limit and provide such pains, penalties and punishments upon all offenders contrary to such laws, constitutions, orders and ordinances, or any of them, as to the said Governor and Company for the time being, or the greater part of them then and there being present (the said Governor, or his deputy, being always one), shall seem necessary, requisite or convenient for the observation of the same laws, constitutions, orders and ordinances; and the same fines and amerciaments shall and may, by their officers and servants, from time to time to be appointed for that purpose, levy, take and have to the use of the said Governor and Company, and their successors, without the impediment of us, our heirs or successors, or of any of the officers or ministers of us, our heirs or successors, and without any account therefore to us, our heirs or successors, to be made so always as the said laws, constitutions, orders and ordinances, fines and amerciaments, be reasonable, and not contrary or repugnant, but as near as may be agreeable to the laws, statutes or customs of this our realm." And it is further provided, " that all lands, islands, territories, plantations, forts, fortifications, factories or colonies, where the said Company's factories and trade are or shall be, within any the ports or places afore limited, shall be immediately and from henceforth under the power and command of the said Governor and Company, their successors and assigns, and the said Governor and Company are empowered to appoint and establish Governors and all other officers to govern them." And it is provided, " that the Governor and his Council of the several and respective places where the said Company shall have plantations, forts, factories, colonies or places of trade, within any of the countries, lands or territories hereby granted, may have power to judge all persons belonging to the said Governor and Company, or that shall live under them, in all causes, whether civil or criminal, according to the laws of this Kingdom, and to execute justice accordingly; and in case any crime or misdemeanor shall be committed in any of the said Company's plantations, forts, factories or places of trade, within the limits aforesaid, where judicature cannot be executed for want of Governor and Council there, then in such case it shall and may be lawful for the Chief Factor of that place and his council to transmit the party, together with the offence, to such other plantation, factory or fort where there shall be a Governor and Council, where justice may be executed, or into this Kingdom of England, as shall be thought most convenient, there to receive such punishment as the nature of his offence shall deserve."

In pursuance of the authority thus given, the Company have invariably exercised all the powers of Government necessary for the administration of justice in their territory, and for that purpose have appointed proper officers, who have acted judicially in all matters arising therein.

As already observed, the Canadian courts have now a concurrent jurisdiction with the Company.

It may be right here to refer to several Acts of the Legislature which have recognized the general rights and privileges claimed and exercised by the Company.

An Act passed in the sixth year of the reign of Queen Anne, c. 37, intituled, " An Act

for the Encouragement of the Trade to America," and this Act contains an express proviso, that " nothing therein contained shall extend or be construed to take away or prejudice any of the estates, rights or privileges of or belonging to the Governor and Company of Adventurers trading into Hudson's Bay."

In like manner, in 1745, when an Act was passed (18 Geo. 2, c. 17), for granting a reward for the discovery of a north-west passage through Hudson's Straits, it was expressly provided, that " nothing therein contained should extend or be construed to take away or prejudice any of the estates, rights or privileges of or belonging to the Hudson's Bay Company."

No exact system of taxation has been claimed or exercised by the Company; and until a colony of resident settlers was established, other than the Company's own servants, the Company defrayed the whole expenses of the government of their territories, without the aid of any contribution whatever; but since a colony was formed, it has been made a stipulation with the community, upon their becoming settlers, and receiving parcels of land, that they should contribute towards the expenses of the government of the colony; but the main charge has continued to be borne by the Company.

— No. 3. —

Copy of a LETTER from *A. K. Isbister*, Esq. to Lord *John Russell.*

No. 3.
A. K. Isbister, Esq., to Lord J. Russell, 30 Sept. 1849.

36, Rotherfield-street, Lower Road, Islington,
My Lord, 30 September 1849.

It will be in your Lordship's recollection, that during the last Session of Parliament an Address was agreed to by The House of Commons, praying Her Majesty to institute an inquiry into the legality of certain powers claimed and exercised by the Hudson's Bay Company, under a charter granted by King Charles 2d (but without the concurrence of Parliament), to that body in the year 1669. As the representative of the inhabitants of the Hudson's Bay territories, in British North America, who have appealed against the exercise of those powers, I have been requested respectfully to inquire in what mode it is the intention of Her Majesty's Government to carry out the objects and purport of the Address, and whether, in the event of any reference to a judicial tribunal being contemplated, it will be necessary for the parties interested to appear by counsel or otherwise, or to furnish evidence, and if so, of what nature.

I have, &c.
(signed) *A. K. Isbister.*

— No. 4. —

Copy of a LETTER from *B. Hawes*, Esq. to *A. K. Isbister*, Esq.

No. 4.
B. Hawes, Esq., to A. K. Isbister, Esq., 22 October 1849.

Sir, Downing-street, 22 October 1849.

With reference to your letter of the 30th ultimo, requesting to be informed in what manner Her Majesty's Government propose to carry into effect an inquiry into the legality of certain powers claimed and exercised by the Hudson's Bay Company, I am directed by Earl Grey to acquaint you, that the subject is at present under consideration.

I have, &c.
(signed) *B. Hawes.*

— No. 5. —

No. 5.
B. Hawes, Esq., to Mr. Attorney-General, 30 October 1849.

Copy of a LETTER from *B. Hawes*, Esq. to Mr. Attorney-General.

(A similar Letter to the Solicitor-General.)

5 July 1849.

Sir, Downing-street, 30 October 1849.

I am directed by Earl Grey to transmit to you herewith the copy of a Resolution of The House of Commons, that an Address be presented to Her Majesty, praying that measures may be taken for ascertaining the legality of the powers which

which are claimed or exercised by the Hudson's Bay Company on the Continent of North America.

I am also to enclose the copy of a letter from the Chairman of the Hudson's Bay Company, together with a statement and map, prepared under his direction, of the territories claimed by the Company in virtue of the Charter granted to them by King Charles the Second.

13 Sept. 1849. See No. 2, page 3.

I am further to send you the copy of a letter, dated the 30th ultimo, from Mr. A. K. Isbister, inquiring in what mode Her Majesty's Government intend to give effect to the Resolution of The House of Commons, and whether, in the event of any reference to a judicial tribunal, it will be necessary for the parties interested to appear by counsel or otherwise, or to furnish evidence, and if so, of what nature.

See No. 3, page 6.

Lord Grey requests that, in conjunction with Mr. Solicitor-General, you will take these papers into your early consideration, and inform his Lordship whether you are of opinion that the rights claimed by the Company do properly belong to them. In the event of your entertaining a doubt on any point raised in these papers, I am to request that you will advise his Lordship in what manner the opinion of a competent tribunal may best be obtained on the subject.

I am, &c.

(signed) *B. Hawes.*

— No. 6. —

COPY of a LETTER from Sir *John Jervis* and Sir *John Romilly* to Earl *Grey.*

No. 6.
Sir John Jervis and Sir John Romilly to Earl Grey, January 1850.

My Lord, Temple, January 1850.

WE were honoured with your Lordship's commands contained in Mr. Hawes's letter of the 30th October last, in which he stated that he was directed by your Lordship to transmit to us the copy of a Resolution of The House of Commons, that an Address be presented to Her Majesty, praying that measures may be taken for ascertaining the legality of the powers which are claimed or exercised by the Hudson's Bay Company on the Continent of North America.

Mr. Hawes then stated, that he was to enclose the copy of a letter from the Chairman of the Hudson's Bay Company, together with a statement and map, prepared under his direction, of the territories claimed by the Company in virtue of the Charter granted to them by King Charles the Second.

Mr. Hawes also sent the copy of a letter, dated the 30th September last, from Mr. A. K. Isbister, inquiring in what mode Her Majesty's Government intend to give effect to the Resolution of The House of Commons, and whether, in the event of any reference to a judicial tribunal, it will be necessary for the parties interested to appear by counsel or otherwise, or to furnish evidence, and, if so, of what nature.

Mr. Hawes concluded by stating, that your Lordship requested that we would take these papers into our early consideration, and inform you whether we are of opinion that the rights claimed by the Company do properly belong to them. In the event of our entertaining a doubt on any point raised in these papers, Mr. Hawes was to request that we would advise your Lordship in what manner the opinion of a competent tribunal can be obtained on the subject.

In obedience to your Lordship's command, we have taken these papers into our consideration, and have the honour to report, that, having regard to the powers in respect of territory, trade, taxation, and government, claimed by the Hudson's Bay Company in the statements furnished to your Lordship by the Chairman of that Company, we are of opinion, that the rights so claimed by the Company do properly belong to them.

Upon this subject we entertain no doubt; but as it will be more satisfactory to the complainants against the Company, to the promoters of the discussion in the House of Commons, and possibly to the Company themselves, if the questions are publicly argued and solemnly decided, we humbly advise your Lordship to refer these questions to a competent tribunal for consideration and decision, and to inform Mr. Isbister that he may appear as complainant, and the Company that they may be heard as respondents upon the argument. The proper mode of raising the question for discussion will, we presume, be

for Mr. Isbister, or some other person, to embody in a Petition to Her Majesty the complaints urged against the Hudson's Bay Company; and such a Petition may be referred by Her Majesty either to the Judicial Committee, under the 4th section of the Statute 3 & 4 Will. 4, c. 41, or to the Committee of Trade, as involving questions within their jurisdiction. The Judicial Committee, from its constitution, is the best fitted for the discussion of a case of this description, and we recommend that to that tribunal the proposed petition should be referred.

We have, &c.
(signed) *John Jervis.*
John Romilly.

— No. 7. —

No. 7.
B. Hawes, Esq., to Sir J. H. Pelly, Bart., 24 January 1850.

COPY of a LETTER from *B. Hawes*, Esq. to Sir *J. H. Pelly*, Bart.

Sir, Downing-street, 24 January 1850.

I AM directed by Earl Grey to transmit to you the copy of a letter which his Lordship proposes to have addressed to Mr. Isbister, desiring to be informed whether it is his intention to petition Her Majesty to refer the complaints urged against the Hudson's Bay Company to the Judicial Committee, or the Committee of Trade and Plantations, in order to ascertain the legality of the powers in respect to territory, trade, taxation and government, which are, or recently have been, claimed or exercised by the Hudson's Bay Company; and, should the Queen be pleased to refer the Petition to such Committee, whether he will be prepared to prosecute such complaints in the manner suggested; informing him, at the same time, that the Petition must be confined to the subject to which the Resolution of The House of Commons of the 5th July 1849 extends.

See Letter of 29th January to Mr. Isbister, No. 9 of this Series.

I have, &c.
(signed) *B. Hawes.*

— No. 8. —

COPY of a LETTER from *A. Barclay*, Esq., Secretary to the Hudson's Bay Company, to *B. Hawes*, Esq.

No. 8.
A. Barclay, Esq. to B. Hawes, Esq., 29 January 1850.

Sir, Hudson's Bay House, 29 January 1850.

I AM directed to acknowledge the receipt of your letter of the 24th instant, transmitting to Sir J. H. Pelly the copy of a letter which Earl Grey proposes to have addressed to Mr. Isbister, desiring to be informed whether it is his intention to petition Her Majesty to refer the complaints urged against the Hudson's Bay Company to a competent tribunal for consideration and decision.

In reply to which, I am to state, that there is nothing in the letter proposed to be addressed to Mr. Isbister, to which the Directors of the Hudson's Bay Company have the least objection.

I have, &c.
(signed) *A. Barclay*, Secr.

— No. 9. —

COPY of a LETTER from *B. Hawes*, Esq. to *A. K. Isbister*, Esq.

No. 9.
B. Hawes, Esq., to A. K. Isbister, Esq., 29 January 1850.

Sir, Downing-street, 29 January 1850.

I AM directed by Earl Grey to inform you, that, it having been resolved by The House of Commons, on the 5th July 1849, that an Address should be presented to Her Majesty, praying Her to direct that such means should be taken as to Her Majesty should seem most fitting and effectual to ascertain the legality

legality of the powers in respect to territory, trade, taxation and government, which are, or recently have been, claimed or exercised by the Hudson's Bay Company on the Continent of North America, his Lordship, in consequence, took early measures for obtaining from the Attorney and Solicitor-general their opinion as to the legality of those powers.

2. He obtained from the Company a statement of their alleged rights as to territory, trade, taxation and government, of which I am directed to annex a copy.

See No. 2, page 4.

3. This statement was submitted to Her Majesty's Attorney and Solicitor-General, who reported to Lord Grey, that they were of opinion that the rights so claimed by the Company do belong to them; but they added, that if it was thought desirable to refer these questions to a competent tribunal for consideration and decision, the proper mode for raising the discussion would be for you, or some other person, to embody, in a Petition to Her Majesty, the complaints urged against the Hudson's Bay Company, and Her Majesty might then refer such Petition to the Judicial Committee, or to the Committee of Trade and Plantations.

4. I am, therefore, directed by Earl Grey to request you to determine whether you wish to prosecute such complaints in the manner thus suggested, namely, by Petition to the Queen; in which case, should Her Majesty refer that Petition as above mentioned, you would have to appear as complainant, and the Company as respondents, before the tribunal to which the reference would take place. But inasmuch as it is his Lordship's wish to give effect to the Resolution of The House of Commons, such Petition must be confined to the subject to which that Resolution extends, namely, to those claims of the Company specified in the Resolution, of which you are anxious to contest the legality. Any allegations of misuse of their legal powers by the Company must be otherwise dealt with, and could not be inquired into by the tribunal to which the question as to the legal rights of the Company will be referred.

5. I am directed to request that you will favour Lord Grey with your decision on this question as early as you conveniently can.

I have, &c.

(signed) *B. Hawes.*

— No. 10. —

COPY of a LETTER from *A. K. Isbister*, Esq., to Earl *Grey*.

36, Rotherfield-street, Islington,

My Lord, 9 March 1850.

No. 10.
A. K. Isbister, Esq., to Earl Grey, 9 March 1850.

I HAVE the honour to acknowledge a communication from Mr. Under-Secretary Hawes, dated 29th January; in which, as a mode of giving effect to an Address to the Crown from The House of Commons, praying for an inquiry into the legality of certain powers exercised by the Hudson's Bay Company, the course is suggested, that I should petition Her Majesty on the subject of such of those powers as the inhabitants of the Red River colony are desirous of contesting, and, upon the reference of such Petition to the Judicial Committee of the Privy Council, or to the Committee of Trade and Plantations, it would be open to me to appear as complainant in any proceedings which might be instituted before the tribunal to which such reference would be made.

I have felt the necessity of giving a proposition of this importance the most mature consideration, and a lengthened deliberation has but confirmed the opinion I from the first entertained, that, in a matter resting so entirely between Her Majesty's Advisers and The House of Commons, I should not be justified in assuming the responsibility of the course your Lordship has suggested, more especially as Her Majesty's Government, in undertaking to raise and investigate the whole case, has thereby relieved me from the necessity of appearing as a party to the prosecution.

In respectfully declining, for these reasons, the proposal on which your Lordship has been pleased to request my decision, I take the opportunity to add, that

I shall have great satisfaction in affording any information on the subject of the powers exercised by the Hudson's Bay Company, throughout their territories, in any manner your Lordship may suggest, or in otherwise furthering the objects of the inquiry.

I have, &c.
(signed) *A. K. Isbister.*

— No. 11 —

COPY of a LETTER from *B. Hawes*, Esq., to *A. K. Isbister*, Esq.

No. 11.
B. Hawes, Esq., to A. K. Isbister, Esq., 21 March 1850.

Sir, Downing-street, 21 March 1850.

I AM directed by Earl Grey to acknowledge your letter of the 9th of this month, and to make the following observations on it, in order that you may fully understand the view which his Lordship takes of the present position of the questions touching the validity of the Hudson's Bay Company's charter.

2. You were apprised by my letter of the 29th January, that the Address to the Queen, voted by The House of Commons, was to the effect, that such means should be taken as to Her Majesty might seem most fitting and effectual to ascertain the legality of the powers of the Hudson's Bay Company. The means accordingly taken were, to obtain from the Company a statement of its claims, and to submit it to Her Majesty's Law Advisers, who reported that they were of opinion that those claims were well founded. They added, that, with a view to to the fuller satisfaction of The House of Commons and the parties interested, it was advisable to refer these questions to a competent tribunal, and that the proper method of raising the discussion would be, for yourself, or some other person, to address a Petition to Her Majesty, which Petition might then be referred either to the Judicial Committee, or the Committee of Privy Council for Trade and Plantations.

3. Such a Petition appears, therefore, to be essential to the further prosecution of the inquiry. If no petitioner appears, Lord Grey can only rest satisfied with the opinion he has received from the Law Officers of the Crown, and must consider that, in procuring it, he has adopted the most effectual means open to him for answering the requirement of the Address. He is therefore anxious that you should re-consider your letter of the 9th, inasmuch as, should none of the parties who have questioned the validity of the Company's charter, or the extent of its rights, be willing to take the necessary steps for bringing the subject under judicial investigation, he must, in the absence of any parties prepared to contest the rights claimed by the Company, assume the opinion of the Law Officers in their favour to be well founded.

I have, &c.
(signed) *B. Hawes.*

— No. 12. —

EXTRACT of a LETTER from *H. Merivale*, Esq., to *J. M'Loughlin*, Esq., dated Downing-street, 5 April 1850.

No. 12.
B. Hawes, Esq., to J. M'Loughlin, Esq., 5 April 1850.

"I AM directed by his Lordship to acquaint you with the position of the question as it at present stands between Mr. Isbister and the Hudson's Bay Company.

"On the 5th of July last The House of Commons having resolved that an Address should be presented to Her Majesty, praying that such measures might be taken as to Her Majesty might appear most fitting and effectual for ascertaining the legality of the powers claimed and exercised by the Hudson's Bay Company on the continent of British North America, his Lordship called for a report from the Attorney and Solicitor-General. These officers reported their opinion, on the 7th January last, to be, that the claims of the Company were well founded; but they added, that if it was thought desirable to refer the subject to a competent tribunal for

for adjudication, the proper mode would be for some person to embody in a Petition to Her Majesty the objections made to the claims of the Company, and that Her Majesty might then refer such Petition to the Judicial Committee, or to the Committee of Trade and Plantations. Mr. Isbister was accordingly requested to state whether he would undertake the office of preferring and sustaining such a Petition; he has declined the duty, for reasons which he fully explained. Lord Grey has, however, repeated the proposal to that gentleman, informing him at the same time, that if none of the parties who have questioned the validity of the Company's charter, or the extent of its rights, should be willing to take the necessary steps for bringing the subject under judicial investigation, his Lordship must, in the absence of any such opposition to the rights claimed by the Company, assume the opinion of the Law Officers of the Crown to be well founded.

"His Lordship wished these matters to be brought to your notice, in case you may be yourself disposed, either alone or in combination with Mr. Isbister and others, to present such a Petition, with a view to the trial of these questions."

— 13. —

Copy of a LETTER from *J. M'Loughlin*, Esq., to Earl *Grey*.

No. 13.
J. M'Loughlin, Esq., to Earl Grey, 13 April 1850.

My Lords, 4, Donegal-street, Belfast, 13 April 1850.

I have the honour to acknowledge a communication from Mr. Merivale, dated 5th April 1850.

Although well known to me by reputation, Mr. Isbister was personally a perfect stranger to me, till quite recently that I had an opportunity of placing at his disposal some documents relative to the condition of the Red River settlement; I was therefore quite ignorant that a correspondence of the nature described by Mr. Merivale had passed between your Lordship and that gentleman, being under the impression, from the Parliamentary Papers referred to in my last letter, and from reports circulated in Hudson's Bay, that your Lordship had declined to receive any further statements from him. This must plead my apology for having myself intruded on your Lordship's attention in my two previous communications.

With reference to the subject of Mr. Merivale's letter, your Lordship must perceive that it places me in a very embarrassing situation. I was aware that The House of Commons had addressed the Crown to institute an inquiry into the legality of the Hudson's Bay Company's charter, and I was certainly under the impression that, in accepting that Address, the Government had undertaken a full and searching investigation into the validity of the Company's claims; I was therefore not prepared for the suggestion that, as a mode of satisfying the Address, it was competent for me to interfere in a question of such importance, and at my own cost and hazard assume the responsibility of prosecuting a great public corporation, who, in such a case, where the very existence of their monopoly of trade is at stake, would naturally resort to every legal subterfuge, entailing an amount of expense which no private individual would be justified in incurring, for the preservation of their privileges; I was the less prepared for this, as numerous precedents are on record, in the case of the charters of the early American colonies, in which the Sovereign, by writs of *quo warranto*, had repealed such of them as contained powers inimical to the rights and liberties of the subject. It is, of course, competent to any party aggrieved by the proceedings of the Hudson's Bay Company to appeal at any time to the Judicial Committee; but I cannot help entertaining the conviction, that those interested in the question will scarcely consider this is the fitting issue of an Address to The House of Commons.

It is with much regret, therefore, that I feel myself under the necessity of respectfully declining the proposal made to me by Mr. Merivale. At the same time, it will give me great pleasure to contribute every information in my power, and, if necessary, assume any position short of the actual responsibility of the prosecution, with the view of promoting the inquiry. Unless Government is

prepared to defray the expenses of the procedure, I fear your Lordship will have some difficulty in finding persons in this country willing or able to incur that responsibility.

I have, &c.
(signed) *John M'Loughlin.*

— No. 14. —

COPY of a LETTER from *A. K. Isbister*, Esq. to Earl *Grey*.

No. 14.
A. K. Isbister, Esq., to Earl Grey, 16 April 1850.

36, Rotherfield-street, Lower Road, Islington,
My Lord, 16 April 1850.

I HAVE the honour to acknowledge a commuication from Mr. Under-Secretary Hawes of the 21st* March last, stating that your Lordship was anxious that I should re-consider my letter of the 9th, inasmuch as should none of the parties, who have questioned the validity of the Hudson's Bay Company's Charter, or the extent of its rights, be willing to take the necessary steps for bringing the subject under judicial investigation, you must, in the absence of any parties prepared to contest the rights claimed by the Company, assume the opinion of the Law Officers in their favour to be well founded.

* Page 10.

From this communication I collect, that I had previously misapprehended your Lordship's intentions, which I understood to be, not merely that I should present a Petition, in order to originate the investigation into the validity of the Hudson's Bay Company's Charter, but that I should also incur the responsibility and expense of supporting the case to be made against that Charter before the Privy Council.

I am now disposed to think that all which your Lordship intended to require of me was, that I should prepare a Petition, embodying the objections which are considered to exist to such Charter, so as to enable the question to be brought forward in a precise and formal manner, and that then, according to the intentions expressed in the Address to the Queen, voted by The House of Commons, the Government would take upon itself the responsibility of adopting the most fitting and effectual means to ascertain the opinion of the Privy Council as to the legality of the powers of the Hudson's Bay Company.

If I am now right in the view which I have taken of your Lordship's intentions, and you will honour me with an assurance to that effect, I shall lose no time in having the necessary Petition prepared and presented to your Lordship, in order that the proper ground may be laid for commencing the inquiry.

I have, &c.
(signed) *A. K. Isbister.*

— No. 15. —

COPY of a LETTER from *B. Hawes*, Esq. to *A. K. Isbister*, Esq.

No. 15.
B. Hawes, Esq., to A. K. Isbister, Esq., 30 April 1850.

Sir, Downing-street, 30 April 1850.

IN answer to your letter of the 16th of this month, I am directed by Earl Grey to state to you, with as much distinctness as possible (since there appears to have been some misunderstanding on the subject), the course which Her Majesty's Government have adopted, and propose to pursue, relative to the charges against the Hudson's Bay Company.

2. In pursuance of the Address of The House of Commons, praying Her Majesty to take such means as might seem most fitting and effectual to ascertain the legality of certain powers claimed by that Company, Lord Grey called on the Company for a statement of those claims, and laid it before the Attorney and Solicitor-General for their opinion. You are acquainted with their opinion, which was to the effect, that the rights so claimed by the Company properly belonged to them.

3. They

3. They added a suggestion that yourself, or any other party dissatisfied with their opinion, might be recommended to prosecute complaints against the Company by means of a Petition to the Queen, which might be referred to the Judicial or some other Committee of the Privy Council.

4. This offer was accordingly made to yourself. You now appear to suppose that Her Majesty's Government, in making the offer, intended to defray out of public funds the expense which must attend such an investigation.

5. This, however, Her Majesty's Government cannot consent to do. Having been advised by their own Law Officers that the claims of the Company are well-founded, they cannot impose on the public the expense of proceedings which, in the opinion of their own regular Advisers, will prove ineffectual. All that is in their power is, to recommend that those who are dissatisfied with that opinion should pursue the course pointed out by the Law Advisers for questioning it, and to assist, as far as they may lawfully do, in having the question so raised brought to legal determination.

6. But the expense of the steps necessary for this purpose must be borne by the parties who undertake them; and if none of those persons who have brought under the notice of Lord Grey and of Parliament their exceptions to the jurisdiction and power claimed by the Company, are willing to incur such expense, Her Majesty's Government must consider that there are no further steps which it is in their power to adopt for the purpose of ascertaining the legal validity of the claims of the Company.

I have &c.

(signed) *B. Hawes.*

— No. 16. —

Copy of a LETTER from *A. K. Isbister*, Esq., to Earl *Grey*.

36, Rotherfield-street, Lower Road, Islington,

My Lord, 13 May 1850.

No. 16
A. K. Isbister, Esq. to Earl Grey, 13 May 1850.

I have the honour to acknowledge a communication from Mr. Under-Secretary Hawes of the 13th April, in reply to mine of the 16th April, stating, by your Lordship's direction, "the course which Her Majesty's Government have adopted, and are prepared to pursue, relative to the charges against the Hudson's Bay Company."

I am disposed to think either that there is some inadvertence in these expressions, or that some misapprehension exists as to the true state of the question with the Company. Your Lordship will, I am sure, find, upon consideration, that I have neither preferred, nor have I made the slightest allusion to, any charges against the Company; nor can I discover any reference to such charges in the Address of The House of Commons.

If, as I have reason to believe, your Lordship means to refer to the complaints of the Red River colonists, I would respectfully beg to remind you, that the decision upon these complaints was given and forwarded to America before the Session of Parliament in which the Address to which effect is now to be given was voted.

It will not be deemed unnecessary to recall these particulars to your Lordship's attention, as it is of great importance to have it clearly understood that the Address of The House of Commons was not the result of any complaints or charges made through me, nor of any representations addressed to Her Majesty's Government, and laid before Parliament, against the Hudson's Bay Company.

The attention of The House of Commons appears to have been directed to the question of the validity of the Company's charter on far higher grounds—on their opinion that the grant of a monopoly of trade, without the sanction of Parliament, was an unconstitutional exercise of the prerogative; and that if such was the character of the Company's charter, it must be regarded as an usurpation of the rights of British subjects, and to be in contravention of the laws of England.

It can hardly be supposed that, in calling upon Her Majesty's Government to bring a question involving a principle of this importance to a legal determination

mination, The House of Commons would be unprepared to defray the expense with which such an investigation must necessarily be attended; still less can it be imagined that Parliament could ever contemplate, that, after Her Majesty's Government had undertaken the inquiry, an individual should be called upon to sustain the burden of it, as is now required of me by your Lordship. I have already expressed, and now again repeat, my willingness "to assist, as far as I may lawfully do, in bringing the question to a legal issue;" but I must be permitted respectfully to suggest, that the duty your Lordship desires to impose upon me is not "to assist," but to assume the entire responsibility of the investigation.

While these reasons would in themselves be sufficient to prevent my assuming a position apparently so different from that which must have been intended, there are other considerations which would equally incline me to this determination. The Address of The House of Commons provides for an inquiry, not merely into the powers to which, for a present and specific object, the Company may deem it prudent to limit their claims, but into those actually "exercised" by them, of which latter question it is observable that Mr. Hawes makes no allusion in his letter to me.

To attempt to carry out the object of The House of Commons, by applying to the Hudson's Bay Company for a statement of their claims, upon which to found an opinion that shall have the force of an authoritative decision, scarcely seems to be in unison with their views. Nor can it be supposed that the opinion of counsel, however eminent, on an *ex-parte* statement will confer much authority on a doubtful question of law, more especially on the present occasion, where equally eminent authority is arrayed in support of an opposite conclusion.

Regarding The House of Commons, therefore, as the proper judges as to the extent to which the course hitherto adopted, and now proposed to be pursued, by your Lordship is calculated to give effect to their object in the Address which they have presented, I must, for my own part, beg leave once more, and finally, to decline taking up the investigation at the stage to which it has now arrived. The only result which I could foresee from undertaking the task which it is sought to impose upon me, would be, to enable those whose opinions on the question for decision are totally at variance with my own, and over whom, at the same time, I should not be able to exercise the smallest control, to carry out their peculiar views as to the Company's charter at my expense, and thus entirely defeat, instead of promoting, the inquiry demanded by Parliament.

I have, &c.

(signed) *A. K. Isbister.*

P. S.—I shall feel obliged by your Lordship's informing me, at your earliest convenience, whether you consider the present communication as concluding the correspondence with which you have been pleased to honour me.

—No. 17.—

COPY of a LETTER from *B. Hawes*, Esq. to *A. K. Isbister*, Esq.

No. 17.
B. Hawes, Esq., to A. K. Isbister, Esq., 31 May 1850.

Sir, Downing-street, 31 May 1850.

WITH reference to the inquiry contained in the postscript of your letter of the 13th instant, I am directed by Earl Grey to acquaint you, that his Lordship considers the correspondence between yourself and his department on the subject of the Hudson's Bay Company as closed.

I have, &c.

(signed) *B. Hawes.*

—No. 18.—

EXTRACT of a LETTER from Sir *J. Pelly*, Bart. to the Right. hon. Earl *Grey*; dated Hudson's Bay House, 31 May 1850.

No. 18.
Sir J. Pelly, Bart., to Earl Grey, 31 May 1850.

"PERMIT me at the same time to state, that the Company's ships for Hudson's Bay are appointed to sail on the 8th June, and that it would be of the utmost importance

importance if the decision of the Privy Council on the rights and privileges of the Company were sent out by that opportunity, and the Governor directed to issue a proclamation agreeable to the tenor of the decision, which would, in my opinion, greatly tend to allay the excitement in which a portion of the half-breed inhabitants have been kept."

— No. 19. —

EXTRACT of a LETTER from *B. Hawes*, Esq. to Sir *John Pelly*, Bart; dated Downing-street, 6 June 1850.

No. 19.
B. Hawes, Esq., to Sir J. Pelly, Bart., 6 June 1850.

"WITH reference to your observation, 'that it would be of the utmost importance if the decision of the Privy Council on the rights and privileges of the Company, were sent to Hudson's Bay by one of the ships appointed to sail on the 8th instant,' I am to remind you, that the proceedings for the purpose of giving effect to the Resolution of The House of Commons of 5th July 1849, have not led to any reference to the Privy Council, and that the question raised by that Resolution stands in the following position:

"Steps having been taken, as you are aware, to obtain from the Hudson's Bay Company a statement of its claims, that statement was duly submitted to Her Majesty's Law Advisers, and Her Majesty's Government received from them a report that the claims of the Company were well founded. It was observed in that report that, with a view to the fuller satisfaction of The House of Commons, and the parties interested, it would be advisable to refer the inquiry to a competent tribunal, and that the proper method of raising a discussion upon it would be for some person to address a Petition to Her Majesty, which Petition might then be referred either to the Judicial Committee, or the Committee of Privy Council for Trade and Plantations.

"Such a Petition was, therefore, essential to the complete prosecution of the inquiry; Lord Grey accordingly gave to certain parties in this country, who had taken an interest in the condition of the inhabitants of the Hudson's Bay Company's Territories, and had questioned the validity of the Company's Charter, an opportunity to prefer the necessary Petition if they were so disposed; but, for reasons which it is unnecessary to repeat, they respectively declined to do so. Lord Grey having, therefore, on behalf of Her Majesty's Government, adopted the most effectual means open to him for answering the requirements of the Address, has been obliged, in the absence of any parties prepared to contest the rights claimed by the Company, to assume the opinion of the Law Officers of the Crown in their favour to be well-founded."

— No. 20. —

COPY of a LETTER from *A. Barclay*, Esq., Secretary to the Hudson's Bay Company, to *B. Hawes*, Esq.

Sir, Hudson's Bay House, 20 June 1850.

I AM directed to acknowledge the receipt of your letter to the Governor of the Hudson's Bay Company, dated the 6th instant, relative to the proceedings for ascertaining the rights claimed by the Company.

I have, &c.

(signed) *A. Barclay*, Sec^{y}.

MAP OF NORTH AMERICA.

On this Map, the Territories claimed by the Hudsons Bay Company, in virtue of the Charter granted to them by King Charles the Second, are coloured Green. The other British Territories Pink, & those of Russia Yellow.

John Arrowsmith

English Miles. 50 100 200 300

Nº 542

Ordered — by The House of Commons to be Printed. 12th July, 1850.

Henry Hansard, Printer.

PAPERS relating to the Legality of the Powers in respect to TERRITORY, TRADE, TAXATION and GOVERNMENT claimed or exercised by the HUDSON'S BAY COMPANY, on the Continent of *North America*, under the Charter of CHARLES the Second, or in Virtue of any other Right or Title.

Ordered, by The House of Commons, *to be Printed*,
12 *July* 1850.

[*Price* 9*d.*]

542.

Under 3 *oz.*

EMIGRATION.

RETURN to an Address of the Honourable The House of Commons, dated 21 March 1850;—*for*,

"COPY or EXTRACT of a DESPATCH, dated the 11th day of February 1850, transmitting the Copy of a REPORT from the Chief Agent of Emigration in *Canada*, for the Year 1849, and other Documents containing Information upon the Facilities afforded to EMIGRANTS from *Europe* for reaching the Interior of the Province by the Completion of the *St. Lawrence* Canals."

Colonial Office, Downing-street, 25 March 1850.

B. HAWES.

(*Mr. Wyld.*)

Ordered, by The House of Commons, *to be Printed*, 25 *March* 1850.

SCHEDULE.

PAGE.

The Earl of Elgin. 11 February 1850. No. 152.—Enclosing Report of the Chief Agent for Emigration for the year 1849; and calling attention to the facilities for the Transport of Emigrants from Europe by the completion of the St. Lawrence Canals - - - 3

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COPY or EXTRACT of a DESPATCH, dated the 11th day of February 1850, transmitting the Copy of a REPORT from the Chief Agent of Emigration in *Canada*, for the Year 1849, and other Documents containing Information upon the Facilities afforded to EMIGRANTS from *Europe* for reaching the Interior of the Province by the Completion of the *St. Lawrence* Canals."

(No. 152.)

COPY of a DESPATCH from the Earl of *Elgin and Kilcardine* to Earl *Grey*.

Earl of Elgin and Kincardine to Earl Grey, 11 February 1850.

Government House, Toronto, 11 February 1850.

My Lord, (Received 5 March 1850.)

I HAVE the honour to transmit herewith the copy of a Report from the Chief Agent of Emigration for the year 1849, and of a letter addressed to my Secretary by the Commissary General on the same subject; both these documents contain much interesting information. It is satisfactory to observe, that while the emigration service for the year has been efficiently conducted, a reduction in the expenditure incurred on its account has been effected.

28 December 1849. Enclosure 2, p. 25.

2. The Minute of Council which accompanies Mr. Buchanan's Report, calls particular attention to the facilities for the transport of emigrants from Europe to the interior of this continent afforded by the completion of the St. Lawrence Canals. Passengers may now be conveyed from Quebec during the summer months, to cities in the Western States many hundred miles distant from the Atlantic, in comfortable vessels, of considerable tonnage, expeditiously, economically, and without transhipment. It is very important that this fact should be generally known, not only with a view to the interests of the revenue and trade of the provinces but also to those of its settlement; for it cannot be doubted that the advantages which this province offers to settlers with a moderate capital, would soon be better and more widely appreciated if a portion of the tide of immigration which now flows through New York were directed to this channel.

Page 24.

I have, &c.

(signed) *Elgin and Kilcardine.*

Enclosure No. 1.

CANADA.—REPORT ON EMIGRATION, 1849.

To the Right Honourable the Earl of Elgin and Kincardine, Governor-General, &c. &c.

Office of Her Majesty's Chief Agent for the Superintendence of Emigration to Canada, Quebec, 28 December 1849.

My Lord,

I HAVE the honour to submit to your Excellency, for the information of Her Majesty's Government, my Annual Report relating to the Emigration to this Province during the season of 1849, accompanied by the usual Statistical Tables.

Enclosure, No. 1.

From the first Table in the Appendix, it will appear that the total number of souls embarked as steerage passengers was 37,489, and that the births on the passage were 76, giving a total of 37,565 souls. The deaths on the passage were 868, and those in quarantine 154, making the total mortality 1,022, and leaving, as the number of emigrants from the United Kingdom and the Continent landed in the province, 36,543. 964 persons arrived from New Brunswick and other ports in the Gulf of St. Lawrence, and 897 persons from Europe were classed as cabin passengers, giving as the total number of persons arrived in the colony, 38,494. This total, when compared with that of 1848, shows an increase of 10,555 souls, equal to 72½ per cent.

Total embarkation, and landed.

The following is a comparative statement of the emigration of the past two years; viz.

	1848.	1849.
From England - -	6,034	8,980
„ Ireland - - -	16,582	23,126
„ Scotland - -	3,086	4,984
„ Germany - -	1,395	436
„ Lower Ports - -	842	968
	27,939	38,494

The increase on the emigration from England being nearly 50 per cent., Ireland about 40 per cent., and Scotland nearly 62 per cent. The Continental ports, on the other hand, show a decrease of 69 per cent.

From the Return already alluded to, Table No. 1, it will appear that the number of vessels engaged in the passenger-trade from Europe generally was 347, measuring 131,899 tons, and navigated by 5,567 seamen. Of this number 35 vessels (15,062 tons) brought out exclusively cabin passengers. Of the remainder, 80 had less than 20 adults as steerage passengers; 33 had from 20 to 50; 87 above 50 and under 100; 49 under 150; 24 under 200; 11 under 250; 14 under 300; 12 under 400; and two had over 400 adults on board.

The adult passengers on board the whole number of vessels (347) were 31,145; while these vessels, according to their tonnage and measurements, would have been permitted under the Passenger Act, to carry, exclusively of their crews, 60,382. The 134 ships from England might have legally carried 16,569 passengers more than the number embarked; the 59 vessels from Scotland might have carried 8,212 more than they had on board; the vessels from Irish ports were 150, and these were filled to within 3,852 adult passengers; and the four vessels from Continental ports had their legal number to within 104.

The average passages were, from England, 45 days; from Ireland, 45¼; from Scotland, 41¼; and from the Continental ports, Hamburg and Wismar, 49 days.

Mortality.

The emigration of 1849 shows a considerable increase in the mortality in comparison with that of 1848; viz.

	1848.	1849.
Deaths at Sea - - -	273	868
Ditto in Quarantine - -	112	154
	385	1,022

The deaths on the passage were equal to 2·32 per cent. on the whole number of steerage embarked; those at quarantine were equal to 0·41 per cent., making the mortality amount to the proportion of 2·73 on every 100 souls embarked, being an increase on that of 1848 of 1·38 per cent.

In connexion with the subject of the mortality suffered by the emigration of 1849, the cases of several vessels and their passengers which are particularized in the notes appended to my periodical returns throughout the season, may be referred to. In general, the sickness at sea was quite within the usual average, and the deaths confined to the class of infants and young children or very weakly adults. But there was one case of extensively fatal ship-fever, that of the "Circassian," from Greenock; and there were several instances in which cholera had produced the most extensive ravages among the passengers within a very short space of time. The deaths from cholera on board three vessels from Limerick arrived in May—the "Lady Peel," the "Jane Black," and the "Jessie"—carrying 1,018 passengers, were no less than 103. Those on board the "Jane," from New Ross, with 372 passengers, were 33. Those on board the "Sarah," from Sligo, with 288, were 38. It is in the deaths caused by cholera that the mortality of the season has been increased so considerably beyond the proportion observed in 1848; the cases which are here noted in themselves accounting for a great part of the difference.

The Medical Department of the Quarantine Establishment will doubtless report all the peculiar circumstances connected with the appearance of cholera on board the Quebec passenger-ships, and its effects also after it had declared itself at Grosse Isle. Some of these circumstances are of great interest in relation to the continued inquiry into the nature of this fatal epidemic, but necessarily require to be treated of by a member of the medical profession.

The number of adult persons comprehended by the emigration embarked was males, 13,490, and females, 10,972; total 24,462. The mortality among this class on the passage was, males, 212; females, 201; total 413, equal to 1·73 per cent. The deaths in quarantine were 70 male and 45 female adults, making a per-centage of about 0·53 on the reduced number. The total deaths at sea and in quarantine, amongst the adult classes of the emigration, were 528, equal to 2·20 per cent. on the numbers embarked, and showing an increase in the ratio of mortality of about 1·20 per cent. over 1848.

The number of children under 14 years and infants embarked is as follows; viz., male children, 5,915; females, 5,486; infants of both sexes, 1,626. The births at sea were 76, making the total number of children, 13,103. Of these there died at sea altogether 455, being

being in the proportion of 3·47 per cent. Of the remainder there died in quarantine, 39, being 0·3 per cent. The whole mortality amongst the class under 14 was 493, or 3·78 per cent. being an increase of 1·45 per cent. over that of 1848.

In the next Table, No. 2 of the Appendix,* will be found a Return of the same Passenger-ships, showing the Number of Vessels from each Port and Country, the Total Number of Emigrants from each Port, with the Deaths on the Passage and in Quarantine. * Page 13.

The deaths on the passage and in quarantine from among 4,471 emigrants from England, excluding Liverpool, were 30, equal to 0·69 per cent.; those among 27,660 from Ireland, including Liverpool, since, as in former years, the emigrants from this port are almost altogether Irish, were 898, equal to 3·25 per cent.; those on 4,919 from Scotland were 91, equal to 1·86 per cent.; those on 439 from the Continental ports were 3, equal to 0·67 per cent.

The greatest proportionate mortality occurred on board of vessels from the ports of Newry, Limerick, Dublin, Liverpool and Greenock. Among 851 persons from Newry, the deaths were 61, equal to 7 per cent.; those among 7,285 from Limerick were 353, equal to nearly 5 per cent.; of 2,274 from Dublin, 91 died, or 4 per cent.; of 4,405 from Liverpool, there died 99, equal to 2¼ per cent.; of 625 from Greenock, 79 died, being upwards of 12½ per cent., or one-eighth of the number embarked.

The mortality from cholera, which has been already noticed, materially affects several of these results, so as to render them of less value than they might have possessed, if the deaths had been referable to diseases of a single class, or to one original cause. The port of Limerick has never before presented so large a proportionate mortality in its emigrants on the passage; and no fair conclusion is now to be drawn from its average for the past season. A large number of the Limerick vessels suffered more or less from cholera; and the deaths in three vessels alone were sufficient to affect this average in a sensible degree. The Greenock emigration of the year was of very limited number, and the deaths appear disproportionate, in consequence of one fatal case, the "Circassian." For the details of this case I beg to refer to the Report of 31st August,† included in the Appendix. It will be found to comprehend some peculiar circumstances, which, however, as they are important rather in a medical point of view than in connexion with the general superintendence of the emigration, I leave for remark to the Quarantine Department. † Page 22.

I have had with regret to report the total loss, in the course of the past season, of two emigrant vessels bound to this port, both cases being attended with a serious loss of life. Shipwrecks.

The brig "Hannah," from the port of Newry, was lost in the ice on the night of the 29th April. As there is not an Emigration Officer stationed at the port of Newry, I did not receive a copy of the Passenger List, and the one in possession of the master was lost with the vessel, I am therefore unable to state correctly the number of persons she had on board; but according to the best information I was enabled to obtain, it would appear that she sailed with 176 passengers; 14 persons went down with the vessel, and 35 perished subsequently from exposure. After being on the ice for 10 hours, the remainder were rescued from their perilous situation through the courage and humanity of Captain Marshall of the "Nicaragua." In the course of the same and following day, the "Nicaragua," not having accommodation for so many, they were distributed on board the following ships:—"Broom," Captain White: "Lord Byron," Captain Campbell; "Aldebaran," Captain Barras; and the "Port Glasgow," Captain Blandford; and experienced every kindness until their arrival at Quebec. The whole party on arrival were found to be almost destitute of clothing. A private subscription was, however, entered into for their relief; and the amount of this, with the head-money returned by Messrs. Hyde and M'Blain, the agents for the charterer of the ship, altogether 80*l.* 17*s.* 6*d.*, I divided among the survivors, in addition to several donations of clothing, which proved of essential service to them.

The other vessel was the brig "Maria," from Limerick, with 111 passengers, and a crew of 10 seamen. She foundered at sea on the night of the 12th of May, in consequence of her coming in contact with sunken ice. Only nine passengers and three of the crew were saved, through the means of the ship "Roslyn Castle," Captain Saddlier, from Falmouth, and brought up to this port. The total loss by these two disasters amounted therefore to 151 lives.

I have found it necessary to take proceedings against the masters of several passenger-vessels, for nonfulfilment of contract or infringement of the Passenger Act. Complaints against emigrant vessels.

The passengers by the following vessels from Liverpool; viz.:

Helen	Jackson,	master.
City of Lincoln	Rigby	„
Kalmia	Gilpen	„
Argo	Smith	„
Larch	Wilson	„
Aunt Mary	Baxter	„
Forfarshire	Platt	„

complained that they were induced to take passage in these vessels by a promise made on the part of the ship-broker at Liverpool, that they would receive, throughout the voyage, the New York scale of ship's allowance, which includes one pound of salted pork per week; and they produced shipping-tickets expressing these terms of contract. The ships, it was admitted, had confined the issue of provisions to the scale established by the Imperial Passenger Act, in which this allowance of pork does not occur. Upon ascertaining these facts, I caused the institution of legal proceedings by the Crown Law Officer, and in the

two last-enumerated instances, judgment was pronounced against the defendants, on the complaint for nonfulfilment of contract in respect to scale of provisions, as well as for a delay after the published period of sailing. In all the other cases the masters of the vessels readily compromised the matter, by refunding the full value of the allowance not supplied, for which they reserved a claim on the shipping broker.

Proceedings were instituted for various infringements of the Passenger Act against the following vessels; viz.:

Richard Watson - - - - - - - -	from Cork,
Josepha - - - - - - - - - -	„ Westport,
Sleepless - - - - - - - - -	„ Limerick,
Friendship - - - - - - - - -	„ Dublin,
Prompt - - - - - - - - - -	„ Limerick,

in all of which cases, however, satisfactory compensation was made to the complainants, so as to cause the discontinuance of the actions.

The Emigration Officer at Liverpool having reported that the ship "Wave" had cleared from his port with passengers, without having complied with the regulations of the Act, I entered proceedings against the master on arrival here. It was found that she had a number equal to 36 adult passengers on board, while her tonnage being 638, she could carry no more than 25½, without coming under the regulations of the Act. Proceedings were accordingly taken; and the captain having confessed judgment, he was fined 5 *l.*, with costs. It is proper to add, that it appeared that the passengers had been fully supplied during the passage, according to law.

The only other complaint made during this season was by the passengers of the "Circassian," from Greenock. These passengers had agreed with the charterers, Messrs. Reid and Murray, after having paid their passage, that for an additional sum of 10 *s.* sterling, the payment of which was endorsed on their passenger-tickets, they should be furnished with provisions according to a specified scale. The vessel had a long passage, having sailed from Greenock on the 14th June, and reached Quebec on the 29th August, making 77 days, of which period she was 17 days in quarantine. It would appear that provisions had been put on board only sufficient for six weeks, and, at the expiration of that time, the passengers were placed on short allowance, and had to purchase from the master all the articles they required, beyond the pound of bread-stuff required by law to be supplied by the vessel. On their arrival here, a claim for the arrears of provisions was made; but I found that an action for its recovery could not be sustained against the master; the passengers, therefore, assigned over their claim before a notary public, with the view to proceedings being taken in Glasgow against Messrs. Reid and Murray, as the parties liable for nonfulfilment of contract.

The "Circassian" has been already mentioned as presenting one of the instances of the largest proportionate mortality which the season has afforded; and such a result seems necessarily to have followed a tedious passage, with a deficiency of food. The operation of the amended Imperial Passenger Act, containing most stringent enactments with reference to supplies of suitable provision to passengers, will, it may be confidently hoped, preclude he recurrence of a similar disastrous case.

Assistance of emigration.

Table, No. 3,* is a Statement of the Number of Persons who have received Assistance, either from their Landlord or from their Parish, in furtherance of their Emigration.

* Page 16.

The number sent out from England under the superintendence of the Poor Law Commissioners, and who received 1 *l.* sterling each adult on landing, was 442, the amount paid being 348 *l.* sterling; and 88 were aided by their respective parishes, either with a free passage or a small donation in money.

From Scotland the number who were assisted was ascertained to be 1,859, being an increase of 1,264 over the same class in 1848. Of this number 579 were sent out by his Grace the Duke of Argyle, from the islands of Tyree and Mull, and were provided with a free passage to Montreal. From that point, owing to their very apparent destitution, they were forwarded by this department to Hamilton, and from thence, through the assistance of the authorities at Hamilton and private individuals, were provided with land transport to Fergus, in the Wellington district.

The public prints having contained a notice from the "Inverness Advertiser," headed "Dreadful Sufferings of the Tyree and Mull Emigrants," which referred to this party, inquiry was made by the department into the correctness of this statement, and I feel satisfied the distresses of these people have been greatly exaggerated. Some of them were detained a few days at Hamilton until conveyance could be procured, but they did not suffer more than what may be considered inevitable under similar circumstances. The case was one of very common occurrence. A certain provision had been made by or for these emigrants, which, applied as far as it would go, left them still short of their destination. They formed a numerous party, and having advanced together to the limit of their funds, became at once exposed to some privation themselves, while they proved a considerable burthen on a particular confined neighbourhood. Eventually, through the humane exertions and the liberality of private individuals, the whole party were conveyed forward to their place of settlement.

On board the "Atlantic," from Ardrossan, there were 209 persons sent out by Mr. Chisholm, from South Uist, who were provided with a passage to Montreal, and in the "Tuskar," from Stornaway, there were 496 persons from Loch Borisdale, Isle of Lewes, sent

sent out by Colonel Gordon, provided with a passage to this port only. With the exception of 12 families, 50 persons, who, it was ascertained, had some small means, the whole of these people were destitute and required to be forwarded to their destination by this department.

Those by the "Cashmere" and "Water Hen," from Glasgow, were sent out by Lord Macdonald, from North Uist, 234 persons, who also became chargeable on the Emigrant Fund on landing at Montreal.

Three hundred and forty-one persons, on board the "Liskeard," from Inverness, were aided to emigrate by their landlord, Mr. Baillie, M.P., who not only provided them with a free passage to this port, but furnished, in addition, full means for their inland transport to their respective destinations.

The number aided in their emigration from Ireland was 4,992, being an increase over the same class in 1848 of 2,487. Of this number 126, it was ascertained, had been sent out by the Poor Law Unions. They were well provided, and received from 10*s.* to 20*s.* each person, to assist them in reaching their destination. This sum, however, was, with a few exceptions, paid to them on their embarkation, and it was ascertained that many had expended the greater part of the amount previous to their arrival, and were consequently without means of proceeding beyond this port; those, on the contrary, who received the money on arrival here, were enabled at once to proceed to their destination, and thus avoid all inconvenience or suffering.

The number of persons assisted to emigrate from the port of Dublin was 904, sent out by the following Unions; viz.—

Baltinglass Union	271	
Athy Union	200	
Naas Union	305	
Davidstown Union	65	
Ballinderry Union	63	
	——	904

From Belfast, 124; viz.—

Magherafelt Union	22	
Coleraine Union	57	
Ballycastle Union	30	
Downpatrick Union	15	
	——	124

From Liverpool, 61; viz.—

Londonderry Union		61

These latter received 10*s.* each through this office on their arrival.

From Sligo, 62; viz.—

Manorhamilton Union (all young women)		62

From Londonderry, 74; viz.—

Letterkenny Union	62	
Newtonlimavady Union	12	
	——	74

From Limerick, 36; viz.—

Kerry Union	20	
Kilrush Union	16	
	——	36
		1,261

The number who appear to have been assisted by private individuals in Ireland, was 3,543, who sailed from the following ports; viz.—

Waterford and New Ross	1,213
Limerick	1,137
Dublin	577
Liverpool	255
Newry	233
Donegal	51
Sligo	40
Belfast	33
Westport	4

The great majority of these people were landed in extreme poverty. In some instances a small sum of money had been given each family to aid their outfit; but generally nothing beyond a passage had been provided.

There were sent out from Galway, in the ship "Northumberland," by the Quit-Rent Office, 188 persons, who received on landing 20*s.* each adult, amounting to 136*l.* sterling, through this office.

 The

The amount of landing-money paid during the past season, under the superintendence of this department, was as follows:—

	£.	s.	d.
To 394 persons from England	348	–	–
To 404 „ „ Ireland	215	15	–
To 341 „ „ Scotland	100	–	–
1,139 persons	£. 663	15	– sterling.

Callings of emigrants.

* Page 18.

Table, No. 4,* contains a Return of the Adult Male Emigration, distinguishing the Trades and Callings. The total of males embarked was 13,822. Of these there appear to have been 1,092 artizans or tradesmen; domestic servants, 78; farmers and farm-servants, 6,264; and unskilled labourers, 6,388. Of the artizans and tradesmen, 113 were miners from Cornwall, whose destination was chiefly the Western States.

Hospital assistance.

† Page 18.

Table, No. 5,† presents a general Hospital Return, showing the number of Emigrant Patients admitted for Medical Relief at the Quarantine Establishment, up to its close on the 20th November; at the Marine and Emigrant Hospital, Quebec; and at the General Hospital, Montreal; from which it appears the total number of cases under treatment, during the season in Canada East, was 1,549, and the total of deaths, 284; in Canada West, the cases amounted to 549, and the deaths to 294.

Distribution of emigrants.

‡ Page 19.

Table, No. 6,‡ is an approximate View of the Distribution of the Emigrants. It is not offered as strictly correct, for there exist no data from which a return of this nature may be compiled with accuracy. A comparison of the numbers ascertained to have landed at the several places of debarkation along the great line of water-communication, with the numbers who have subsequently proceeded from the same points, westward, in the course of the season, is the groundwork of the return for Canada West; but this result is in many cases modified upon representations of the local agents, under circumstances within their personal knowledge. For Canada East, the numbers are necessarily estimated only; the emigration into the United States is ascertained from steamboat and railroad returns.

The total number of souls landed in the province, at the port of Quebec, was 38,494.

The number of persons absorbed into the population of Quebec and its neighbourhood, is estimated at	400		
There proceeded to the Eastern Townships by the direct route of Port St. Francis	100		
At Montreal, in the city and surrounding district, chiefly on the southern side of the St. Lawrence, there have remained about	2,500		
Total remaining in Canada East		3,000	
The number of Emigrants ascertained to have gone to the United States, *viâ* St. John's, is		5,305	
			8,305
The remainder, proceeding to Canada West, appear to have disposed of themselves as follows; viz.			
At Bytown, the Rideau and Ottawa District		1,017	
At Kingston, Midland, Prince Edward and Victoria District		2,160	
At Cobourg, Newcastle and Colborne District		3,632	
At Toronto, Home and Simcoe		11,520	
At Hamilton, Wellington, Gore, Brock and London District		6,330	
At Niagara, Niagara District		2,028	
Total remaining in Canada West			26,687
After reaching Canada West there proceeded to the Western States	5,172		
From which however there must be deducted, who arrived in Canada *via* the United States	1,700		
		3,472	
And there proceeded to New Brunswick, &c.		30	
			3,502
			38,494

It is proper to remark here, the number set down as having proceeded to the United States, whether from Lower Canada or the Upper Province, are intended to cover those of the year's emigration only who so proceeded.

§ Page 19.

Table, No. 7,§ shows the Amount of Emigration landed in the Province from the year 1829 inclusively. The total number landed at the port of Quebec since that period has been 622,761, affording an average of 29,684 per year for 21 years past.

Expenditure of the department.

The total expenditure of the Emigration Department, including the expenses of the Grosse-Isle establishment, which are now borne by the fund supplied from the proceeds of the

the emigrant tax, amounts of 10,643 *l.* 0 *s.* 6 *d.* Of this sum there was disbursed by the Commissariat Department, for the expense of the Quarantine Establishment, 3,163 *l.* 10 *s.* 2 *d.*

The balance was disbursed for emigration purposes through the Agents of this Department, as follows; viz.

		£.	s.	d.
For Transport	£. 5,205 8 9			
For Provisions	653 4 10			
For Hospital Expenses	490 14 4			
For Agencies	1,130 2 5			
		7,479	10	4
		£. 10,643	–	6

At the Quebec Agency, the outlay was—				
For Transport	£. 1,283 4 10			
For Provisions	155 1 8			
For Hospital Expenses	75 – –			
For Agency, &c.	175 – –			
		1,688	6	6
At Montreal—				
For Transport	1,758 11 4			
For Provisions	89 15 1			
For Agency	201 6 11			
		2,049	13	4
At Kingston—				
For Transport	1,644 11 5			
For Provisions	254 13 4			
For Hospital Expenses	295 17 7			
For Agency	254 4 2			
		2,449	6	6
At Toronto—				
For Transport	519 1 2			
For Provisions	153 14 9			
For Hospital Expenses	119 16 9			
For Agency (to 31st October)	499 11 4			
		1,292	4	–
		£. 7,479	10	4

The number of persons forwarded from—	Adults.	Average Cost per Adult.
Quebec to Montreal, was	6,373	3/4
Quebec to Kingston, and intermedtate places	1,158	6/6¾
Quebec to Toronto, and Ports on Lake Ontario	221	11/1¼
Quebec to Lower Ports	15	25/
	7,767	
Montreal to Kingston, and intermediate places on the St. Lawrence	9,296	3/5
Montreal to Bytown, *viâ* the Ottawa	748	3/3¾
Montreal to St. John's	381	2/6
	10,425	
Kingston to Cobourg and Port Hope, Toronto, Darlington and Windsor	8,063	4/4½
Toronto to Niagara, Queenston, Hamilton, Oakville and Wellington	4,131	2/6⅛

These statements, when compared with those of 1848, show a large diminution in the amount of assistance rendered throughout the Province.

The comparison appears as follows:—

	Adults Assisted.	Amount of Expenditure for Transport.
1848	29,476	£. 8,155 1 11
1849	30,386	5,205 8 9
Decrease		£. 2,949 13 2

The

The Total Expenditure, exclusive of the Quarantine Charges in 1848, was	£.	13,406	9 1
Ditto - - - ditto - - - ditto - - 1849, was		7,479	10 4
Decrease in 1849 - - -	£.	5,926	18 9

The average cost of the assistance rendered was, for the emigration landed in 1848, 10 *s.* 2 *d.*; in 1849, 4 *s.* 1 *d.*

It is not to be overlooked, however, that the reduction in the expenditure during the past season may be attributed partly to the closing of the agencies at Cobourg and Hamilton, but chiefly to the low rates of transport caused by the competition on the lake and river route between Montreal and Toronto, which continued from the opening of the navigation to the 16th July. The increased number of steamers plying direct from Quebec to the ports on Lake Ontario has also tended to render the rates of transport more reasonable. In the course of the ensuing season of 1850, a further considerable addition, it is expected, will be made to this class of vessels, so that I am in hopes the facilities of transport will be further increased, and that the competition will secure to the emigrants comfortable accommodation at a very reasonable rate. During the past season many of the German emigrants and others, whose destination was the Western States, were able to secure transport direct, and without transhipment from this port to Cleveland on Lake Erie, at the low rate of six dollars, 24 *s.* sterling each adult.

Emigrant tax, &c.

The emigrant fund of 1849 has been constituted of the amount of duty levied under the Provincial Act passed last session, 12 Vict. c. 6, and the sum of 1,500 *l.* sterling, the Imperial appropriation for the payment of the agents' salaries.

The duty realized in the course of the season was as follows:—

				£.	s.	d.
At Quebec:						
On 24,136 Adults, at 7 *s.* 6 *d.* - - - - - -				9,051	–	–
„ 8,200 Children, 5 to 15 years, at 5 *s.* - - - -				2,050	–	–
„ 246 Uncertified, at 50 *s.* - - - - - -				615	–	–
Post entry from last year - - - - - - -				5	–	–
			£.	11,721	–	–
At Montreal,						
737 Adults, at 7 *s.* 6 *d.* - - - -	£.	276	7 6			
204 Children, 5 to 15 years, at 5 *s.* - - -		51	– –			
1 Uncertified, at 40 *s.* - - - - -		2	– –			
				329	7	6
Total Tax received - - - - - - - -				12,050	7	6
Imperial appropriation, £.1,500 sterling, at 24 *s.* 4 *d.* -				1,825	–	–
			£.	13,875	7	6

On a comparison of this amount of resources with the amount expended by the department it would appear that a balance of 3,232 *l.* 7 *s.* would remain applicable to the purposes of the ensuing year. The accounts, however, which are here embodied into the annual statement, are necessarily made up by anticipation in some degree, to the 1st November only, and there may prove to have been some omissions in them. I have also to remark that the charges involved in the admission into the Marine Hospital at Quebec of 386 emigrant patients, have not been stated by that establishment. The cost of certain additional buildings, and of various repairs executed under the superintendence of the Board of Works at Grosse Isle, has not yet been ascertained. Allowing, however, by estimate, a sum to cover these items of charge incurred, I conclude, that about 2,000 *l.* will remain of the fund realized available for next year's service.

With more particular reference to the question of comparative expense in the two seasons, I beg to offer the following Abstract.—In 1848, the emigration embarked for Canada was 27,423; in 1849, it was 38,472. The expense of medical assistance provided in these two years amounted respectively to 5 *s.* 9 *d.* and 2 *s.* for each emigrant. The transport furnished in 1848, cost, on the average of the whole, 6 *s.* 2 *d.* per head; in 1849, the average cost of transport is 2 *s.* 10 *d.*; the average cost of provisions has been reduced from about 9 *d.* to about 4¼ *d.* per head: and the number of agencies in Canada West having been reduced, while the emigration has proved more numerous, the average cost for superintendence is of course diminished; it stands for the two years as 1 *s.* 11 *d.* per head compared with 1 *s.* The entire expenditure of the department, under all these heads, produced, in 1848, an average cost for each emigrant embarked, amounting to 14 *s.* 7 *d.*; in 1849, the similar average is 6 *s.* 2¼ *d.*

General remarks.

There is in these results of the year's transactions much encouragement to the continuance of the attempt to confine the assistance to cases of sickness. The advanced period of the past season at which it was resolved to make such an attempt, and the further delay which it was foreseen would take place in making known the limitation throughout the provinces of the United Kingdom, were the grounds upon which a discretionary power was extended to the Emigration Department for the transport inland of such persons as might appear in destitution. The moderate amount of the emigration, and the comparatively favourable condition in which it arrived, in regard to health, afforded

to

to the officers of the department fair means to exercise the closest scrutiny into every case, and no room was allowed for imposition under any circumstances. It may be possible still further to limit the application of this public aid, without risking a return of the state of things to guard against which it was originally extended; and with this view every opportunity has been employed to make it known that the Government will no longer afford assistance of this nature. In particular, communications have been addressed to most of the extensive landed proprietors, as well as others, both in Ireland and Scotland, who have been known to promote emigration to this country on a confined scale of provision, warning them of the miserable condition in which their emigrants must hereafter, in every case, find themselves, if they should trust to a provincial fund for their sustenance and inland transport after landing in the colony. But unless an effectual check were placed upon the emigration from Ireland generally and the Highlands, I fear the proportion of destitute families will continue so large as to make a provision for their distribution from the centres where they may occasionally accumulate a matter even of necessity. If employment were always open for this class of the emigration, within a moderate distance of their port of landing, or if the established population were not too generally averse to receive amongst them the recently-arrived emigrants, the latter might be left dependant on their own exertions. Under existing circumstances, the most resolute industry will not always preserve the emigrant labourer in Canada from want; and where large numbers are congregated with similar immediate necessities, and a very limited field of employment, the destitution is subject to extend so far as to cause injurious consequences in many respects. Private charity is exhausted, and local public funds fail; the emigrants suffer great misery, while a severe burthen is, not without reason, complained of by the community, on whom, honestly or dishonestly, they are compelled to subsist.

The case of the Scotch emigrants from Mull and Tyree is one only of several which even the past season has presented, showing the unfortunate result whenever the poorer classes of emigrants accumulate beyond the point to which the resources of the neighbourhood can be stretched for their relief. It occurred in an inland district, and the numbers involved were consequently limited compared with those who, on the withdrawal of all public aid, will frequently be found crowded into Quebec, Montreal, Kingston and Toronto.

The arrival of emigrants at the port of New York takes place annually in very large numbers; and I am aware that the funds which have been provided there for emigration purposes are applied nearly altogether in the provision of hospital assistance. But New York offers little analogy with the port of Quebec, for the city itself is of vast extent, and comprehends in its population a large proportion of immediate English and Irish descent; it is a centre from which numerous lines of transportation radiate, and it offers a certain amount and description of employment at all seasons of the year. Moreover, the emigration by way of New York, whether from the United Kingdom or from the Continent, is, without doubt, of a less impoverished class; the destitute emigrants are not in the proportion to the whole equal to that observed at Quebec; nor is it likely that the interests in England and Ireland which promote the emigration of the poorest and least intelligent of the population, with just the extent of means sufficient to convey them across the Atlantic, can be influenced to adopt the New York route in preference to Quebec.

The emigrant tax has plainly produced no direct effect on the average character of the emigration to Canada in respect to amount of resources: nor does there appear, connected with the imposition of this tax, or the changes that have been made in its rate, any fact from which it can be inferred that the consequent additional expense of the Quebec route has deterred its adoption by the poorer ranks. On the contrary, although the increasing demands on the department for transport at the public expense are assignable, in great degree, undoubtedly, to other causes, they furnish, perhaps, some ground for the apprehension that the tax is levied from the same people who would, in any case, emigrate by this route, and that it goes to reduce, *pro tanto*, the resources which would be otherwise directly applicable to their object. In other words, that the tax, if not collected from the emigrants and disbursed by the hands of the Government for their assistance, would be applied by themselves to the same purpose.

Resigning the expectation, therefore, that the future emigration to this country will be materially different from the past, and anticipating, for the ensuing season at least, a full proportion of destitution and helplessness, which will require all the efforts of the emigration agents in its protection and superintendence, I trust the department may be continued in the possession of a discretionary power to furnish transport, in addition to medical assistance, in such cases as may appear absolutely to require it, and under such circumstances as threaten injurious results to the frontier towns from the detention in their immediate neighbourhood of too large numbers of unemployed, and, consequently, destitute emigrants.

With reference to the character of the past year's emigration to Canada, it may be remarked that it has, as usual, been extremely varied. In the early part of the season I had occasion to notice the arrival of a number of families possessed of capital and intelligence, who promised to prove valuable additions to our colonial population. All these proceeded at once to purchase partially-improved properties, or to enter into trade. A proportion of the emigration consisted of farmers whose means will establish them with some advantage on wild lands, for the purchase of which, only a small outlay is required. But the great bulk of the emigration has been agricultural labourers, some of them with small means, but very many having nothing even for their immediate support. These latter were found chiefly among the Irish and some of the Scotch emigrants, who had been aided in their emigration by their landlords, or from other sources, as well as among a large class who

emigrate by means of the assistance received from their friends in this country. On comparing the numbers of these classes sent out during the last two years, they stand as follows:

	1848.	1849.
From England - -	785	510
„ Ireland - - -	2,505	4,980
„ Scotland - -	330	1,859
	3,620	7,349

Those from Ireland and Scotland show a large increase over last year, while in the number from England there is a decrease.

The English emigrants are always tolerably well supplied with necessaries; and as they are chiefly sent out under the authority of the Poor Law Commissioners, they are provided with means on landing generally sufficient to enable them to reach their destination, or to points where employment may be obtained; so that they seldom become claimants on any of the agents of this department for relief.

The Irish and Scotch, on the contrary, are less liberally supplied; and notwithstanding the low rates of transport which existed during the greater part of this season, large numbers found themselves unable to proceed from Quebec. To have permitted them to remain at any one point during the prevalence of the late epidemic, would have proved fatal to many of them, as well as the inhabitants of the locality; and it therefore became necessary that they should be distributed throughout the rural districts, where they might obtain suitable employment.

It would be an invidious task to designate the persons who, with a false view even of their own ultimate interests, encourage and promote the emigration of their dependents without securing to them a proper provision; but it affords sincere pleasure to allude to such cases as that of the emigrants by the "Liskeard," from Inverness, sent out by J. E. Baillie, Esq., M.P., from the neighbourhood of Inverness. The provision made for these people comprehended not merely the cost of the Atlantic passage, but their inland transport to Glengarry and the London district; so that they met with neither delay nor inconvenience, but at once proceeded with every encouragement to their destinations.

Many others of the Scotch emigrants had received, perhaps, the same amount of assistance; but from the absence of equal judgment in its application, found it insufficient for their expenses. In several cases sums of money were ascertained to have been paid on the embarkation of emigrants at the Scotch or Irish ports, and, in some, funds had been furnished to them previously to their departure from their parishes. Under such circumstances the people on landing at Quebec almost invariably proved to be destitute, the money having gone to other purposes than that of their emigration. I have taken every opportunity to reiterate the recommendation of the Land and Emigration Commissioners, that all funds proposed to be devoted to the assistance of persons emigrating to Canada, beyond the amount of their passage-money and provisions for the voyage, should be paid to them on landing, either through the hands of this department, or some other certain channel.

It must be matter of sincere regret to all who feel interested in the prosperity of the province, that the emigration from Europe to America should so extensively adopt the New York line in preference to that by way of Quebec and the St. Lawrence. The disproportion between the numbers landed at the two ports becomes annually greater, not alone when a numerical comparison is drawn, but when the character of the emigration is considered together with the resources in its possession.

The number of souls landed at New York from foreign ports was, in 1846, 115,230; in 1847, 166,110; in 1848, 191,909; in 1849, to 31st November, 213,554 souls.

As the facilities which are afforded by the great uninterrupted water communication between Quebec and the North-western States become more generally known, particularly on the continent of Europe; and when the greater economy of this route has been perfectly ascertained by all the classes from amongst whom the stream of emigration is supplied, a change in its direction to a very considerable extent must naturally take place, and the province receive corresponding benefit in a fuller employment of its industry and capital in the business of inland transportation.

Having thus brought before your Excellency every matter which I consider worthy of particular remark, I would beg to refer further to my several Reports and Returns which are comprehended in the accompanying Appendix, all of which I beg to submit to your Excellency's favourable consideration.

I have, &c.

(signed) *A. C. Buchanan,*
Chief Agent.

No. 1.—RETURN

No. 1.

RETURN of the Number of EMIGRANTS Embarked, with the Number of Births and Deaths during the Voy age and in Quarantine, the Total Number Landed in the Colony, distinguishing Males from Females and Adults from Children, with the Number of Souls from each Country; also the Number of Vessels, Tonnage and Seamen employed, and the Average Length of Passage during the Season of 1849.

Whence.	Number of Vessels.	Average Days on Passage.	Tonnage.	Number of Seamen.	Number Embarked.							Births.		Total Souls on Board.	Deaths on the Passage.					
					Cabin Passengers.	Adults.		Children 1 to 14 Years.		Infants.	Total Steerage.				Adults.		Children 1 to 14 Years.		Infants.	Total.
						M.	F.	M.	F.			M.	F.		M.	F.	M.	F.		
England - -	134	45	53,404	2,377	319	3,319	2,236	1,479	1,285	455	8,774	9	7	9,109	16	19	26	31	23	115
Ireland - -	150	45¼	50,650	2,078	517	8,205	7,163	3,590	3,430	969	23,357	30	21	23,925	191	176	131	140	92	730
Scotland - -	59	41¼	26,832	1,073	147	1,790	1,442	795	709	183	4,919	4	5	5,075	5	6	5	2	2	20
Germany - -	4	49	1,013	39	–	176	131	51	62	19	439	–	–	439	–	–	–	–	3	3
Lower Ports, &c. -	48	18	- -	–	4	332	265	163	193	11	964	–	–	968	–	–	–	–	–	–
TOTAL - -	395	–	131,899	5,567	987	13,822	11,237	6,078	5,679	1,637	38,453	43	33	39,516	212	201	162	173	120	868

Whence.	Deaths in Quarantine.						Total Deaths.	Total Landed in the Colony.									Grand TOTAL Landed in the Colony.
	Adults.		Children 1 to 14 Years.		Infants.	Total.		Adults.		Children, 1 to 14 Years.		TOTAL.		Infants.	Total Steerage.	Cabin Passengers.	
	M.	F.	M.	F.				M.	F.	M.	F.	M.	F.				
England - -	2	3	3	3	3	14	129	3,301	2,214	1,450	1,251	4,751	3,465	445	8,661	319	8,980
Ireland - -	37	15	9	5	3	69	799	7,977	6,972	3,450	3,285	11,427	10,257	925	22,609	517	23,126
Scotland - -	31	27	9	4	–	71	91	1,754	1,409	781	703	2,535	2,112	190	4,837	147	4,984
Germany - -	–	–	–	–	–	–	3	176	131	51	62	227	193	16	436	- -	436
Lower Ports, &c. -	–	–	–	–	–	–	–	332	265	163	193	495	458	11	964	4	968
TOTAL - -	70	45	21	12	6	154	1,022	13,540	10,991	5,895	5,494	19,435	16,485	1,587	37,507	987	38,494

Emigration Department, Quebec, 20 December 1849.

(signed) *A. C. Buchanan*, Chief Agent.

No. 2.

ABSTRACT STATEMENT of the Total Number of EMIGRANTS Embarked, Died on the Passage and in Quarantine, with the Number of Births, and the Total Numbers Landed in the Colony, distinguishing the Countries and Ports whence they sailed, during the Season of 1849.

ENGLAND.

Ports whence Sailed.	Number of Vessels.	Passengers.		Deaths.		Number of Births.	Landed in the Colony.
		Steerage.	Cabin.	At Sea.	In Quarantine.		
Aberayon - - -	1	7	- -	- -	- -	- -	7
Aberystwith - - -	3	62	- -	- -	- -	- -	62
Bideford - - - -	3	161	20	- -	- -	- -	181
Bristol - - - -	6	77	2	- -	- -	- -	79
Cardiff - - - -	1	- -	2	- -	- -	- -	2
Carlisle - - - -	1	9	- -	- -	- -	- -	9
Colchester - - -	1	- -	1	- -	- -	- -	1
Dartmouth - - -	3	6	2	- -	- -	- -	8
Falmouth - - - -	5	298	19	4	- -	1	314
Fowey - - - -	2	122	- -	- -	- -	- -	122

(*continued*)

No. 2.—Statement of the Number of Passengers, Deaths, Births, &c.—*continued.*

England—*continued.*

Ports whence Sailed.	Number of Vessels.	Passengers.		Deaths.		Number of Births.	Landed in the Colony.
		Steerage.	Cabin.	At Sea.	In Quarantine.		
Gloucester	1	-	3	-	-	-	3
Hull	5	563	17	2	-	1	579
Lancaster	1	10	-	-	-	-	10
Liverpool	41	4,303	102	87	12	8	4,314
London	20	615	73	12	-	1	677
Maryport	1	7	4	-	-	-	11
Newhaven	1	28	2	-	-	-	30
Padstow	7	518	5	2	-	-	521
Penzance	1	13	2	-	-	-	15
Plymouth	14	1,579	55	7	2	3	1,628
Poole	2	18	-	-	-	-	18
Portsmouth	1	-	5	-	-	-	5
Shields	2	23	-	-	-	-	23
St. Ives	2	106	-	-	-	-	106
Stockton	1	50	-	1	-	2	51
Newport	1	1	-	-	-	-	1
Sunderland	1	-	2	-	-	-	2
Swansea	2	26	3	-	-	-	29
Torquay	3	151	-	-	-	-	151
Whitby	2	21	-	-	-	-	21
	135	8,774	319	115	14	16	8,980

IRELAND.

Ports whence Sailed.	Number of Vessels.	Passengers.		Deaths.		Number of Births.	Landed in the Colony.
		Steerage.	Cabin.	At Sea.	In Quarantine.		
Belfast	11	2,487	25	8	-	4	2,508
Cork	11	1,109	27	34	-	2	1,104
Donegal	4	474	14	4	1	1	484
Dublin	10	2,252	24	84	7	8	2,191
Galway	2	201	-	6	-	1	196
Killala	2	210	13	-	-	-	223
Kilrush	2	218	2	-	-	1	221
Limerick	43	7,031	254	313	40	14	6,946
Londonderry	4	467	12	-	-	2	481
New Ross	8	1,938	8	63	6	3	1,880
Newry	6	851	10	60	1	2	802
Sligo	12	1,516	25	44	1	-	1,496
Tralee	8	895	2	40	-	2	859
Waterford	17	2,764	66	39	6	6	2,791
Westport	6	822	32	34	7	5	818
Wexford	1	8	-	-	-	-	8
Wicklow	1	1	-	-	-	-	1
Youghall	2	115	3	1	-	-	117
	150	23,357	517	730	69	51	23,126

SCOTLAND.

No. 2.—STATEMENT of the Number of Passengers, Deaths, Births, &c.—*continued.*

SCOTLAND.

Ports whence Sailed.	Number of Vessels.	Passengers.		Deaths.		Number of Births.	Landed in the Colony.
		Steerage.	Cabin.	At Sea.	In Quarantine.		
Aberdeen	5	122	22	- -	- -	- -	144
Ardrossan	1	450	- -	1	- -	- -	449
Ayr	2	7	3	- -	- -	- -	10
Dundee	2	39	5	- -	- -	- -	44
Greenock	3	625	- -	8	71	2	548
Inverness	1	349	- -	- -	- -	2	351
Kirkwall	1	29	- -	- -	- -	- -	29
Leith	4	127	4	- -	- -	2	133
Glasgow	33	2,456	106	11	- -	3	2,554
Montrose	3	26	1	- -	- -	- -	27
Port Glasgow	1	5	- -	- -	- -	- -	5
Stornaway	2	684	- -	- -	- -	- -	684
Troon	1	- -	6	- -	- -	- -	6
	59	4,919	147	20	71	9	4,984

GERMANY.

Ports whence Sailed.	Number of Vessels.	Passengers.		Deaths.		Number of Births.	Landed in the Colony.
		Steerage.	Cabin.	At Sea.	In Quarantine.		
Hamburg	3	319	- -	3	- -	- -	316
Wismar	1	120	- -	- -	- -	- -	120
	4	439	- -	3	- -	- -	436

LOWER PORTS, &c.

Ports whence Sailed.	Number of Vessels.	Passengers.		Deaths.		Number of Births.	Landed in the Colony.
		Steerage.	Cabin.	At Sea.	In Quarantine.		
New Brunswick	17	339	4	- -	- -	- -	343
Nova Scotia	17	320	- -	- -	- -	- -	320
Prince Edward Island	4	155	- -	- -	- -	- -	155
Newfoundland	10	150	- -	- -	- -	- -	150
	48	964	4	- -	- -	- -	968

RECAPITULATION.

Countries whence Sailed.	Number of Vessels.	Passengers.		Deaths.		Number of Births.	Landed in the Colony.
		Steerage.	Cabin.	At Sea.	In Quarantine.		
ENGLAND	135	8,774	319	115	14	16	8,980
IRELAND	150	23,357	517	730	69	51	23,126
SCOTLAND	59	4,919	147	20	71	9	4,984
GERMANY	4	439	- -	3	- -	- -	436
LOWER PORTS, &c.	48	964	4	- -	- -	- -	968
TOTAL	396	38,453	987	868	154	76	38,494

Emigration Department, Quebec,
20 December 1849.

(signed) *A. C. Buchanan*,
Chief Agent.

No. 3.

NUMBER of PERSONS who appeared to have received ASSISTANCE to enable them to Emigrate, during the Season of 1849.

VESSEL.	WHERE FROM.	Date of Arrival.	ENGLAND and SCOTLAND.		IRELAND.	
			Poor Law Commissioners.	Parish and Private Funds.	Parish Funds.	Landlords and Private Funds.
Spermaceti	Plymouth	May 15	8	24	—	—
Aberfoyle	New Ross	„ 16	-	-	-	277
Emerald	Limerick	„ 18	-	-	-	146
Lady Peel	„	„ 22	-	-	-	60
Jane Black	„	„ 22	-	-	-	59
Ava	Plymouth	„ 24	90	—	—	—
Lady Campbell	Waterford	„ 25	-	-	-	8
Jessie	Limerick	„ 25	-	-	-	128
Sarah Maria	Sligo	„ 26	-	-	62	—
Countess of Durham	Waterford	„ 28	-	-	-	19
Perseverance	Dublin	„ 28	-	-	-	91
Thompson	Sligo	„ 29	-	-	-	8
John Francis	Waterford	„ 30	-	-	-	70
Amazon	„	„ 30	-	-	-	9
Dædalus	Plymouth	„ 30	-	7	—	—
Secret	Bideford	„ 30	17	—	—	—
Laurel	London	„ 30	37	—	—	—
Jane Avery	Dublin	June 1	-	-	77	—
Elizabeth	Limerick	„ 1	-	-	-	38
Bridgetown	New Ross	„ 1	-	-	-	180
Empire	„	„ 1	-	-	-	200
Hannah	Dublin	„ 1	-	-	65	—
Jane	New Ross	„ 2	-	-	-	170
Governor	Limerick	„ 2	-	-	-	44
Dykes	Newry	„ 3	-	-	-	90
Agnes and Ann	„	„ 3	-	-	-	64
Dahlia	Plymouth	„ 3	-	25	—	—
Transit	Limerick	„ 5	-	-	-	29
Anna Maria	„	„ 6	-	-	-	2
Ariel	„	„ 7	-	-	20	17
Dewdrop	Padstow	„ 7	-	16	—	—
Erin	New Ross	„ 11	-	-	-	75
Helen	Liverpool	„ 12	-	-	-	13
Souvenir	Limerick	„ 24	-	-	-	24
Mary Campbell	Londonderry	„ 24	-	-	12	—
Thistle	Waterford	„ 24	-	-	-	25
Georgiana	„	„ 25	-	-	-	40
Agamemnon	Westport	„ 25	-	-	-	4
Swan	New Ross	„ 27	-	-	-	110
William Bromham	Plymouth	„ 27	39	—	—	—
Leviathan	Limerick	„ 28	-	-	-	35
British Queen	„	„ 28	-	-	-	39
Christiana	Donegal	„ 28	-	-	-	45
Barron	Belfast	„ 30	-	-	-	33
Oriental	London	„ 30	61	—	—	—
Viceroy	Liverpool	July 1	-	-	-	35
City of Lincoln	„	„ 2	-	-	-	100
Thorney Close	Limerick	„ 2	-	-	-	42
Princess Alice	Dublin	„ 2	-	-	-	200
Energy	Limerick	„ 5	-	-	-	52
Sarah	Sligo	„ 6	-	-	-	12
Riverdale	Belfast	„ 6	-	-	79	—
Prince Albert	Limerick	„ 6	-	-	-	70

Number of Persons who received Assistance to Emigrate—*continued.*

VESSEL.	WHERE FROM.	Date of Arrival.	ENGLAND and SCOTLAND.		IRELAND.	
			Poor Law Commissioners.	Parish and Private Funds.	Parish Funds.	Landlords and Private Funds.
Curraghmore	Waterford	July 8	-	-	-	18
Forfarshire	Liverpool	„ 9	-	-	-	17
Radical	Belfast	„ 15	-	-	30	—
Sleepless	Limerick	„ 15	-	-	-	10
Jane Lockhart	„	„ 15	-	-	-	100
Dauntless	„	„ 20	-	-	-	117
The Duke	Dublin	„ 30	-	-	104	150
Friendship	„	Aug. 2	-	-	-	59
Cynthia	Donegal	„ 5	-	-	-	6
Kalmia	Liverpool	„ 12	-	-	61	—
Amoy	Belfast	„ 12	-	-	15	—
David Grant	Limerick	„ 13	-	-	-	37
Elphinstone	Plymouth	„ 13	40	—	—	—
Charlotte	Glasgow	„ 14	-	333	—	—
Barlow	Greenock	„ 14	-	246	—	—
Atlantic	Ardrossan	„ 14	-	209	—	—
Elizabeth Browne	Sligo	„ 14	-	-	-	20
Jane	Limerick	„ 14	-	-	-	60
Marchioness of Ailsa	Dublin	„ 15	-	-	153	17
Hugh	Newry	„ 15	-	-	-	79
Mayflower	Plymouth	„ 15	44	—	—	—
Liskeard	Inverness	„ 17	-	341	—	—
Alert	Waterford	„ 17	-	-	-	12
California	Dublin	„ 17	-	-	200	60
Ganges	Limerick	„ 18	-	-	-	24
Londonderry	Londonderry	„ 18	-	-	62	—
Argo	Liverpool	„ 18	-	-	-	72
Larch	„	„ 18	-	-	-	18
Toronto	London	„ 21	25	—	—	—
Panope	Limerick	„ 22	-	-	-	1
Sir C. Napier	Dublin	„ 29	-	-	305	—
Tuskar	Stornaway	„ 30	-	496	—	—
Clio	Padstow	Sept. 3	7	—	—	—
Secret	Bideford	„ 13	13	—	—	—
Ariel	Kilrush	„ 15	-	-	16	—
Belle	Padstow	„ 20	-	16	—	—
John Bull	London	„ 22	41	—	—	—
Cashmere	Glasgow	„ 28	-	87	—	—
Jessie	Limerick	„ 30	-	-	-	3
Northumberland	Galway	Oct. 2	-	-	-	188
Water Hen	Glasgow	„ 5	-	147	—	—
			422	1,947	1,261	3,731

TOTAL - - - 7,361.

Emigration Department, Quebec, 20 December 1849.

(signed) *A. C. Buchanan,* Chief Agent.

No. 4.

RETURN of the TRADES or CALLINGS of the EMIGRANTS who Arrived at the Ports of *Quebec* aud *Montreal*, during the Year 1849.

Bakers	21	Brought forward	767
Butchers	16	Painters	4
Bricklayers and Stone-masons	82	Plasterers	5
Black and White-smiths	110	Printers	8
Boot and Shoemakers	114	Quarrymen	3
Braziers, Tin-smiths, &c.	8	Ship-builders	1
Cabinet-makers	12	Sawyers	12
Carpenters and Joiners	146	Sail-makers	4
Coopers	16	Saddlers	3
Coach-makers	3	Stone-cutters	7
Cart and Wheel-wrights	23	Tailors	92
Curriers	2	Watch-makers	1
Dyers	1	Unenumerated Callings	185
Drapers	15	Male Servants	78
Engineers	26	Farmers and Agricultural Labourers	6,264
Gardeners	15	Common Labourers	6,388
Hatters	3		13,822
Millers and Mill-wrights	26	Deaths of Male Adults at Sea - 212	
Miners	113	Ditto - ditto in Quarantine 70	
Moulders	5		282
Paper-makers	10		
Carried forward	767	TOTAL	13,540

Emigration Department, Quebec, 20 December 1849.

(signed) *A. C. Buchanan*, Chief Agent.

No. 5.

RETURN of the Number of ADMISSIONS into HOSPITAL, DISCHARGES and DEATHS, of EMIGRANTS Arrived in *Canada* during the Season of 1849.

	Admitted.	Discharged.	Died.	Remaining.
Canada East:				
Quarantine Hospital	826	656	154	16
Marine.and Emigrant Hospital, Quebec	397	262	86	49
Montreal General Hospital	298	265	33	—
Ditto Point St. Charles Hospital	28	17	11	—
	1,549	1,200	284	65
Canada West:				
Toronto	208	140	68	—
Kingston	159	58	101	—
Hamilton	118	36	82	—
Minor Ports	64	21	43	—
	549	255	294	—
TOTAL	2,098	1,455	578	65

Emigration Department, Quebec, 20 December 1849.

(signed) *A. C. Buchanan*, Chief Agent.

No. 6.

No. 6.

DISTRIBUTION of the EMIGRANTS who Arrived in the Province of *Canada* during the Year 1849, as near as can be ascertained.

Number of Emigrants from the United Kingdom, *vid* the St. Lawrence - - -	37,090
Ditto - - ditto - from Germany - - - ditto - - - -	436
Ditto - - ditto - from the Lower Ports, &c. - ditto - - - -	968
Ditto - - ditto - at the different Agencies in Canada West, by the route of the United States - - - - - - - - - - - - - -	1,700
TOTAL - - -	40,194

DISTRIBUTION:

Estimated Number settled in the City and District of Quebec - -	400	
Proceeded to the Eastern Townships, *vid* Port St. Francis - - -	100	
Settled in the Montreal District, and in the city and vicinity - - -	2,500	
TOTAL remaining in Canada East - - -		3,000
Number settled at Bytown, and at various places on the Ottawa and Rideau - - - - - - - - - - - - - -	1,017	
At Kingston and Bay of Quinté, and in the Hastings, Prince Edward and Midland Districts - - - - - - - - - -	2,160	
At Cobourg, Port Hope, Windsor, Whitby and Darlington, and in the Newcastle and Colborne Districts - - - - - - -	5,830	
At Toronto, and in the Home and Simcoe Districts - - - -	9,322	
At Port Credit, Oakville and Hamilton - - - - - -	6,330	
In the Wellington, Gore, Niagara, Brock and London Districts - -	2,028	
TOTAL Number settled in Canada West - - -		26,687
Gone to New Brunswick, Nova Scotia and Newfoundland - - -	- -	30
„ the Western States - - - - - - - - - -	5,172	
„ the United States from Montreal, *vid* Lake Champlain - -	5,305	
TOTAL supposed gone to the United States - - -		10,477
		40,194

Emigration Department, Quebec, 20 December 1849. (signed) *A. C. Buchanan*, Chief Agent.

No. 7.

COMPARATIVE STATEMENT of the NUMBER of EMIGRANTS Arrived at the Port of *Quebec*, since the Year 1829 inclusive.

COUNTRY.	5 Years, from 1829 to 1833.	5 Years, from 1834 to 1838.	5 Years, from 1839 to 1843.	1844.	1845.	1846.	1847.	1848.	1849.
From England - -	43,386	28,624	30,813	7,698	8,833	9,163	28,725	6,034	8,980
„ Ireland - -	102,264	54,898	74,981	9,993	14,208	21,049	50,360	16,582	23,126
„ Scotland - -	20,143	10,998	16,289	2,234	2,174	1,645	3,628	3,086	4,984
„ Germany - -	15	485	- -	- -	- -	896	7,437	1,395	436
„ Lower Ports, &c.	1,889	1,346	1,777	217	160	- -	- -	842	968
TOTAL - - -	167,697	96,351	123,860	20,142	25,375	32,753	90,150	27,939	38,494

GRAND TOTAL - - - 622,761.

Emigration Department, Quebec, 20 December 1849. (signed) *A. C. Buchanan*, Chief Agent.

No. 8.

EXTRACTS from the NOTES appended to the Periodical REPORTS of ARRIVALS of PASSENGER-SHIPS at the Ports of *Quebec* and *Montreal*, in the Season of 1849.

1.—From the 20th to the 31st of May 1849.

Note.—5,837 emigrants landed at this port during the period embraced in this Return. They have all landed in good health, notwithstanding that severe mortality occurred on board several of the Limerick vessels from cholera and dysentery. It would appear that the first-mentioned disease broke out among the passengers on leaving the Shannon, but after a few days disappeared, having, during the time it lasted, carried off 102 of the passengers on board of three vessels, viz., the "Lady Peel," the "Jane Black," and the "Jessie." The deaths on board the several other vessels were very few, as may be seen in the margin of this Return.

The classification of the male adults is as follows: 1,061 farmers, 961 labourers and 207 tradesmen and mechanics.

The passengers from England, with the exception of those sent out under the superintendence of the Poor Law Commissioners, were very respectable people, and many of them brought out large sums of money. Those from Scotland were also of a similar class; and there were several Welsh families with good means, who were proceeding to the Western States. On board the "Jessie" and "Jane Black," there were a number of tradesmen and farmers who possessed considerable capital; and among the cabin passengers enumerated in this Return were several half-pay officers, who have emigrated with their families to settle in Western Canada. On the whole, a larger amount of capital has been brought out by the passengers of this season than has come to my knowledge for several years past. On the other hand, many of those who emigrated voluntarily from Ireland were in extreme poverty, having with difficulty scraped together sufficient means, with the assistance of their friends at home and remittances from America, to enable them to reach this port. A large number were proceeding to join their relatives in the Northern States of the American Union, and there were some of the families whose destination was as far west as St. Louis, on the Mississippi. The number who have been aided in their emigration is 665, 514 of whom were from Ireland and 151 from England; the latter were sent out under the sanction of the Poor Law Commissioners, and received the usual landing-money (20*s.* sterling each adult). Those from Ireland received only, as far as I could learn, a free passage and a small sum of money previously to leaving, to assist them in procuring clothes and provisions for the passage. As they consisted principally of large families, and for whom it was impossible to procure suitable employment, I was under the necessity of granting many free passages. These were in no instance granted to any but persons accompanied by their families, and who, it was ascertained, were destitute of the means to proceed. It has been so far fortunate this season that, owing to the competition on the several routes, the rates of passage are very much reduced compared with former years, more particularly on the routes west of Montreal. Steamers which proceed direct between this port and Toronto have been taking steerage passengers for 10*s.* each adult, and for 7*s.* 6*d.* to Kingston, the charges of which last year were from 25*s.* to 30*s.*, and I have known of persons being forwarded by the regular line of daily steamers for 7*s.* 6*d.* to Toronto. The deck passage on the boats on the Lake have been unusually low this season, having not as yet exceeded 1*s.* 3*d.* each passenger. These low rates of transport have very much lightened the expenditure of this department, as it reduces the number who require assistance, and those who are forwarded are at a very trifling cost. The number thus assisted was 816 souls, equal to 598 adults.

The emigrant vessels have arrived hitherto without any complaints for infringement of the Act. They have been well supplied with provisions according to law, and of good quality.

2.—From the 1st to the 10th of June 1849.

Note.—The emigrants arrived since the 1st instant have landed in good health; the deaths on the passage were 89, equal to about 1·08 per cent. Of this number 31 occurred on board the "Jane," from New Ross, from cholera and dysentery. The sickness appeared shortly after leaving Ross, and lasted about three weeks, when it disappeared entirely, as on arrival at Grosse Isle the remaining passengers were all found in perfect health.

The male adult emigrants are classed in the several passenger-lists as follows; viz., mechanics, 156; farmers and agricultural labourers, 748; common or unskilled labourers, 837.

Of the whole number about one-fourth have been aided in their emigration by their landlords and Poor Law Unions, and, with the exception of 41, are all from Ireland. They landed in extreme poverty, and appear generally to have friends either in Upper Canada or in the United States, and all required assistance to enable them to reach their friends, or to where they could procure suitable employment.

The total number of persons assisted from the several vessels in this Return was 1,070, equal to 792½ adults, at an average cost of 2*s.* 6*d.* each.

The emigrants generally were proceeding to Upper Canada, and about one-third, including all the Germans, to the United States.

3.—From

3.—From the 11th to the 30th of June 1849.

Note.—4,940 steerage and 130 cabin passengers were landed during the period embraced in this Return, of which number 543 were aided in their emigration by their landlords; of whom 443 were Irish and 100 English. The latter received 20 *s.* sterling each adult, to enable them to reach their destination, and the Irish a free passage, with some little assistance previously to leaving, to procure clothes, &c.

Their health was generally good; the deaths on the passage were 69, and 71 sick were admitted to hospital at Grosse Isle; of these, 18 deaths and 48 sick were from the "Thetis," from Limerick; diseases, fever and dysentery.

Their destination was chiefly to Upper Canada, and about one-third to the United States; a great many of whom proceeded to friends there, and others for employment.

These vessels have all duly complied with the provisions of the Passenger Act; and the only complaint requiring the interference of this office was made by some of the passengers of the "Helen," from Liverpool, whose contract-tickets stated that they would be furnished with a pound of pork per week during the passage, which was not issued to them by the master. On their complaint being made known to me, the necessary steps were taken, and the master paid at the rate of 6 *d.* per pound for each week they were on the passage, which amounted to 2 *s.* 6 *d.* each adult.

Assistance in transport and provisions has been extended to the emigrants on board these vessels to 1,115 souls, equal to 792 adults.

As this Report closes the month of June, I annex a statement of the emigration expenditure incurred under the superintendence of this department to this date, throughout the province, which amounts to 2,199 *l.* 3 *l.* 4 *s.*; showing, on an increased emigration, a decrease, when compared with 1848, of 3,882 *l.* 9 *s.* 9 *d.* It has been incurred under the following heads:—

	£.	s.	d.
Transport	1,274	16	10
Provisions	184	8	10
Medical Aid	245	1	8
Agency Expenses	494	16	–
£.	2,199	3	4

And at the several Agencies as follows:—

	£.	s.	d.
Toronto	522	6	1
Kingston	356	7	3
Montreal	702	6	11
Quebec	618	3	1
£.	2,199	3	4

Owing to the competition between the Companies on the route from Montreal to Toronto this season, I have been enabled to forward emigrants from this to Toronto at very reasonable rates, frequently as low as for 7 *s.* 6 *d.* the whole distance, which cost last year from 22 *s.* 6 *d.* to 25 *s.*

The amount of emigrant tax received at Quebec to 30th June was 5,026 *l.* 10 *s.* currency.

4.—From the 1st to the 31st of July 1849.

Note.—This Return embraces the arrivals during the month of July, which number 7,512 souls; viz. 2,594 males, 2,104 females, 2,302 children, 326 infants under one year, and 186 persons classed as cabin passengers. They generally landed in good health: 81 deaths occurred on the passage, and 113 were admitted to hospital at Grosse Isle. The greatest amount of sickness occurred on board the "Thorney Close," from Limerick, which had seven deaths, and 45 cases sent to hospital at quarantine.

The average passage of these vessels, including their detention at Grosse Isle, was 48½ days. Several had unusually long passages: the "Aunt Mary," from Liverpool, the "Argus" and the "Grace," from Westport, and the "Eliza Morrison," from Belfast, were each upwards of 60 days on the passage; notwithstanding which their passengers arrived in good health.

I have found it necessary to enter proceedings against several masters for violation of contract and infringement of the Passenger Act. The violation of contract occurred chiefly on board the Liverpool vessels, which had been chartered by Messrs. J. & W. Shaw, passenger brokers. They engaged in their printed contract-tickets, that the passengers should be supplied with a pound of pork per week during the passage, and by this means induced a number of them to give the preference to their vessels. On application to the masters after sailing, they were informed that there was no pork on board for their use unless they paid for it. On arrival here they complained of the breach of contract; and after some little delay, I was enabled to induce some of the masters to refund the amount, retaining the passenger-tickets as their vouchers, to enable them to recover the amount they paid, from Messrs. Shaw & Co. Thus the master of the "City of Lincoln," to avoid costs of prosecution, and the master of the "Aunt Mary," refunded for the non-issue of pork at

the rate of 2*s.* 6*d.* each adult. Legal proceedings were also taken against the master of the "Forfarshire," and against the master of the "Aunt Mary," for detention at Liverpool after the day fixed for sailing; the "Sleepless," from Limerick, for not issuing the legal allowance of provisions; and the "Richard Watson," from Cork, for detention after the day fixed for sailing. In all these cases compensation was obtained for the parties complaining.

The majority of the passengers were proceeding to Upper Canada, and from 1,000 to 1,500, as near as could be ascertained, were proceeding direct to the United States; difficulty of obtaining employment in the province doubtless induced many others to proceed to that quarter.

Of the entire number, 1,136, have received assistance either from their landlords or from their parishes, to enable them to emigrate. They were all Irish. The remainder, 5,864, have come out at their own expense.

The male adults are classed in the lists, as follows: Farmers, 1,052; labourers, 1,375; mechanics, 151; and servants, 16. Total, 2,594.

The number of persons who received relief on landing, was 1,952, equal to 1,510 adults; and at Montreal, 2,505; equal to 1,932 adults. They were chiefly from the Liverpool and West of Ireland vessels. On board the "Duke," from Dublin, there were a large number of very poor persons; more than one-third of whom I had to assist to enable them to leave this city; the majority of them had no particular destination in view. There were but 97 male adults in the vessel, to 247 women and children, an unusual proportion. This is chiefly on account of the pauper passengers, 254, of whom were on board this vessel. The passengers per "Riverdale," from Belfast, present the same disproportion, having but 115 male adults to 304 women and children. A considerable number on board this vessel was sent out by the Coleraine and Magherafelt parishes, the majority of whom were females and children.

The expenditure for transport at this agency, during the month of July, amounted to about 200*l.* Owing to the opposition between the steam-boat companies, I have been enabled to forward a considerable number of poor families direct to their destination, which saved them from any delay, and from becoming a charge on the agencies at Montreal or Kingston. The rates paid were as follows:—

To Montreal, from	1*s.* 3*d.*	to	2*s.* 6*d.*	each adult.
Kingston - - -	7*s.* 6*d.*			„
Toronto, from	7*s.* 6*d.*	to	10*s.*	„
Hamilton - - -	12*s.* 6*d.*			„

Some of the opposition steamers were withdrawn at the close of the month of July; and the rates now paid are very much higher; but more than three-fourths of our emigration have now arrived, and they have derived very considerable advantage from the lowness of the fares this season.

5.—From the 1st to the 31st of August 1849.

Note.—9,892 emigrants landed at this port during the month of August, of which number 240 were classed as cabin passengers. The male adults, 3,339, were returned in the passenger lists as follows; viz. farmers, 1,682; mechanics, 180; servants, 8; labourers, 1,469.

The deaths on the passage numbered 251, as stated in the margin. Cholera and fever appeared on board many of these vessels shortly after sailing, but in some cases, they were found perfectly healthy on arrival at Grosse Isle, the disease appearing to have expended itself; others again, were not so fortunate; among which were the "Josepha," "Sir Charles Napier," "Larch," and "Circassian," all of which vessels had several deaths after arrival in quarantine. The latter vessel suffered most severely; 70 of her passengers having died in hospital at Grosse Isle, and a further number in hospital in this city and at Montreal. They had a long passage, 11 weeks (including two weeks the ship was detained in quarantine). On arrival there, it was found that six deaths had occurred on the voyage, and 22 were admitted to hospital with typhus fever; shortly afterwards it became necessary to send a number of others; and, on the vessel being discharged from quarantine, upwards of 90 were detained at the station. This vessel reached Grosse Isle on the 12th of August, and on the 24th the first case of cholera occurred in the hospital—a convalescent from this vessel—since which date 53 died of cholera, and 17 of typhus fever. It is rather a singular fact, that the cholera during its stay on the island, was confined almost exclusively to these passengers, as only four other persons had died of it up to the 8th September.

Of the emigrants included in this return a large number, 2,995, were assisted to emigrate; of these, the chief part, 1,625, are Highlanders, from the Western Isles, who have been sent out by the Duke of Argyle, Mr. Chisholm, and Colonel Gordon. They all proceeded to settle in the Western section of the province—to the Eastern, Home, London, and Huron Districts. They are respectable orderly people, but many of them very poor. The passengers by the "Charlotte and Barlow," were all forwarded to Montreal by the ship, those by the remaining vessels landed here under the impression (from the information they received, and the promises made to them before leaving home) that they were to be forwarded to their destination by this department. But few of them could speak English; and, after investigating their cases as strictly as circumstances would permit, I was under the necessity of forwarding upwards of two-thirds of their number at the Government expense. Those by the

the "Liskeard," 341, were sent out by J. E. Baillie, Esq., M.P., from Inverness; and I received a credit of 100 *l.* sterling through the Colonial Land and Emigration Commissioners, to be expended in furnishing them with provisions, and forwarding them to their destination. The chief part went to the Glengarry Settlement, and about 30 were forwarded to Toronto, who were proceeding to their friends in the London District. From Ireland, the number assisted to emigrate was 1,110; of which number, 794, were from Dublin, sent out chiefly by the Unions, who received 20 *s.* sterling each adult on leaving, to enable them to reach their destination; the remainder were sent out by various landlords. Of those from England, 109, were sent out from various ports, under the superintendence of the Poor Law Commissioners, and 151 from Liverpool, of which latter 61 were from the Londonderry Union, who were paid on their arrival here, through this officer, the sum of 31 *l.* sterling. Eleven other families were sent out by Mr. Maunsell, of Dublin, who transmitted to this department 17 *l.* 5 *s.* sterling, to be distributed among them.

I have found it necessary to adopt urgent measures against the masters of several vessels herein reported for breach of contract, and violation of the Passenger Act; viz.

"Josepha," from Westport, for detention after the day fixed for sailing.
"Friendship," from Dublin, for short issue of provisions.
"Prompt," from Limerick, for ditto ditto.
"Kalmia," from Liverpool, for non-issue of pork as stated in contract-ticket.
"Argo," from Liverpool, for ditto - - - ditto.
"Larch," from Liverpool, for ditto - - - ditto.

In all these cases compensation was made to the satisfaction of the passengers without the necessity of resorting to legal proceedings.

The passengers per "Circassian," complained of breach of contract on the part of Messrs. Reid & Murray, passenger-brokers, Glasgow. They had paid 10 *s.* each adult, in addition to the passage-money, to be provisioned during the passage. The vessel was 78 days out, and the supply put on board for the use of the passengers ran short after six weeks, subsequently to which period they had to depend on their own resources, and the purchases they made from the captain, and from vessels they spoke at sea. The aggregate sum claimed by them amounts to 58 *l.* 16 *s.* 8 *d.* sterling, for which proceedings are about to be instituted, particulars of which will be given in a separate report. The excessive sickness and mortality of the passengers on board this vessel may be attributed to the length of the passage, and the inadequate supply of food.

The number of persons assisted from the several ships in this return was 2,218, equal to 1,771 adults (a large proportion of whom were Scotch Highlanders), at an expenditure of about 250 *l.*

The amount of Emigrant Tax received this season, to 1st September, at the port of Quebec, is 10,494 *l.* 15 *s.*, and the expenditure of this department to same period, exclusive of the Quarantine Establishment, may be stated in round numbers at 5,000 *l.*

6.—From the 1st to the 30th of September 1849.

Note.—The emigrants arrived during the month of September have landed in good health, with the exception of those on board the "Sarah," from Sligo: the total mortality on the passage was 49 souls, 39 of which number occurred on board this vessel, from cholera, and six on board the "John Bull," from London..

The emigrants have chiefly come out voluntarily, as but 183 appear to have been assisted; of which number 87 were sent out in the ship "Cashmere," from Glasgow, by Lord Macdonald, from his property in North Uist. They were forwarded free to Montreal by his Lordship's agent. Their destination was the London District, but they were without the means of reaching their friends, and consequently became chargeable on the Emigrant Fund on arrival at Montreal. Of the remainder, 56 were from England 41 of whom received the usual landing-money on arrival here.

Among the emigrants of this month there were some highly respectable agriculturists, with capital, who have proceeded to settle in Canada West.

The number of persons assisted at this agency during the past month, was 415 souls, equal to 306 adults.

7.—From the 1st of October to the 2d of November 1849.

Note.—This Return closes the immigration for this season.

The passengers by these vessels have arrived in good health, but six deaths having occurred at sea, chiefly children on board the "Northumberland," from Galway. The passengers by this vessel were all sent out by the Quit-rent Office. They were provided with a free passage and provisions, and were paid through this office 20 *s.* sterling each adult on landing.

The passengers per "Waterham," from Glasgow, were also aided in their emigration by Lord Macdonald. They are from North Uist, and were forwarded by his Lordship as far as Montreal. They were all extremely poor, and at that port became chargeable on this department for their food and transport to Hamilton, their destination being the London and Huron Districts. On arrival at Hamilton, they were sent into the interior at the expense of the Hamilton and Toronto St. Andrew Societies.

 The

The emigrants on board the other vessels all emigrated voluntarily. They are chiefly of the labouring class, and are with very limited means. Those on board the "Jeannie Johnston," from Tralee, were very poor; upwards of one-half of whom it was found necessary to assist on arrival here; 79 persons, equal to 55 adults from on board the "Standard," from Belfast, were also forwarded from this, and a few poor families from the "Lerwick," from Westport, it was found necessary to assist. They had a long passage, 62 days, and owing to the late period of their arrival, were exposed to much suffering.

Enclosure No. 2.

EXTRACT from a Report of a Committee of the Honourable the Executive Council on Matters of State, dated the 5th February 1850; approved by his Excellency the Governor-General in Council on the 8th of the same month.

THE Committee of the Executive Council have had under consideration, on your Excellency's reference, the Annual Report of the Chief Agent for the Superintendence of Emigration to Canada, which, as usual, contains a mass of valuable statistical information on the subject treated of; and the Committee of Council are respectfully of opinion, that in transmitting that Report to Her Majesty's Government, your Excellency might with propriety call attention to the superior advantages of the St. Lawrence over the American route, for the transport of goods and passengers from Europe to the Western States of the American Union.

The Committee of Council have reason to believe, that much ignorance prevails in Europe on the subject of the St. Lawrence route; and that even in the United Kingdom it is not generally known that the great line of ship-canals, connecting the tide-waters of the St. Lawrence with the inland lakes, is open for the navigation of vessels of from 300 to 400 tons burthen, and carrying from 4,000 to 5,000 barrels of flour. These ship-canals have been constructed in the most substantial manner; their entire length is about 66 miles, and the navigation which they open from Quebec is 1,600 miles, that being the distance to the port of Chicago, in the State of Illinois. Steamers adapted to the canal trade, and possessing comfortable accommodations for cabin and steerage passengers, ply from Quebec to all points on the upper lakes, so that goods and passengers may be conveyed from the ship's side at Quebec, without transhipment, to any of the ports on Lakes Ontario, Erie, Huron or Michigan. It is important to call attention to the great saving effected in time, as well as comfort, by taking the St. Lawrence route. The distance from Quebec to Chicago, in Illinois, which is about 1,600 miles, may be performed in about 10 days without transhipment; and the steamers touch at the ports of Cleveland, Sandusky, whence there is a railroad to Cincinnati, and Toledo in Ohio, Detroit in Michigan, and Mitwankie in Wisconsin, all which places can be reached in proportionate time. The dimensions of the locks on the Welland Canal are 150 feet long, by 26½ feet wide; and on the St. Lawrence Canals, 200 feet long, by 45 feet wide. The length of the Erie Canal is 363 miles, with a lockage of 688 feet. The locks, 84 in number, are 90 feet in length, by 15 feet in width, with a draft of four feet of water; and the canal is navigated by vessels carrying not more than from 600 to 700 barrels of flour. The length of the voyage from New York to Buffalo, there being at least one transhipment, may be stated at about 10 days; but it is very uncertain, as there are frequent delays arising from various causes. The rate of passage from Quebec to Cleveland, Ohio, without transhipment, is stated by Mr. Buchanan to have been during last season, just after the completion of the canals, six dollars, or about 24*s.* sterling for each adult. At this rate several German families, bound for the Western States, obtained passages. It may, however, be fairly assumed, that even this low rate will be still further reduced by competition. The Committee of Council have no information before them of the cost of passage paid from New York to Cleveland; but as there must be at least two transhipments, and as the time occupied in the passage is fully a week longer than by the St. Lawrence route, it is needless to say that the expense must be much greater. With regard to the cost of transport of goods, an important fact has been brought under the notice of the Committee of Council. It appears that the Great Ohio Railroad Company, having had occasion to import about 11,000 tons of railroad iron, made special inquiries as to the relative cost of transport by the St. Lawrence and New York routes; the result of which inquiries was, that a preference was given to the former. The rate of freight on this iron from Quebec to Cleveland, was about 20*s.* sterling per ton, and the saving on the inland transport alone $11,000; and there can be no doubt that a much greater amount was likewise saved on the ocean freight. The Committee of Council are of opinion, that the superior advantages of the St. Lawrence route only require to be made known, to ensure for it a preference; and they trust that Her Majesty's Government will take measures for making them as extensively known as possible.

Certified,

(signed) *J. Joseph*, C. E. C.

Colonel the Honourable R. Bruce,
&c. &c. &c.

Enclosure

Enclosure No. 3.

Commissariat, Canada, Montreal,
15 November 1849.

Sir,

I HAVE the honour to transmit, to be laid before his Excellency the Governor-general, the accompanying copy of a report from Mr. Commissariat Clerk Harris, the gentleman of this department who was stationed at Grosse Isle to conduct the expenditure on account of the Quarantine Establishment there during the past season, reporting the final closing of that service, and containing statistical particulars relating to the emigration from the United Kingdom to Canada since the year 1833, which his Excellency may possibly find useful in his communications on this subject with the Imperial Government.

I have, &c.

(signed) *William Filder*, C. G.

The Governor-general's Secretary,
&c. &c. &c.

Sub-Enclosure 1 in Enclosure No. 3.

Sir,

Montreal, 8 November 1849.

I HAVE the honour to inform you, that I have closed and rendered my accounts for the Quarantine service at Grosse Isle for the present season.

In connexion with this service, I beg to enclose the accompanying statement, compiled by Captain Scott and myself conjointly, by which it will appear that the immigration has been this year somewhat extensive, the number of immigrants that arrived having been nearly 38,000, showing an excess of 11,000 over that of last year, and which is greater than that of any year since 1832, with the exception of 1842 and 1847. The sickness and mortality were also very considerable, 159 deaths having occurred during the season, principally from typhus fever and cholera, and although the latter disease only made its appearance late in the summer, and continued but a fortnight, it carried off in that period 60 persons (including three at the healthy division) or nearly a fourth of the whole population of the island.

Although the number of sick admitted into hospital was rather more, in proportion to the immigration, than in 1848, yet the immigration itself was of a more healthy character than that of last year, the immigrants being a better class of people, and arriving generally in a good condition. The exceptions were mostly those from Limerick and the Highlands of Scotland; the most sickly vessel being one that brought out people from the latter country, of whom upwards of 90 were admitted into hospital with ship-fever, and they were in such an emaciated and filthy condition, that very few of them recovered; those that were convalescent from fever having been carried off by cholera.

The Quarantine Station is an island nearly three miles in length, which is separated into three divisions, the eastern end being appropriated for the hospitals, the centre division for the military, and the western for passengers of sickly ships, who are landed there. By this arrangement they are enabled to wash and purify their clothes and bedding, and the ships are in the meantime thoroughly fumigated, the passengers being detained on the island till they are free from sickness, when they proceed up the country with very little risk of carrying the seeds of disease with them, and scattering pestilence and death in their track, as was the case in 1847.

Those captains who do not wish their vessels to be detained in quarantine are permitted, on payment of a certain sum, to leave their passengers on the island and proceed to their destined ports, the passengers being in such case fed on the spot by the Commissariat till they are fit to go out of quarantine; and thus restored to health and strength, they are in a condition to undergo the hardships of a first arrival in Canada.

The ration issued to immigrants of this class consists of bread, beef, milk and vegetables, and a very few days makes a marked difference in their appearance, the majority of them having never been so well fed before.

From the enclosed comparative statement and analysis of payments, it will be observed, that the net amount of money expended by the Commissariat in the years 1848 and 1849 was 2,938*l.* and 3,163*l*, respectively; but from the latter sum should be deducted 607*l.* for steam-boat transport, which in 1848 was provided by the Board of Works, and paid for by that department.

With that deduction, and taking into account the difference in the amount of immigration and sickness, it will appear that the expenses of the establishment for this season have been much less than they were in 1848.

The

The total cost to the province of employing the military on the Quarantine service amounted this year to about 300 *l.* currency, an inconsiderable sum, when it is taken into account that there is a perfect check instituted upon all matters connected with the service, and that the establishment is thus put on a respectable footing.

I have, &c.

The Commissary-general,
&c. &. &c.

(signed) *P. Pearson Harris.*

(Certified.)

(signed) J. Routh, D. A. Com.-gen^{l}.

Sub-Enclosure 2 in Enclosure No. 3.

COMPARATIVE STATEMENT and ANALYSIS of Sums received and paid by the COMMISSARIAT DEPARTMENT at *Grosse Isle*, for QUARINTINE SERVICES, during the Years 1848 and 1849.

SERVICE.	Season of 1848.	Season of 1849.
RECEIPTS:	£. s. d.	£. s. d.
Subsistence and Transport of Immigrants - - -	676 16 10	344 17 5
Money belonging to deceased Immigrants - - -	6 4 8	10 10 3
Wood supplied to Ships, &c. - - - - - - -	- - -	10 8 8
TOTAL Receipts - - - £.	683 1 6	365 16 4
PAYMENTS:		
Pay of Quarantine Establishment - - - - -	2,252 1 -	1,840 13 -
Supplies to Hospitals - - - - - - - -	532 1 3	549 2 6
Ditto to Healthy Immigrants - - - - - -	398 12 10	179 9 7
Implements, Tools, &c. - - - - - - - -	84 15 5	55 12 1
Steam-boat Transport - - - - - - - -	- - -	607 10 -
Cartage - - - - - - - - - -	159 15 -	74 14 -
Washing Hospital Bedding, &c. - - - - -	56 10 4	124 18 3
Fuel Wood - - - - - - - - - -	41 2 2	38 4 9
Stationery and Printing - - - - - - - -	56 1 11	32 10 8
Digging Graves, and Cook's Wages - - - -	17 4 4	8 2 5
Travelling Expenses - - - - - - - -	21 9 1	13 15 10
Contingencies - - - - - - - - -	2 5 9	4 13 5
TOTAL Payments - - - £.	3,621 19 1	3,529 6 6
NET EXPENDITURE - - - £.	2,938 17 7	3,163 10 2

Montreal, 8 November 1849.

(signed) *P. Pearson Harris*, C. C.

Sub-Enclosure 3 in Enclosure No. 3.

173.

RETURN, showing the Number of Passenger Vessels, Immigrants, Deaths on Passage, Sick on Arrival, Adults landed at the Healthy Division, Admissions to Hospital, Diseases and Deaths, Per-centage, Daily Average, and Greatest Daily Number of the foregoing at the Quarantine Station, *Grosse Isle*, from the Year 1833 to 1849 inclusive.

YEAR	DATE OF Opening.	DATE OF Closing.	Number of Days the Hospitals were kept open.	Number of Passenger Vessels.	Number of Immigrants.	Deaths on Passage.	Sick on Arrival.	Number of Adults landed at Healthy Station.	Quarantine Hospital. Admissions. Cholera.	Fever and Dysentery.	Small Pox.	Other Diseases.	Total.	Deaths. Cholera.	Fever and Dysentery.	Small Pox.	Other Diseases.	Total.	Per-centage on Immigration. Deaths on Passage.	Sick on Arrival.	Adults at Healthy Division.	Hospital Admissions. Cholera.	Fever and Dysentery.	Small Pox.	Other Diseases.	Total.	Deaths.	Daily Average. Admissions to Hospital.	Sick in Hospital.	Adults at Healthy Division.	Greatest Daily Number of Sick in Hospital.	Deaths in Hospital.	Adults at Healthy Division.	Proportion of Deaths to each 100 Admissions.	Vessels landed Passengers.
1833	- -	- -	–	–	22,062	–	–	–	–	159	34	46	239	–	–	–	–	27	–	–	–	–	·72	·15	·20	1·08	·12	–	–	–	–	–	–	11·29	—
1834	- -	- -	–	–	30,982	–	–	–	290	404	12	138	844	–	–	–	–	264	–	–	–	·93	1·30	·03	·44	2.72	·85	–	–	–	–	–	–	31·27	—
1835	- -	- -	–	–	11,880	–	–	–	–	24	48	54	126	–	1	6	3	10	–	–	–	–	·20	·41	·46	1·08	·09	–	–	–	–	1	–	7·93	—
1836	- -	- -	–	–	27,986	–	–	–	–	338	50	66	484	–	40	3	18	61	–	–	–	–	1·20	·17	·23	1·62	·21	–	–	–	–	4	–	13·43	—
1837	May 3	Oct. 21	172	177	21,824	–	–	–	–	481	104	13	598	–	44	10	3	57	–	–	–	–	2·20	·47	·06	2·74	·26	3·47	73·51	–	–	4	–	9·53	—
1838	„ 1	„ 31	184	59	4,430	11	20	–	–	42	17	6	65	–	4	–	2	6	·25	·45	–	–	·95	·38	·13	1·47	·13	·35	6·52	–	–	2	–	9·23	—
1839	April 29	„ 20	175	78	8,802	44	90	–	–	147	1	41	189	–	7	–	3	10	·50	1·02	–	–	1·67	·01	·46	2·14	·11	1·08	24·34	–	–	1	–	5·29	—
1840	May 3	„ 20	171	167	22,093	219	329	–	–	485	60	16	561	–	31	10	3	44	·99	1·48	–	–	2·19	·26	·07	2·53	·19	3·22	62·03	–	–	2	–	7·84	—
1841	„ 1	„ 20	173	218	27,910	225	210	–	–	184	32	74	290	–	22	2	19	43	·50	0·75	–	–	·65	·11	·26	1·03	·18	1·09	27·83	–	–	3	–	14·82	—
1842	„ 1	„ 31	184	287	42,699	306	402	–	–	340	56	92	488	–	41	7	6	54	·71	0·94	–	–	·79	·13	·21	1·14	·12	2·59	39·79	–	–	3	–	11·06	—
1843	„ 1	„ 31	184	196	20,236	75	106	–	–	173	26	46	248	–	12	3	4	19	·37	0·52	–	–	·88	·12	·22	1·21	09	1·33	27·01	–	–	2	–	7·75	—
1844	„ 2	„ 31	183	164	19,043	83	122	–	–	322	11	55	388	–	14	1	3	18	·43	1·06	–	–	1·69	·05	·29	2·03	·09	2·12	46·73	–	–	2	–	4·63	—
1845	„ 6	„ 20	168	198	24,331	112	263	–	–	362	73	30	465	–	21	4	5	30	·46	1·08	–	–	1·48	·30	·12	1·91	·12	2·76	50·74	–	–	2	–	6·45	—
1846	„ 7	„ 31	178	206	31,931	227	424	–	–	613	106	173	892	–	47	7	8	62	·71	1·32	–	–	1·91	·33	·54	2·79	·19	5·	92·32	–	–	3	–	6·95	—
1847	„ 11	Nov. 3	177	398	100,285	4956	6449	–	–	8574	92	25	8,691	- not classified -				3,238	4·94	6·43	–	–	8·54	·09	·02	8·66	3·22	49·10	–	–	–	–	–	37·25	—
1848	„ 10	Oct. 10	154	208	26,225	250	233	4,460	–	362	31	134	527	–	69	6	50	125	·95	·88	·17	–	1·38	·11	·51	2·	·47	3·42	85·20	149·89	225	5	1,364	23·71	28
1849	„ 8	„ 20	166	258	37,600	681	342	8,796½	3	663	34	147	847	57	82	6	14	159	1·81	·90	26·07	0·07	1·76	·09	·39	2·25	·42	5·01	92·56	260·42	196	11	1,461	18·77	53

Quarantine Station, Grosse Isle, 20 October 1849.

(signed) *Ph. Pearson Harris.*

EMIGRATION.

COPY of a DESPATCH transmitting REPORT from the Chief Agent of EMIGRATION in *Canada* for the Year 1849, and other Documents.

(*Mr. Wyld.*)

Ordered, by The House of Commons, *to be Printed*,
25 *March* 1850.

173.

Under 4 *oz.*

PAPERS

RELATIVE TO

THE CLERGY RESERVES

IN

CANADA.

Presented to both Houses of Parliament, by Command of Her Majesty.
February 1851.

LONDON:
PRINTED BY HARRISON AND SON.

SCHEDULE.

No.	No.	Date.	SUBJECT.	Page
1. The Right Honourable the Earl of Elgin .	198	1850. July 19	Forwarding an Address of the Legislative Assembly of Canada to Her Majesty on the subject of the Clergy Reserves	1
2. The Right Honourable Earl Grey . ..	551	1851. January 27	In reply	6

Papers relative to the Clergy Reserves in Canada.

(No. 198.) No. 1.

COPY of a DESPATCH from the Right Hon. the Earl of ELGIN and KINCARDINE to the Right Hon. the Earl GREY.

Government House, Toronto, July 19, 1850.

Received August 5, 1850.)

(Answered January 27, 1851. No. 551, page 6.)

MY LORD,

I HAVE the honour to transmit herewith, in compliance with the request of the Legislative Assembly, to be laid at the foot of the Throne, an Address from that House to Her Majesty, on the subject of the Clergy Reserves. After recapitulating the proceedings of the House of Assembly of Upper Canada before the union of the provinces in connexion with this question, it concludes with the prayer, that Her Majesty will be graciously pleased to recommend to Parliament a measure for the repeal of the Imperial Act 3 & 4 Vict., chap. 78, and for enabling the Canadian Parliament to dispose of the Clergy Reserves, subject to the condition of securing the stipends or allowances assigned from this fund to the clergy of the Church of England or Scotland, or to any other religious bodies or denominations of Christians, to the parties now receiving them during their natural lives or incumbencies. It was finally carried by a majority of 46 votes to 23; some of the minority voting against it in consequence of this reservation.

2. It may be proper, however, to observe, that a much closer division took place on the passage of the 29th, in the series of resolutions on which the Address was founded, and which was thus worded: "*Resolved*—That this House is of opinion, that when all the circumstances connected with this question are taken into consideration, no religious denomination can be held to have such vested interest in the revenue derived from the proceeds of the said Clergy Reserves as should prevent further legislation with reference to the disposal of them; but this House is nevertheless of opinion, that the claim of existing incumbents should be treated in the most liberal manner." This resolution was opposed by three classes of persons: First, by those who desire the existing settlement to be maintained. Second, by those who, though they object to the Imperial Act of 1840, and seek its repeal, admit nevertheless certain claims on the part of the Protestant clergy under the Constitutional Act of 1791. And lastly, by those who are unwilling to recognize even the claims of existing incumbents. It was carried on a division by a majority of 2 only; the numbers being 36 for, and 34 against it.

3. I deeply regret the revival of agitation on this subject, of which Lord Sydenham truly observed, that it had been in Upper Canada the one all-absorbing and engrossing topic of interest, and for years the principal cause of the discontent and disturbance which had arisen, and under which the province had laboured. The intervention of the Imperial Parliament in 1840 was doubtless prompted by a desire to settle on terms which should be equitable and generally satisfactory, a question which had for so many years disturbed the peace of the colony. While the principle, however, of an establishment was abandoned by the Imperial Act 3 & 4 Vict., chap. 78, which admitted all denominations to share in the proceeds of the Clergy Reserves, advantages

were given by it to the established Churches of England and Scotland in the distribution of the funds which render them still objects of envy. This feeling has been increased, as regards the Church of Scotland, by the large secession from its ranks, which the Free Church movement has occasioned. I much fear that the result will justify the disinclination which Lord John Russell appears, from the first, to have entertained to any legislation by the Imperial Parliament upon this question. It is an evil of no small magnitude on a subject of this nature, that while the more violent and unscrupulous of the opponents of the existing settlement are enabled to create a prejudice against it, by representing it to be the result of Imperial interference in a matter of provincial concern, its friends are tempted rather to endeavour to influence opinion in England than to resort to measures which may strengthen their position in the colony.

I have, &c.

(Signed) ELGIN AND KINCARDINE.

The Right Hon. The Earl Grey,
&c. &c. &c.

Enclosure in No. 1.

ADDRESS TO HER MAJESTY.

Hon. Mr. Price reported from the Select Committee appointed to draw up an Address to Her Majesty on the subject of Clergy Reserves, that they had drawn up an Address accordingly, which was read twice, as followeth:—

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

Most Gracious Sovereign:

WE, your Majesty's most dutiful and loyal subjects, the Commons of Canada, in Provincial Parliament assembled, humbly approach your Majesty, for the purpose of representing:—

That the reservation of a large portion of the public domain of the province, for the support of a Protestant clergy, by an Act passed in the 31st year of the reign of your Majesty's royal predecessor, King George the Third, has been for many years a source of intense dissatisfaction to the great majority of your Majesty's subjects in Upper Canada.

That it appears by the last census taken in Upper Canada, that the population of that section of the province was in the year 1848, 723,332, of which 239,651 are returned as in connexion with the Churches of England and Scotland, the only churches receiving any benefit from the Clergy Reserve endowment.

That it appears by the last census taken in Lower Canada, that the population of that section of the province was in the year 1844, 678,490, of which only 70,229 are returned as in connexion with the Churches of England and Scotland.

That the power given by the 41st clause of the above-mentioned Act to the Provincial Legislature, "to vary or repeal" the provisions respecting the allotment and appropriation of lands for the support of a Protestant clergy, affords sufficient evidence, that in the opinion of the Imperial Parliament the question was one that ought to be settled with reference to the state of public opinion in the colony rather than to that in the mother-country.

That in the early settlement of the province the reserve lands were of little value, and as no sales had then been authorized by the Imperial Parliament, the question attracted but a slight share of public attention.

That so soon as the intention of the Government to dispose of the land reserved in Upper Canada became known, the representatives of the people of that province took the whole subject into their most serious consideration, and with an unanimity that prevailed on no other question, endeavoured to remove a grievance universally complained of by the people, save and except by those interested in the maintenance of Church Establishments.

That in the year 1827 a Bill to authorize the sale of Clergy Reserves and the application of the proceeds thereof to the purposes of General Education, was passed through the House of Assembly of Upper Canada, the division on the second reading having been 22 to 6; that this Bill was rejected by the Legislative Council.

That a dissolution having taken place soon afterwards, the tenth Parliament of Upper Canada met in the year 1829, when a Bill for the sale of the Clergy Reserves and the application of the proceeds to educational purposes, passed through its various stages in the House of Assembly without a division, but was again rejected by the Legislative Council.

That in the year 1830, during the second session of the tenth Parliament, another Bill containing similar provisions to the former ones was passed by the House of Assembly without a division, and was rejected by the Legislative Council.

That a dissolution having taken place, a new Parliament met in the year 1831, when resolutions expressing the same views were adopted by a large majority in the House of

Assembly, an amendment proposed by the Solicitor-General having been rejected on a division of 29 to 7.

That in the year 1832, during the second session of the eleventh Parliament, an Address to the Crown praying for the application of the Clergy Reserves to educational purposes was carried by a large majority in the House of Assembly.

That after the passage of the Address last referred to, a message was sent down to the House by Lieutenant-Governor Sir John Colborne, in which his Excellency stated that he had His Majesty's commands to make a communication to the House of Assembly in reference to the lands set apart for the support and maintenance of a Protestant clergy; that his Excellency informed the House that the representations made to His Majesty and to his royal predecessors, of the prejudice sustained by his faithful subjects in the province, from the appropriation of the Clergy Reserves, had engaged His Majesty's most attentive consideration, that His Majesty had considered with no less anxiety, how far such an appropriation of territory was conducive either to the temporal welfare of the ministers of religion in the province or to their spiritual influence, and that His Majesty invited the House of Assembly of Upper Canada to consider how the power given to the Provincial Legislature by the Constitutional Act, to vary or repeal this part of its provisions, could be called into exercise most advantageously for the spiritual and temporal interests of His Majesty's faithful subjects in the province.

That after the reception of the above message, a Bill to reinvest the Clergy Reserves in the Crown, discharged of all trusts whatsoever, was introduced and read a second time on a division of 29 to 7.

That in the year 1833, during the third session of the eleventh Parliament, a Bill having similar provisions with that formerly adopted by the House, was read a second time on a division of 26 to 2.

That in the year 1834, during the fourth session of the eleventh Parliament, a Bill of a similar character was passed through its several stages in the House of Assembly by considerable majorities, though opposed with the whole weight of the Government, but was rejected by the Legislative Council.

That in the year 1835, during the first session of the twelfth Parliament of Upper Canada, a Bill for the sale of the Clergy Reserves and the application of the proceeds to educational purposes, was passed by a majority of 40 to 4, but was rejected by the Legislative Council.

That during the same session resolutions were sent down to the House of Assembly by the Legislative Council, in which the opinion was expressed, that as the Legislature of the province had been unable to concur in any measure respecting the Clergy Reserves, it was expedient to address His Majesty and both Houses of Parliament, requesting that the Imperial Parliament should legislate on the subject.

That the House of Assembly, by a majority of 24 to 12, thereupon resolved, That the House had theretofore repeatedly passed Bills providing for the sale of the Clergy Reserves, and the appropriation of the moneys arising therefrom to the support of Education, which Bills have been rejected without amendment by the Legislative Council. That with the same view the House had repeatedly made known, by humble and dutiful addresses to His Majesty, their wishes and opinions, and the wishes and opinions of His Majesty's faithful subjects in the province on this highly important subject, and that the House took that opportunity of declaring that these wishes and opinions, both on the part of the House and of their constituents remained entirely unchanged. That during the second session of the then last Parliament, his Excellency the Lieutenant-Governor by Message informed the House that he had received His Majesty's instructions to declare that the representations which had at different times been made to His Majesty and his royal predecessors, of the prejudice sustained by His Majesty's faithful subjects in the province from the appropriation of the Clergy Reserves, had engaged His Majesty's most attentive consideration, and His Majesty had most graciously been pleased to invite the House to consider how the powers given to the Provincial Legislature by the Constitutional Act, to vary or repeal the provisions which it contains for the allotment and appropriation of the Clergy Reserves might be most advantageously exercised for the spiritual and temporal interests of his faithful subjects in the province. That the House, in compliance with His Majesty's wishes thus graciously expressed, and with the strong and well-known desires of His Majesty's faithful subjects in the province, had passed a Bill during the then present session to provide for the sale of the Clergy Reserves, and to apply the money arising from such sales to the support of education. That the said Legislative Council had not passed the said Bill, had not amended it, and had not passed any other Bill on the subject.

That in the year 1836, during the second session of the twelfth Parliament, a Bill embodying similar principles to those repeatedly passed by the House of Assembly was again introduced, and was carried on a division by a majority of 35 to 5. That the said Bill was amended in the Legislative Council by expunging all the enacting clauses, and substituting provisions for investing the Reserves in the Crown, to be applied for the maintenance of public worship and the support of religion. That the House of Assembly adopted by a majority of 27 to 1, certain amendments to the amended Bill sent down by the Legislative Council affirming the principles of their original Bill.

That during the same session, a despatch from Lord Glenelg, His Majesty's Principal Secretary of State for the Colonies to Lieutenant-Governor Sir Francis Head, was com-

municated to the House of Assembly in which his Lordship treated the question as one to be settled by the Provincial Legislature, and declined to interfere with the deliberations of the Legislature by offering any suggestions of his own.

That the twelfth Parliament having been dissolved by Sir Francis Head, a general election was held at a period of great excitement, and the question of the disposal of the Clergy Reserves appears to have been lost sight of during the political struggle which ensued. That during the first three sessions of the thirteenth Parliament, various efforts were made to settle the question, but without any satisfactory result. That at length in the course of the third session, a Bill which had passed the Legislative Council providing for the reinvestment of the said Reserves in the Imperial Parliament, was concurred in by a majority of 22 to 21.

That in the year 1839, during the fifth and last session of the last Parliament of Upper Canada, a Message was sent down to the House by the Governor-General, the Right Hon. C. P. Thomson, by which the House was informed, that the Bill passed during the previous session had not received the Royal Assent, there being an insuperable objection to it on a point of form. That his Excellency stated, moreover, that in the opinion of Her Majesty's Government, the Provincial Legislature would bring to the decision of the question an extent of accurate information as to the wants and general opinion of society in this country in which the Imperial Parliament was unavoidably deficient.

That another attempt at settlement was made during the last session of the last Parliament of Upper Canada, when a Bill passed both Houses providing for the sale and disposal of the Clergy Reserves, which Bill having been reserved for the Royal Assent was not assented to by your Majesty.

That on your Majesty's decision to withhold the Royal Assent from the said Bill, your Majesty's Government submitted to the Imperial Parliament a Bill providing for the sale and distribution of the proceeds of the Clergy Reserves, which, so far from settling this long-agitated question, has left it to be the subject of renewed and increased public discontent.

And we humbly beg leave further to represent to your Majesty, that apart from the objections entertained by the great majority of your Majesty's subjects in Canada to religious endowments, by which certain favoured denominations of Christians are kept in connexion with the State, and thereby placed in a position of superiority over others, the present disposition of the revenue derived from the Clergy Reserves investments is manifestly unjust.

That the entire revenue derived from the investments made before the passing of the Imperial Act 3 and 4 Victoria, chapter 78, has been thereby assigned to the Churches of England and Scotland, to the exclusion of the Wesleyan Episcopal and New Connexion Methodists, the Free Presbyterian Church of Canada, the United Presbyterian Church, the Baptists, Congregationalists, and other religious bodies whose pastors have an equal claim to the designation of a Protestant clergy with those of the clergy of the Churches of England and Scotland.

That it appears from the facts above stated, that during a long period of years, and in nine successive sessions of the Provincial Parliament, the Representatives of the people of Upper Canada, with an unanimity seldom exhibited in a deliberative body, declared their opposition to religious endowments of the character above referred to. That the wishes of the people were thwarted by the Legislative Council, a body containing a majority avowedly favourable to the ascendancy of the Church of England. That the Imperial Government from time to time invited the Provincial Parliament to legislate on the subject of these Reserves, disclaiming on the part of the Crown any desire for the superiority of one or more particular Churches. That your Majesty's Government, in declining to advise the Royal Assent being given to a Bill passed by a majority of one, for investing the power of disposing of the Reserves in the Imperial Parliament, admitted that from its accurate information as to the wants and general opinions of society (in which the Imperial Parliament was unavoidably deficient), the question could be more satisfactorily settled by the Provincial Legislature. That subsequently to the withholding of the Royal Assent from the last-mentioned Bill, the Imperial Parliament passed an Act disposing of the proceeds of the Clergy Reserves in a manner entirely contrary to the formerly repeatedly expressed wishes of the Upper Canadian people as declared through their Representatives, and acknowledged as such in a message sent to the Provincial Parliament by command of your Majesty's royal predecessor.

That we are humbly of opinion that the legal or constitutional impediments which stood in the way of provincial legislation on this subject, should have been removed by an Act of the Imperial Parliament, but that the appropriation of revenues derived from the investment of the proceeds of the public lands of Canada, by the Imperial Parliament, will never cease to be a source of discontent to your Majesty's loyal subjects in this province; and that when all the circumstances connected with this question are taken into consideration, no religious denomination can be held to have such vested interest in the revenue derived from the proceeds of the said Clergy Reserves, as should prevent further legislation with reference to the disposal of them, but we are nevertheless of opinion that the claims of existing incumbents should be treated in the most liberal manner; and that the most liberal and equitable mode of settling this long-agitated question, would be for the Imperial Parliament to pass an Act providing that the stipends and allowances heretofore assigned and given to the clergy of the Church of England and Scotland, or to any other

religious bodies or denominations of Christians in Canada, and to which the faith of the Crown is pledged, shall be secured during the natural lives or incumbencies of the parties now receiving the same, on the same principle that was adopted in the 3rd section of an Act passed in the third and fourth years of Her Majesty's reign, chapter 78; subject to which provision the Provincial Parliament should be authorized to appropriate as in its wisdom it may think proper, all revenues derived from the present investments, or from those to be made hereafter, whether from the proceeds of future sales or from instalments on those already made.

We therefore humbly pray that your Majesty will be graciously pleased to recommend to Parliament a measure for the repeal of the Imperial Act 3 & 4 Vic., chap. 78, and for enabling the Canadian Legislature to dispose of the proceeds of the Clergy Reserves, subject to the conditions above mentioned.

Despatch from the Right Honourable Earl Grey, Secretary of State.

No. 2.

(No. 551.)

COPY of a DESPATCH from the Right Hon. the Earl GREY to the Right Hon. the Earl of ELGIN and KINCARDINE.

MY LORD, Downing Street, January 27, 1851.

I HAVE hitherto deferred answering your Lordship's despatch No. 198, of
* Page 1. the 19th of July last*, in which you transmitted to me an Address to Her Majesty from the House of Assembly, on the subject of the Clergy Reserves, because when this despatch reached me the session of the Provincial Legislature having already been brought to an end, and that of the Imperial Parliament being about to close, nothing could for some months be done on the subject referred to, and I therefore thought it advisable that it should be reserved for that full and deliberate consideration of Her Majesty's Government, which its difficulty and importance deserved.

2. I have now to instruct your Lordship to inform the House of Assembly when it shall again be called together, that their Address to the Queen, which was transmitted to me in your despatch, has been laid before Her Majesty, and that Her Majesty has been pleased to receive it very graciously. You will further inform the House, that while Her Majesty's servants greatly regret that a subject of so much difficulty as that of the Clergy Reserves should, after an interval of some years, have again been brought under discussion, it has appeared to them on mature deliberation, that the desire expressed by the Assembly in this Address ought to be acceded to, and they will accordingly be prepared to recommend to Parliament that an Act should be passed, giving to the Provincial Legislature full authority to make such alterations as they may think fit in the existing arrangements with regard to the Clergy Reserves, provided that existing interests are respected.

3. In coming to this conclusion Her Majesty's Government have been mainly influenced by the consideration, that, great as would in their judgment be the advantages which would result from leaving undisturbed the existing arrangement by which a certain portion of the public lands of Canada are made available for the purpose of creating a fund for the religious instruction of the inhabitants of the province, still the question whether that arrangement is to be maintained or altered is one so exclusively affecting the people of Canada, that its decision ought not to be withdrawn from the Provincial Legislature, to which it properly belongs to regulate all matters concerning the domestic interests of the province.

4. It has therefore appeared to Her Majesty's Government that it would be impossible for them, consistently with the principles on which they have always held that the Government of Canada ought to be conducted, to advise Her Majesty to refuse to comply with the prayer of the Address of the House of Assembly; and they have had the less difficulty in coming to this conclusion, because they have observed with satisfaction, that the Assembly, in their Address, have recognized the claims of those who are now in the enjoyment of incomes derived from the funds realized by the sale of the lands in question, and have not asked, that in any alteration of the Act of Parliament now in force, authority should be given to the Provincial Legislature to interfere with the continuance of these incomes for the lives of the parties by whom they are received. The course thus taken by the Assembly is alike consistent with sound policy and with justice, and has obviated what would otherwise have been a great difficulty in the way of accomplishing the object they have in view.

5. You will cause copies of this despatch to be laid before both Houses of the Parliament of Canada at their next meeting.

I have, &c.

The Earl of Elgin and Kincardine, (Signed) GREY.
&c. &c. &c.

Clergy Reserves.—(Canada.)

PAPERS relative to the Clergy Reserves in Canada.

Presented to both Houses of Parliament by Command of Her Majesty. 1851.

LONDON:
PRINTED BY HARRISON AND SON.

92

CORRESPONDENCE

RELATING TO

THE CIVIL LIST

AND

MILITARY EXPENDITURE

IN

CANADA;

AND TO

THE PROJECTED RAILWAY FROM HALIFAX TO QUEBEC.

Presented to both Houses of Parliament by Command of Her Majesty.
April 8, 1851.

LONDON:
PRINTED BY HARRISON AND SON.

Schedule.

Correspondence relating to the Civil List and Military Expenditure in Canada.

DESPATCH FROM GOVERNOR-GENERAL THE EARL OF ELGIN.

Number in Series.	Date.	No.	SUBJECT.	Page
1	Dec. 31, 1850	244	Enclosing Minute of the Executive Council relative to the Report made to the Legislative Assembly by a Committee of Inquiry into the state of the Provincial Income and Expenditure, and referring to the PROPOSED REDUCTIONS IN PENSIONS AND SALARIES FIXED UNDER THE CIVIL LIST ACT	2
			Observations of the Governor-General on the following points:— Salaries of Judges and Heads of Departments; Rates of Payment and relative Duties of Public Officers in Canada and the United States, considered; Rate of Taxation and Trade of the two Countries; Salary of the Governor-General, &c.	
			Enclosure to the foregoing	
			MINUTE OF COUNCIL, 20th DECEMBER, 1850, with remarks on the following heads:—	
			I. SOURCES OF REVENUE OF THE PROVINCE:— Customs; Territorial { Timber Duties; Crown Lands—and payments from this latter source of claims of U. E. Loyalists, and survey expenses }; Excise	
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DESPATCH FROM THE RIGHT HON. EARL GREY, SECRETARY OF STATE.

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CANADA.

No. 1. (No. 244.) No. 1.

Copy of a DESPATCH from Governor-General the Earl of Elgin and Kincardine to Earl Grey.

Government House, Toronto, December 31, 1850.

(Received January 28, 1851.)

(Answered March 14, 1851, No. 568, page 9.)

My Lord,

THE Executive Council of this province having had under consideration the reports made to the Legislative Assembly during its last session by a Committee appointed to inquire into the state of the provincial income and expenditure, has submitted a minute, of which I herewith inclose a copy, and requested me to forward it to your Lordship, with the view of obtaining the sanction of Her Majesty's Government to a reduction in the charge for pensions, and in certain salaries fixed under the Civil List Act, which it is the desire of the Council to recommend for the adoption of the Local Parliament. The Committee to which reference is here made was nominated at the instance of the Government, and composed of members selected from the several political parties represented in the House. I transmit in a separate despatch a printed volume containing a copy of the reports presented to the House by the Committee, and of the evidence* which accompanied them. The greater part of this evidence, which is bulky, consists of written statements in which schemes for effecting an entire change in the financial and administrative system of the province are discussed. The Committee have, however, offered no opinion on this branch of the subject.

Enclos. 1.

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* This document is not printed with these papers on account of its bulk.

2. As respects the recommendations contained in the minute which I inclose, I cannot but express regret that the Council should have deemed it their duty to make them. I do not indeed think that much practical inconvenience, in so far as the Government is concerned, would arise from restricting within the narrowest bounds, or even perhaps from entirely withdrawing the very limited power which the Crown possesses under the Civil List Act of conferring pensions other than those to judges. So great is the jealousy with which the exercise of this power by the Crown is viewed—a jealousy which tends to check not the abuse of the power merely, but also its proper use—that I think less injustice would be sustained by those who render services to the public entitling them to such consideration, if it were understood that the Crown had not the means of rewarding them in this manner, than is done by permitting them to form expectations which may be doomed to disappointment, even when most legitimate. Little evil would, therefore, in my opinion, result from a change of this nature unless it should lead to a revival of the practice of personal canvass and solicitation, which obtains so extensively, and with such demoralizing effects, whenever favours of this description are contingent on the votes of popular Assemblies, instead of being awarded on the responsibility of Ministers liable to be called to account for their acts.

3. The proposal to reduce the salaries of judges and heads of departments is, in my opinion, more objectionable. Whether the cost of living in towns, or the incomes realized by professional men in large practice, or the stipends assigned to persons filling situations of confidence and trust by private individuals and corporations, such as banks and land companies, be considered, I fail to discover any sufficient ground for the belief that the salaries of 1000*l.* currency, or 800*l.* sterling now enjoyed by those high functionaries, are excessive, if indeed it be assumed, as is the case in corresponding situations in England, that the services they are required to render to the public, claim their whole time and attention. I think, therefore, that it is much to be regretted that it should be supposed that a necessity exists for recommending a measure of this description. The more so, that a solemn compact with the Crown, deliberately

entered into by the Provincial Parliament for the lifetime of the reigning Sovereign, imparts to the scale of salaries now subsisting, a character of permanency which can hardly be expected to attach to any fresh adjustment.

4. It was indeed affirmed in some of the statements laid before the Committee of the Legislative Assembly, that lower salaries are awarded under the local Governments of the States forming the American Union, and the allegation is, undoubtedly, to a certain extent, true. The nominal salaries affected to offices even of the highest grade in many cases under these Governments, are so inconsiderable, as to place them beyond the reach of persons who have not independent means of subsistence, whether derived from realized estate, professional pursuits, or the profits of trade. A smaller income, for example, attaches to the office of Governor in some of the more wealthy and densely-peopled States, than is usually assigned to the same office in territories.

5. The evidence on this head submitted to the Committee was, however, scanty, and as the witnesses were not subjected to the ordeal of cross-examination, of little value as a guide in the determination of the questions which it raised. No information, for instance, was given as to the extent to which the practice of payment of fees, which has been in a great measure abandoned in Canada since the Union, obtains in the States to which reference was made. No inquiries were instituted with the view of ascertaining how far the prospect of future and more lucrative employment under the Federal Government, or even the hope of obtaining the advantages attaching to the situation of Member of Congress, may induce persons of talent and character to assume temporarily in the several States, the discharge of official functions which are inadequately remunerated. Nor was any light thrown on the yet more important question as to whether experience has proved that very low salaries contribute to official purity or to the interests of public economy.

6. It is in truth no very easy matter to compare the cost of Government in communities which are governed on widely different systems; and a comparison of this nature, if it is to lead to any good or useful result, ought manifestly to be conducted in a very candid and philosophical spirit. To assume that the State Government perform for the people of the States the same services as the Colonial Government renders the people of Canada, without enquiring whether or not this be indeed the case, is obviously a very hasty and unsatisfactory mode of disposing of the question, and even a cursory examination of the facts suffices to demonstrate its fallacy. It is easy to perceive, on the one hand, that our system of Colonial Government, as it is worked out here, gives to the colonists a more complete control over their own affairs, and imposes, therefore, on this Government duties of administration greatly more extensive and complicated than is conferred by the Constitution of the United States on any member of the Confederacy in its individual capacity. In proof of this, it may be enough to cite the multifarious functions connected with the imposition and collection of duties from customs, the regulation of internal posts, and the management and sale of vast extents of unoccupied territory, which devolve on the Colonial Government, but from the performance of which the local Governments of the Union are relieved by the Federal authority. To this enumeration may be added certain departments of criminal administration which do not fall within the cycle of the attributions of the State officials. A remarkable instance of the working of their system in this branch was afforded lately, when the authorities of the State of New York refused to be parties to carrying out the provisions of the Treaty of Extradition which had passed between Great Britain and the United States, alleging that it devolved on the officers of the Federal Government alone to give effect to it.

7. On the other hand, the great extent to which the principle of decentralization is carried under the system of the United States withdraws from the State Governments all controul over many branches of local administration, for the right conduct of which the Colonial Government is, with us, held to be more or less directly responsible. Add to these remarkable discrepancies the facts, that the entire separation of legislative and executive functions in the Constitution of the General and Local Govern-

ments of the United States, relieve the officers of the Executive in a great measure from all responsibility connected with the work of legislation; that they are not required, as members of a popular Assembly, to inaugurate and carry out schemes of general policy, or to vindicate their conduct when attacked; that the tenure of office is with them for fixed periods, not determinable by the votes of parliamentary majorities; and I think your Lordship will perceive, that in order to enable a candid inquirer to arrive at a just estimate of the relative cost of Government in the colony and the adjoining States, something more is requisite than a statement of the comparative expense of departments which have little in common but the name.

8. A similar character of hasty generalization attaches to other statements laid before the Committee, in which an attempt is made to show that the burden of taxation borne by the people of Canada who have only one Government to support, is not as much lighter than that which falls on the citizens of the United States who maintain two, as might reasonably be expected. For the purpose of this comparison the State of New York is selected, where the expenses of the State Government and the interest of the public debt have been for some years past almost entirely covered by the revenue from public works; a fortunate peculiarity which distinguishes that State from other States of the Union as widely as from Canada, and which is due to the possession of a monopoly of the western trade, which is likely to be seriously affected by the competition now springing up on the St. Lawrence and on railways connecting that river at lower points than Buffalo with Atlantic ports. With the view of establishing that there is not so great a discrepancy in the amount of taxation imposed for municipal purposes in the two countries as is generally believed to be the case, reliance is placed on returns which profess to give the expenditure, on this head, of two adjoining frontier townships while the very important and notorious facts, that in one section of United Canada the charge in question is almost unknown, and that in the other, where it is highest, it does not approach the average of the payments made on this account in the State of New York, are slurred over as if they were less material to the determination of the issue raised. The amount of indirect taxation borne by the people of either country respectively is then computed by dividing the revenue derived from customs in each by the sum of its population. No account is however taken of the circumstance that as the Tariff of the United States is framed with a view to protection, the receipts of the Treasury represent very inadequately the pecuniary burden it lays on the consumer. The article of iron, for example, costs the consumer in the United States from 6 to 10 dollars a-ton more than the consumer in Canada; but this difference in price swells the revenue only in the case of iron imported from abroad. I am aware that there are persons in Canada who hold that the benefits accruing from this description of impost more than compensate for the burden. The amount, however, of the charge imposed under this head on the members of the two communities respectively, and not its character, is the object of comparison in the statements to which I am now referring; though I cannot but observe, that it is strange to find that in countries where the dearness of capital is the subject of continual complaint, and where it is alleged that many promising enterprises are starved for the want of it, it should be considered an act of wisdom in Governments to place a heavy burden on the consumer for the purpose of artificially turning it from those channels which it seeks when left to itself, into others which are not naturally productive.

9. I have thought it proper to offer these remarks on certain portions of the evidence laid before the Committee of the Legislative Assembly on which that body abstained from pronouncing an opinion, as they rest on allegations of fact, of which it is not easy at a distance from the spot to test the accuracy. With reference, however, to the comments which I have already made on the inclosed minute of Council, I beg to add, that notwithstanding the objections which I entertain to some of the propositions contained in it, I have not considered it my duty to decline to pass it. No interference with the rights of individuals is contemplated by it. The vested interest of judges and pensioners are respected. The only

persons now holding office who will be affected by it are the Ministers who recommend it. A very serious question of principle is no doubt involved in the proposal to depart in any degree from the terms of the arrangement entered into with the Crown by the Provincial Parliament in 1846. Of this, however, the Council evince their sense by the mode in which they submit for the consideration of Her Majesty's Imperial Government a measure affecting the Civil List, which the proceedings adopted last session in Parliament and the temper of the country have in their judgment rendered necessary.

10. It is not my province to anticipate the view which your Lordship may take of the recommendations thus brought under your notice. I am confident that Her Majesty's Government will entertain with reluctance any scheme for disturbing the settlement effected under the present Civil List Act which may seem to them calculated to diminish the guarantee that now exists for the efficiency and integrity of persons called to fill offices of high trust and responsibility in Canada. At the same time I cannot conceal from your Lordship my apprehension that evil may arise if it should be made to appear that a higher scale of salaries than public opinion approves is maintained in the province by the authority of the Crown, or if persons who have factious or disloyal objects in view are enabled, by raising the issue of a simulated conflict of imperial and colonial jurisdiction, to withdraw attention from these plain and patent facts, that the British Government can have no selfish interest in keeping up the emoluments of offices to which it has ceased to nominate; and that security against aggression from without, and the advantage of representation in foreign countries, are enjoyed by the inhabitants of Canada, under the protection of England, in connexion with low taxation and self-government, to an extent which it would be difficult to parallel in the history of any other people.

11. It may be proper, before closing this despatch, that I should say a few words on that portion of the Minute of Council in which reference is made to the Governor-General's salary, and to the discussion which took place on this subject in the Parliamentary Committee. I concur with the Council in thinking that the fixity of this salary is of more importance than its amount. The practice of the United States is confirmatory of this opinion, for the salary attached to the office of President in the year 1789, when the population of the Union was comparatively small, has never since been altered; and it is an article of the Constitution, that it shall suffer neither increase nor diminution during the incumbency of any individual President.

12. The office of Governor-General is held for a limited period, determinable at any moment at the pleasure of the Crown. It confers no claim to pension, or, except accidentally, to further employment. It imposes, moreover, on the recipient a heavy charge for fees and outfit before any title to salary accrues. It is therefore an office which can be prudently assumed only by a person who has the resource of private fortune or military half-pay to fall back upon.

13. The income attaching to it is fixed rather with the view of enabling the holder of the office to perform certain duties which entail expense, than as a reward for service. Any amount of difference of opinion may obviously exist as to the extent to which provision for this description of duty ought to be made. I apprehend, therefore, that if it is to be an open question, the discussions upon it are likely to be interminable. I shall only observe on this head, that the changes which have recently taken place in the system of Government in this colony tend, in my opinion, rather to increase than to diminish the call for it. If the Governor-General adheres faithfully to the principles of Constitutional Government in the direction of public affairs, it becomes all the more necessary that his residence should be open to leading persons of different parties, and that he should be able, by visiting distant parts of the province, and taking a lead in works of public utility and benevolence which are not of a party character, to manifest personal sympathy with all sections of the community.

14. Having said thus much on a topic on which I might have hoped

to have been spared the necessity of offering an opinion, I beg to add as respects myself, that the amount of salary was not the inducement which led me to undertake the duties of the office which I have the honour to fill, inasmuch as I renounced on assuming it an income which considerably exceeded it; and that my readiness to place my humble services at the disposal of Her Majesty whenever they may be commanded, will not not be affected by any decision to which Her Majesty's Ministers may arrive on this question.

I have, &c.

(Signed) ELGIN AND KINCARDINE.

The Right Hon. Earl Grey,
&c. &c. &c.

Enclos. l in No. 1.

Enclosure in No. 1.

Extract from a Report of a Committee of the Honourable the Executive Council on matters of State, dated the 20th December, 1850, approved by his Excellency the Governor-General in Council on the same day.

THE Committee of the Executive Council have had under consideration, on your Excellency's reference, the reports made to the Legislative Assembly during the last session by a Committee appointed to inquire into the state of the Public Income and Expenditure of the province. Your Excellency having, in your speech from the throne at the commencement of the last session, recommended such an inquiry, the appointment of a Select Committee appeared to your Excellency's advisers to be the most efficient means of bringing about every retrenchment compatible with maintaining the efficiency of the public service, and at the same time of dispelling the illusory expectations which seem to have been formed by a portion of the public. The Committee of Council regret that the delay which has taken place in printing the report of the Select Committee, has prevented them from sooner taking it into consideration, and giving it that attention which the great importance of the subject demands. On examining the proceedings of the Select Committee, it appears that it was first resolved, on motion of the Inspector-General, that the Committee should commence its inquiries by investigating the various sources of the public revenues, and all charges defrayed out of the said revenue, before it reaches the Receiver-General, and that it should then proceed to consider the expenditure under its various heads. Although the Select Committee appear to have deviated from the mode of proceeding originally determined on, the Committee of Council propose to adhere to it in considering the report, from a conviction that it is the mode best calculated to give general satisfaction. The most important branch of the public revenue is the Customs; and in connexion therewith may be considered that derived from tolls on canals and other works which are under the same general management, and in many instances collected by the same officers. Suggestions have been made as to the expediency of changing both the system of management of these revenues, and the mode of remunerating the officers employed in collecting them.

On examining the proceedings of the Select Committee, the Committee of Council find not only that these suggestions were not entertained, but that the present scale of salaries met the unanimous approbation of the Committee. The Committee of Council would here remark, that considerable reductions have been made in the salaries of various officers employed in the Customs department, on the recommendation of your Excellency's present advisers; and it is satisfactory to them to find that these reductions have been approved of, and that the present salaries are considered reasonable.

The next branch of revenue to be considered is that included under the head of "Territorial," which includes that derived from the timber cut on the Crown domain. The Finance Committee having pronounced no opinion as to the present system, the Committee of Council have carefully considered whether any changes can be introduced, by which greater economy in the collection of the revenue can be effected, and at the same time the interests of those engaged in the timber trade can be promoted. The Committee of Council find that in the sister province of New Brunswick, the stampage duty on timber has been converted into an export duty, payable on all timber, whether cut on public or private property. Were such a change adopted in Canada, the revenue could be conveniently collected without any expense, and the mode of collection would give great satisfaction to those engaged in the lumber trade. The only objection that presents itself to this mode of collecting the stampage duty, is that the owners of timber-land would be subject to a charge from which they are now exempt. It seems to be the opinion of those most conversant with the trade, that at present large quantities of timber cut on the Crown domain are passed as cut on private property; and it has been suggested that, as the enforcement of regulations sufficiently stringent to prevent fraud would operate more disadvantageously to the trade than a small duty, it would be the least objectionable policy to impose a uniform export duty, rather less than the present stampage duty. The Committee of Council are of opinion that this subject should undergo further con-

sideration during the next session of the Legislature; but they recommend that all future grants of land should contain a reservation of the duty which may be imposed on timber. The Committee of Council are not of opinion that any advantageous change can be made in the system of disposing of the public lands. The agents are paid by a moderate fixed commission on the monies passing through their hands; and as it would subject the public to great inconvenience, if agencies were wholly abolished, the Committee cannot recommend the adoption of such a measure.

The Committee of Council have carefully considered the various charges on the Crown Land revenue, and the causes which have led to its apparent unproductiveness. It appears from the evidence of the Commissioner of Crown Lands, that during the last eight years, scrip to the amount of 317,119*l.* 16*s.* 6*d.* has been issued in satisfaction of the claims of U. E. loyalists and militiamen, of which 291,085*l.* 15*s.* 10*d.* has been redeemed, being, on an average, upwards of 36,000*l.* per annum. The amount outstanding, together with that to be issued in satisfaction of claims, may be estimated at about 40,000*l.*, so that the main cause of the apparent unproductiveness of the public lands will soon be removed. The Committee of Council are not called upon to express any opinion as to the wisdom of the policy of making grants originally to the U. E. loyalists or militiamen, or of satisfying the claims for such grants by the issue of scrip. It is sufficient for them to affirm that the faith of the Crown having been pledged to the claimants, the redemption of the scrip was an inevitable necessity: and although the revenue from the Crown Lands and timber has been for several years very small, it must be considered an important and gratifying circumstance that a debt of nearly 400,000*l.* has been extinguished.

The next important charge on the territorial revenue is the expense of Surveys, including the salaries of the officers engaged in the superintendence of that branch of the Crown Lands department. The Committee of Council do not find either that the salaries of those employed permanently in the department, or the remuneration allowed to those engaged in surveying the new townships, are excessive. There seems then but two modes by which this expense can be reduced: 1st, By the abandonment of surveys: 2nd, By adopting a different system of remunerating the surveyors, viz., that which formerly prevailed of compensating them by grants of the surveyed lands. The Committee of Council have no hesitation in giving it as their opinion, that it is wholly impossible, considering the demands of the settlers on the vacant lands of the Crown, to refuse to provide for new and extensive surveys; and nothing but the want of means at the disposal of the department has prevented the Commissioner of Crown Lands from sooner meeting the urgent demands which have been made upon him from various parts of the province for new surveys.

As to the mode of compensating surveyors, the Committee of Council feel assured that the evidence of the Commissioner of Crown Lands must satisfy the public that no real saving can be effected by the change which has been suggested. "The surveys," says the Hon. Mr. Price in his evidence, "paid in land cost more than twice as much as those paid in cash; while it is notorious that the former are very erroneous and defective." The Committee of Council are of opinion, that any apparent retrenchment to be effected by reducing the cost of surveys in money, at the sacrifice of the public domain, would be a measure of the most objectionable character. The other disbursements in the Crown Lands office are salaries, postages, advertising, and other incidental expenses. The salary of the Chief Commissioner, it is proposed, should undergo a reduction of 20 per cent., similar to that which will be proposed for the other heads of departments. The salaries of the subordinate officers are not, in the opinion of the Committee of Council, excessive; and at present no reduction can be made in the number of those employed. The Commissioner of Crown Lands is fully impressed with the necessity of practising the utmost economy consistent with maintaining the efficiency of his department; and when the new postage system has come into operation, and when the land claims have been finally settled, there is reason to believe that the office expenditure may be reduced.

The Excise Revenue consists of auction duties, and duties on spirits, and the charge for licences for shops, billiard-tables, &c. The officers employed in the collection of this revenue are paid by commission, and their emoluments vary from 10*l.* to 300*l.* per annum; averaging in Lower Canada about 100*l.* per annum, and in Upper Canada about 140*l.* per annum. The duties cannot, in the opinion of the Committee of Council, be advantageously transferred to any other class of officers; and the emoluments of the officers do not appear to be excessive. The duty on bank-notes is paid direct to the Receiver-General without any charge.

The Committee of Council will now proceed to a consideration of the General Expenditure of the province. The charge on the Consolidated Revenue for various items of expenditure during the year 1849 was (including the appropriation for the Sinking Fund, 75,000*l.*) 525,913*l.* 8*s.* 2*d.* Of this amount the charge for interest and appropriation for the Sinking Fund absorb 257,727*l.* 19*s.* 11*d.*, or very nearly one-half of the entire amount. The sum of 93,704*l.* 6*s.* 7*d.* was expended on grants for educational and charitable institutions, for the promotion of agriculture, maintenance of light-houses, Indian annuities, militia pensions, geological surveys, and support of the penitentiary. The Committee of Council are not of opinion that the expenditure under any of these heads can be reduced, without causing very great public dissatisfaction. The expenses of the Legislature amounted to 54,001*l.* 7*s.* 2*d.* The Committee of Council forbear entering into the consideration of this branch of the expenditure, which is under the immediate supervision of Committees appointed by the two Houses of the Legislature. The charge for the administration of justice was, in 1849, 62,740*l.* 14*s.* 2*d.*, of which about 37,000*l.* was expended

for the contingent expenses in Upper and Lower Canada, principally in the maintenance of gaols and court-houses. The charge in the Civil List for the salaries of the Judges of the Superior Courts, and of the Attorneys and Solicitors-General, was 21,432*l.* 0*s.* 10*d.* The Committee of Council are of opinion the salaries of all future judges should be reduced; that the salaries of the Chief Justices and Chancellor should be fixed at 900*l.* per annum, and those of the Puisne Judges and Vice-Chancellors at 800*l.*, and that the salaries of the Attorneys-General should be the same as those of the Chief Justices. In proposing this reduction, the Committee of Council feel that they are going as far as is consistent with securing the best talent of the country for the highest judicial offices. The charge for pensions, other than those for the judges, may be briefly dismissed. These are, with few exceptions, of old standing, having been granted either prior to the union of the two provinces, or at that period, to facilitate arrangements for introducing a new system of Government. The Pension List is being annually reduced, and will next year not exceed 4000*l.* currency. The charge for 1849 was 5,022*l.* 9*s.* 7*d.* The pensions granted to the retiring judges, which for 1849 amounted to 2,007*l.* 8*s.*, stand on a different footing from ordinary pensions. The tenure of office of the judges being *quamdiù se bene gesserent*, the Crown has no power of removal. Bodily infirmity or advanced age would not be sufficient grounds to justify the interference of Parliament to procure the dismissal of a judge; and voluntary resignation, in the absence of any provision, could scarcely be expected. It would, in the opinion of the Committee of Council, be highly prejudicial to the public interest to alter the tenure of office of the judges, and to make them incumbents during pleasure. In the State of New York, the judges were at one time required to vacate their seats on the bench at the age of 60. Under the operation of this rule, the State was deprived of the services of eminent judges in the full exercise of their powers. It has been suggested that special application should be made to Parliament for a retiring allowance in each particular case. Such a system would inevitably lead to the judges being obliged to seek the favour of members of a popular Assembly, whose votes would be necessary to enable them to obtain their retiring allowance. The Committee of Council feel it unnecessary to dwell on the objections to such a system. It has likewise been suggested that a tax should be levied on the salaries of the judges, sufficiently large to defray the charge for judges' pensions. The Committee cannot, in view of the reduction proposed in the salaries of the judges, recommend any further deduction therefrom. They have entered at some length into this subject, believing that many who are in principle opposed to pensions, will, on being made aware of the practical difficulty in the way of dispensing with judicial pensions, abandon their opposition to them; and more especially, as it is not pretended that the Crown has abused the power conferred on it of granting pensions to judges to a limited extent.

The expense attendant on keeping up the organization of the Militia Force, was in 1849 2,034*l.* 11*s.* 1*d.* It seems to the Committee of Council indispensable that this department should be divided into two branches, one for each section of the province. In the absence of any specific recommendation from the Select Committee of Finance, they are not prepared to suggest any plan for reducing the present expenditure under this head.

The Committee of Council have now to consider the charge on the Civil List for the Executive Government of the province, which was for the year 1849 32,081*l.* 11*s.* 2*d.* This charge covers the salary of the Governor-General, 7,777*l.* 15*s.* 4*d.*; the several departments of the Government, 18,242*l.* 9*s.* 9*d.*; and contingencies, 6,061*l.* 6*s.* 1*d.* A considerable portion of the last item is for postage; an item which will be materially reduced under a cheap postage system. The salaries of the Governor-General and of the Heads of Departments seem to have been those which principally occupied the attention of the Committee of Finance. In the salaries of the subordinate officers no material reduction could be effected without depriving the Government of the means of obtaining efficient assistance. The salaries of the subordinate officers of the Government are not higher than those of persons of equal attainments in other occupations. With regard to the Heads of Departments, it is to be observed that when the Civil List Act was passed a considerable reduction was made in their emoluments, which had previously been fully 20 per cent. higher. It appears to the Committee of Council that no scale of salaries can be fixed that will not be denounced as excessive by aspirants for popular favour. While the Committee of Council are convinced that the gentlemen who have devoted themselves to the public service of the country, and who have held political offices under various Administrations, have been actuated by higher motives than the desire of office for the sake of its emoluments, they are likewise prepared to maintain that the incumbents of such offices ought to be compensated with salaries commensurate with the sacrifices which they are called upon to make, and that they should not be exposed to pecuniary loss in addition to their other responsibilities. The Committee of Council have examined the proceedings of the Finance Committee on the subject of salaries with great attention; and have arrived at the conclusion that the salaries of the Heads of Departments should be fixed at 800*l.* per annum, being the same as those intended for the puisne judges.

The Committee of Council do not deem it expedient to recommend any legislative enactment by which the number of the Executive Councillors should be limited. It may be practicable to unite the offices of Speaker of the Legislative Council and Chairman of the Committees of the Executive Council with others; but this must depend on circumstances; and it cannot be the interest of the public to fetter the choice of the Crown to an extent proposed by some. It will often happen that assistance which it is important for the Government

to secure can only be obtained on certain conditions, which it may be for the public interest to accept. There can be no doubt that public opinion is sufficiently powerful to prevent any unnecessary expenditure of public money by the separation of offices which may be conveniently united. The salary attached to the office of Governor-General must, in the opinion of the Committee of Council be looked upon in a wholly different light from all other charges on the Civil List; although the Committee of Council, in view of the circumstances under which the Act granting a Civil List to Her Majesty was passed, and considering that Act as a sacred engagement on the part of the people of Canada to pay the amount stipulated during a specified period of time, could not recommend any legislative action in this country until the subject had been brought under the notice of Her Majesty's Imperial Government, yet the Committee have entertained no doubt that without reference to their opinion as to the expediency of the change, Her Majesty's Government would offer no opposition to such retrenchment as the Canadian Legislature should determine on, with reference to the salaries of Her Majesty's servants in Canada subordinate to her Representative. But with regard to the Governor-General, the case is entirely different; and however strongly it may be urged that the Canadian Legislature have the right to determine the amount of all salaries chargeable on their revenue, the Committee of Council are of opinion that nothing could have tended more to create a serious misunderstanding with the Imperial Government than the adoption of any proposition for the reduction of the Governor-General's salary, without previous consultation with Her Majesty's Government. Such consultation would, under any circumstances, have been a mere act of courtesy; but when it is considered that the salary has been voted for the life of the Queen and an additional term of years, its omission would have been not only an act of discourtesy, but a breach of faith. The Committee of Council could not, therefore, have recommended any action on this subject without previous reference to Her Majesty's Government. With regard to the salary itself, it must be obvious that perpetual discussion regarding its amount, is calculated to impair the dignity of the Queen's Representative, and to be a source of constant annoyance to the incumbent of the highest office in the province. It must be sufficiently obvious that no reduction that could be proposed would put an end to agitation on the subject. There will always be advocates of a lower salary than that fixed by law. It might have been reasonably supposed that an Act granting the salary for a fixed period, would have had the effect of preventing any discussion on the subject during that period. But experience proves that no such result can be anticipated. The most prominent advocates of a reduction of this salary during last session, were members of the Government by which it was recommended only a few years before. It seems therefore highly desirable that, if possible, some arrangement regarding this salary should be made, which would entirely remove it from the control of the Provincial Legislature. The Committee of Council are not prepared at present to mention any specific recommendation on the subject, which they feel assured will receive the best consideration of Her Majesty's Imperial Government.

The remaining charges on the revenue during 1849 are for the Printing of the laws, and various miscellaneous charges, most of which are not of a permanent character, and require no particular notice. It may be observed, that various economical changes have already been made in the printing of the laws, and every practicable retrenchment in the printing expenses will be effected.

The Committee of Council having now reviewed the charges on the public revenue, and the various branches of the public expenditure, would recommend your Excellency to bring the subject of the Civil List under the notice of Her Majesty's Government, with the view of obtaining their concurrence to the proposed reductions in the salaries of future judges and of certain officers of the Executive Government, and such reduction of the charge for pensions as may be consistent with the maintenance of the honour of the Crown.

Despatch from the Right Hon. Earl Grey, Secretary of State.

(No. 568.) No. 1. No. 1.

Copy of a DESPATCH from Earl Grey to Governor-General the Earl of Elgin and Kincardine.

My Lord, Downing Street, March 14, 1851.

I HAVE received your despatch No. 244*, of the 31st of December last, inclosing a minute of your Executive Council on a report made to the Legislative Assembly during its last session, by a Committee appointed to inquire into the state of the Provincial Income and Expenditure. I have also received the report of the Committee to which the above minute relates. These important

* See p. 2.

CANADA.

documents, and the remarks which your Lordship has made upon them in your despatch have not failed to receive the deliberate consideration of my colleagues and of myself; and I have now to convey to you, on the part of Her Majesty's Government, the authority which is asked for by your Council, and which you recommend should be given to them, for proposing to the Canadian Parliament a Bill for reducing, in the manner set forth in the above minute, some of the charges provided for by the Civil List Act of 1846.

2. The grounds upon which Her Majesty's Government have thought it their duty to sanction the proposed alterations of an arrangement which has been so lately made for the term of Her Majesty's life by the Canadian Parliament, I cannot more clearly explain to you than by transcribing the following extract from a despatch which I had occasion, in August last, to address to the Governor of New South Wales, and which, upon this point, is equally applicable to Canada:

"I wish you distinctly to understand, that there is no desire on the part of Her Majesty's Government to prevent prospective reductions of charges which, in the opinion of the colonists, will safely admit of being diminished. The interests of existing office-holders must be protected, because they accepted those offices with expectations which cannot justly be disappointed. But, subject to these interests, there is no objection to the Legislature fixing whatever scale of emoluments they may think fit for public servants to be hereafter appointed. I should, for my own part, consider it highly injudicious to reduce the salary of an office, so as to render it no longer an object of ambition to men of ability and of respectable station. But this is a matter in which the interests of the colonists only are involved, as they will be the sufferers from any failure to provide adequate remuneration for those by whom the Public Service is carried on; the determination, therefore, of what is sufficient, must be left to the Legislatures, with whom will rest the responsibility for the judicious exercise of the power.

"I consider it however absolutely essential, that whatever may be the rate of payment, the salaries of all the principal officers of the Government should, for the reasons stated in the Report of the Committee of the Privy Council, be permanently granted; that is, not voted from year to year, but provided for in the same manner as charges on the Consolidated Fund in this country by Acts, and therefore only susceptible of alteration by Acts of the Legislature passed in the ordinary manner, with the consent of the Crown. You will therefore understand that you are not at liberty to give the assent of the Crown to any Act which may be passed reducing the salaries of those who are now in the Public Service, or rendering dependent on annual votes any of the charges now provided for by permanent appropriations. Any Acts of this sort you will reserve for the signification of Her Majesty's pleasure, unless you consider them so manifestly objectionable as to call for their rejection. Subject to this restriction, you are authorized to exercise your own judgment in giving or withholding your assent from Acts for the reduction of the fixed charges on the Colonial revenue."

3. Though for the reasons I have stated in the above extract, I consider it to be inexpedient that Her Majesty's Government should throw any obstacle in the way of those reductions in the salaries provided for by the Canadian Civil List, which it is the desire of your Council to propose to the Provincial Parliament, I think it my duty distinctly to record my opinion, that these reductions are in themselves unwise, and that the comparatively trifling saving which will thus be effected in the public expenditure of the province, will not prove in the end to be an act of true and permanent economy. All experience seems to me to support the conclusion, that the truest economy, whether for States or for individuals, is to give liberal remuneration to those who are entrusted with the performance of duties of great importance and responsibility; the Public cannot, any more than a private employer, expect to secure the advantage of being honestly and ably served, if it is niggardly in paying its servants; and when it is considered how serious are the losses and evils to which the community may be exposed, from a deficiency of honesty and ability in those by whom its affairs are managed, the saving effected by reducing the salaries of those filling responsible situations, below the amount which will afford a fair remuneration to men of character and ability for devoting their time and attention to public affairs instead of to their private concerns, will be found to have been

dearly purchased. Hence, as it does not appear from your despatch, that the principal public servants receive at present a high rate of pay as compared to that which is given to those who are employed by banks and mercantile companies, I must regard the proposed reductions of salary as injudicious. This question, however, as I have already observed, is one for the consideration and decision of the Parliament of Canada.

4. That portion of the minute of your Executive Council which relates to the amount of the salary at present attached to the office of Governor-General, and your own remarks upon this important point have attracted the more particular attention of Her Majesty's Government. The present salary of that office does not appear to me to be unduly high; on the contrary, believing it to be an object of the greatest importance to Canada, that the post of Governor-General should be filled by men of political experience and of the highest ability that can be found, I regret that the salary is not at present such as in general to afford any temptation to those who have taken a lead in public affairs in this country, to abandon their prospects at home for the purpose of accepting this office. But I concur with your Lordship and with your Council, in considering the amount of the salary as of far less importance, than that this amount, whatever it may be, should be fixed, and should cease to be the subject of perpetual discussion in the province, since such discussion, it is justly remarked by your Council in their minute, is calculated to impair the dignity of the Queen's Representative. It might have been hoped that the manner in which the present salary of the Governor-General was granted for Her Majesty's life by the Provincial Legislature, by an Act of Parliament freely and deliberately passed for that purpose, would have had the effect of permanently settling a question, the agitation of which is attended with so much evil.

Experience has, however, proved this hope to be unfounded; nor can I see the slightest reason for believing that if the existing arrangement were to be departed from, and any possible reduction in the salary of the office assented to by Her Majesty, the question would then be set at rest, or that a still farther reduction would not be proposed as soon as it might suit the views of any political party to renew the discussion.

5. There is but one mode, that I am aware of, by which any further agitation of this question in the province may be effectually prevented, and that is, by making the salary of the Governor-General a charge, not upon the Canadian, but upon the British Treasury. This is an alteration which for many reasons I have long regarded as advisable; and it appears to Her Majesty's Government, that a fitting occasion for proposing it is now presented, in consequence of the desire manifested by the Canadian Parliament for a revision of the Civil List. But it is impossible that such an alteration can be recommended to Parliament except as part of a general measure for placing the fiscal relations of the mother-country and the colony on a footing adapted to the greatly-altered circumstances of the present time as compared to those under which the existing arrangement of those relations has grown up.

6. Canada (in common with the other British provinces in North America) now possesses in the most ample and complete manner in which it is possible that she should enjoy it, the advantage of self-government in all that relates to her internal affairs. It appears to Her Majesty's Government that this advantage ought to carry with it corresponding responsibilities, and that the time is now come when the people of Canada must be called upon to take upon themselves a larger share than they have hitherto done, of expenses which are incurred on this account, and for their advantage. Of these expenses by far the heaviest charge which falls upon this country is that incurred for the military protection of the province. Regarding Canada as a most important and valuable part of the empire, and believing the maintenance of the connexion between the mother-country and the colony to be of the highest advantage to both, it is far from being the view of Her Majesty's Government that the general military power of the empire is not to be used in the protection of this part of Her Majesty's dominions. But looking to the rapid progress which Canada is now making in wealth and population, and to the prosperity which she at this moment enjoys, it is the conviction of Her Majesty's Government, that it is only due to the people of this country that they should now be relieved from a large proportion of the charge which has hitherto been imposed upon them

for the protection of a colony now well able to do much towards protecting itself.

In adopting this principle, I need hardly observe to you that Her Majesty's Government would merely be reverting to the former colonial policy of this country. You are well aware that up to the period of the war of the American Revolution, the then British colonies which now form the United States, as well as the West Indian colonies, were required to take upon themselves the principal share of the burthen of their own protection, and even to contribute to the military operations undertaken to extend the colonial possessions of the British Crown. The North American colonies defended themselves almost entirely from the fierce Indian tribes by which these infant communities were frequently emperilled, and furnished no inconsiderable proportion of the force by which the contest of British power with that of France was maintained on the continent of America; and the West Indian colonies did not, in proportion to their means, make less exertions.

7. Her Majesty's Government would have thought it right at an earlier period to revert to this former policy of the empire, and to extend to Canada measures of the same description with those which have already been adopted as respects the Australian colonies, had it not been that till lately there were circumstances connected with the commercial and general condition of Canada which seemed to render the time unfavourable for effecting so important a change. The difficulties under which commerce and industry laboured were of a very aggravated description, and produced their usual consequences of political excitement and discontent; nor ought it to be concealed that much of the prevailing distress was attributable to the changes which had taken place in British legislation. The combined effect of the stimulus given by the Act of 1843 to the investment of capital in preparations for supplying this country with flour from Canada, and of the subsequent general repeal of all restrictions on the importation of corn and flour into the United Kingdom, had undoubtedly been to cause very heavy losses in Canada, and till these had been recovered, it would have been inexpedient to add to the burthens of the province.

8. But the season of commercial depression in Canada has now passed away, the repeal of the Navigation Laws, and the opening of the St. Lawrence Canals, which the province has been enabled to construct by a loan raised on highly favourable terms on the credit of the British Treasury, has given a great impulse to its trade, and the remarkable increase of the customs' revenue which you have lately reported to me, affords a clear and striking proof of the return of prosperity.* Under these circumstances, it appears to Her Majesty's Government, that no more favourable opportunity could be found for placing the fiscal relations of the mother-country and the colony on a permanent and equitable footing. They are the more induced to adopt this view of the subject, because they are prepared to recommend to Parliament that assistance of the same kind with that which has proved so eminently useful to Canada in the construction of the St. Lawrence Canals, should be extended to her in respect of another public work, calculated to be hardly less beneficial to her than these canals. In another despatch I will explain to your Lordship the views of Her Majesty's Government with regard to the means by which it is hoped that the construction of the Quebec and Halifax Railway may be accomplished. I only advert to this subject at present for the purpose of observing, that while the credit of this country is exerted to enable Canada to extend her public works and to develop her resources, I feel confident that the Parliament of Canada will readily co-operate with Her Majesty's Government in adopting measures for diminishing the charge on the British Treasury for the defence of the province.

9. Having thus explained to your Lordship the principles of the policy which Her Majesty's Government propose to adopt, I will now proceed to state more particularly the measures by which it is contemplated that this policy should be carried into effect. In the first place, it is intended, that in future, with the exception of a certain number of enrolled pensioners, for whose location in the province arrangements are in progress, the troops maintained in Canada should be confined to the garrisons of two or three fortified posts of importance, probably only Quebec and Kingston. The terms of amity upon which

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* See Lord Elgin's despatch No. 2, January 1, 1851, on the increasing prosperity of the province, page 99, Appendix to this paper.

this country now is with the United States, and the fortunate termination of all the questions in dispute between the two nations, removes, as I trust, all risk of any attack upon Canada from the only Power from which there could be any danger; and it appears to Her Majesty's Government, that if the Provincial Militia is maintained upon a proper footing, so long as peace continues, enough would be done to provide for the security of the province, by maintaining garrisons of regular troops in the two important posts I have mentioned. In the unfortunate, and I trust improbable, contingency of a war with the United States, it is obvious that both the colony and the mother-country would be called upon to submit to great sacrifices, and to make great exertions for their defence; but I have no doubt that these would be cheerfully made by both if the exigency should unhappily arise.

10. Upon the reduction of the British force in Canada to the garrisons of these fortified positions, it would become necessary that the warlike stores which are kept in the colony should be reduced, and that the barracks and other buildings which are no longer required, should be disposed of; but if the Parliament of Canada should be willing to undertake to keep up these barracks and buildings, in case of their being hereafter required, there would be no objection on the part of Her Majesty's Government to make them over to the provincial authorities, and if the maintenance of a British force at any of the posts now occupied, should be desired for the preservation of internal security, such a force would be readily supplied by Her Majesty's Government, if the actual cost thus incurred were provided for by the province.

11. Another charge which Her Majesty's Government would also expect that the province should take upon itself as part of the above arrangement, is that of maintaining the canals now in charge of the Ordnance Department. You are aware that these canals were executed at the sole expense of this country and at a very heavy cost, chiefly with a view to the military defence of the province. Her Majesty's Government conceive that the charge of maintaining them ought now to be undertaken by the province, and I trust that no difficulty will arise on that head. With regard to the Indian Department, as by the arrangement lately made, the extinction of the charge (except so far as regards some payments for their lives to individuals) is provided for within five years, no further steps are required to be taken.*

12. In conclusion, I have now only to assure you that—while Her Majesty's Government consider that justice to the people of this country requires that Canada, which is now so well able to support whatever establishments are necessary for her own defence and for her own advantage, should cease to occasion so heavy a charge as formerly to the British Treasury, and that it is a fitting opportunity for introducing the change when, in consequence of proceedings which have taken place in the province, it becomes expedient to call upon Parliament to provide for the salary of the Governor-General—it must not for a moment be supposed that these measures are contemplated under any idea that the connexion between the mother-country and the colony could be dissolved without great injury to both, or that there is any probability that it will be so. On the contrary, these measures are regarded as safe, because Her Majesty's Government are persuaded that the great body of the people of Canada are so fully satisfied of the great benefits they enjoy from the system of Constitutional Government now happily established in the province under the authority of the British Crown, that it may properly be left to themselves to take their share of the burthen of maintaining and defending an order of things from which they reap so much advantage. Under this impression, and in the earnest hope and confident belief that Canada may long continue to form an important member of the British Empire, Her Majesty's Government have adopted the conclusions which I have now explained to you.

I am, &c.

(Signed) GREY.

The Right Hon. the Earl of Elgin and Kincardine,
&c. &. &c.

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* See correspondence on this subject in Appendix to this paper, page 100.

BRITISH NORTH AMERICA.

Correspondence on the Projected Railway from Halifax to Quebec.

PAPERS

RELATIVE TO

THE HALIFAX AND QUEBEC RAILWAY.*

Despatches from Governor-General the Right Hon. the Earl of Elgin and Kincardine to Earl Grey.

CANADA.

No. 1. (No. 36.) No. 1.

COPY of a DESPATCH from Governor-General the Earl of ELGIN AND KINCARDINE to Earl GREY.

Government House, Montreal, April 11, 1849.
(Received May 1, 1849.)

MY LORD,

April 10, 1849. I HAVE the honour to enclose herewith a Minute of the Executive Council, covering a Memorandum by the Inspector-General, in which a plan is suggested for giving aid in the construction of railways in this province, and for promoting by means of a grant from the provincial Treasury, that important national work, the railway from Quebec to Halifax.

Resolutions based on this memorandum will be introduced into the House of Assembly this evening by the Government, and I have every confidence that they will be favourably received by that body.

* See page 18.

I have, &c.

(Signed) ELGIN AND KINCARDINE.

The Right Hon. Earl Grey,
&c. &c. &c.

Enclosure 1 in No. 1.

Encl. 1 in No. 1. EXTRACT from a Report of a Committee of the Honourable the Executive Council on matters of State, dated 10th April, 1849, approved by his Excellency the Governor in Council on the same day.

MAY IT PLEASE YOUR EXCELLENCY,

THE Committee of the Executive Council have had under consideration, on your Excellency's reference, a memorandum of the Inspector-General, suggesting a plan for giving aid in the construction of railways by guaranteeing the interest on the bonds of companies incorporated for the construction of railways not less than 75 miles in length, such guarantee to be given as soon as the Company requiring it shall have actually completed one half of the work on the entire line to the satisfaction of the Department of Public Works. It is further suggested by the Inspector-General, that on such guarantee being given, the Company obtaining it should mortgage to the Government the entire road and its revenues; that the interest on the guaranteed bonds should be the first charge on such revenues; a dividend to the stockholders not exceeding 6 per cent. the second charge; and a sinking fund for the redemption of the bonds the third charge.

The Inspector-General further recommends that with a view of inducing the Imperial Government to undertake the Halifax and Quebec Railroad, the province should place at its disposal the waste Crown lands to the extent of ten miles in depth on each side of the proposed line, and should further undertake to obtain the breadth of way required for the

line through the settled parts of the province; and also the land required for the several stations, and for the terminus; and should further pledge the payment of 20,000*l.* sterling per annum, to provide against the contingency of a deficiency in revenue to meet the interest on the capital required. The Inspector-General suggests further, that provision should be made to enable the Governor-General, by making proclamation in the "Gazette," to cause to be levied an additional duty on all imports, not to exceed 10 per cent. on the duties established by law at the time of such proclamation. The Committee of Council being of opinion that the prosperity of the province would be greatly promoted by the construction of railways, and being further of opinion that the suggestions of the Inspector-General may be carried out with perfect safety, recommend that the resolutions embracing the several propositions contained in the memorandum of the Inspector-General should be submitted to Parliament without delay.

(Certified.) (Signed) J. Joseph, C.E.C.

Enclosure 2 in No. 1. Encl. 2 in No. 1.

Memorandum.

The question as to the expediency of rendering public aid on certain conditions to the Companies incorporated for the construction of railways throughout the province, has engaged the anxious consideration of the Canadian Government for a considerable time. In December last I had the honour to submit, for the consideration of his Excellency the Governor-General, a memorandum on immigration and on public works as connected therewith, and also a memorandum on the projected Halifax and Quebec Railroad. The object of these papers was to suggest a plan for promoting the construction of public works of great provincial importance, by obtaining English capital with or without the aid of the Imperial Government.

In several of the States of the American Union public aid has been given to railway enterprises with entire success, and with great benefit to the whole population. The State of Massachusetts has invested upwards of 5,000,000 dollars in the stock of railway companies, and in loans on the security of their revenues. On the stock the State is realizing 8 per cent., and the sinking fund in one company for the redemption of the State loan is nearly 500,000 dollars. The secretary of that State declares in a letter which I have lately seen, that "the security of the commonwealth is regarded as perfect, and by this interposition of its credit and aid, confidence has been given to the employment of private capital in the various railroads, and the public prosperity has been enhanced and confirmed, and all the pursuits of industry and business been greatly promoted."

The State of Virginia, which hitherto has refused all aid to railroads, has very recently appropriated about 5,000,000 dollars to aid such undertakings both by loans to companies and by the purchase of their stock. Canada is deeply interested in the success of railway enterprise, as the productiveness of the public works must in a great measure depend on the products of the West being carried to the sea board by the St. Lawrence route. A large portion of this trade can only be secured by the construction of railroads to communicate with the eastern States, and it will most assuredly be diverted into other channels, unless energetic means be employed to secure the completion of leading and important lines of railway.

I feel persuaded that it is quite possible to adopt a system under which railroad companies may be assisted with the credit of the province without risk of loss, and I believe that by the adoption of such a system, public interests of the highest importance will be promoted.

Being of opinion that it would be inexpedient to hold out inducements to the proprietors of short lines to commence their works relying on public aid, I would suggest that no company incorporated for the construction of a line of railway less than seventy-five miles in length, should be entitled to legislative aid. With this restriction I feel persuaded that the Legislature may with perfect safety guarantee the interest on the bonds of railroad companies, which shall have completed, to the satisfaction of the department of Public Works, one half of the line of road which they have been authorized to construct; provided that the entire road and its revenues be mortgaged to the Government to meet the interest on the guaranteed bonds. This interest should be the first charge on the revenues of each road; a dividend not exceeding 6 per cent. to the shareholders the second charge; and if there should be any surplus revenue, it should be appropriated to a sinking fund for the redemption of the guaranteed bonds.

Though I entertain not the slightest apprehension that the proposed guarantee would involve any charge on the Consolidated Revenue Fund, yet as well to provide against contingencies as to inspire confidence in the provincial guarantee, I would suggest that a clause should be introduced into the Customs Act to authorize the Governor-General to give three months' public notice by proclamation in the "Gazette," that on and after a certain day 10 per cent. should be added to the amount of the duties levied under the Customs Act. I do not believe that it would be necessary to resort to the imposition of such a duty, but it would be prudent to guard against the contingency of loss, as well as to inspire confidence in the guarantee, that the power to levy it should be entrusted to the Government.

CANADA.

Having thus propounded a general plan for affording public aid to railroad companies, I proceed to consider what must be treated as an exceptional case—that of the Halifax and Quebec Railroad. On reconsidering the memorandum which I had the honour to submit in December last on the subject of this railroad, and which I am happy to say met the concurrence not only of the Canadian Government, but of that of New Brunswick, I see no reason to change any of the opinions then expressed. I believe that this great work must be taken up as a national one, and in connexion with a grand scheme of colonization; and that, consequently, it must be undertaken by the Imperial Government with the cordial co-operation of the Legislatures of the British North American Provinces. It is, however, necessary to provide for the contingency of the unproductiveness of the work; and though I think the suggestion made in the memorandum referred to, of doing so by means of a duty on colonial timber (the protection on which will most assuredly be removed ere long), is in every respect the best, yet, in view of the course taken by the sister province of Nova Scotia, it seems necessary to suggest another mode by which the Canadian Legislature can aid in promoting a work of such importance and magnitude. I would therefore suggest, that in addition to the grant of the waste Crown lands to the depth of ten miles on each side of the line, and the breadth of way required through the settled part of the country, as well as the land required for the termini, that 20,000*l.* sterling per annum should be granted from the Consolidated Fund to meet any deficiency in the revenue. This is the grant proposed in Nova Scotia: and, taking all circumstances into consideration, I think that Canada cannot be expected to contribute a larger proportion than Nova Scotia and New Brunswick. With the combined assistance of the three provinces, I should think that there is little doubt that this great national work will very soon be undertaken.

Respectfully submitted,

Inspector-General's Office,
April 4, 1849.

(Signed) F. Hincks, Inspector-General.

No. 2.

No. 2.

Copy of a DESPATCH from Governor-General the Earl of Elgin and Kincardine to Earl Grey.

Government House, Montreal, April 12, 1849.

(Received May 1, 1849.)

My Lord,

I HAVE the honour to transmit herewith a printed copy of certain resolutions on the subject of railways, founded on the Minute of Council and Memorandum inclosed in my despatch, No. 36*, of yesterday's date. They passed through Committee last night; and, from the manner in which they were received, there is reason to believe that they will be adopted by the House unanimously.

* Page 16.

I have, &c.

(Signed) ELGIN AND KINCARDINE.

The Right Hon. Earl Grey,
&c. &c. &c.

Enclosure in No. 2.

Enclosure in No. 2.

Resolutions to be Proposed by Mr. Hincks, in Committee of the Whole House, on Wednesday, 11th April, 1849.

Mr. Hincks moves to resolve, as the opinion of this Committee,—

1. That at the present day, the means of rapid and easy communication by railway, between the chief centres of population and trade in any country and the more remote parts thereof, are become not merely advantageous, but essential to its advancement and prosperity.

2. That whatever be the case in long-settled, populous, and wealthy countries, experience has shown that in those which are new and thinly peopled, and in which capital is scarce, the assistance of Government is necessary, and may be safely afforded to the construction of lines of railway of considerable extent; and that such assistance is best given by extending to companies engaged in constructing railways of a certain length under charter from, and consequently with the approval of, the Legislature, the benefit of the guarantee of the Government, under proper conditions and restrictions, for loans raised by such companies to enable them to complete their work.

3. That it is expedient to afford the guarantee of this province for the interest on loans to be raised by any company chartered for the construction of a line of railway not less than seventy-five miles in extent, on condition,—

That the rate of interest guaranteed shall not exceed 6 per cent. per annum; that the sum on which interest shall be so guaranteed shall not be greater than that expended by the company before the guarantee is given, and shall be sufficient to complete their road in a fitting manner and to the satisfaction of the Commissioners of Public Works, provided always that no such guarantee be given to any company until one-half of the entire line of road shall have been completed; that the payment of the interest guaranteed by the Government shall be the first charge upon the tolls and profits of the company, and that no dividend shall be declared so long as any part of the said interest remains unpaid; that so long as any part of the principal on which interest is guaranteed by the Government remains unpaid, no dividend exceeding 6 per cent. per annum shall be paid to the stockholders; that any surplus profits, after paying such dividend, shall go to form a sinking fund for the redemption of the debt on which interest is guaranteed as aforesaid; and that the province shall have the first mortgage and lien upon the road, tolls, and property of the company for any sum paid or guaranteed by the Government.

4. That, provided the conditions mentioned in the foregoing resolutions be observed, it is expedient that such guarantee be afforded under such further terms and conditions as may be deemed necessary by the Governor in Council, and agreed to by the company applying for such guarantee, it being clearly understood that no enactments which the Legislature may thereafter make to ensure the observance of such terms and conditions, or to give effect to the privileged claim and lien of the province upon the road, tolls, and property of the company, or to secure the province from loss by such guarantee, shall be deemed an infringement of the rights of the company.

5. That if Her Majesty's Government shall undertake the construction of the railway between Halifax and Quebec as a great national work, linking together the several portions of the British Empire on the Continent of North America, and facilitating the adoption of an extensive, wholesome, and effective system of emigration and colonization, either directly or through the instrumentality of a private company, it is right that Canada should render such assistance as her means will admit of, and should undertake to pay yearly, in proportion as the work advances, a sum not exceeding 20,000*l.* sterling towards making good the deficiency (if any) in the income from the railway to meet the interest of the sum expended upon it, and should place at the disposal of the Imperial Government all the ungranted lands within the province, lying on the line of the railway, to the extent of ten miles on each side thereof, and should further undertake to obtain, pay for, and place at the disposal of the Imperial Government all the land required within the province for the line of the railway and for proper stations and termini.

Despatches from the Right Hon. Earl Grey, Secretary of State.

(No. 344.) No. 1. No. 1.

Copy of a DESPATCH from Earl Grey to Governor-General the Earl of Elgin and Kincardine*.

My Lord, Downing Street, April 5, 1849.

I HAVE hitherto deferred answering your despatch† of the 20th of December last on the subject of the proposed Halifax and Quebec Railway, because I was unwilling to abandon the hope that in doing so I might be enabled to communicate to your Lordship the determination of Her Majesty's Government to submit to Parliament some definite proposal with a view to the execution of this great national undertaking. I regret, however, to have now to inform your Lordship that, for the present at least, it has been found impracticable to overcome the difficulties which have stood in the way of every plan which has hitherto been suggested for providing for the cost of a work of such magnitude as the proposed railway. While I entirely concur in your Lordship's estimate of the extreme importance of that work to the empire at large as well as to the North American Provinces, and while I gladly acknowledge that the members of your Council have shown a disposition to do all that lies in them to promote its accomplishment, and have suggested a measure which has much to recommend it for effecting this object; still Her Majesty's Government have reluctantly come to the conclusion that in the present circumstances of this country they would not be

† Page 59, Papers relative to Halifax and Quebec Railway, presented to both Houses of Parliament by Command, February 1, 1849.

* A similar despatch addressed to the Lieutenant-Governor of New Brunswick. No. 118, April 5, 1849.

CANADA.

justified in applying to Parliament for the appropriation of so large a sum for this railway as it has been estimated that it would cost. You will express to the members of your Council my strong sense of the judgment and ability they have displayed in the consideration of this important subject, although the measure they have suggested has unfortunately been found open to objections which have proved insurmountable. It would be to me a subject of deep regret if I believed that the determination not to adopt this particular measure implied that all hope of hereafter carrying the projected railway into effect by other means must be given up, but I see no reason for coming to any such conclusion, nor will I despair that this great design may at no distant period be resumed with a happier result.

I am, &c.
(Signed) GREY.

The Right Hon the Earl of Elgin and Kincardine,
&c. &c. &c.

No. 2. (No. 491.) No. 2.

COPY of a DESPATCH from Earl GREY to Governor-General the Earl of ELGIN AND KINCARDINE.

MY LORD, Downing Street, May 10, 1850.

HER Majesty's Government having had under their consideration an Act passed by the Legislature of Canada in May 1849, intituled "An Act* to provide for affording the guarantee of the Province to the Bonds of Railway Companies, on certain conditions, and for rendering assistance in the construction of the Halifax and Quebec Railway;" I now transmit for your Lordship's information the copy of the report of the Commissioners of Railways upon the provisions of this Act, and I have to instruct you to submit this report to your Council with a view to obtaining an amendment of the law in accordance with the recommendations of the Commissioners.

April 29, 1850.

The former Report upon the subject of this line of railway, dated 12th January, 1849, to which the Commissioners refer, formed an inclosure in my despatch No. 318,† of 26th January, 1849.

† Page 51, Papers relative to Halifax and Quebec Railway. February 1, 1849.

I am, &c.
(Signed) GREY.

The Right Hon. the Earl of Elgin and Kincardine,
&c. &c. &c.

Enclosure in No. 2.

Enclosure in No. 2.

Sir, Office of Commissioners of Railways, Whitehall, April 29, 1850.

I AM directed by the Commissioners of Railways to acknowledge the receipt of your letter of the 13th instant, accompanied by a copy of the Canada Act, No. 611, intituled "An Act to provide for affording the guarantee of the Province to the Bonds of Railway Companies, on certain conditions, and for rendering assistance in the construction of the Halifax and Quebec Railway;" and I am to acquaint you, for the information of the Lords of the Committee of Privy Council for Trade, that agreeably to their Lordships' request, the Commissioners have considered this Act and have made the following observations upon its provisions.

The attention of the Commissioners has been particularly directed to the provisions of the Act for authorizing the Provincial Government to guarantee interest on the loans of Companies incorporated for the purpose of making railways within the colony. With reference to this part of the Act, the Commissioners observe that the Act does not expressly limit the amount of the loans to be included in the guarantee to that which the companies are authorized to borrow by the terms of their Acts. The Commissioners understand that in the Canada Railway Acts the proportion of the loans to the company's capital is not restricted to one-third of the latter, as required by the standing orders in the case of English Railway Acts, but that in several instances the limit is one-half of the capital, or even a greater proportion. Yet with all this latitude, the condition prescribed by this Act, that the amount on which interest shall be guaranteed, shall not exceed the sum expended by the company when one-half of their whole line shall have been com-

* This Act will be found printed in the Appendix to this paper, page 107.

pleted, would be likely in many cases to admit of the guarantee of loans exceeding the authorized limit. The Commissioners are of opinion that in carrying the Act into effect, the guarantee should be confined to loans within the limit prescribed in the company's Act, and that no recognition should be given (as the literal terms of the Act would seem to allow) to loans contracted in excess of the company's authority. Such a course would be in accordance with the principle uniformly acted upon in this country since the proceedings in 1845 for legalizing the loan-notes of railway companies, when from a consideration of the inconvenience arising from unauthorized loans to railway companies, they were prohibited in future from raising money otherwise than under an express authority obtained from Parliament.

In order to guard against any inconvenience of this kind, the Commissioners would suggest, that as one of the additional securities to be provided by such a supplemental Act as is contemplated by the 4th section of the present Act, a register of the company's mortgages and bonds should be required to be kept, and be open to the inspection not only of shareholders and other parties interested, but also of some officer authorized on behalf of the Provincial Government.

By the other portion of this Act, it is proposed to authorize the Provincial Government to afford aid in the construction of the projected Railway from Halifax to Quebec, by the subscription of money and the grant of land for the purposes of that railway. The merits of that project have been already discussed by the Commissioners in a report to the Colonial Office, of the 12th of January, 1849, printed in the Appendix to their Annual Report, 1848–9, p. 203. But the enactment now under consideration assumes that the question of the expediency of the enterprise shall have been decided by Her Majesty's Government, and that the construction of the railway shall accordingly have been sanctioned. The Commissioners, therefore, consider it unnecessary to enter into that question on the present occasion; and in other respects these provisions of the Act do not appear to them to contain anything that calls for remark.

I have, &c.

Sir D. Le Marchant, Bart. &c. &c. &. (Signed) J. L. A. Simmons, Captain R. E.

(No. 569.) No. 3. No. 3.

Copy of a DESPATCH from Earl Grey to Governor-General the Earl of Elgin and Kincardine.

My Lord, Downing Street, March 14, 1851.

FROM the correspondence which I have already had with your Lordship on the subject of the projected railroad from Halifax to Quebec, you are well aware that, although Her Majesty's Government have not hitherto been enabled to take any steps towards the execution of that work, it is an undertaking which they have long earnestly desired to see accomplished, as they believe it to be one calculated very greatly to advance the commercial and political interests both of the British provinces in North America and of the mother-country. It is therefore with great satisfaction that I have now to acquaint your Lordship that I have reason to hope that the time is at length come when this great national enterprise may be undertaken with advantage, if there still exists (as I am assured there does) as strong a desire to promote it on the part of the inhabitants of Canada and New Brunswick as they formerly expressed, and as the people of Nova Scotia have again recently manifested.

2. I inclose for your Lordship's information a copy of a despatch addressed to me in the course of the last autumn by Sir John Harvey introducing to me Mr. Howe, a member of the Government of Nova Scotia, and also copies of two letters I have received from that gentleman, and of the answer which has by my direction, been returned to him. Your Lordship will perceive from these papers, that the proposal made by Mr. Howe, on behalf of the Province of Nova Scotia, and to which Her Majesty's Government have thought it their duty so far to accede as to undertake on certain conditions to recommend it for the sanction of Parliament, is to the effect that the credit of this country should be employed to enable the Provinces of Canada, New Brunswick and Nova Scotia, to raise upon advantageous terms the funds necessary for the construction of the proposed railway, just as Canada has already been enabled by similar assistance, to construct the canals by which she has lately completed the most extensive and perfect system of inland navigation which exists in the world. Although Her Majesty's Government are of opinion that great caution ought to be observed in pledging the credit of the British Treasury in aid of loans raised by the colonies, they regard the work now in contemplation as being (like the Saint Lawrence Canals)

Sir J. Harvey, Oct. 25, 1850, No. 204. See page 32 of this paper.

Mr. Howe, Nov. 25, 1850, page 39.

Mr. Howe, Jan. 16, 1851, page 47.

Mr. Hawes, March 10, 1850, page 63.

of so much importance to the whole empire, as to justify them in recommending to Parliament that some assistance should be given towards its construction, nor is there any mode of affording such assistance which has been hitherto suggested, which appears on the whole so little burthensome to the mother-country, and at the same time of so much real service to the colonies, as that which is now proposed.

3. In coming to the decision that Parliament should be invited to give this support to the projected railway, Her Majesty's Government have not failed to bear in mind that by enabling the North American Provinces to open this great line of communication, it may fairly be assumed that a powerful stimulus will be given to their advance in wealth and population, and that the consequent increase in their resources will render it possible for them to relieve the mother-country sooner, and more completely than would otherwise be practicable, from charges now borne by it on account of these colonies. In another despatch of this date, I have informed your Lordship, that in the judgment of Her Majesty's Government, the British colonies ought to be required, as they become capable of doing so, to take upon themselves not only the expenses of their Civil Government, but a portion at all events of those incurred for their protection; and I have pointed out to you, that the British North American provinces, and especially Canada, have now reached such a stage in their progress, that the charges for which Parliament is called upon to provide on their account, ought to be rapidly diminished. The construction of the proposed railway would greatly contribute to promote this important object. By opening new districts for settlement, and by the demand for labour which will be created during the progress of the work, the projected railway cannot fail to increase the wealth and population of these provinces, while, by affording a rapid and easy communication between them, it will enable them to afford to each other far greater mutual support and assistance than they now can, in any difficulty or danger to which they may be exposed.

* See Page 9.

4. Your Lordship will not fail to observe from the letter which has been addressed to Mr. Howe, that the assistance which it is proposed to grant to the provinces towards the construction of the proposed railway, is to be contingent on provision being made for opening a complete line of communication from Halifax to Quebec or Montreal, it is necessary, therefore, to ascertain whether Canada and New Brunswick are ready to join with Nova Scotia in raising the capital required for the work in the manner proposed, and if so, in what proportion each province is to become responsible for the expense incurred. The question whether it will be advisable for these two provinces to join in the construction of the projected railway, if they should be enabled, by the assistance of Parliament, to raise the required capital at a low rate of interest, is one for the consideration of their respective Legislatures; but so far as I have the means of forming a judgment upon the subject, I should anticipate that their decision would be in favour of doing so. I infer that this is probable, not less from what I have learnt of the actual state of public opinion on this subject in the provinces, than from the view which I take of their interest in the work. Though I can well believe that there would be much room for doubting whether the railway would pay as a mercantile speculation to a company looking to traffic only for its remuneration, the case is very different when it is regarded as a public undertaking. When viewed in this light, the various indirect advantages which cannot fail to arise to the provinces from possessing such improved means of communication, must be considered, as well as the very great additional value which would be conferred on a vast extent of public lands which are now comparatively worthless. This is a source of profit from which no advantage can in general accrue to the constructors of railways in countries where the soil has long been appropriated by individuals; on the contrary, in these countries the purchase of land is not one of the least important items of the expense to be incurred in such undertakings; but where, as in parts of Canada and New Brunswick, a great part of the territory to be traversed by a railway is still unappropriated, and the land may be sold by the public, the increased value given to it by being thus rendered accessible, may render it advantageous to construct a railway, though the traffic is not expected to do more at first than pay the working expenses.

* See Page 63.

5. If these considerations should induce the Legislatures of the three provinces to combine in undertaking the projected railway, the terms on which

they are to co-operate with each other for that object will have to be settled; and in coming to such an arrangement various questions of great difficulty and importance will require to be considered. For instance, it is probable that when the line is completed, the traffic will be far more remunerative at the two extremities than in the more central portion of it; while at the same time the expense of construction would, from the nature of the country, be precisely higher where the traffic returns would be the lowest; so that if each province were required to pay for the formation of the line through its own territory, and to receive the returns from the traffic through the same, it would follow, that while the expense to New Brunswick would be the greatest, its receipts would be the smallest. On the other hand, as I have just observed, one of the most important sources of profit from the construction of such a railway as that now in contemplation would arise from the sale of land of which the value would be increased by the work; and it appears from the papers before me, that New Brunswick would probably derive a greater profit from that source than the two sister provinces. Whether the result upon the whole would be, that each province, considering these various circumstances, ought to take upon itself the construction of the railway through its own territory, or whether, on the contrary, any one should be assisted by the others, is a point on which I have not the means of forming a judgment; and I would suggest to you, that the best course, with a view of arriving at some practical result, would be, that a deputation from the Executive Councils of the two lower provinces should proceed to the seat of Government in Canada, in order to confer with your Lordship and with your Council for the purpose of coming to some agreement upon the subject, which, after being approved by the Legislatures of the several provinces, might be submitted for the sanction of Parliament.

6. It does not appear to me that if such a conference should be held, it need occupy any very great length of time, or that much difficulty would arise in coming to an arrangement for the construction and working of the projected railway, by which the expense of the undertaking on the one hand, and the advantages to be derived from it on the other, might be fairly apportioned between the different provinces. Hereafter I may probably be enabled to offer some suggestions as to the manner in which this might be accomplished; but at present I have only to add, that I shall transmit copies of this despatch to Sir Edmund Head and to Sir John Harvey, with instructions to them to communicate with your Lordship without delay on the important subject to which it relates; and it will give me the highest satisfaction if the result of these communications should be the undertaking of a work, which, if completed, cannot, I believe, fail to add greatly to the prosperity of the British Provinces in North America, and at the same time to give additional strength to the ties which connect them with each other and with the British Empire.

I am, &c.
(Signed) GREY.

The Right Hon. the Earl of Elgin and Kincardine,
&c. &c. &c.

NOVA SCOTIA.

Despatches from Lieut.-Governor Sir J. Harvey.

NOVA SCOTIA.

No. 1. (No. 101.) No. 1.

Copy of a DESPATCH from Lieut.-Governor Sir John Harvey to Earl Grey.

Government House, Halifax, April 6, 1849.

(Received April 20, 1849.)

(Answered, June 1, 1849, No. 174, page 36.)

My Lord,

I HAVE the honour to transmit a copy of an Act passed during the recent session, intituled "An Act to enable the Commissioners for erecting and "building the Trunk Line of Railway from Halifax to Quebec, to construct the "same within this Province," with Addresses from the Legislative Council and House of Assembly on the same subject, which those branches respectfully request may be laid at the foot of the Throne.

I do not abstain from expressing to your Lordship my satisfaction at the manner in which this great question has been dealt with by the Legislature of Nova Scotia.

I have, &c.

The Right Hon. Earl Grey, (Signed) J. HARVEY.
&c. &c. &c.

Encl. 1 in No. 1.

Enclosure 1 in No. 1.

Province of Nova Scotia.

Anno Duodecimo Victoriæ Reginæ.

An Act to enable the Commissioners for Erecting and Building the Trunk Line of Railway from Halifax to Quebec, to construct the same within the limits of this Province.

(Passed the 31st day of March, 1849.)

Preamble.

Whereas, in the event of the proposed arrangements being completed by and between the Imperial Government and the Governments of the sister provinces of Canada and New Brunswick and of this province, and of Commissioners being appointed to superintend the construction of such trunk line of railroad, it is necessary to give said Commissioners certain powers and authority, in order to enable them to construct the same within the limits of this province:

Governor in Council to appoint five Commissioners and supply vacancies.

1. Be it enacted by the Lieutenant-Governor, Council, and Assembly, that it shall be lawful for the Governor in Council to appoint and commission five fit and proper persons, to be approved of by Her Majesty, or it shall be lawful for Her Majesty to cause five fit and proper persons to be appointed and commissioned during pleasure, Commissioners for establishing and constructing a line of railroad from the city of Halifax, to the province line of New Brunswick, to meet a railroad to be constructed from Point Levi, in Lower Canada, by Rivière du Loup and Metis, through the Province of New Brunswick, and from time to time as vacancies occur in such office of Commissioners, either by revocation, death, resignation, continued absence from this province, or otherwise, to supply the same by new appointments.

Powers and duties of Commissioners.

2. And be it enacted, that in the event of such arrangements being completed as aforesaid, and Commissioners being duly appointed as aforesaid, to superintend and manage the building thereof, it shall be lawful for the said Commissioners, by themselves or their agents, duly authorized for such purpose, to enter upon any part of the Crown lands situate in any part of this province, and by their said agents, contractors, servants, and workmen, and with horses, cattle, and carriages, to cut down, use, remove, and employ, all suitable materials of whatsoever nature, kind, or description the same may be required, or necessary for the building and construction of said railroad, and to make, cut, or erect any roads and bridges required for such entry, and the removal of said materials; but before making such entry, or conferring the requisite authority therefor, it shall be incumbent on the said Commissioners to prepare and frame a set of regulations therefor, in order to stay and prevent unnecessary waste and destruction, which said regulations shall not be operative and binding until the same be approved by the Governor in Council.

Reglations to be framed and approved of by Governor in Council.

3. And be it enacted, that it shall be lawful for the said Commissioners to enter upon any part of said Crown lands, either by themselves or agents by them duly authorized for such purpose, and by their engineers, contractors, servants, and workmen, and with horses, cattle, and carriages, to lay off and appropriate, wherever the same may be required, a sufficient breadth of way for the construction and uses of such railroad, and as soon as such line of railroad is laid down and ascertained, that it shall be lawful for the Governor, by and with the advice of the Executive Council, to vest in Her Majesty, her heirs and successors, the title of, in, and to all the Crown lands situate within ten miles on each side of the said line, in order that said Crown lands may be held, used, and enjoyed for the benefit of said railway, and to raise funds for the construction thereof.

Breadth of Way on Crown Lands.

Title to Crown Lands within ten miles to vest in Her Majesty.

4. And be it enacted, that it shall be lawful for the said Commissioners to enter into and upon any private lands, hereditaments, and tenements, situate in this province, through which such line of railway may penetrate, either by themselves, or any agents by them duly authorized for such purpose, and by their engineers, contractors, servants, and workmen, and with horses, cattle, and carriages, to lay off and appropriate, whenever the same may be required, a sufficient breadth of way for the construction and uses of such railway, and all such spaces as may be required for stations, depôts, warehouses, stables, buildings, and yards, required by the said Commissioners for the convenient working of said railroad; and in the event of the proprietors thereof, or any agents acting therefor, neglecting or refusing to make a conveyance and voluntary appropriation and surrender thereof, or any part thereof, for the uses of such railroad, or of accepting such compensation therefor as the said Commissioners or their agents, duly authorized and acting in such behalf may offer and provide, that then it shall be lawful for said Commissioners to proceed as the Commissioners of Highways are directed to proceed in such cases by the various Acts now in force in this province; and on the value of the lands required for such breadth of way being settled and ascertained as aforesaid, that then it shall be lawful for the Governor, by and with the advice of the Executive Council, to issue warrants upon the Treasury for payment thereof; and that the title of all such private lands so laid off and appropriated or valued and paid for as aforesaid, shall vest in Her Majesty, her heirs and successors, to be held, used, and enjoyed for the uses and purposes of such railroad.

Breadth of Way on Private Lands—compensation therefor to be paid from Treasury.

Title to vest in Her Majesty.

5. Provided always, and be it enacted, that the said railroad shall not be open to the public as a highway, except under such rules and regulations as may be established by Her Majesty's Government in that behalf.

Railroad subject to regulations of Her Majesty's Government.

Government House, Halifax, April 4, 1849.

It is hereby certified, that the foregoing is a true copy of an Act passed in the last session of the Legislature.

Lieutenant-Governor.

Enclosure 2 in No. 1.

Encl. 2 in No. 1.

To the Queen's Most Excellent Majesty.

The humble Address of the Legislative Council of Nova Scotia.

May it please Your Majesty,

WE, your Majesty's faithful and loyal subjects, the Legislative Council of Nova Scotia, approach your Majesty with warm attachment to your Majesty's person and Government, to express our grateful feeling to your Majesty for having submitted the survey and plans of the contemplated railroad from Quebec to Halifax for the deliberate consideration of the Legislative Council.

The able report of your Majesty's engineers employed in this survey confirms the views entertained by the Legislative Council, that the accomplishment of this undertaking will develop the resources of your Majesty's noble possessions on this continent, create new elements of prosperity, promote internal improvement, and become a national and indissoluble bond of union with the parent State.

Impressed with these sentiments, the Legislature of this province has passed a law granting, free of expense, a right of way for the railroad, together with all public lands within ten miles of either side thereof, and charging upon the provincial and local revenues of Nova Scotia an annual contribution of 20,000*l.* sterling, towards the payment of the interest of the sum required to be expended upon the construction of the work, of which sum a fifth part has been voluntarily tendered by the citizens of Halifax, and the whole will be annually paid to such Commissioners as your Majesty may please to appoint, after the completion or satisfactory security for the completion of such railway, until the traffic thereon shall be sufficient to relieve the Provincial Government from further contribution.

Your Majesty's subjects in this part of your empire have made preparations to erect an electric telegraph across Nova Scotia, to unite with the lines already established from Metis to Quebec, and Saint John New Brunswick to Boston, and thus information will be transmitted in the most rapid manner to the interior of Canada and the United States; and the speedy construction of this projected railway will turn the passenger travelling in the same direction as the most speedy and safe route to the heart of America.

NOVA SCOTIA. — The projected railroad will furnish a safe military road through the centre of British America, open a boundless tract of fertile soil for colonization, facilitate the transport of your Majesty's mails and troops, and will create a new intercourse with Western America, through the Lakes and the Saint Lawrence to Halifax, a port surpassed by none on the continent of America.

May it please your Majesty to give to the subject of this Address your gracious consideration, and to extend your Royal favour to the construction of this national highway through your Majesty's splendid provinces, knitting them together by the strongest ties, and uniting them to the parent State by the bonds of loyalty, affection, and interest.

(Signed) MICH. TOBIN, President.

Legislative Council Chamber, March 31, 1849.

Encl. 3 in No. 1.

Enclosure 3 in No. 1.

To the QUEEN'S MOST EXCELLENT MAJESTY.

The Honourable Address of the Representatives of the People of Nova Scotia in General Assembly convened.

MAY IT PLEASE YOUR MAJESTY,

WE, your Majesty's faithful and loyal subjects, the Commons of Nova Scotia. approach your Majesty with warm attachment to the Government and person of your Majesty, to express our grateful feeling to your Majesty for having submitted the survey and plans of the contemplated railroad from Halifax to Quebec for the deliberate consideration of this House.

The able report of your Majesty's engineers employed in this survey confirms the views entertained by your loyal subjects, the representatives of the people of Nova Scotia, that the accomplishment of this undertaking will develop the resources of your Majesty's noble possessions on this continent, create new elements of prosperity, promote internal improvement, and become a national and indissoluble bond of union with the parent State.

That this House have to assure your Majesty, that a very strong feeling in favour of the work prevails among the great body of the people; that in consequence of an official circular lately issued, meetings have been held in the various settlements situate along the line in this province, at which resolutions were passed, as embodied in petitions numerously and respectably signed, presented to this House, pledging the proprietors of the land through which the line would penetrate to give a breadth of way free of expense.

That, impressed with these sentiments, the Legislature of the province has passed a law granting, free of expense, a right of way for said railroad together with all public lands within ten miles of either side thereof, and charging upon the provincial and local revenues of Nova Scotia an annual contribution of 20,000*l.* sterling towards the payment of the interest of the sum required to be expended upon the construction of such work. A fifth part of this sum has been voluntarily tendered by the citizens of Halifax, and the whole will be paid annually to such Commissioners as your Majesty may please to appoint after the completion, or satisfactory security for the completion, of such railway, until the traffic thereon is sufficient to relieve the Provincial Government from further contribution.

Your Majesty's subjects in this part of your empire have made preparation to erect an electric telegraph across Nova Scotia, to unite with the lines already established from Metis to Quebec and Saint John New Brunswick, to Boston, and thus information will be transmitted in the most rapid manner to the interior of Canada and the United States, and the speedy construction of this projected railway will turn the passenger travelling in the same direction as the most speedy and safe route to the heart of America.

The projected railway will furnish a safe military road through the centre of British America, open a boundless tract of fertile soil for colonization, facilitate the transport of your Majesty's mails and troops, and will create a new intercourse from Western America and the Lakes, through the Saint Lawrence to Halifax, a port surpassed by none on this continent of America.

May it please your Majesty to give to the subject of this Address your gracious consideration, and to extend your royal favour to the construction of this national highway through your Majesty's splendid provinces, knitting them together by the strongest ties, and uniting them to the parent State by the bonds of loyalty, affection, and interest.

(Signed) W. YOUNG, Speaker.

House of Assembly, March 30, 1849.

(No. 168.) No. 2. No. 2.

Copy of a DESPATCH from Lieut.-Governor Sir John Harvey to Earl Grey.

Government House, Halifax, May 2, 1850.

(Received May 14, 1850.)

(Answered June 19, 1850, No. 224, page 36.)

My Lord,

I HAVE the honour to inclose for your Lordship's consideration a resolution adopted by the Legislative Council of this province on the subject of the projected railroad from Halifax to Quebec.

The people of this province are very anxious that some great public work should be immediately commenced; and I beg to draw your Lordship's attention to the law passed on the 31st March*, 1849, enacting that it should be lawful for Her Majesty to cause five Commissioners to be appointed for establishing and constructing such railroad from Halifax to the Boundary line of New Brunswick to meet a railroad from Lower Canada through the Province of New Brunswick, and also giving power to the Governor, by and with the advice of the Executive Council to vest in Her Majesty ten miles of the Crown land on each side of the line for the benefit of the railroad, and to raise funds for the construction thereof. And lastly, that the railroad should be under such rules and regulations as shall be established by Her Majesty's Government.

* Page 26.

A pledge has likewise been given for the sum of 20,000*l.* sterling to pay the interest on the capital to be expended for the accomplishment of this work.

The opinion is very strongly entertained here, my Lord, that the construction of this railroad would be one of the most effectual means of defending these possessions of Her Majesty, and would assist in preserving the connexion with each other and the mother-country, and would develop the resources, invigorate trade and commerce, and promote the permanent prosperity and happiness of Her Majesty's subjects in these portions of the realm.

I have, &c.

The Right Hon. Earl Grey, (Signed) J. HARVEY.
&c. &c. &c.

Enclosure 1 in No. 2. Encl. 1 in No. 2.

TO his Excellency Lieutenant-General Sir John Harvey, Knight Commander of the Most Honourable Military Order of the Bath, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant-Governor and Commander-in-chief in and over Her Majesty's Province of Nova Scotia and its Dependencies, &c., &c.

The Address of the Legislative Council.

May it please your Excellency.

The Legislative Council of Nova Scotia have had under their consideration the subject of the proposed railroad between Quebec and Halifax, and have passed the accompanying resolution to which they pray your Excellency's favourable attention.

Legislative Council Chamber, March 27, 1850.

(Signed) Michl. Tobin, President.

Enclosure 2 in No. 2. Encl. 2 in No. 2.

Legislative Council Chamber, March 26, 1850.

RESOLVED, That an Address be presented to his Excellency the Lieutenant-Governor, requesting him to call the attention of Her Majesty's Government to the subject of the proposed railroad from Halifax to Quebec, and to urge the great importance of that undertaking to the welfare and prosperity of the province, and to use all the constitutional means in his power to expedite its commencement.

(Signed) John C. Halliburton, C. L. C.

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No. 3.

(No. 190.) No. 3.

COPY of a DESPATCH from Lieutenant-Governor Sir J. HARVEY to Earl GREY.

Government House, Halifax, August 29, 1850.

(Received September 10, 1850.)

(Answered September 21, 1850, No. 232, page 37.)

MY LORD,

YOUR Lordship is aware, from the correspondence which has passed between the North American Governments and the Colonial Office, that for some time past a deep interest has been felt by the people of these provinces in the promotion of railways.

2. So long as hopes were entertained that Her Majesty's Government would aid in the construction of the line between Halifax and Quebec, public attention was concentrated upon that. As the prospects of its accomplishment became less definite and assured, other projects, either local or inter-colonial, were discussed, and resolutions or laws having relation to these were passed during the recent sessions of most of the Colonial Legislatures.

3. The construction of the electric telegraph, which now not only connects Halifax with the chief towns of New Brunswick and the State of Maine, but forms the most important link in the chain of communication between the Old World and the New; and the success which has attended that appropriation of the public funds, have attracted public attention to the practicability and importance of placing a railroad beside the telegraph.

4. This would give to Nova Scotia and New Brunswick a noble highway through their territory, connect them by railway with all the principal cities of this continent, and secure to the port selected for the eastern terminus, commercial advantages with which no sea-port within the Republic could ever successfully compete.

5. While these views were pressing upon the minds of the leading men in the provinces, the subject was taken up in the State of Maine, and a Convention, to which the colonists were invited, was called, to meet at Portland on the 31st of July.

The several Reports here referred to are contained in the Provincial Papers of the 17th, 19th, 24th, and 28th April, 1850.

6. The proceedings of that Convention I have now the honour to inclose, together with the reports made by the delegates who attended from Nova Scotia, to the communities or committees by which they were severally appointed.

7. On the return of those delegates, the public mind in Nova Scotia became very highly excited, particularly in Halifax and in those counties through which the road would pass.

8. Under those circumstances, my Government were required to deal with the question thus raised, and to decide whether they would stand aloof from this movement, and allow a great highway, which in peace would be a thoroughfare of nations, and in war might be of vast importance, to be constructed and controlled by foreign capitalists, or should at once grasp the enterprise, and by the aid of the public funds and credit, discharge towards the country the highest and most legitimate functions of a vigorous Executive.

9. The latter determination was arrived at, and the opportunity was afforded to declare their policy at a public meeting held in the metropolis on the 24th, the proceedings of which will be found reported in the papers transmitted by this mail.

10. This movement, which meets my entire approbation, has been received with great satisfaction by all parties. The address of the City Council, with my answer No. 3, I have the honour to inclose.

11. The details of this measure have yet to be adjusted, and it may be necessary to send to England some members of my Government to communicate more at large with your Lordship in reference to them.

12. In the meantime I should be glad to be informed whether, upon such pledges as have been regarded as satisfactory in other colonies, being given, Her Majesty's Government would be disposed to aid Nova Scotia, with its guarantee of such funds as she may find it necessary to borrow in England, in order to construct this road. These would not exceed 800,000*l.* sterling, and would probably be secured not only on the general revenues of the province, but upon the road itself.

13. Such a guarantee would enable the province to enter the market upon the best terms, and effect a large saving in the accomplishment of the work.

14. The revenue of Nova Scotia is about 80,000*l.* sterling; her debt but 87,892*l.* sterling; of which 47,892*l.* sterling is represented by province paper, on which no interest is paid. The permanent and indispensable charges are about 40,000*l.* sterling; leaving 40,000*l.* of surplus revenue, available for public improvements. The revenue has increased 4,400*l.* within the present year. The increase on the whole year will probably be 10,000*l.*

15. If, therefore, as I anticipate, the Legislature sustains the policy of the Government, they will have the means at their disposal to pay the interest promptly on any loan they may require to effect.

16. I shall be very much gratified by an early communication of the decision of Her Majesty's Government on this point, and of the terms and nature of the securities required.

I have, &c.

The Right Hon. Earl Grey, &c. &c. &c.

(Signed) J. HARVEY.

Enclosure in No. 3.

TO his Excellency Lieutenant-General Sir John Harvey, Knight Commander of the Most Honourable Military Order of the Bath, Knight Commander of the Royal Hanoverian Guelphic Order, Lieutenant-Governor and Commander-in-chief in and over Her Majesty's Province of Nova Scotia, &c., &c., &c.

THE mayor and aldermen of the city of Halifax respectfully request to bring to the notice of your Excellency the accompanying resolution, which was passed unanimously at a very large and influential meeting of the citizens of Halifax, held on Saturday last in this city, to consider the subject of the proposed European and North American Railway. They would respectfully urge upon your Excellency the importance of the subject, as one more worthy than any other, in the present aspect of affairs in Nova Scotia, to engage the attention and enlist the sympathies and exertions of the Government. The completion of the great work contemplated by the resolution, will not only elevate this province to the most conspicuous and important position on the Western Continent, by rendering it the direct channel of communication between our parent country and the United States on the most enlarged and magnificent scale; but the rich though now unproductive resources of our province, both mineral and agricultural, will become developed and made available to the public good, its commercial interests rapidly advanced, and its revenues materially aided and increased. They therefore cordially concur with the sentiments contained in the inclosed resolution, and doubting not that your Excellency takes a deep interest in every project which has a tendency to advance the interests of this province, they respectfully pray that your Excellency would recommend to the Provincial Parliament to undertake the construction of that portion of this important work which is to pass through Nova Scotia, on a line between Halifax and the frontier of New Brunswick.

And the mayor and city council would earnestly press upon your Excellency the propriety of calling together the Legislature at as early a period as practicable, in order that their sentiments may be ascertained on this important subject.

"Resolved, That as it is the first duty of a Government to construct and to controul the great highways of a country, a respectful address be prepared and presented to the Lieutenant-Governor, praying that his Excellency would recommend to the Provincial Parliament to undertake the construction of that portion of this important work which is to pass through Nova Scotia, on a line between Halifax and the frontier of New Brunswick."

To which his Excellency made the following reply:

MR. MAYOR AND GENTLEMEN—

You, and the highly respectable meeting by which you have been deputed to address me, do not do me more than justice in believing that I feel most deeply interested in whatever relates to the prosperity of the ancient and loyal colony which our gracious Sovereign has committed to my charge, and that I regard it as my first duty to do all that depends upon me to promote it.

The resolution which you have just presented, embodies what appear to me to be enlightened and sound views, suited to the age in which we live. The cost of constructing railroads is light compared with the cost of doing without them. Nova Scotia owes it to her own character to adopt, as speedily as she may, improved facilities for the transportation of her people with the products of their industry. She owes it to the civilized world to make her portion of "The European and North American Railroad," which must become the shortest highway between the great families of the Anglo-Saxon race.

Be assured that my Government will approach this great question without delay, and

with an earnestness commensurate with its deep importance; and that it will afford me very sincere gratification to identify myself with this work, and to become, in any way personally instrumental in realizing the hopes entertained by the citizens of Halifax.

(Signed) J. HARVEY.

Government House, Halifax, August 28, 1850.

No. 4. (No. 204.) No. 4.

COPY of a DESPATCH from Lieutenant-Governor Sir J. HARVEY to Earl GREY.

Government House, Halifax, October 25, 1850.

(Received November 13, 1850.)

(Answered March 14, 1851, No. 260, page 37.)

MY LORD,

THE members of my Government, upon a full consideration of the contents of your Lordship's communication of the 21st ultimo, having deemed it to consist with what they owe to public feeling (which has been very unequivocally expressed throughout the province), as well as to their own views of the great interests involved, to seek to present those views to Her Majesty's Governn ent, in as plain and forcible a manner as may be consistent with the deep respect with which all decisions by your Lordship have been and will at all times be received by them; they have accordingly resolved on delegating one of their body to proceed to England, in the hope that your Lordship will admit their delegate to an audience, and will afford him every facility in bringing the views which he is charged to advocate, under the consideration of Her Majesty's Government, which to your Lordship may seem fit.

Permit me, therefore, to present to your Lordship the Honourable Joseph Howe,* a member of my Council, and a gentleman well qualified, in my judgment, to afford to your Lordship and to Her Majesty's Government the fullest information and the most correct views of the state of public feeling in Nova Scotia.

The deep importance attached throughout the province to the subject of Mr. Howe's mission, will, I doubt not, plead my excuse from any deviation from existing regulations which may attend this mode of communication with your Lordship; and I do not doubt that on this, as on some other points, Mr. Howe's local information, experience, and sound judgment, will be found useful and acceptable.

It is Mr. Howe's present intention (should circumstances not induce him to alter it) to return to Nova Scotia before the meeting of the Legislature, in the hope of enabling me to convey to that body, at their meeting, some definite information as to the prospect of being able to obtain the necessary funds from London capitalists, either with or without the aid of Her Majesty's Government. As the latter alternative, however, would involve the difference of from 16,000*l.* to 20,000*l.* a-year, in the amount of interest to be paid by the colony, I feel satisfied that your Lordship will be disposed to promote any well-considered measure by which so large a saving may be effected, without risk to the Imperial Government.

I have, &c.

The Right Hon. Earl Grey, (Signed) J. HARVEY.
&c. &c. &c.

No. 5. (No. 5.) No. 5.

COPY of a DESPATCH from Lieutenant-Governor Sir J. HARVEY to Earl GREY.

Government House, Halifax, February 13, 1851.

(Received March 10, 1851.)

(Answered March 14, 1851, No. 261, page 38.)

MY LORD,

I HAVE the honour to transmit the inclosed memorials in relation to the construction of a railroad through this province, which I have been requested to forward on behalf of certain inhabitants of the county of Cumberland.

I have, &c.

The Right Hon. Earl Grey, (Signed) J. HARVEY.
&c. &c. &c.

* At page 39 to 65 of this paper will be found the subsequent correspondence with Mr. Howe.

Enclosure 1 in No. 5.

Encl. 1 in No. 5.

To Her Most Excellent Majesty the Queen.

May it please Your Majesty,

WE, your Majesty's faithful and loyal subjects, the Magistrates, Freeholders, and Inhabitants of the county of Cumberland, in the Province of Nova Scotia, most respectfully crave leave to lay before your Majesty our united and earnest representations on a subject of the most vital importance, not only to our own welfare, but to the union and consolidation of your Majesty's North American Colonies.

The importance, in the present day, of a communication by railroad through the Provinces of Nova Scotia, New Brunswick, and Canada, having regard to their geographical position, will be apparent, whether it may be considered in a military, commercial, or political point of view; and it will be scarcely less desirable to open a similar communication with the various railways now in operation in the United States; the effect of which must inevitably be to concentrate, by means of steam navigation in your Majesty's dominions, both in Europe and America, the greater part of the passenger traffic as well as a large portion of the general trade between the two hemispheres.

The Province of Nova Scotia, forming as it were a great wharf, projecting into the Atlantic, seems to have been designed by nature for the American emporium of a vast system of steam transit, inasmuch as it presents the nearest and most convenient points for the arrival and departure of the steam-ships employed in crossing the Atlantic; and the portion of the railway through that province will afford the peculiar feature of being alike available for two lines of extensive inter-communication, one commercially the most valuable to the colonies and the mother-country, as connecting both with the United States; the other even more important, as binding together a vast extent of your Majesty's dominions, rendering them more defensible in times of war, and more accessible at all times.

We do not presume to point out to your Majesty the incalculable advantages that would arise from opening up such immense fields for the location, within British rule, of such of your Majesty's subjects as may be unable to find employment at home; we venture only to glance at the probable extension of the railway to the almost interminable expanse of your Majesty's territories to the westward; and we abstain from urging any claims we might possess from the injurious efforts on our trade of certain recent alterations in the commercial policy of Great Britain, because we feel it to be our duty to submit patiently to such inflictions of this nature as may conduce to the general good of the empire; but we take leave to remind your Majesty that these hardships are capable of most material alleviation, and that such alleviation cannot be afforded in a more acceptable shape than in that of aid from the Imperial Government to a work so eminently beneficial, in whatever light it may be viewed, as a railway from Halifax to the boundary of the province.

And in conclusion, we beg to assure your Majesty of our unvarying attachment to your Majesty's person, and of our decided preference for British rule, so long as we shall be deemed a desirable dependency on the British Crown; and we indulge the hope that your Majesty will not reject the allegiance of two millions of faithful subjects, who desire to be some of the surest safeguards of your throne, or the sovereignty of a territory exceeding the largest kingdoms of Europe in extent, and containing as well the most valuable immediate resources as the means hereafter of employing the surplus population of the United Kingdom.

We therefore humbly pray that your Majesty will be pleased to extend your Royal patronage and support to the construction of a railway from Halifax to the boundary of the province; and that you will be pleased to cause a sufficient hearing to be given to a delegate from this province, either before your Majesty in Council, or before the two Houses of the Imperial Parliament; or in such way as to your Majesty shall seem fit, for the obtaining such aid by way of guarantee or otherwise, and for securing the construction of the aforesaid railway, and the speedy completion of the same.

And your petitioners will ever pray, &c.

(Fifty-three Signatures.)

Enclosure 2 in No. 5.

Encl. 2 in No. 5.

To the Right Honourable the Lord John Russell, Her Majesty's First Lord of the Treasury, and to the Right Honourable the Lord Grey, Her Majesty's Principal Secretary of State for the affairs of the Colonies.

The Memorial of the undersigned Magistrates, Freeholders, and Inhabitants of the District of Fort Lawrence, the Head of Amherst, and the Districts of Goose River and Shinimeeas, in the County of Cumberland, in the Province of Nova Scotia.

Most respectfully states,

THAT your memorialists have long looked with the deepest interest for the construction of a railway from Halifax to Quebec, which, connecting the whole of British America, will give the greatest facilities to the inter-colonial trade, unite the interests of the several

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provinces, give a vast impetus to the energies, and develope the resources of the extensive districts through which it would run, and expedite the communication between the mother country and some of its most extensive and valuable possessions.

That your memorialists are persuaded that such a measure would be equally beneficial to Great Britain, by opening new fields for emigration, extending and improving her commerce, and enabling her to diminish her military establishments on this continent.

That notwithstanding these obvious advantages, and the earnest exertions of your memorialists in favour of this measure, no steps beyond the preliminary survey have yet been taken to effect so desirable an object. But that it has recently been proposed to carry a line of railway from Shediac, in New Brunswick, being on the line of the before-mentioned railroad, to the city of Bangor, in the State of Maine, thereby opening a communication between Halifax and the vast extent of railways now pervading the whole of the United States.

That this communication would in the opinion of your memorialists, be the medium of by far the greater portion of the passenger traffic between North America and Europe, and thus, by means of steam navigation, render Halifax in this province and whatever port may be selected for the arrival and departure of the Atlantic steam-ships in Great Britain, the two great emporia of the trade between the eastern and western hemispheres.

That the geographical position of Nova Scotia renders the line of railway through that province the first portion of both the great lines before adverted to, and that, therefore, such line of railway cannot fail to obtain a large traffic, and consequently a remunerating income.

That the depression under which the province has so long laboured, renders it incompetent to attempt so great a work without the assistance of the mother-country, inasmuch as its resources are unknown and unappreciated, and its credit not sufficient to enable it to procure the requisite funds.

That if, as your memorialists believe, the British Government has been withheld from affording such aid in the shape a guarantee of interest on the capital, by a fear of adding to the existing burthens on the Imperial Treasury, your memorialists refer your Lordships to the statistical documents printed by order of the Legislature of Maine, relative to the proposed road to that State, to the increase of income which the extension of the railway northward and its ultimate completion to Quebec would contribute, and to the revenue of the province, the account of which will doubtless be laid before your Lordships by the honourable the Provincial Secretary, whose accurate acquaintance with its resources will afford him the means of amply satisfying your Lordships on these points.

That if your Lordships should still apprehend any material loss to the Imperial Treasury from giving such guarantee, your memorialists on behalf of themselves and their fellow-countrymen, would gladly submit to a county assessment or rate to make good any deficiency that may exist in the payment of interest—a deficiency which your memorialists are satisfied would not be of long duration.

Your memorialists, therefore, most earnestly but respectfully urge on your Lordships the reconsideration of the question of granting such guarantee as may enable the Province of Nova Scotia to raise the capital necessary to construct a railway from Halifax to the boundary of the province, or of affording such other aid and encouragement to the said undertaking as to your Lordship shall seem fit.

(Thirty-nine Signatures.)

Enclosure 3 in No. 5.

Encl. 3 in No. 5. [Consisting of the same Memorial as the foregoing, with fifty-five additional Signatures.]

No. 6. (No. 11.) No. 6.

COPY of a DESPATCH from Lieutenant-Governor Sir J. HARVEY to Earl GREY.

Government House, Halifax, March 13, 1851.

(Received March 24, 1851.)

MY LORD,

I HAVE been requested to forward to your Lordship the inclosed address to the Queen from "the magistrates, freeholders, and inhabitants of the County of Cumberland" in this colony, in relation to the construction of a railway from Halifax to the boundary of the province.

I have, &c.

The Right Hon. Earl Grey, &c. &c. &c.

(Signed) J. HARVEY.

Enclosure 1 in No. 6.

To Her Most Excellent Majesty the Queen.

May it please Your Majesty,

WE, your Majesty's faithful and loyal subjects, the Magistrates, Freeholders, and Inhabitants of the County of Cumberland, in the Province of Nova Scotia, most respectfully crave leave to lay before your Majesty our united and earnest representations on a subject of the most vital importance, not only to our own welfare, but to the union and consolidation of your Majesty's North American colonies.

The importance, in the present day, of a communication by railway through the Provinces of Nova Scotia, New Brunswick, and Canada, having regard to their geographical position, will be apparent, whether it may be considered in a military, commercial, or political point of view; and it will be scarcely less desirable to open a similar communication with the various railroads now in operation in the United States, the effect of which must inevitably be to concentrate, by means of steam navigation in your Majesty's dominions, both in Europe and America, the greater part of the passenger traffic, as well as a large portion of the general trade, between the two hemispheres.

The Province of Nova Scotia, forming as it were a great wharf projecting into the Atlantic, seems to have been designed by nature for the American emporium of a vast system of steam transit, inasmuch as it presents the nearest and most convenient points for the arrival and departure of the steam-ships employed in crossing the Atlantic; and the portion of the railway through that province affords the peculiar feature of being alike available for two lines of extensive inter-communication; one commercially the most valuable to the colonies and the mother-country, as connecting both with the United States; the other, even more important, as binding together a vast extent of your Majesty's dominions, rendering them more defensible during war, and more accessible at all times.

We do not presume to point out to your Majesty the incalculable advantages that would arise from opening up such immense fields for the location within British rule of those among your Majesty's subjects who may be unable to find employment at home; we venture only to glance at the probable extension of the railway to the almost interminable expanse of your Majesty's territories to the westward; and we abstain from urging any claims we might possess from the injurious effects on our trade of certain recent alterations in the commercial policy of Great Britain, because we feel it to be our duty to submit patiently to such inflictions of this nature as may conduce to the general good of the empire; but we take leave to remind your Majesty that these hardships are capable of most material alleviation, and that such alleviation cannot be afforded in a more acceptable shape than in some aid from the Imperial Government to a work so eminently beneficial, in whatever light it may be viewed, as a railway from Halifax to the boundary of the province.

And in conclusion, we beg to assure your Majesty of our unvarying attachment to your Majesty's person, and of our decided preference for British rule, so long as we shall be deemed a desirable dependency on the British Crown; and we indulge the hope that your Majesty will not reject the allegiance of two millions of faithful subjects, who desire to be some of the surest safeguards of your throne, or the sovereignty of a territory exceeding the largest kingdoms of Europe in extent, and containing as well the most valuable immediate resources, as the means hereafter of employing the surplus population of the United Kingdom.

We therefore humbly pray that your Majesty will be pleased to extend your Royal patronage and support to the construction of a railway from Halifax to the boundary of the province; and that you will be pleased to cause a sufficient hearing to be given to a delegate from this province, as well before your Majesty in Council, or before the two Houses of the Imperial Parliament, or in such other way as to your Majesty shall seem fit, for obtaining such aid as aforesaid by way of guarantee or otherwise, and for securing the construction and speedy completion of the same.

And your petitioners will ever pray, &c.

(Twenty-eight Signatures.)

Despatches from the Right Hon. Earl Grey, Secretary of State.

No. 1. (No. 174.) No. 1.

COPY of a DESPATCH from Earl GREY to Lieutenant-Governor Sir J. HARVEY.

SIR, Downing Street, June 1, 1849.

* Page 26. I HAVE to acknowledge the receipt of your despatch No. 101*, of the 6th of April last, transmitting an Act passed by the Provincial Legislature to enable the Commissioners for erecting and building the trunk line of railway from Halifax to Quebec to construct the same within the limits of the province, accompanied by addresses from the Legislative Council and Assembly.

You will acquaint the members of the two branches of the Legislature, that I have laid these addresses before the Queen, and that Her Majesty was pleased to receive them very graciously.

You will further state to them, that while Her Majesty's Government are most anxious to promote the proposed undertaking, they are not yet prepared to submit to Parliament any measure for that purpose; and without in any degree abandoning the hope that means may ultimately be found of executing so important a national work, they cannot disguise from themselves that the difficulties to be overcome are very great.

The Order of Her Majesty in Council, leaving the Act to its operation, will be forwarded to you by an early opportunity.

I am, &c.

Sir John Harvey, (Signed) GREY.
&c. &c. &c.

No. 2. (No. 180.) No. 2.

COPY of a DESPATCH from Earl GREY to Lieutenant-Governor Sir J. HARVEY.

SIR, Downing Street, July 6, 1849.

AN Act passed by the Legislature of Nova Scotia in the month of March last, and intituled "No. 2879, An Act to enable the Commissioners for erecting "and building the Trunk Line of Railway from Halifax to Quebec to construct "the same within the limits of this Province," having been referred by the Queen in Council to the Lords of the Committee of Privy Council for Trade and Foreign Plantations, that Committee have reported to Her Majesty in Council their opinion that the said Act should be left to its operation.

I have the honour to transmit herewith an Order of Her Majesty in Council, dated 29th June, approving that report.

I am, &c.

Sir John Harvey, (Signed) GREY.
&c. &c. &c.

No. 3. (No. 224.) No. 3.

COPY of a DESPATCH from Earl GREY to Lieutenant-Governor Sir J. HARVEY.

Sir, Downing Street, June 19, 1850.

* Page 29. I HAVE to acknowledge your despatch No. 168*, of the 2nd ultimo, inclosing a resolution of the Legislative Council, that an address be presented to yourself requesting you again to call the attention of Her Majesty's Government to the subject of the proposed railway from Halifax to Quebec.

2. Her Majesty's Government have not failed to give their best attention to a subject in which so deep an interest is taken by the inhabitants of Nova Scotia. But I am bound to state that they are not prepared to submit to Parliament any measure for raising the funds necessary for its construction, considering the great amount and pressure of the exigencies which continue to weigh on the Imperial Treasury.

I am, &c.

Sir John Harvey, &c. &c. &c.

(Signed) GREY.

(No. 232.) No. 4. No. 4.

Copy of a DESPATCH from Earl Grey to Lieutenant-Governor Sir J. Harvey.

Sir, Downing Street, September 21, 1850.

IN acknowledging your despatch No. 190*, of the 29th ultimo, on the subject of the projected line of railway from Halifax to Portland in Maine, I have to express my entire approbation of the degree of support and encouragement given by yourself and the Provincial Administration to this important undertaking.

* Page 30.

2. I regard the work as one calculated to be of the highest service to Nova Scotia and New Brunswick ; and instead of considering it as likely to endanger by competition the still more important scheme which has been proposed for connecting Halifax with Quebec, I believe that it is likely to prepare the way for the execution of the latter, and that it will contribute to the same end, namely, that of rendering Halifax the great port of communication between the two continents of Europe and America.

3. But while I am most anxious to promote the success of this enterprise, I regret that the same reasons which have hitherto prevented Her Majesty's Government from recommending to Parliament any measure for affording pecuniary assistance towards the construction of the Quebec Railway, will probably stand equally in the way of their advising the guarantee of a loan for the scheme now in contemplation.

I am, &c.

Sir John Harvey, &c. &c. &c.

(Signed) GREY.

(No. 260.) No. 5. No. 5.

Copy of a DESPATCH from Earl Grey to Lieutenant-Governor Sir J. Harvey.

Sir, Downing Street, March 14, 1851.

I HAVE received your despatch No. 204*, of the 25th October last, informing me that the Members of your Executive Council had deputed one of their own body to repair to this country for the purpose of representing to Her Majesty's Government the views generally entertained in Nova Scotia on the subject of the projected Halifax and Quebec Railway, and I have now the honour to transmit to you the accompanying copy of a despatch which I have addressed this day to the Governor-General of British North America, in the inclosures to which you will find a letter† which has been written by my direction to Mr. Howe, containing a full explanation of the views of Her Majesty's Government as to the mode by which it is hoped the funds necessary for the proposed undertaking may be raised.

* Page 32.

March 14, 1851. No. 569, page 21.

† Page 63.

Referring you to that despatch for general information, I have only to add, that it will be proper that you should at once place yourself in communication with the Governor-General upon this very important subject.

I am, &c.

Sir John Harvey, &c. &c. &c.

(Signed) GREY.

No. 6. (No. 261.) No. 6.

Copy of a DESPATCH from Earl Grey to Lieutenant-Governor Sir J. Harvey.

Sir, Downing Street, March 14, 1851.

I HAVE to acknowledge the receipt of your despatch of the 13th* ultimo, and of the memorials therein inclosed, relative to the construction of a railway through the Province of Nova Scotia, and to refer you in reply to my despatch of this day's date, on the subject of the projected railway between Halifax and Quebec.

* Page 34.

I am, &c.

Sir John Harvey, (Signed) GREY.
&c. &c. &c.

NOVA SCOTIA.

Correspondence with Mr. Howe.

No. 1. No. 1.

Copy of a LETTER from Mr. Howe to Earl Grey.

My Lord, 5, Sloane Street, November 25, 1850.

HAVING, at the interview with which I was honoured on the 18th instant, received your Lordship's instructions to place before you, in official form, the arguments on which, as Representative from the Province of Nova Scotia, I base my application for the guarantee of the Imperial Government, in aid of the public works projected by the Government of that colony, I beg leave, with all respect, to call your Lordship's attention to the following statement and observations.

Regarding the period as rapidly approaching, if it has not actually arrived, when railroads must be laid down through her most advanced and prosperous counties, east and west, Nova Scotia is called to decide, with the experience of the world before her, upon the measures to be adopted to secure for her people, at the least expense, with the slightest risk, and in the shortest time, these great modern improvements. Her people have been accustomed to free roads; no toll-bars exist in the province. Her roads, made at the public expense, belong to the country, and are emphatically the Queen's highways. In the few instances where she has deviated from this policy, in respect to bridges or ferries, the cost and the inconveniences of monopoly have tested its value.

Railways are highroads of an improved construction. They are as essential to our advancement and prosperity now, as common roads were in the olden time. The service which the Government has performed for a hundred years in respect to the common roads, which probably measure 8,500 miles, we believe it to be capable of performing in regard to railways. The Administration is content to assume the responsibility, and the people, including an immense majority of all political parties, are willing and anxious that they should.

If our Government had means sufficient to build railroads, and carry the people free, we believe that this would be sound policy. If tolls must be charged, we know that these will be more moderate and fair, if Government regulate them by the cost of construction and management, than if monopolies are created, and speculators regulate the tolls only with reference to the dividends. If there be risk or loss, we are content to bear it. If the traffic of the country yields a profit, we would apply the surplus revenue to the opening of new lines, or to the reduction of the cost of transportation.

Were a railroad to be constructed in Nova Scotia, for the accommodation of internal traffic alone, we should perhaps decide to lay a line through our western counties first, these being the most populous and improved.

An inter-colonial railroad, in which the adjoining colonies feel an interest, offers more general advantages than a mere local line. Hence the interest felt in the Quebec Railroad, which would have drawn to Halifax much trade from the St. Lawrence, and opened up to colonization large tracts of wilderness lands, both in Canada and New Brunswick. This line, requiring 5,000,000*l.* sterling to complete it, the united resources of the three provinces are inadequate to the work, without very liberal aid from the British Government; that aid having been refused, the project has been for the present reluctantly abandoned.

A railroad to Portland offers many advantages which one to Quebec does not. It will cost only about half as much. It must run, nearly all the way, through a comparatively improved country. It would connect Halifax with St. John (and by the river, with Fredericton) and the larger towns of New Brunswick; giving to all these, with the villages and agricultural settlements lying between them, most desirable facilities for internal traffic.

The Portland Railroad would secure to Nova Scotia the advantages which nature designed her to enjoy: connecting her with all the lines running through

the American Continent, and making Halifax a common terminus for them all. No American steamer, which did not touch at Halifax, could thenceforward compete, in priority of intelligence, and the rapid transit of passengers, with those which did.

From New York to Liverpool, the shortest sea-line measures 3,100 miles, that usually traversed is 3,300.

		Miles.
From Halifax to Galway is		2,130
Dublin to Holyhead		63
		2,193
Holyhead to London . . .	263	
Dublin to the South-West Coast of Ireland	120	
Halifax to St. John's . . .	266	
St. John's to Waterville. . .	200	
Waterville to New York . .	410	
		1,259
		3,452

making the whole land and sea distance 152 miles more than the present sea passage. But the sea voyage, by the one route, would be 1107 miles shorter than by the other.

To run these 1107 miles by steamboat, at 12 miles an hour, would require 92 hours; to run them by rail, at 30 miles an hour, would require but 36 hours. This route would therefore save, in the communication between Europe and America, 56 hours to every individual, in all time to come, who passed between the two continents; the sea-risks to life and property being diminished by one-third of the whole.

The States lying east of New York will be benefited in a ratio corresponding with their relative distances from that city. A merchant travelling from London to Portland, not only wastes 56 hours in going to New York, but must turn back and travel 400 miles on the route to Halifax besides, which will require 13 hours more.

It is clear then, that when the line across Ireland is completed, and that from Halifax to Waterville (from thence the lines are continuous all over the United States), this route may defy competition. No business man will travel by a route which leaves him 56 or 69 hours behind time, which gives to others dealing in the same articles, and entering the same markets with the same information, such very decided advantages.

No person travelling for pleasure will waste 56 hours, at some peril, on the ocean, where there is nothing to see, who can, in perfect security, run over the same distance by land, with cultivated country and a succession of towns and villages to relieve the eye.

The Americans assembled at the Portland Convention pledged themselves to make this line through the territory of Maine. Capitalists and contractors in that country profess their readiness to complete the whole through the British provinces, provided acts of incorporation are given to them with liberal grants of land and money in addition.

For various reasons, the Government of Nova Scotia are reluctant to permit this to be done.

They are unwilling to surrender that which must become for ever the great highway between the capital of Nova Scotia and her eastern counties, to the management and control of foreign capitalists.

They believe it to be, my Lord, equally sound provincial and sound national policy, that that portion of what must become a great highway of nations, which lies within the territories of Nova Scotia and New Brunswick, should be kept under British control; and they believe that the security and defence of the maritime provinces are involved in adherence to that policy.

They believe that the honour of the Crown is concerned in this question, to an extent which calls upon them to pledge the entire credit and resources of the province, that it may not be tarnished. Having done this, they believe that the Imperial Government ought to take at least sufficient interest in the question to enable them to enter the English money-market on the best terms, and effect a large saving in the expenditure required.

Money is worth, in the United States and in the British provinces, 6 per cent. Suppose this railroad to be constructed by American or provincial capitalists, it is evident that our portion of it, which will cost 800,000*l.* sterling, must pay 48,000*l.* sterling, or 60,000*l.* currency, over and above its working expenses.

With the Imperial guarantee, we can obtain the funds required at $3\frac{1}{2}$ per cent., reducing the annual interest to 28,000*l.* sterling, or 35,000*l.* currency.

The Government of Nova Scotia believe, that if British capital, so much of which flows into foreign States, where it is always insecure, and in times of trial is found to have invariably strengthened our enemies, can be safely invested in the Queen's dominions, the Imperial Government should take an interest in its legitimate employment; and they are quite prepared to invest an equal sum to that now required in building a line through the western counties of Nova Scotia, whenever the eastern pays its working expenses and interest on the sum expended.

They believe that, even if the province could raise this amount of capital, to withdraw so large a sum from the ordinary channels of circulation, where it is beneficially employed, and earning interest and profits, would cramp the trade of the country, and produce, on a small scale, embarrassments similar in their nature to those experienced in the parent State.

They believe that a low rate of interest would lead to the establishment of a low rate of fares, of which every Englishman passing over the line would feel the advantage.

They are prepared to carry the British and American mails at reasonable rates, and to authorize the British Government to pay the amounts contracted for, to the credit of the interest on the loan.

They believe that Her Majesty's Government legitimately employed their influence in securing, by the Nicaragua Treaty, a passage for British subjects and commerce to the East. They believe that to control the great highway to the West, and to secure to a British province the advantages of oceanic steam navigation, would be an equally legitimate object.

They believe that if Her Majesty's Government takes the lead in these noble North American enterprises, they will make the Queen's name a tower of strength on that continent.

They apprehend that if the colonists are driven to seek sympathy and assistance from the United States, in aid of their public works, to become large debtors to their capitalists, at extravagant interest, to employ their citizens habitually in the bosom of their country, a revulsion of feeling, dangerous to British interests, will be created, which statesmen should foresee and avoid.

Whether, my Lord, it was prudent in the Provincial Government to ask for the Imperial guarantee, I would respectfully suggest that it is now too late to consider. The refusal will wound the pride of every Nova Scotian, and strengthen the belief that England is indifferent to the industrial development of the maritime provinces: that she has no policy, by backing which their inhabitants can be elevated to fair competition with their Republican neighbours; and that when they ask her countenance and co-operation in measures which are as essential to the national dignity and security, as they would be productive of internal improvement, the reply, though courteous, shuts out hope.

An impression prevails in the Lower Provinces, that either from the immediate presence in Canada of noblemen generally standing high in the confidence of the Ministry at home, or from the sensitive irritability with which all parties resort to open violence in that province, more weight is given to representations affecting her interest, than to those which concern the maritime colonies. Nova Scotians, compelled to sacrifice 22,000*l.* a-year in the completion of a national work, by the refusal of the Imperial Government to guarantee to the capitalists of England the interest on this loan, cannot fail to contrast the relative position in which they are placed by that refusal. That they may not copy the evil examples by which a larger share of fraternal consideration will appear to them to have been secured, shall be my sincere and anxious prayer.

The Canadas, seeking Responsible Government in the French mode, resorted to armed insurrections, which it cost England 4 or 5,000,000*l.* to suppress. Immediately after the restoration of tranquillity, the British Government lent the Canadas 1,500,000*l.*

Had the maritime provinces participated in those rebellions, every regiment that marched through them in the winters of 1837 and 1839 would have been

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cut off. They did not. They adhered to their allegiance, and denounced the rebels. They cheered the soldiers on their winter marches, and provided for their wives and children. Yet Canada has been rewarded for bad faith and the waste of national resources, by a bonus of a million and a half; and I know no terms in which I can describe what my countrymen will feel, if, with a surplus revenue already available to secure the parent State from risk, they are refused the guarantee for half that amount.

In 1839, the State of Maine called out its militia to overrun the Province of New Brunswick. Nova Scotia, though not directly menaced, promptly tendered her entire pecuniary and physical resources in vindication of the national honour. She had no direct interest in the Boundary question. Not an acre of her soil was menaced; yet she did not hesitate to tender her means, and to set an example of loyal unanimity, much wanted on the continent at that moment, and which, had war commenced, could not have failed to have drawn it into her bosom. Yet now, the people she would have fought tender their co-operation to make a great national highway across her soil; and I submit, with all deference, my Lord, whether the Sovereign, whose honour she was prompt to vindicate, should be advised to refuse her aid, and view with unconcern the probable construction of such a work in our very midst, by foreign capital, to be subject to foreign influence and control.

When the storm blew from Maine we wrapped our loyalty around us. Who can tell what may happen, should the sun of prosperity shine from that quarter, and coldness and neglect appear on the other side?

England would not allow foreigners to control a great line of railway reaching from Dover to Aberdeen. Should she permit them to control 350 miles of railway through Nova Scotia and New Brunswick?

When the French propagandists menaced Belgium, the Belgian Government controlled the railways. The invaders were ambushed and overpowered; and through all the convulsions of 1848—1850, Belgium has remained tranquil and secure.

When the mob of Montreal seized upon the capital of Canada, the electric telegraph was in their hands. The wires were used to communicate with partisans above and below, by which Lord Elgin was seriously compromised, his Government having no assurance that their secrets were kept or their messages delivered.

But, my Lord, it may be asked, why should foreign capitalists make and control this road? Why may this not be done by the colonists themselves? Because,—

1st. Capital is more abundant in the United States (most of which have borrowed largely from England) than in the British provinces.

2nd. Experience of railway enterprises, and confidence, in them are more general in that country.

3rd. A body of railway engineers, contractors, and operatives, already formed in the different States, seek further employment, and will take much stock in payment, if employed.

4th. The interest of most of the lines south and west would be promoted by extension. Not only would Europeans, now reaching the Central States by sea, travel by rail if this were laid, but the population of the provinces, who rarely go south or west, for want of facilities, would, by the aid of the European and North American Railroad, be let in on the western and southern lines.

5th. The national importance of controlling this railroad will induce Americans to embark in it. The electric telegraph across Nova Scotia was no sooner completed, than American merchants and speculators in cotton and corn would have bought it at any price. In peace and war the command of the work now proposed would give them great influence. No single association in the two provinces would wield so much. If they built the trunk-line they would ultimately control the branches. The constant employment of their own people would lead to the diffusion of Republican sentiments; and no Nova Scotian, or inhabitant of New Brunswick, would deem it worth his while to attempt to counteract tendencies to which the mother-country seemed indifferent, and which he saw must inevitably lead to but one result.

Should it be objected, my Lord, that to comply with the request preferred by Nova Scotia, would be to delay or peril the completion of the great railway projected by Lord Durham, and which was designed to form a back-bone for the

North American Provinces, and to open up large tracts of waste land to colonization; we answer—

Show us that Her Majesty's Government seriously entertain that project; that they are prepared to go down to Parliament and demand that it shall be realized; and Nova Scotia will at once honourably redeem the pledges which, in anticipation of what she conceived to be the Imperial policy, were recorded upon her statute-book.

However the question may have changed its aspect, Nova Scotia will not swerve from any line of inter-colonial policy which the parent State regards as of paramount importance.

But the question has changed its aspect. Whether Canada, with its railway lines, connecting Montreal and Quebec with the sea, *viâ* Melbourne and Portland, and which will, by the completion of the line now proposed through the cultivated parts of New Brunswick, unite both these great cities with Halifax, by distances severally of 825 and 865 miles, will be disposed to embark funds in another, through a comparative wilderness, remains to be proved.

Nova Scotia, whatever may be the predilections of the Imperial Government, or the determination of Canada, possesses this advantage: The line which she proposes to construct through her territory, must be a common trunk-line for both the Portland and the Quebec Railroads, whenever these are completed.

Nova Scotia cannot be wrong in constructing her 130 miles. If the Portland Railroad only is built, she is content to share the fortunes of that enterprise. If the British Government prefer, and choose to aid the work originally proposed, Nova Scotia will either pay her contribution, already pledged, or she will make that portion of the common line to the St. Lawrence which passes through her territory.

We hope to see both lines finished. One continuous railroad communication with the great rivers and lakes of Canada, or with the principal cities of the United States, would give an impetus to the social and material prosperity of Nova Scotia, which her people anticipate, in confident reliance upon their own resources and on the bounties of Providence. Give them both, and the trunk-line through their country must become a source of prosperity to the province, and of revenue to its Government,—only to be paralleled, in the history of the New World, by the celebrated Erie Canal.

But, my Lord, it may be urged that the parent State has many colonies, and that she may be embarrassed by other claims of a similar nature, if this is granted. Admitting the soundness of the objection, I respectfully submit that it comes too late. The British Government has already established the precedents of which Nova Scotia would claim the benefit. The grants to Canada have been already referred to. In 1848, a law was passed by Parliament, guaranteeing the interest required on a loan for the public works of the West Indies and the Mauritius, including Railways.

But we humbly conceive that no general rule of this kind ought to apply, even if the exceptions to which I have referred did not exist. The Government of England does not place a lighthouse on every headland, nor maintain a garrison in every English town. It does not build a dockyard in every county, nor in every colony. The prominent points of the sea-coast are occupied for commercial security, and the most commanding positions for the preservation of internal tranquillity and national defence.

Gibraltar is a barren rock, yet millions have been expended in its capture and defence. Bermuda, in intrinsic value, is not worth a single county of New Brunswick, yet it commands the surrounding seas, and is therefore occupied for national objects.

In like manner, I would respectfully submit, should the commanding position of Nova Scotia be appreciated, occupied, and rendered impregnable—not by the presence of fleets and armies—but by inspiring its people with full confidence in the justice, magnanimity and wisdom of the Imperial Government—by promptly securing to the province all the advantages arising from its proximity to Europe—from its containing within its bosom the high road, over which, in all time to come, the Anglo-Saxon race must pass in their social and commercial intercourse with each other.

There are other views of this question, my Lord, which ought to have their weight with the Government and people of England. The position of the North-American Provinces is peculiar, and the temptations and dangers which surround

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The concessions already made, and the principles acknowledged by Her Majesty's Government, leave us nothing to desire, and Imperial statesmen little to do, in regard to the internal administration of our affairs. But something more than this is required by the high-spirited race who inhabit British America. Placed between two mighty nations, we sometimes feel that we belong, in fact, to neither. Twenty millions of people live beside us, from whose markets our staple productions are excluded, or in which they are burthened with high duties, because we are British subjects. For the same reason, the higher paths of ambition, on every hand inviting the ardent spirits of the Union, are closed to us. From equal participation in common rights, from fair competition with them in the more elevated duties of Government and the distribution of its prizes, our British brethren, on the other side, as carefully exclude us. The President of the United States is the son of a schoolmaster. There are more than 1000 schoolmasters teaching the rising youth of Nova Scotia, with the depressing conviction upon their minds, that no very elevated walks of ambition are open either to their pupils or their children.

Protection to any species of industry in Nova Scotia we utterly repudiate; but your Lordship is well aware that many branches of industry, many delicate and many coarse manufactures, require an extended demand before they can be sustained in any country. This extended demand the citizens of the great Republic enjoy; and it has done more for them than even their high tariffs or their peculiar institutions. The wooden nutmeg of Connecticut may flavour, untaxed, the rice of Carolina. Sea-borne in a vessel which traverses two mighty oceans, the coarse cloths of Massachusetts enter the Port of St. Francisco without fear of a custom-house or payment of duty. The staple exports of Nova Scotia cannot cross the Bay of Fundy without paying 30 per cent.; and every species of colonial manufacture is excluded from Great Britain by the comparatively low price of labour here, and from the wide range of the Republic by prohibitory duties.

The patience with which this state of things has been borne; the industry and enterprise which Nova Scotia has exhibited, in facing these difficulties, entitle her to some consideration. But a single century has passed away since the first permanent occupation of her soil by a British race. During all that time she has preserved her loyalty untarnished, and the property created upon her soil, or which floats under her flag upon the sea, is estimated at the value of 15,000,000*l.* She provides for her own civil Government,—guards her criminals,—lights her coast,—maintains her poor,—and educates her people, from her own resources. Her surface is everywhere intersected with free roads, inferior to none in America; and her hardy shoresmen not only wrestle with the Republicans for the fisheries and commerce of the surrounding seas, but enter into successful competition with them in the carrying trade of the world. Such a country, your Lordship will readily pardon me for suggesting, even to my gracious Sovereign's confidential advisers, is worth a thought. Not to wound the feelings of its inhabitants, or even seem to disregard their interests, may be worth the small sacrifice she now requires.

Nova Scotia has a claim upon the British Government and Parliament, which no other colony has. The mineral treasures in her bosom are supposed to be as inexhaustible as the fisheries upon her coast or the riches of her soil. Nearly the whole have been bartered away to a single company, for no adequate provincial or national object. A monopoly has thus been created, which wounds the pride, while it cramps the industry of the people. If Nova Scotia were a State of the American Union, this monopoly would not last an hour. If she now asked to have this lease cancelled or bought up, that her industry might be free, she would seek nothing unreasonable. The emancipation of our soil is perhaps as much an obligation resting upon the people of England, as was the emancipation of the slaves. No Government dare create such a monopoly in England or in Scotland; and bear with me, my Lord, when I assure your Lordship that our feelings are as keen, our pride as sensitive, as those of Englishmen or Scotchmen. Break up this monopoly, and capital would flow into our mines, and the mines would furnish not only employment for railroads, but give an impetus to our coasting and foreign trade.

Nova Scotians have seen 20,000,000*l.* not lent, but given, to their fellow-colonists in the West Indies. They admired the spirit which overlooked

pecuniary considerations in view of great principles of national honour and humanity. But by that very act they lost, for a time, more than would make this railroad. Their commerce with the West Indies was seriously deranged by the change, and the consumption of fish, their great staple, largely diminished.

If money is no object when the national honour is at stake in the West Indies, why should it be in British America? If the emancipation of 800,000 Blacks is a moral obligation, to be redeemed at the cost of 20,000,000*l*., surely a territory, which now contains double the number of Whites, attached British subjects, and which will ultimately contain ten times that number, is worth risking a million or two to preserve.

The national bounties of France and America, my Lord, also place Nova Scotia in a false and unfavourable position. These bounties are not aimed at our industry, but at British naval supremacy. Yet they subject us to an unfair competition upon the sea, as galling as is the mineral and metallic monopoly upon the land.

For every quintal of fish a Frenchman catches, his Government pays him 10 francs, or 8*s*. 4*d*. sterling, and every man and boy employed receives 50 francs for each voyage besides. For every ton of shipping an American employs in the fishery, his Government pays him 20*s*. per ton. Nova Scotia juts into the seas which the French and American fishermen, thus stimulated, occupy. If she were a French province, or an American State, not only would she participate in those bounties, but she would fit out and own, in addition to her present fleet, at least 1000 fishing-craft, which now come from foreign ports into the waters by which she is surrounded, and subject her people to a species of competition in which the advantages are all on one side.

The manner in which Novia Scotia has extended her fisheries in the face of this competition; the hardy race she has reared upon her sea-coast; the value of craft employed and of export furnished, speak volumes for the enterprise and industry of her people. Yet every Nova Scotian fisherman toils with this conviction daily impressed upon his mind: "If I were a Frenchman, my profits would be secure. I would be in a position equal to that of an American; far superior to that of a colonist. If I was an American, I would have a bounty sufficient to cover the risk of my outfit, and besides, have a boundless free market for the sale of my fish, extending from Maine to California, which is now half-closed to me by nearly prohibitory duties."

The British Government could break down these bounties at once, by equalizing them. The mother-country owes it to her Northern Provinces to try the experiment, if they cannot be removed by negotiation. But suppose she does not; suppose, that having done my best to draw attention to the claims of those I have the honour to represent, I return to them without hope, how long will high-spirited men endure a position in which their loyalty subjects their mines to monopoly—their fisheries to unnatural competition—and in which cold indifference to public improvement, or national security, is the only response they meet, when they make to the Imperial authorities a proposition calculated to keep alive their national enthusiasm, while developing their internal resources?

The idea of a great inter-colonial railroad to unite the British American Provinces, originated with Lord Durham. In the confident belief that this work was to be regarded as one of national importance, Nova Scotia paid towards the survey of the line nearly 8000*l*. The anticipation that the completion of this great work, in connexion with a scheme of colonization, would redress many of the evils and inequalities under which the provinces labour, for some time buoyed up the spirits of the people, and the disappointment is keenly felt in proportion as hopes were sanguine. If then the British Government has abandoned the policy to which, perhaps too hastily, we assumed that it was pledged; if the empire will make no roads through its territories (and the legions of Britain might be worse employed); surely it cannot be less than madness to permit foreigners to make them; and it must be sound statemanship to aid the Colonial Governments, whenever they will assume the responsibility of constructing and controlling the great highways, no less necessary for internal improvement than for national defence.

If the road across Nova Scotia is commenced, the spirits of the colonists will revive. If extended first to Portland, it will "prepare the way," to employ your Lordship's own language, "for the execution of the line to Quebec; and it

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will contribute to the same end, namely, that of rendering Halifax the great port of communication between the two continents of Europe and America."

I have said that the railroad across Nova Scotia will be the common trunk for the Quebec and Portland lines, whenever these are made. The former cannot be constructed by the colonists, unless the British Government make liberal contributions. The line to Portland will be made either with British or American capital. If by the latter, then, my Lord, it is worth while to inquire in what position the British Government will stand, should they ever attempt to realize Lord Durham's magnificent conception, and find that the first link in the great chain of inter-colonial communication is already in possession of their enemies?

The Americans at this moment are putting forth their utmost skill to compete with our ocean steamers. When the railroad is constructed across Nova Scotia and New Brunswick, their boats must start from and return to Halifax, or the competition will be at an end. A rivalry, honourable to both nations, may still continue; but, however the odds may turn, at least we shall have the satisfaction to reflect, that the inevitable result of that competition is to build up a noble maritime city within Her Majesty's dominions.

The British Government now pays, for the conveyance of the North American mails between England and New York, 145,000*l.* sterling per annum. By this arrangement, 1107 miles of sea are traversed more than are necessary. The correspondence of all Europe with all America is delayed fifty-six hours beyond the time which will be actually required for its conveyance, when the railroads across Ireland and Nova Scotia are completed.

One set of these British mail-steamers pass by our own provinces, and, to the mortification of their inhabitants, carry their letters, and even the public despatches of their Government, to the United States, to be sent back some 800 miles, if they come by land; at least 500, if sent by sea.

While the nearest land to Europe is British territory,—while a harbour, almost matchless for security and capacity, invites Englishmen to build up within the empire a fitting rival to the great commercial cities which are rising beyond it, your Lordship will readily comprehend the depth and earnestness of our impatience to be rescued from a position which wounds our pride as British subjects, and is calculated rapidly to generate the belief, that the commanding position of our country is either not understood, or our interests but lightly valued.

My Lord, I do not touch the question of Emigration and Colonization, because I have already trespassed largely upon your Lordship's patience, and because I do not wish to encumber the subject. There is another reason, my Lord. I do not desire to enter incidentally upon a field which has yielded so many crops of fallacies, but which, properly cultivated, may yet bear noble fruit. I wish to examine what may have been recently said and written in England, on this important subject, before expressing my opinion. This only I may say, that if the British Islands have surplus labour, there is room for it all in the North American Provinces; and that the honour and the interests of England are deeply concerned in planting that labour in the right place.

I am aware, my Lord, that it is the fashion, in certain quarters, to speak of the fraternal feelings which, henceforward, are to mutually animate the population of Great Britain and of the United States. I wish I could credit the reality of their existence; but I must believe the evidence of my own senses.

A few years ago I spent the 4th of July at Albany. The ceremonies of the day were imposing. In one of the largest public halls of the city, an immense body of persons were assembled. English, Irish, and Scotch faces were neither few nor far between. In the presence of that breathless audience, the old bill of indictment against England, the Declaration of Independence, was read; and at every clause each young American knit his brows, and every Briton hung his head with shame. Then followed the oration of the day, in which every nation, eminent for arts, or arms, or civilization, received its meed of praise, but England. She was held up as the universal oppressor and scourge of the whole earth,—whose passage down the stream of time was marked by blood and usurpation,—whose certain wreck, amidst the troubled waves, was but the inevitable retribution attendant on a course so ruthless. As the orator closed, the young Americans knit their brows again; and the recent emigrants, I fear, carried away by the spirit of the scene, cast aside their allegiance to the land of their fathers.

Had this scene, my Lord, occurred in a single town, it would have made but a slight impression; but, on that very day, it was acted, with more or less of skill and exaggeration, in every town and village of the Republic. It has been repeated on every 4th of July since. It will be repeated every year to the end of time. And so long as that ceremony turns upon England, every twelve-month, the concentrated hatred of Republican America, it cannot be a question of indifference, whether the emigrants who desire to leave the mother-country, should settle within or beyond the boundaries of the empire.

There is, my Lord, another view of this question, that is pregnant with materials for reflection, and that should task the statesmanship of England, independently of it, though deserving to be glanced at in this connexion. I have said that the North American Provinces lie between two mighty nations, yet belong, in fact, to neither. This branch of the subject is wide, and may be variously illustrated. Perhaps, before leaving England, I may call your Lordship's attention to it again. For the present I confine myself to a single illustration.

Whatever may be the decision of Her Majesty's Government upon this claim, which, on the part of the province I represent, I have endeavoured respectfully to press upon your Lordship's notice, I believe, and every one of my countrymen will believe, that if presented to the magnanimous and enlightened Assembly where we are not represented, by a few Nova Scotians, whose hearts were in the enterprise; whose knowledge of the position and requirements of British America was minute and various; whose zeal for the integrity of the empire, and the honour of the Crown, could not be questioned, the House of Commons would not permit them to plead in vain.

But, my Lord, we have no such privilege. We daily see our friends or acquaintance across the frontier, not only distinguishing themselves in the State Legislatures which guard their municipal interests, but enriching the national councils with the varied eloquence and knowledge drawn from every portion of the Union. From the national councils of his country, the British American is shut out. Every day he is beginning to feel the contrast more keenly. I was not at the recent Portland Convention, but the colonists who did attend, astonished the Americans by their general bearing, ability, and eloquence. But when these men separated, it was with the depressing conviction in the hearts of our people, that one set would be heard, perhaps, on the floors of Congress the week after, or be conveyed in national ships to foreign Embassies; while the other could never lift their voices in the British Parliament, nor aspire to higher employment than their several provinces could bestow. Let us then, my Lord, at least feel, that if thus excluded, we have but to present a claim or a case worthy of consideration, to have it dealt with in a fair and even generous spirit.

The warrior of old, whose place was vacant in the pageant, was yet present in the hearts of the people. So let it be with us, my Lord. If the seats which many whom I have left behind me, could occupy with honour to themselves, and advantage to the empire, are still vacant in the national councils, let Nova Scotia at least be consoled by the reflection that her past history pleads for her on every fitting occasion.

I have, &c.

The Right Hon. Earl Grey, &c. &c. &c.

(Signed) JOSEPH HOWE.

No. 2.

No. 2.

Copy of a LETTER from Mr. Howe to Earl Grey.

My Lord, 5, Sloane Street, January 16, 1851.

IN the letter which I had the honour to address to your Lordship on the 25th November, I argued the case of Nova Scotia on its own merits, and ventured to claim the guarantee of the Imperial Government in aid of her public works, upon grounds which affected her material interests, her pride, her enterprise, and stedfast loyalty to the British Crown.

The immediate consideration of that letter I did not desire, because, while preparing it, I was quite conscious that if the single issue raised, were to be

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decided by Her Majesty's Government upon the merits or claims of Nova Scotia alone, the Cabinet would have but a very inadequate statement of the reasons which ought to secure, and the province I represent but a slender chance of obtaining, a favourable decision.

The interest which the mother-country has in the elevation of North America, in the increase of her population, the development of her resources, the occupation of her wild lands, the extension of her commerce, and of her means of easy internal and external communication, I believe to far transcend the interest, great as that is, which the several provinces feel in these very important questions.

Should the aid of the parent State be refused, the Northern Provinces would still, but with less rapidity, complete their public works. Though not an emigrant landed on their shores, the population they have would live in plenty, and double every twenty years. Should they change their political relations, the worst that could befal them, would be association with their Anglo-Saxon neighbours, or an independent position, moderately secure, and full of future promise.

But England cannot afford to descend from the high position which she occupies among the nations of the earth. Having lost one-half of a mighty continent, won by the valour and enterprise of a noble ancestry, she can as little afford to confess, in the presence of all the world, her inability to wisely rule the other half, and preserve the attachment of its inhabitants. Besides, there are within her own populous cities, and upon the surface of her highly-cultivated rural districts, certain evils, disorders, and burthens, with which it behoves her, as a good economist, and as a wise, enterprising, and Christian nation, energetically to deal.

For more than a month I have surveyed, with intense earnestness, the wide circle of her colonial dependencies, and studied in parliamentary and official papers, for some assured prospect of relief from these evils and disorders. I have examined with care the policy of the present and of past Governments, and the plans and suggestions of public writers and associations; and have invariably turned to the North American Provinces with the conviction that they present, at this moment, the most available and diversified resources for the relief of England; the noblest field for the further development of her industry, philanthropy and power.

In offering suggestions to the Ministers of the Crown, I feel, my Lord, the distance which divides me, in rank and intelligence, from those I would presume to counsel; and yet I am not without a hope that they will give some weight to the position I occupy and to the training which my mind has received.

If I understand the questions to be approached better than many persons of far higher attainments—if I feel more acutely their commanding importance, it is because, being a native of North America, I have travelled much over the provinces, and mingled familiarly, and for many years, with all classes of their inhabitants; and being a member of Her Majesty's Council in the province I represent, I am bound by my oath to offer my advice, through the channels established by the Constitution, to my Sovereign, in matters of State, which I believe to involve the honour of the Crown and the integrity and prosperity of the empire.

To provide employment for her surplus capital and labour—to extend her home markets—to relieve her poor-rates—to empty her poor-houses—to reform her convicts—to diminish crime—to fill up the waste places of the empire, and to give the great mass of her population a share of real estate, and an interest in property, I believe to be pre-eminently the mission and the duty of this great country at the present time.

The period is favourable. The removal of impolitic restrictions has lessened to some extent the pressure upon the public finances, and given to the people that measure of relief which affords time for reflection upon the means by which the still existing pressure upon industry may be further relieved. In a colonial point of view, the period is also favourable. Thanks to the policy which the present Cabinet have carried out, the North American Provinces are relieved, so far as free countries ever can be, from internal dissensions. Invested with controul over their own affairs and resources, they have now the leisure, as they assuredly have a sincere desire, to consult with their brethren on this side of the Atlantic on common measures of mutual advantage. I think I may say

that while they anticipate great benefit from the co-operation and aid of the mother-country in promoting their public works, they are not unmindful of their duty to consider the peculiar questions in which this country feels an interest; and to take care that while availing themselves of the credit of England, no permanent addition is made to her public burthens.

The subjects of Colonization and Emigration have been most elaborately discussed. I pass over the points in which writers and speakers differ; in this they all agree, that the British Islands have an interest in these subjects, second to none that has ever been felt by any nation in ancient or modern times. The enumeration of a few facts will be sufficient to exhibit the grounds of this belief. The statistical returns of 1850 will, I have no doubt, show a state of things much more favourable, but still I fear not so favourable as to shake the general conclusions at which I have arrived. These are founded upon facts, as I find them stated in official documents and works of approved authority.

In Ireland the lives of the population have for years been dependent upon the growth of a single vegetable. But when it grew, as was stated by the late Charles Buller, uncontradicted, in the House of Commons, on an average there were 2,000,000 persons who, in that island, were unemployed for thirty weeks in the year. To what extent famine and emigration have since diminished the numbers, I have no means of accurately judging; but it appears that in 1848, besides the 10,000,000*l.* granted by Parliament for the relief of Irish distress, and provisions sent from other countries, 1,216,679*l.* were raised in Ireland for the support of the poor, and that 1,457,194, or nearly 1 out of 5 of the entire population, received relief.

In Scotland, where the population is only 2,620,000, a fifth more than that of British America, 544,334*l.* were expended for the relief of the poor in 1848, more than was spent by the four British provinces on their civil government, roads, education, lights, interest on debts, and all other services put together; 227,647 persons were relieved, the amount expended on each being 2*l.* 7*s.* 9*d.*; a sum quite sufficient to have paid, in a regularly-appointed steamboat, the passage of each recipient to British America.

In England, in the same year, 6,180,765*l.* were raised for the relief of the poor, or 1*s.* 10*d.* in the pound on 67,300,587*l.* The number aided was 1,876,541, or about 1 out of every 11 persons occupying this garden of the world. The sum paid for each was even higher than in Scotland, being 3*l.* 5*s.* 10*d.* per head, more than sufficient to have paid the passage to North America from Liverpool or Southampton.

I turn to the workhouses of England, and find that in 1849 there were in these receptacles, 30,158 boys and 26,165 girls, of whom 8,264 were fit for service. In Ireland, under 18, there were 60,514 boys and 66,285 girls, the aggregate in the two countries being 185,122.

Turning to the criminal calendar, it appears that in 1848 there were committed for offences in England, 30,349; in Scotland, 4,900; and in Ireland, 38,522, making 73,771 in all; of whom 6,298 were transported, and 37,373 imprisoned.

I find that in 1849 you maintained in Ireland a constabulary of 12,828 men, besides horses, at a cost, taking the preceding year as a guide, of 562,506*l.* 10*s.* In England and Wales you employed 9,829 policemen (including the London police), at a cost of 579,327*l.* 4*s.* 8*d.* From Scotland I have no return. But taking the above facts to guide us, it appears that, for mere purposes of internal repression, and the arrest of criminals, to say nothing of beadles and innumerable parish officers, you maintained, in addition to your army, a civic force double in number the entire army of the United States, at a cost (Scotland not being included) of 1,141,833*l.* 14*s.* 8*d.*

Think you, my Lord, that when a Republican points exultingly to the returns, and contrasts these statistics of poverty and crime with the comparative abundance and innocence of his own country, and which he attributes to his own peculiar institutions, that a British colonist does not turn, with astonishment at the apathy of England, to the millions of square miles of fertile territory which surround him; to the noble rivers, and lakes, and forests by which the scenery is diversified; to the exhaustless fisheries; and to the motive-power, rushing from a thousand hills into the sea, and with which all the steam-engines of Britain cannot compete?

Driven to attribute to British and Irish statesmen a want of courage and

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One set of economists propose to remedy this state of things by restraints upon nature, which are simply impossible, and would be wicked if they were not; another large political party desire to feed the people by a return to protection and the revival of class interests with all their delusions and hostilities; a third look hopefully forward to the further development of domestic industry in accordance with the principles of free trade.

All my sympathies are with the latter; but while hostile tariffs exist in most of the populous States of Europe and America, I would aid them by the creation of new markets within the Queen's dominions, by the judicious location of those who are a burden, upon the fertile lands of the empire, that they may become customers to those who remain at home.

One writer, whose book I have read recently, objects to this, because he says that if any part of the population is displaced, young people will marry, and increase the numbers until the vacuum is filled up. The young ought certainly not to object to this, or the old either. If his theory be sound, it answers the objections of those who fear too great diminution of numbers, by emigration; and colonization would still have this advantage, that it would strengthen the transatlantic provinces, and make more customers for Britain and Ireland, even should their population remain the same.

But it may be said there is but one enlightened mode of colonization, and, under the patronage of the Government and of associated companies, that is being very extensively tried in our southern and eastern possessions.

Of the Wakefield theory I would speak with all respect; of the combined efforts of public-spirited individuals, I would be the last to disapprove; the judicious arrangements made by the Government Commissioners, for the selection of emigrants, the ventilation and security of ships, and the distribution of labour, and which I have carefully examined, challenge in most of their details, my entire sanction.

I do not wish to check the progress, in these valuable colonies, of associated enterprise; I do not desire to restrict the growth of population within them, or to supersede the functions of the Board of Land and Emigration: I wish these rising communities God speed, and success to all those who take an interest in them.

But I turn from them to the North American field, perhaps because I know it best, but assuredly because I believe that to people and strengthen it will secure political advantages of the very highest importance, and because I apprehend that the Eastern Colonies, however they may prosper and improve, will offer but homœopathic remedies for the internal maladies of England.

In twenty-two years, from 1825 to 1846 inclusive, only 124,272 persons went from the United Kingdom to the Australian Colonies and New Zealand. In the same period, 710,410 went to the United States, to strengthen a foreign and a rival Power, to entrench themselves behind a hostile tariff, and to become consumers of American manufactures, and of foreign productions, seaborne in American bottoms; they and the countless generation that has already sprung from their loins, unconscious of regard for British interests and of allegiance to the Crown of England.

In twenty-two years 124,272 settlers have gone to Australia and New Zealand; about half the number on the poor-rate of Scotland in 1848, not a tenth part of the paupers relieved in Ireland, or one in fourteen of those who were supported by England's heavily-taxed industry in that single year; not more, I apprehend, than died of famine in a single county of Ireland from 1846 to 1850; and less, by 60,000, than the number of the young people who were in the workhouses of England and Ireland in 1849.

Valuable as these Eastern Colonies may be, respectable as may have been the efforts to improve them, it is manifest that whether we regard them as extensive fields for colonization, or as industrial aids for the removal of pressure on the resources of the United Kingdom, the belief, however fondly indulged, is but a delusion and a snare. Were I to go into a calculation of the expense, to show

what this emigration has cost the Government and people of England, I could prove this by pregnant illustrations. But two or three simple facts are patent, and lie upon the surface.

Australia and New Zealand are 14,000 miles from the shores of England. The British provinces of North America but 2,500. Every Englishman, Irishman, or Scotchman who embarks for the Eastern Colonies, must be maintained by somebody for 120 or 150 days, while he is tossing about in idleness on the sea. The average passage to North America is about 40; and when the arrangements are complete to which I hope to have your Lordship's countenance and support, emigrants embarking for the North American Provinces, may reach Nova Scotia and New Brunswick in 8 or 10 days, and Canada in 12. The expense of a passage to the East, is to the Government, to the emigrant, or to the capitalist, to whom he becomes a debtor, 20*l.* The cost of a passage to the West rarely exceeds 3*l.* 10*s.*, and may be reduced to 2*l.* 10*s.*, if steam-ships for the poor are employed.

But mark the disproportion, my Lord, in other respects. If a British or Irishman with capital go to the Eastern Colonies, he must pay 100*l.* sterling for 100 acres of land. If he goes to the Canterbury Settlement he must pay 300*l.* In Western Canada he can get his 100 acres of the best land in the empire for 40*l.*; in Lower Canada for 20*l.*; in New Brunswick (where Professor Johnston declares more wheat is grown to the acre than in the best parts of the State of New York), for 12*l.* 10*s.*; and in Nova Scotia for 10*l.*, where, from the extent of mineral treasures, the proximity to Europe, the wealth of the fisheries, and the facilities for and rapid growth of navigation, land is now in many sections, and will soon become in all, as valuable as in any part of Her Majesty's Colonial Dominions.

If land is purchased in the Eastern Possessions, it is clear that English capital must flow out at the rate of 100*l.* or 300*l.* for every 100 acres. If the poor go out they must begin colonial life by owing that amount, and 20*l.* for their passages besides, if they aspire to become proprietors.

A poor Englishman, on the contrary, can get to North America for a few pounds. If he works a single winter at the seal-fishery of Newfoundland, or on the wharves in Nova Scotia, or a single summer in the rural districts or timber forests of New Brunswick, he can save as much as will pay for his passage and his land.

But it is said that these high prices are paid, not for land alone, but for the civilization without which land is of little value,—for roads, bridges, churches, schools, for religious services and the means of education. But all these exist in North America, to an extent, and of an order, of which few persons who have not visited the provinces have any correct idea. Nova Scotia, for instance, is divided into seventeen counties, with their magistracy, sessions, court-houses, jails, representatives, and complete county organization.

Each of these again is divided into townships, whose ratepayers meet, assess themselves, support their poor, and appoint their local officers. In each of the shire towns there are churches of some if not of all the religious bodies which divide the British people. Every part of the country is intersected with roads, and bridges span all the larger and most of the smaller streams.

From 50 to 100 public schools exist in every county; there is a Bible in every house, and few natives of the province grow up but what can read, write, and cypher. The same may be said generally of the other provinces. We charge nothing for these civilizing influences. The emigrant who comes in, obeys the laws and pays his ordinary taxes, which are very light, is welcome to a participation in them all, and may for 10*l.* have his 100 acres of land besides.

The best criterion of the comparative civilization of countries may be found in the growth of commerce and the increase of a mercantile marine. Tried by this test, the North American Provinces will stand comparison with any other portion of the Queen's dominions.

The West India Colonies, the Australian group including New Zealand, the African Colonies and the East Indian, or the Mauritius and Ceylon, owned collectively in 1846 but 2,128 vessels, or 42,610 tons of shipping. The North American group, including Canada, Nova Scotia, New Brunswick, Newfoundland, and Prince Edward Island, owned in that year 5,119 vessels, measuring 393,822 tons. Of these, Nova Scotia owned in tonnage 141,093, and in number more than the other four put together, or 2,583.

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But it may be asserted that the climate of North America is rigorous and severe. The answer we North Americans give to this objection is simple. Do me the honour to glance, my Lord, at the hemisphere which contains the three quarters of the Old World, and dividing the northern countries from the south, the rigorous climate from the warm and enervating, satisfy yourself in which reside at this moment the domestic virtues, the pith of manhood, the seats of commerce, the centres of intelligence, the arts of peace, the discipline of war, the political power and dominion—assuredly in the northern half. And yet it was not always so. The southern and eastern portions, blessed with fertility, and containing the cradle of our race, filled up first, and ruled for a time the territories to the north. But as civilization and population advanced northwards, the bracing climate did its work, as it will ever do, and in physical endurance and intellectual energy, the north asserted the superiority which to this hour it maintains.

Look now, my Lord, at the map of America. A very common idea prevails in this country that nearly the whole Continent of North America was lost to England at the Revolution, and that only a few insignificant and almost worthless provinces remain. This is a great, and if the error extensively prevail, may be a fatal mistake. Great Britain, your Lordship is well aware, owns up to this moment one-half the continent; and, taking the example of Europe to guide us, I believe the best half. Not the best for slavery, or for growing cotton and tobacco, but the best for raising men and women; the most congenial to the constitution of the northern European; the most provocative of steady industry; and all things else being equal, the most impregnable and secure.

But they are not and never have been equal. The first British emigration all went to the southern half of the continent, the northern portion, for 150 years, being occupied by French hunters, traders, and Indians. The British did not begin to settle in Nova Scotia till 1749, nor in Canada till 1763. Prior to the former period, Massachusetts had a population of 160,000, Connecticut 100,000. The city of Philadelphia had 18,000 inhabitants before an Englishman had built a house in Halifax; Maine had 2,485 enrolled militiamen before a British settlement was formed in the Province of New Brunswick. The other States were proportionally advanced, before Englishmen turned their attention to the Northern Provinces at all.

The permanent occupation of Halifax, and the Loyalist emigration from the older provinces, gave them their first impetus. But your Lordship will perceive that in the race of improvement, the old thirteen States had a long start. They had three millions of Britons and their descendants to begin with at the Revolution. But a few hundreds occupied the provinces to which I wish to call attention at the commencement of the war, only a few thousands at its close. Your Lordship will, I trust, readily perceive that, had both portions of the American Continent enjoyed the same advantages from the period when the Treaty of Paris was signed, down to the present hour, the southern half must have improved and increased its numbers much faster than the northern, because it had a numerous population, a flourishing commerce, and much wealth to begin with. But the advantages have not been equal. The excitement and the necessities of the War of Independence inspired the people of the South with enterprise and self-confidence. Besides, my Lord, they had free trade with each other, and, so far as they chose to have or could obtain it by their own diplomacy, with all the world. The Northern Provinces had separate Governments, half-paternal despotisms, which repressed rather than encouraged enterprise. They had often hostile tariffs, no bond of union, and, down to the advent of Mr. Huskisson, and from thence to the final repeal of the navigation laws, were cramped in all their commercial enterprises by the restrictive policy of England.

In other respects the Southern States had the advantage. From the moment that their independence was recognized, they enjoyed the absolute control over their internal affairs. Your Lordship, who has had the most ample opportunity of estimating the repressing influence of the old colonial system, and, happily for us, have swept it away, can readily fancy what advantages our neighbours derived from exemption from its trammels. On reflection you will think it less remarkable that the southern half of the continent has improved faster than the northern, than that the latter should have improved at all.

But I have not enumerated all the sources of disparity. The national

Government of the United States early saw the value and importance of emigration. They bought up Indian lands, extended their acknowledged frontiers, by purchase or successful diplomacy, surveyed their territory, and prepared for colonization. The States, or public associations within them, borrowed millions from England, opened roads, laid off lots, and advertised them in every part of Europe by every fair and often by the unfair means of puffing and exaggeration. The General Government skilfully seconded, or rather suggested, this policy. They framed constitutions suited to those new settlements; invested them with modified forms of self-government from the moment that the most simple materials for organization were accumulated; and formed them into new States, with representation in the National Councils, whenever they numbered 40,000 inhabitants.

What did England do during all this time? Almost nothing: she was too much occupied with European wars and diplomacy. Wasting millions in subsidizing foreign Princes, many of whose petty dominions if flung into a Canadian lake would scarcely raise the tide. What did we do in the provinces to fill up the northern territory? What could we do? Down to 1815 we were engrossed by the wars of England, our commerce being cramped by the insecurity of our coasts and harbours. Down to the promulgation of Lord John Russell's memorable despatch of the 16th of October, 1839, and to which full effect has been given in the continental provinces by the present Cabinet, we were engaged in harassing contests with successive Governors and Secretaries of State, for the right to manage our internal affairs.

This struggle is over, and we now have the leisure and the means to devote to the great questions of colonization and internal improvement—to examine our external relations with the rest of the empire and with the rest of the world—to consult with our British brethren on the imperfect state of those relations, and of the best appropriation that can be made of their surplus labour, and of our surplus land, for our mutual advantage, that the poor may be fed, the waste places filled up, and this great empire strengthened and preserved.

But it may be asked, What interest have the people of England in this inquiry? I may be mistaken, but, in my judgment, they have an interest far more important and profound than even the colonists themselves.

The contrast between the two sides of the American frontier is a national disgrace to England. It has been so recorded in her parliamentary papers, by Lord Durham, by Lord Sydenham, and by other Governors and Commissioners.

There is not a traveller, from Hall to Buckingham, but has impressed this conviction on her literature. We do not blush at the contrast on our own account; we could not relieve it by a single shade beyond what has been accomplished. We have done our best, under the circumstances in which we have been placed, as I have already shown by reference to our social and commercial progress; but we regret it, because it subjects us to the imputation of an inferiority that we do not feel, and makes us doubt whether British statesmen will, in the time to come, deal with our half of the American Continent more wisely than they have in times past.

It is clearly then the interest and the duty of England to wipe out this national stain, and to reassure her friends in North America, by removing the disadvantages under which they labour, and redressing the inequalities which they feel.

Having, however imperfectly, endeavoured to show that as a mere question of economy, of relief to her municipal and national finances, no less than of religious obligation, it is the duty of England to turn her attention to North America, permit me now for a moment to direct your Lordship's attention to the territory which it behoves the people of these United Kingdoms to occupy, organize, and retain.

Glance, my Lord, at the map, and you will perceive that Great Britain owns, on the Continent of North America, with the adjacent islands, 4,000,000 of square miles of territory. All the States of Europe, including Great Britain, measure but 3,708,871. Allowing 292,129 square miles for inland lakes of greater extent than exist on this continent, the lands you own are as broad as the whole of Europe. If we take the round number of 4,000,000, and reduce the miles to acres, we have about 90 acres for every man,

woman, and child, in the United Kingdoms. Now suppose you spare us two millions of people, you will be relieved of that number, who now, driven by destitution to the unions or to crime, swell the poor-rates and crowd the prisons.

With that number we shall be enabled, with little or no assistance, to repel foreign aggression. We shall still have a square mile, or 640 acres, for every inhabitant, or 4,480 acres for every head of a family which British America will then contain.

Is not this a country worth looking after, worth some application of Imperial credit, nay, even some expenditure of public funds, that it may be filled with friends not enemies, customers not rivals, improved, organized, and retained? The policy of the Republic is protection to home manufactures. Whose cottons, linens, woollens, cutlery, iron; whose salt, machinery, guns, and paper, do the 701,401 emigrants who went to the United States between 1825 and 1846 now consume? Whose have they consumed, after every successive year of emigration? Whose will they and their descendants continue to consume? Those not of the mother-country, but of the United States. This is a view of the question which should stir, to its centre, every manufacturing city in the kingdom.

Suppose the Republic could extend her tariff over the other portion of the continent, she could then laugh at the Free Trade policy of England. But if we retain that policy, and the Colonies besides, British goods will flow over the frontier, and the Americans must defend their revenue by an army of officers extending ultimately over a line of 3000 miles.

The balance of power in Europe is watched with intense interest by British statesmen. The slightest movement in the smallest State, that is calculated to cause vibration, animates the Foreign Office, and often adds to its perplexities and labours. But is not the balance of power in America worth retaining? Suppose it lost, how would it affect that of Europe? Canning, without much reflection, boasted that he had redressed the balance of power in the Old, by calling the New World into existence. But, even if the vaunt were justifiable, it was a world beyond the limit of the Queen's dominions. We have a new world within them, at the very door of England, with boundaries defined, and, undeniably by any foreign Power, subject to her sceptre. Already it lives, and moves, and has its being; full of hope and promise, and fond attachment to the mother-country. The new world of which Canning spoke, when its debts to England are counted, will appear to have been a somewhat costly creation; and yet, at this moment, Nova Scotia's little fleet of 2,583 sail could sweep every South American vessel from the Pacific and Atlantic Oceans.

I am not an alarmist, my Lord, but there appear to be many in England, and some of them holding high military and social positions, who consider these islands defenceless from continental invasion by any first-rate European Power. Confident as I am in their resources, and hopeful of their destiny, I must confess that the military and naval power of France or Russia, aided by the steam fleet and navy of the United States, would make a contest doubtful for a time, however it might ultimately terminate. But suppose the United States to extend to Hudson's Bay, with an extension over the other half of the continent, of the spirit which animates the Republic now; imagine Great Britain without a harbour on the Atlantic or the Pacific that she could call her own, without a ton of coal for her steamers or a spar to repair a ship; with the 5000 vessels which the Northern Provinces even now own, with all their crews, and the fishermen who line their shores, added to the maritime strength of the enemy, whose arsenals and outposts would then be advanced 500 miles nearer to England; even if Newfoundland and the West India Islands could be retained, which is extremely doubtful. The picture is too painful to be dwelt on longer than to show how intimately interwoven are the questions to which I have ventured to call your Lordship's attention, with the foreign affairs of the empire. I do not go into comparative illustrations, because I desire now to show how a judicious use of the resources of North America may not only avert the danger in time of war, but relieve the pressure upon the Home Government in times of peace.

There is no passion stronger, my Lord, than the desire to own some portion of the earth's surface,—to call a piece of land, somewhere, our own. How few Englishmen, who boast that they rule the sea, own a single acre of land. An Englishman calls his house his castle, and so perhaps it is, but it rarely stands

upon his own soil. How few there are who may not be driven out, or have their castles levelled with the ground, when the lease falls in.

There is no accurate return, but the proprietors of land in the whole United Kingdom are estimated at 80,000.

Of the 2,620,000 inhabitants that Scotland contains, but 636,093 live by agriculture; all the rest, driven in by the high price of land, are employed in trade and manufactures. Evicted highlanders rot in the sheds of Greenock; the lowland peasant's offspring perish annually in the larger cities, for want of employment, food, and air.

In Ireland, there are, or were recently, 44,262 farms under one acre in extent, 473,755 ranging from one to thirty. Between 1841 and 1848, 800,000 people were driven out of these small holdings; their hovels in many cases, burnt over their heads, and their furniture "canted" into the street.

Whence come Chartism, Socialism, O'Connor land-schemes, and all sorts of theoretic dangers to property, and prescriptions of new modes by which it may be acquired? From this condition of real estate. Because the great mass of the people in these three kingdoms own no part of the soil, have no bit of land, however small, no homestead for their families to cluster round, no certain provision for their children.

Is it not hard for the great body of this people, after ages spent in foreign wars for the conquest of distant possessions; in voyages of discovery and every kind of commercial enterprise; in scientific improvements and the development of political principles; to reflect, that with all their battles by land and sea, their 800,000,000*l.* of debt; their assessed taxes, income-tax, and heavy import duties; their prisons full of convicts; their poor-rate of 7,000,000*l.*; that so few of all those who have done, and who endure these things, should yet have one inch of the whole earth's surface that they can call their own.

While this state of things continues, property must ever be insecure, and the great majority of the people restless. With good harvests and a brisk trade, the disinherited may for the moment forget the relative positions they occupy. In periods of depression, discontent, jealousy, hatred of the more highly favoured, however tempered by liberality and kindness, will assuredly be the predominant emotions of the multitude. The standing army and the 21,000 constables may keep them down for a time. But, even if they could for ever, the question naturally arises, have all your battles been fought for this,—to maintain in the bosom of England a state of siege, an ever-impending civil war?

A new aspect would be given to all the questions which arise out of this condition of property at home, if a wise appropriation were made of the virgin soil of the empire. Give the Scotchman, who has no land, a piece of North America, purchased by the blood which stained the tartan on the plains of Abraham. Let the Irishman or the Englishman whose kindred chubbed their muskets at Bloody Creek or charged the enemy at Queenston, have a bit of the land their fathers fought for. Let them have at least the option of ownership and occupation, and a bridge to convey them over. Such a policy would be conservative of the rights of property, and permanently relieve the people. It would silence agrarian complaint, and enlarge the number of proprietors. The poor man, who saw before him the prospect of securing his 100, his 1000 acres, by moderate industry, would no longer envy the British proprietor, whose estate owed its value to high cultivation, but was not much larger in extent.

But it may be urged that if this policy be adopted, it may empty the United Kingdoms into North America, and largely reduce their population. No apprehensions of this result need be entertained. There are few who can live in Great Britain or Ireland, in comfort and security, who will ever go anywhere else. The attachment to home, with all its endearing associations, forms the first restraint. The seat of empire will ever attract around it the higher and more wealthy classes. The value of the home market will retain every agriculturist who can be profitably employed upon the land. The accumulated capital, science and machinery, in the large commercial and manufacturing centres, will go on enlarging the field of occupation just in proportion as they are relieved from the pressure of taxation. Besides, emigrants who have improved their fortunes abroad, will be continually returning home, to participate in the luxury, refinement, and higher civilization, which it is to be fairly assumed these islands will ever preeminently retain. Massachusetts, New York, and Pennsylvania,

still enlarge their cities, and grow in wealth and population, though all the rich lands of the Republic invite their people to emigrate, and there is no ocean to cross. The natural laws which protect them would operate more powerfully here, where the attractions are so much greater.

But it is time, my Lord, that I should anticipate the questions that will naturally arise. Assuming the policy to be sound, what will it cost to carry it out?

Let us first see what the present system, or rather the public establishments, without a system, cost now:

		£
Poor Rates.	England . . .	6,180,765
	Scotland . . .	544,334
	Ireland . . .	1,216,679
Constabulary.	England . . .	579,327
	Ireland . . .	562,506
Convicts at home and abroad . . .		378,000
Emigration, 1849 (exclusive of cabin passengers)		
Paid from Private or Parochial Funds .		1,500,000
Paid by Government . . .		228,300
		11,189,911

The cost of prisons, or that proportion of them which might be saved if the criminal calendar were less, might fairly be added to the amount. The prison at York cost 1200*l.* per head for each criminal,—a sum large enough, the inspector observes, "to build for each prisoner a separate mansion, stable, and coach-house." A large proportion of the cost of trials might also be added; and as twelve jurymen must have been summoned to try most of the 43,671 persons convicted in 1848, the waste of valuable time would form no inconsiderable item, if it were.

The loss of property stolen by those whom poverty first made criminal, no economist can estimate; and no human skill can calculate the value of lives and property destroyed in agrarian outrages, when wretchedness has deepened to despair.

My plan of Colonization and Emigration is extremely simple.

It embraces—

Ocean Steamers for the poor as well as the rich;

The preparation of the Wild Lands of North America for settlement; and

Public Works to employ the people.

I do not propose that the British Government should pay the passage of anybody to America. I do not, therefore, require to combat the argument upon this point with which the Commissioners of Land and Emigration usually meet crude schemes, pressed without much knowledge or reflection. The people must pay their own passages; but the Government, or some national association, or public company to be organized for that purpose, must protect them from the casualties that beset them now, and secure for them cheapness, speed, and certainty of departure and arrival. If this is done, by the employment of steam-ships of proper construction, all the miseries of the long voyage, with its sure concomitants,—disease and death; and all the waste of time and means, waiting for the sailing of merchant-ships on this side of the Atlantic, and for friends and conveyances on the other, would be obviated by this simple provision. A bounty to half the extent of that now given for carrying the mails would provide the ocean-omnibuses for the poor. Or, if Government, by direct aid to public works, or by the interposition of Imperial credit, to enable the colonies to construct them, were to create a labour market, and open lands for settlement along a railway line of 635 miles, these ships might be provided by private enterprise.

By reference to the published Report of the Commissioners for 1847, your Lordship will perceive that in that year of famine and disease, 17,445 British subjects died on the passage to Canada and New Brunswick, in quarantine, or in the hospitals, to say nothing of those who perished by the contagion which was diffused over the provincial cities and settlements. An equal number, there is too much reason to apprehend, died on the passage to or in the United States. In ordinary seasons, the mortality will of course be much less, and in all may be

diminished by the more stringent provisions since enforced by Parliament. But bad harvests, commercial depressions, with their inevitable tendency to drive off large portions of a dense population, should be anticipated; and no regulation can protect large masses of emigrants, thrown into sea-ports, from delay, fraud, cupidity, and misdirection. No previous care can prevent disease from breaking out in crowded ships, that are forty or fifty days at sea, to say nothing of the perils of collision and shipwreck.

Mark the effects produced upon the poorer classes of this country. Emigration is not to them what it might be made,—a cheerful excursion in search of land, employment, fortune. It is a forlorn hope, in which a very large proportion perish, in years of famine and distress, and very considerable numbers in ordinary seasons, even with the best regulations that Parliament can provide.

The remedy for all this—simple, sure, and not very expensive—is the ocean omnibus.

Steam-ships may be constructed to carry at least 1000 passengers, with quite as much comfort as is now secured in a first-class railway carriage, and with space enough for all the luggage besides. If these vessels left London, Southampton, Liverpool, Glasgow, Belfast, Cork, or Galway, alternately, or as there might be demand for them, on certain appointed days, emigrants would know where and when to embark, and would be secured from the consequences of delay, fraud, and misdirection.

The Commissioners report, that last year the sum spent in "the cost of extra provisions and conveyance to the ports of embarkation, and maintenance there, amounted to 340,000*l*." The cost of reaching the sea-ports cannot be economized, but the extra provisions and maintenance at the ports of embarkation would be materially reduced. But how much more would be saved? The average sailing passage from London to Quebec is 52 days; from Liverpool 45; from London to New York, 43, from Liverpool, 35. The average passage, by steam, from any of the ports I have named, need not exceed—to Nova Scotia 10, to New Brunswick and Canada, 12 days; but assuming 43 days as the average sailing passage from England to America, and 13 to be the average by steam, let us see what the saving would be to the poor, even taking the present amount of emigration as a basis.

299,498 emigrants left Great Britain and Ireland for America, in 1849. A very great proportion of the Irish had a journey and a voyage to make to some English sea-port, before they embarked upon the Atlantic. But pass that over, and multiplying the number of emigrants by thirty, and we have the number of days that would have been saved to these poor people, if they had been carried out by steam. It is clear that they wasted 8,984,940 days at sea, in, to them, the most precious year of life, and the most valuable part of that year, which, estimating their labour at 1*s*. a-day in the countries to which they were repairing, would amount to 449,247*l*.

The employment of ocean steam-ships for the poor would save all this, and it would put an end to ship-fever, disease, and death. The Government of England expended in Canada and New Brunswick alone, in 1847, in nursing the sick and burying the dead, 124,762*l*. sterling. The ocean omnibus, whether established by Government or by a private association, would save all this in future. Restrictive colonial laws would disappear; and from the moment that there was a certainty that emigrants would arrive in health, however poor, the colonists would prepare their lands and open their arms to receive them.

The saving of expense and time on our side of the Atlantic would also be immense. These ships could run down the southern shores of the maritime provinces, and land emigrants wherever they were required, from Sydney to St. Andrews; passing through the Gut of Canso, they could supply all the northern coasts, including Prince Edward Island. They could go direct to the St. Lawrence, landing the people wherever they were wanted, from Gaspé to Quebec.

Knowing exactly when to expect these vessels, our people would send to England, Ireland, and Scotland, for their friends, and be ready with their boats and waggons to convey them off, without cost or delay, the moment they arrived.

We should thus have a healthy, almost self-sustaining British emigration, to the full extent of the existing demand for labour, even if no public works were commenced.

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But much would soon be done, still without costing the British Government a pound, to extend the labour market. The moment that the arrival of healthy emigrants, at convenient points, and early in the season, could be counted upon with certainty, the Provincial Government would lay off and prepare their lands for settlement, advertising them in all the British and Irish sea-ports. They would empower the deputy surveyors in each county to act as emigrant agents, and locate the people. They would call upon the county magistracy to prepare, at the autumn or winter sessions, returns, showing the number and description of emigrants required by each county in the following spring, with the number of boys and girls that they were prepared to take charge of and bind out as apprentices.

Proprietors of large unimproved tracts would soon, by similar exertion and kindred agencies, prepare them for occupation.

All this may be done by the employment of steam-ships for the poor; and they, I am confident, might be drawn into the public service without any cost to the country. If it be objected that to so employ them would diminish the demand for sailing-vessels, I answer no; but, on the contrary, there would be an annually increasing demand for British and Colonial tonnage, to carry on the commerce and reciprocal exchanges that this healthy emigration would create.

But, my Lord, I am anxious to see these cheap steamers on another account: that they may bring English, Irish, and Scotch men, and their descendants, from time to time, back to the land of their fathers, to tread the scenes which history hallows, or revive the recollections of early life; to contemplate the modern triumphs and glories of England, and contrast them even with those of the proud Republic beside us. This ennobling pleasure cannot be indulged in now, but at a cost which debars from its enjoyment the great body of the Queen's Colonial subjects.

Reduce the passage to 10 days, and the cost to 5*l.*, and thousands would come over here every summer, to return with their hearts warmed towards their British brethren, to teach their children to understand the policy of England, and to reverence her institutions.

So far, my Lord, you will perceive that I have suggested nothing which would involve Her Majesty's Government in heavy expense; on the contrary, I believe that even the cost of emigrant steamers would be more than made up, either by a reduction of expense in the naval service, retrenchment of the cost of lazarettoes and quarantine, or by the relief which a healthy system of emigration would at once give to some, if not all the branches of the public service which now cost 11,000,000*l.* sterling. It would require but a slight calculation to show that the planting of half a million of British subjects in the North American Provinces, where the duty on British manufactures ranges from $6\frac{1}{4}$ to $12\frac{1}{2}$ per cent.; and in the United States, where it ranges from 15 to 100 per cent., would amount to more than the whole sum wanted to establish these steamers.

To illustrate this, I have made a selection from the United States' Tariff, of certain articles in which British manufacturers feel a deep interest. It embraces 110 articles and branches of manufacture, upon which the duties in Nova Scotia, with very few exceptions, do not range higher than $6\frac{1}{4}$ per cent.

British Manufactures which pay 15 *per cent. in the United States.*

Tow, hemp or flax, manufactured.
Steel in bars, cast or shear.
Tin plates, tin-foil, tin in sheets.
Zinc or spelter.

That pay 20 *per cent.*

Acids of every description.
Articles used in tanning or dyeing.
Blankets.
Blank books, bound or unbound.
Caps, gloves, leggings, mits, socks, stockings, wove shirts and drawers.
Chocolate.
Copperas and vitriol.

Copper rods, bolts, nails and spikes, copper bottoms, copper in sheets or plates.
Dressed furs.
Glue.
Gunpowder.
Hats, or hat bodies of wool.
Oils used in painting.
Lampblack.
Leather.
Lead in pigs, bars, or sheets; lead in pipes, and leaden shot.
Linens of all kinds.
Litharge.
Malt.
Manufactures of flax.
Manufactures of hemp.
Marble, unmanufactured.
Mineral and bituminous substances.
Medicinal drugs.
Metals, unmanufactured.
Musical instruments of all kinds.
Needles of all kinds.
Paints, dry or ground.
Paper-hangings.
Tiles and bricks.
Periodicals.
Putty.
Quills.
Saddlery.
Salts.
Sheathing-paper.
Skins, tanned and dressed.
Spermaceti candles and tapers.
Steel.
Stereotype-plates, type-metal, types.
Tallow candles.
Thread laces.
Velvet.
White and red lead.
Window glass of all kinds.

That pay 25 per cent.

Buttons and button-moulds of all kinds.
Baizes, flannels, floor-cloths.
Cables and cordage.
Cotton laces, insertings, and braids.
Floss-silks.
All manufactures of hair of coarse descriptions.
Cotton manufactures.
Manufactures of mohair.
Silk manufactures.
Manufactures of worsted.
Mats and matting.
Slates.
Woollen and worsted yarn.

That pay 30 per cent.

Ale, beer, and porter.
Manufactures of Argentine or German silver.
Articles worn by men, women, or children, of whatever material composed, made up in whole or in part by hand.
Perfumes.
Manufactures of grass, straw, or palm-leaf.
Beads.

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Hair manufactures of finer descriptions.
India-rubber manufactures.
Fur caps, hats, muffs, tippets.
Carpets, carpetting, hearth-rugs.
Carriages, and parts of carriages.
Cheese.
Clothing of every description.
Coach and harness furniture.
Coal and coke.
Combs.
Confectionery.
Corks.
Cutlery of all kinds.
Jewellery.
Toys.
Earthern, china, and stone-ware.
Manufactures of gold.
Artificial feathers and flowers.
Umbrella materials.
Cabinet and household furniture.
Stained glass.
Glass and porcelain manufactures.
Iron in bars or blooms, or other forms.
Iron-castings.
Japanned wares.
Manufactures of cotton, linen, silk, wool, or worsted, if embroidered
Marble manufactured.
Manufactures of paper, or papier-maché.
Manufactures of wood.
Muskets, rifles, and other fire-arms.
Ochres.
Oil-cloths.
Plated and gilt-ware of all kinds.
Playing-cards.
Soap.

That pay 40 *per cent.*

Cut-glass.
Manufactures of expensive woods.
Tobacco manufactures.
Alabastar and spar ornaments.
Sweetmeats.
Preserved meats, fish, and fruits.

That pay 100 *per cent.*

Brandy, whiskey, and other spirits distilled from grain.

A similar list might be made of East Indian and British Colonial staples and productions, with the endless variety of small manufactures which they stimulate, and to which these high duties apply.

I pass now to the only remaining topic, the formation of Public Works, of approved utility, as a means of strengthening the empire,—developing the resources of the provinces,—and as an aid to more rapid and systematic Colonization.

Having, my Lord, in my former letter, entered largely upon this branch of the general subject, I need not repeat what that paper contains. Every mail brings fresh evidences of the feverish longing and intense anxiety with which all classes in the provinces look forward to the establishment of those great lines of inter-colonial and continental communication, which are not only to bind us together, and secure to the British Provinces great commercial advantages, but which would, with cheap steamboats, reduce the Atlantic to a British Channel, and continue the Strand in a few years to Lake Huron, and ultimately, perhaps even in our own time, so rapidly does the world advance, to the Pacific Ocean.

The first 130 miles of this communication Nova Scotia will make, and

amply secure the British Government from loss, should the advantage of its credit be given. We will do more—we will prepare our lands, collect returns, appoint an agent in each county, and repeal our taxes on emigrants; offering, on the best terms, a home to all who choose to come among us. If Her Majesty's Government have no objections to the employment of such portions of the troops as are not required to do garrison-duty, we will give them a fair addition to their pay, or land along the line, to which in war their discipline would be a defence; thus saving to the British Government the expense of bringing these veterans back to England.

The ability of Nova Scotia to fulfil any obligations she may incur to the Imperial Government, may be estimated by reference to her past progress and present financial condition.

Montgomery Martin, in his late work, estimates the value of the province, in moveable and immoveable property, at 20,700,000*l.* Without counting wild lands and property upon which labour has not been expended, we rate it at 15,000,000*l.* This has been created in a century, by the industry of a few thousands of emigrants and loyalists, and their descendants. To the amount of shipping, as evidence of a prosperous commerce, I have already referred.

Within the twenty years from 1826 to 1846, the population more than doubled, the tonnage rising, in the last ten years of this period, from 96,996 to 141,043 tons.

The exports rose in the twenty years from 267,277*l.* to 831,071*l.*

The revenue of Nova Scotia is chiefly raised from imports, the royalty on the mines, and the sale of Crown lands. There is no property-tax, income-tax, or assessed taxes, except poor and county rates raised by local assessments.

Her tariff is the lowest in North America. Her *ad valorem* duty on British goods is $6\frac{1}{4}$ per cent.; that of Canada $12\frac{1}{2}$.

All the liabilities of the province amounted on the 31st December, 1849, to 105,643*l.* 13*s.* 1*d.* The Receiver-General writes me that there has been an increase of the revenue during the past year, of 15,000*l.*, which will reduce the liabilities to 90,643*l.* 13*s.* 1*d.* No part of this debt is due out of the province. Province notes, which circulate and are sustained by the demand for them to pay duties, represent 59,864*l.* of the whole, which bears no interest. Of the balance, 40,000*l.* is due to depositors in the Savings Bank, who receive 4 per cent. The holders of Stock certificates, covering the remainder, receive 5 per cent.

The public property held by the Government in the city of Halifax alone, would pay the whole debt, which could be extinguished by applying the surplus revenue to that object for two years.

The income from all sources fluctuates between 90,000*l.* and 110,000*l.* The permanent charges on this revenue secured to Her Majesty by the Civil List Bill, are* The balance is expended in maintaining other branches of the Civil Government, in opening and repairing roads, and promoting education.

We should make the interest of the loan we now require a first charge on this surplus, in the event of the railroad not yielding tolls sufficient, which, judging by the experience of our neighbours, we do not apprehend.

This surplus must steadily increase, because, while population and revenue will probably double within the next twenty years, as it has done, almost without emigration or railroads, during the past twenty, the expenses of the Civil Government will be but very slightly augmented.

The revenue could be, and if necessary would be, promptly increased, by raising the *ad valorem* duty, re-adjusting specific duties, or if even, that were necessary, to sustain our credit with the mother-country, by a resort to a legacy, income or property-tax.

The Government of Nova Scotia (exclusive of lands in Cape Breton) still retains 3,982,388 acres of ungranted Crown lands. These, if required, could also be pledged, or the net amount of sales of lands along the line could be paid over from time to time in liquidation of the loan.

The whole amount required is 800,000*l.* The city of Halifax being pledged to the Provincial Government to pay the interest on 100,000*l.*, the whole amount that would therefore be chargeable on all sources of provincial revenue, the tolls on the railroad included, would be 24,500*l.*

* So in original.

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Although having no authority to speak for the other colonies, I may observe, that the Province of New Brunswick, which lies between Nova Scotia and Canada, has, in addition to her ordinary sources of revenue, 11,000,000 of acres of ungranted lands. She might pledge to Her Majesty's Government the proceeds of as many millions of acres of these lands, along the lines to be opened, as might be necessary, in addition to the pledge of her public funds, to secure this country from loss. The troops might be employed, and settled in this province also. The lands pledged could be sold to emigrants; the British mails and soldiers would be transported at fair prices, and the amounts might be carried to the credit of the loans. I believe that New Brunswick could, if moderately aided, ultimately make her great lines, absorb and provide farms for millions of emigrants; increasing the home market for British goods by the annual amount of their consumption; and, in a very few years, pay any loan she may require to contract, without costing England a farthing.

The resources of Canada are well known to your Lordship.

Her interest in these great works cannot be exaggerated, and must be greatly enhanced by the approaching removal of the seat of Government to Quebec. They would bring her productions to the seaboard at all seasons of the year; connect her by lines of communication with all the other provinces, and with the mother-country; preparing the way for a great industrial, if not a political union, of which the citadel of Quebec would ultimately form the centre. That her Government would second any policy by which this might be accomplished, there is no reason to doubt.

My Lord, there is one topic of extreme delicacy, perhaps, and yet, so far as my own province is concerned, I will venture to touch it without hesitation. Some of the British colonies aspire to obtain notoriety, just now, by spurning from their bosoms the criminals of England, without modestly remembering that some of them, at least, owe their original prosperity to such emigrants, and that thousands are annually tempted or driven into crime in this country, by the absence of employment, and by the resistless pressure which the slightest derangement in this highly-artificial state of society creates. I believe that among the 43,000 persons convicted in this country in 1848, some thousands were more to be pitied than condemned. If such persons, organized and disciplined, were employed upon the public works of North America, as has been suggested, I believe that they would ultimately be restored to society, and that the Government would be immediately relieved from serious embarrassment. I do not shrink from the responsibility of making this suggestion, nor will I shrink from my share of the responsibility of carrying it out. The people I represent, my Lord, are generally a religious people; who know that our Saviour had none of the sensitiveness manifested at the Cape. He found some virtue in the poor woman that all the world condemned; and did not consider at least one of the malefactors unworthy of Heaven who were hung beside him.

It has been suggested, that convicts might be advantageously employed on a large scale, in North America, for the construction of a railroad to the Pacific. I should like to see the experiment tried upon a small scale first; and do not believe that if a judicious selection were made of those whose offences were superinduced by poverty and extreme distress, or of those whose conduct in some probationary course of punishment had been exemplary, the North American Colonies would object to such a trial, if an appropriate choice were made of some locality along a great line in which they feel an interest, and if the men employed were properly officered and controlled by stringent regulations. A corps of 500 might be formed, subject to military organization and discipline, with the usual prospect of promotion to subordinate commands if they behaved well. Summary trial and punishment should be equally certain if they misbehaved; solitary confinement in the Colonial Penitentiaries would be an appropriate punishment if they deserted or committed any new offence. If a portion of comparatively wilderness country were selected for the experiment, the men might have sixpence per day carried to their credit from colonial funds, while they laboured, to accumulate till it was sufficient to purchase a tract of land upon the line, with seed and implements to enable them to get in a first crop when the period of service had expired.

This experiment would, I believe, succeed. It would cost the Imperial

Government nothing more than it now costs to maintain the people elsewhere. The colony where they were employed would get the difference between sixpence per day and the ordinary rate of wages, to compensate for any risk it might run, and would besides ultimately secure customers for wild lands, and many useful settlers.

In conclusion, my Lord, permit me to crave your indulgence for the length of this communication, which would be an unpardonable intrusion upon your Lordship's time if the topics to be discussed were less numerous or important.

I have, &c.

The Right Hon. Earl Grey. (Signed) JOSEPH HOWE.
&c. &c. &c.

No. 3. No. 3.

Copy of a LETTER from B. Hawes, Esq. to J. Howe, Esq.

Sir, Downing Street, March 10, 1851.

I AM directed by Earl Grey to inform you that he is at length enabled to communicate to you the decision of Her Majesty's Government on the application for assistance towards the construction of the projected railway through Nova Scotia, contained in your letters of the 25th of November and 16th of January last.* *Pages 39 and 47.

You are already aware, from the repeated conversations which you have had with Lord Grey, of the strong sense entertained by his Lordship and his colleagues, of the extreme importance, not only to the colonies directly interested, but to the empire at large, of providing for the construction of a railway by which a line of communication may be established on the British territory between the Provinces of Nova Scotia, New Brunswick, and Canada, and that various plans which have been suggested for the accomplishment of this object have undergone the most attentive consideration.

It appears from Sir John Harvey's despatch of August 29,* 1850, as well as from your letters and the verbal communications you have made to Lord Grey, that the Provincial Government of Nova Scotia, fully relying on the concurrence of the Legislature, is desirous of undertaking the construction of that part of the projected line which would pass through that province, and proposes to obtain for that purpose a loan of 800,000*l.*, which is the estimated expense of the work. The assistance which Lord Grey understands you to apply for on behalf of the province, is, that the payment of the interest of a loan to this amount should be guaranteed by the Imperial Parliament, the effect of which would be that the money might be raised on terms much more favourable than would be otherwise required by the lenders. *Page 30.

I am directed to inform you that Her Majesty's Government are prepared to recommend to Parliament that this guarantee should be granted, or that the money required should be advanced from the British Treasury, on the conditions which I will now proceed to state.

In the first place, as Her Majesty's Government are of opinion that they would not be justified in asking Parliament to allow the credit of this country to be pledged for any object not of great importance to the British Empire as a whole (and they do not consider that the projected railway would answer this description, unless it should establish a line of communication between the three British Provinces), it must be distinctly understood that the work is not to be commenced, nor is any part of the loan, for the interest on which the British Treasury is to be responsible, to be raised, until arrangements are made with the Provinces of Canada and New Brunswick, by which the construction of a line of railway passing wholly through British territory, from Halifax to Quebec or Montreal, shall be provided for to the satisfaction of Her Majesty's Government.

In order that such arrangements may be made, Her Majesty's Government will undertake to recommend to Parliament that the like assistance shall be rendered to these provinces as to Nova Scotia, in obtaining loans for the construction of their respective portions of the work. If it should appear that by leaving it to each province to make that part of the line passing through its own territory, the proportion of the whole cost of the work which would fall upon

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any one province, would exceed its proportion of the advantage to be gained by it, then the question is to remain open for future consideration, whether some contribution should not be made by the other provinces towards that part of the line; but it is to be clearly understood that the whole cost of the line is to be provided for by loans raised by the provinces in such proportions as may be agreed upon, with the guarantee of the Imperial Parliament.

The manner in which the profits to be derived from the railway when completed are to be divided between the province, will also remain for future consideration.

You will observe, that I have stated that the line is to pass entirely through British territory; but Her Majesty's Government do not require that the line shall necessarily be that recommended by Major Robinson and Captain Henderson.

If the opinion which is entertained by many persons well qualified to form a judgment is correct, that a shorter and better line may be found through New Brunswick, it will of course be preferred, and there will be sufficient time for determining this question while the earlier part of the line is in progress. It is also to be understood that Her Majesty's Government will by no means object to its forming part of the plan which may be determined upon, that it should include a provision for establishing a communication between the projected railway and the railways of the United States. Any deviation from the line recommended by Major Robinson and Captain Henderson must, however, be subject to the approval of Her Majesty's Government.

It will further be required that the several Provincial Legislatures should pass laws making the loans which they are to raise a first charge upon the Provincial Revenue, after any existing debts and payments on account of the Civil Lists settled on Her Majesty by laws now in force; and also that permanent taxes shall be imposed (or taxes to continue in force till the debt shall be extinguished) sufficient to provide for the payment of the interests and sinking fund of the loans proposed to be raised after discharging the above prior claims. It will further be necessary that the expenditure of the money raised under the guarantee of the Imperial Parliament shall take place under the superintendence of Commissioners appointed by Her Majesty's Government, and armed with sufficient power to secure the due application of the funds so raised to their intended object. The Commissioners so appointed are not, however, to interfere with the arrangements of the Provincial Governments, except for the above purpose.

The right of sending troops, stores, and mails, along the line at reasonable rates, must likewise be secured.

If on the part of the Government of Nova Scotia you should express your concurrence in the above proposal, Lord Grey will immediately direct the Governor-General of the British North American provinces to communicate with the Lieutenant-Governors of New Brunswick and Nova Scotia, who will also be directed to bring the subject under the consideration of their respective Executive Councils, in order that if they should be prepared to join in carrying the undertaking into effect on the terms proposed, the details of the arrangement between the provinces may be settled, and the sanction of the Legislatures obtained for the plan, so that it may with as little delay as possible be submitted for the approval of Parliament.

Before, however, the proposed measure can be so submitted to Parliament, it is proper to observe that there are some other questions affecting the pecuniary relations between the mother-country and the colonies which will require to be considered, but as these questions have little, if any, reference to Nova Scotia, it is not necessary that they should be further adverted to in this letter.

I am directed to add that Lord Grey thinks it unnecessary that any measures should be taken by Her Majesty's Government to encourage the establishment of steam-vessels for the accommodation of emigrants of the humbler class, which is one of the subjects to which you have called his attention.

If there should be a demand for such vessels, Lord Grey has no doubt that they will speedily be supplied by private enterprise; indeed he has been informed that ships of large size intended for the conveyance of emigrants, and furnished with auxiliary steam-power, are already building both in this country and in

America, and if by undertaking the projected railway a demand for labour is created in the British provinces and a large extent of fertile land is opened for the occupation of settlers, these circumstances cannot fail to lead to an extension and improvement of the means now afforded for the conveyance of emigrants to these provinces.

Lastly, with reference to the suggestion contained in your letter, that convicts might be employed in the construction of the railway, I am to inform you that though Her Majesty's Government entertain no doubt that the expense of the work to the provinces might thus be greatly reduced, while at the same time by judicious regulations, all risk of serious inconvenience might be guarded against, they would not be disposed to take any steps with a view to the adoption of this suggestion, unless on a distinct application from the Colonial Legislatures; but if such an application should be made, Her Majesty's Government would be prepared to make the necessary arrangements for the employment of a moderate number of convicts on the work, without any charge for their custody and subsistence to the province which may have applied for them.

I am, &c.

Joseph Howe, Esq. (Signed) B. HAWES.

NEW BRUNSWICK.

Despatches from Lieut.-Governor Sir E. Head.

NEW BRUNSWICK.

No. 1.

NEW BRUNSWICK.

(No. 18.) No. 1.

COPY of a DESPATCH from Lieut.-Governor Sir EDMUND HEAD, Bart., to EARL GREY.

Government House, Fredericton, Feb. 16, 1849.

(Received March 7, 1849.)

MY LORD,

I HAVE the honour to inclose, for your Lordship's information, a copy of the resolutions passed at a meeting held at Bathurst, in the county of Gloucester, on the 29th of January, with respect to the Halifax and Quebec railroad.

I have, &c.

The Right Hon. Earl Grey, &c. &c. &c. (Signed) EDMUND HEAD.

Enclosure in No. 1.

Enclosure in No. 1.

AT a Public Meeting of the Inhabitants of the County of Gloucester, held at the Court House, Bathurst, January 29, 1849;

THE High Sheriff having been called to the chair, and Mr. Christopher M'Manus requested to act as Secretary, the following resolutions were proposed and passed unanimously:

Resolved, as the opinion of this meeting, That the proposed railway between Halifax and Quebec, by the great eastern route, is a matter of the highest importance to those British North American provinces, uniting, as it would, these valuable possessions of the Crown together, establishing a permanent, speedy, and economical inter-communication, each adding strength to the other, while their trade and interests generally would become so intimately blended, and separated from foreign influences, that we cannot but think the future prosperity of these colonies depends upon the successful completion of this great public work.

Resolved, as the opinion of this meeting, That it is the duty of all to afford every possible aid and encouragement in promoting this great project, as if it be successfully completed, by no class or interest in the province will its beneficial effects be unfelt. It will tend to develop our present latent resources, ensure the speedy settlement and cultivation of our wilderness lands, enhance the value of real property, infuse energy into the ranks of our present listless operatives, and at once increase the trade, population, and revenues of the province.

Resolved, as the opinion of this meeting, That the Legislature of this province should at the approaching session, take such steps as may be deemed necessary, by legislative enactments, and by co-operation with the Imperial Government and the Legislatures of the neighbouring provinces, to ensure the erection of this railway, giving such reasonable guarantee as may be absolutely required on behalf of New Brunswick for the fulfilment of any engagement assumed, but having due regard, nevertheless, to the benefits to be derived by this province from the undertaking, compared with those to accrue to our sister provinces.

Resolved, as the opinion of this meeting, That every aid and facility should be afforded by the Legislature and people of this province for the carrying out and completion of the proposed electric telegraph from Quebec to Halifax by the way of Metis and the Bay de Chaleur, and that for the profitable and successful working thereof, the route prescribed by law should be altered, and a direct "right of road" granted from Restigouche to the Bend of Peticodiac.

Resolved, that a copy of the above Resolutions, signed by the Chairman and Secretary, be transmitted to the Lieutenant-Governor, and one to the Members of Assembly, and that they be published in the "Miramichi Gleaner."

(Signed) HENRY W. BALDWIN, Chairman.
CHRISTOPHER M'MANUS, Secretary.

No. 23.) No. 2. No. 2.

Copy of a DESPATCH from Lieut.-Governor Sir Edmund Head, Bart., to Earl Grey.

Government House. Fredericton, March 5, 1849.

(Received March 21, 1849.)

(Answered March 31, 1849, No. 119, page 81.)

My Lord,

I HAVE the honour to inclose a copy of certain Resolutions passed at a meeting of the inhabitants of Bay Verte and its neighbourhood, with reference to the proposed railway between Halifax and Quebec.

I have, &c.

The Right Hon. Earl Grey, (Signed) EDMUND HEAD.
&c. &c. &c.

Enclosure 1 in No. 2. Encl. 1 in No. 2.

To the Honourable John R. Partelow.

Sir, January 26, 1849.

In pursuance of the direction of a meeting of the freeholders and inhabitants of Bay Verte and its neighbourhood, in the county of Westmoreland, on the subject of the proposed railway from Halifax to Quebec, I beg leave to transmit the minutes of the proceedings thereof, and have to request the favour of your laying them before his Excellency the Lieutenant-Governor.

I have, &c.
(Signed) Thomas C. Chapman,
Secretary of the Meeting.

Enclosure 2 in No. 2. Encl. 2 in No. 2.

At a meeting of the Freeholders and Inhabitants of Bay Verte and the neighbourhood thereof, in the county of Westmoreland and Province of New Brunswick, on the subject of the proposed railway from Halifax to Quebec, held at Bay Verte, on the 26th day of January, 1849, pursuant to public advertisement;

John Carey, Esq., was called to the Chair; and Thomas C. Chapman, Esq., was appointed Secretary to the Meeting.

I. Resolved unanimously, on motion of Mr. Thomas C. Chapman, seconded by W. H. Buckerfield, Esq., That the contemplated railroad, connecting the three Provinces of Canada, Nova Scotia, and New Brunswick, is one of great importance, both to Great Britain and to Her Majesty's North American colonies; that the future welfare of these colonies in a great measure depends upon its construction; and that it is the duty of the Colonial Legislatures to render every assistance in their power to the projectors, and also the duty of every individual who feels an interest in the welfare of his country to assist the undertaking.

II. Resolved unanimously, on motion of Mr. Nelson Beckwith, seconded by Mr. John Reid, That this meeting will most readily and heartily approve of any legislative measures that may conduce to the success of this grand trunk line of railway, either by grant of Crown lands or by such pecuniary aid as the revenue of the province will justify; that a "breadth of way" may be given through all the Crown lands the road will pass over; also one-half of all the Crown lands to the distance of one mile on each side of the railway; and on this subject the meeting feel confident that they are expressing the feelings of every inhabitant of this part of the country.

III. Resolved unanimously, on motion of Mr. Stephen Gooden, seconded by Charles T. Prescott, Esq., That the House of Assembly of this province have the approbation of this meeting if they pledge an equal amount of the public revenues towards payment of the interest on the capital with that to be contributed by the Province of Nova Scotia; and that a hearty co-operation of the different Provincial Legislatures should be evinced during the coming sessions.

IV. Resolved, on motion of Alexander Monro, Esq., seconded by Mr. Joseph C. Hooper, That this meeting will afford every encouragement and aid in their power to promote the construction of this great public undertaking; and, as an evidence of its sincerity, we pledge ourselves individually to make a free grant of a "breadth of way" over all lands we may possess, whether cultivated or uncultivated. Also, that a Committee

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be appointed to prepare a petition to be presented to the Legislatures of Canada, Nova Scotia, and New Brunswick, respectively, embodying the above Resolutions.

V. Resolved unanimously, on motion of Mr. Thomas C. Chapman, seconded by Charles T. Prescott, Esq., That the Chairman, Alexander Munro, Esq., and W. H. Buckerfield, Esq., do form such Committee; to which the Secretary of the meeting was added.

VI. Resolved unanimously, on motion of Charles T. Prescott, Esq., seconded by W. H. Buckerfield, Esq., That a subscription-paper be prepared, signifying the aid which each individual subscriber may be willing to give to the undertaking, either in land, materials, or labour, to be respectively paid for in stock or shares in the proposed road; such land, materials, or labour to be taken at a fair valuation in the usual way.

VII. Resolved unanimously, on motion of W. H. Buckerfield, Esq., seconded by Mr. Joseph C. Hooper, that the Secretary of this meeting be requested to transmit a copy of the minutes thereof to each of the Provincial Secretaries of the four different provinces for their information.

VIII. Resolved unanimously, on motion of Charles T. Prescott, Esq., seconded by Mr. Daniel Casey, That the thanks of this meeting be given to W. H. Buckerfield, Esq., for his attendance, and for the zeal he has evinced in relation to the undertaking.

(Signed) JOHN CAREY, Chairman.

No. 3. (No. 32.) No. 3.

COPY of a DESPATCH from Lieutenant-Governor Sir EDMUND HEAD, Bart., to Earl GREY.

Government House, Fredericton, March 31, 1849.

(Received May 1, 1849.)

MY LORD,

1. I HAVE the honour to inclose a copy of a joint address to Her Majesty on the subject of railways, adopted by the Legislative Council and the House of Assembly of this province, together with copies of two reports on the same subject, made by the Committees of the Legislative Council and Assembly respectively.

2. I propose to address your Lordship at some length on the matter of the address and these reports, because I think the terms in which the latter are couched are liable to be misunderstood, and because the importance of the subject itself, in relation to the future progress of this colony, and to its capacity for immigration, requires at my hands some explanation.

3. The language of the reports of the Committees may appear to your Lordship to be somewhat strong, but I think I can conscientiously assure you that the persons composing the Committees are deeply attached to Her Majesty's Government, and if they have erred in the manner of expressing what they meant, it has been from their anxiety on the subject to which the reports relate.

4. The report of the Commissioners of Railways in England which your Lordship transmitted to me, and which was published in the Nova Scotia papers, before it was laid before the Legislature here, has conveyed a sort of impression that the prospects of the great line from Halifax to Quebec were utterly desperate, whilst in fact it does little more than state economical results, of the justness of which there cannot be much doubt, but which of themselves do not conclude the question either as regards Great Britain or the colonies.

5. With reference, in the first place, to the report of the Committees, I would observe that the tone of feeling in this colony at the present time is somewhat peculiar, and is by no means understood in England, though it is easily accounted for. The principal inhabitants of New Brunswick have been, and are by descent and by inclination loyal in their feelings, and strongly attached to the British Crown. They have felt a pride in forming an integral part of a mighty empire, and the sense of self-importance connected with this feeling receives a shock from every expression or every fact which appears to impair this unity. In addition, therefore, to the immediate effect on their material interests produced by the withdrawal of full protection to their timber trade, their sympathies, at the same time, received what may be called a moral blow. Your Lordship must not suppose from this statement, that I myself, or that the most intelligent men in New Brunswick look on the stimulus afforded to lumbering by the old protective duties, as wholesome in itself, even if it were practicable to continue it. The habits of reckless speculation, and the preference of

a wasteful and wandering mode of life to the quiet monotony of agriculture, are among the evils which the protective system has implanted in the province. It is true that the rapid development of the timber trade produced a population, which in its economical relation to the rural settlers performed somewhat of the functions of a town population, and the easy intercourse with England, fostered by the trade, provided a greater abundance of labour than would otherwise have been supplied. Still, on the whole, the evils of the unrestrained licence and gambling of lumbering will long weigh upon society here.

6. This depression of our material interests, and the want of importance implied in a diminished consciousness of identity with the mother-country, have naturally directed the eyes of stirring and intelligent men to some source of colonial importance which may compensate for these losses, and thus it is that the notion of an union of the British North American colonies has embodied itself in the inclosed reports of the Committees. The mass of our population here have probably conceived no definite idea of the kind; but reflecting minds cannot but feel painfully conscious of the want of common interest between adjacent members of the same empire. We know little of Canada, except as rejecting all attempt to establish free trade, and as the party to a sort of law-suit now pending with reference to our common boundary.

7. Your Lordship must not suppose that I am presuming to discuss a question of imperial policy, which is not new to British statesmen, and is not within the limits of my administrative duties, my only object is to lay the documents now transmitted before you with such an explanation as will best elucidate the spirit in which they are conceived.

8. In order fully to understand the view likely to be taken by the Assembly here of any definite railroad scheme to be determined on by themselves, I must ask your Lordship to take up a map of New Brunswick. You will find that the province is divided into certain long lines of settlement and population, with tracts of wilderness between them, traversed in one or two points only by roads leading from one line of settlement to another. Thus from the commercial capital, the city of St. John, to Madawaska, there is a continuous line of settlement extending in length, with occasional interruptions only, for upwards of 200 miles. Except in particular spots, these settlements run back very little way from the River St. John. Again, from Bay Verte and the frontier of Nova Scotia, following the coast to the south of the Bay of Chaleurs, up to the mouth of the Restigouche, a thin fringe of settlement extends for a still longer space. From Shediac on the Gulf of St. Lawrence to the city of St. John, down what is called Sussex Vale, a line of upwards of 100 miles is marked, perhaps, by as good tillage and by as fertile a soil as any tract in the province. A shorter line of the same kind skirts the Bay of Fundy, south-west from Dorchester, and other settled country of at least equal importance is found in the county of Charlotte, and up the boundary facing the State of Maine.

9. To go from one of these lines of settlement to the others, except at certain very distant points, where the intermediate country is traversed by roads, is all but impossible.

Thus there is no communication whatever between the Valley of the St. John and the eastern coast more to the north, than the road of about 100 miles which passes from Fredericton through Boiestown to Miramichi. Below this road there is again no communication (although a line has been explored) until we reach Sussex Vale. In the course of last summer I passed myself from the Valley of the St. John to the Bay of Chaleurs, but I was obliged to make the journey in canoes, and had to sleep five nights in the woods.

10. Now the result of this disjointed conformation of the country is naturally that local interests predominate over provincial interests, and I believe that this fact has been made peculiarly manifest in the very lengthened debate in the House of Assembly on the subject of railroads. The members from St. Andrews and the county of Charlotte lay the whole stress on the St. Andrews and Woodstock line. The members for the county and city of St. John may be supposed naturally to urge the claims of the railway from Shediac to St. John; a line which certainly, under existing circumstances, presents in my opinion a better commercial aspect than any other. The members from the eastern coast, who represent counties to the north of the Bend of the Petitcodiac, will be opposed to any line of railway except the trunk line recommended by the Commissioners of inquiry; whilst most of the

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representatives of Carleton and of the other counties skirting the Valley of the St. John, would oppose any scheme diverting the main line from the course of that river. The result of these incompatible interests is a species of equilibrium from opposing forces, which would necessarily render any merely provincial action on a specific line almost impossible.

11. But it will be equally clear that these very difficulties show a state of things eminently requiring such an improvement in our communications as may substitute a provincial interest for these narrow local sympathies, and a railroad for which the line was selected by the Imperial Government, and the funds supplied by the agency or the guarantee of that Government, would do much to break down these noxious feelings. It is evident, in the meantime, that every judicious advance made in connecting by transverse lines of roads and settlement, our straggling elements of population must, so far as it goes, tend to remove these moral results of an imperfect physical development. Hence the importance of rural emigration to the province, and the necessity for the labour of that emigration being so directed as, by improvement of the roads, to give fresh value to the labour and capital already expended in separate sections.

12. This consideration brings me to the point. What has the colony to offer for the direct or indirect aid of Her Majesty's Government towards the Halifax and Quebec Railway? Without dwelling on the topics urged in the reports of the two Committees, and the offers conveyed in the address of the two Houses, which will need no further commentary with your Lordship, I would say that the construction of such a work under certain guarantees and conditions, holds out the cheapest and best opportunity for promoting emigration from the United Kingdom which can be presented. Whether this advantage be sufficient to warrant the responsibility to be incurred, I must leave to Her Majesty's Government, but I will explain more fully my meaning in a practical point of view.

13. Of all the colonies of England which present any field for settlement, New Brunswick is accessible at the cheapest rate. Its climate is vigorous, but perfectly healthy. No emigrant brought here with his family could complain on that score. The sum required to take a man with his wife and two children to Australia, would far more than defray his passage hither, and give him a fair start on his own resources, with a log-hut, and a crop in the ground. I am supposing that by an arrangement which, in connexion with a railroad could be made on a large scale, a certain number of rough log-huts were built, and a certain number of patches of ground tilled and planted in the spring before the emigrant arrived, so that he might derive from the crop thus raised, the means of living through the first winter.

Fuel is at his door, and though hard work and hard fare would be his lot, it is evident that if he were thus able to wait for the commencement of railroad work in the following year, he would have a clear course before him. The annexed memorandum, marked A, contains a rough estimate of the probable cost of making the preparations necessary for receiving and housing an emigrant family in the first winter.

14. All this, however, would require great care. The men must be *bonâ fide* able-bodied labourers; they must not be burthened with excessive families or with aged or sickly relations, and they must be selected by some person strictly responsible for their fitness. Without these precautions the scheme would inevitably fail, and would be unjust to the colony as well as to the men themselves.

The better plan would be to offer them a certain number of acres of land, on which they should be placed on their first arrival, on the express condition that they worked at fair wages on the railroad for a given time, say three years, and that their conduct during that time was good. The grant of the land should not issue until that time had expired, but they should in the interval occupy only on sufferance, and be allowed to clear and till whatever their spare time enabled them to deal with. It would be necessary that rather arbitrary powers of controul over these individual labourers should be vested in the persons entrusted with the construction of the line, and a system of marks accelerating or postponing the time for conveying to each his right of property might easily be devised. Some provision for public worship and for a school at certain central spots would also be essential.

15. I do not delude myself with the expectation that settlers of the higher or middle classes would be obtained in this country and in this manner. In fact I believe that no considerable emigration of these classes in a mass ever took place in ancient or modern times, unless under circumstances totally different from any now existing. A political quarrel among the parties of a Greek city, or religious or political persecution of the rich as well as the poor in the mother country, have driven the higher and middle class to emigrate in a body to new countries; and similar causes would again produce similar effects, especially, if they could, as was formerly done, carry with them or acquire by plunder slaves to perform the hard work for them. Such were the exact circumstances attending the colonization of this very province by the American loyalists in 1784.

16. I have thus expressed to your Lordship frankly and without hesitation, the views which I entertain as to the railroad, and I will close by again stating explicitly my belief that the project is capable of being worked out in connexion with a large, a cheap, and a systematic scheme of emigration. Whether this consideration, added to the political considerations suggested by Major Robinson's report, and by the documents inclosed in this despatch, be of sufficient weight to induce the Imperial Parliament to aid by grant or guarantee the work in question, is a point on which it would be useless and unbecoming for me to make conjectures, or to offer advice.

I have, &c.

The Right Hon. Earl Grey, &c. &c. &c.

(Signed) EDMUND HEAD.

Enclosure 1 in No. 3.

Encl. 1 in No. 3.

To the Queen's Most Excellent Majesty.

The humble and dutiful Address of your Majesty's Legislative Council and the House of Assembly of the Province of New Brunswick, in General Assembly convened.

May it please your Majesty,

WE, the Legislative Council and Assembly of your Majesty's Province of New Brunswick, beg leave to approach your Majesty with renewed assurances of our attachment and fidelity to your Majesty's person and Government.

In common with all your Majesty's loyal subjects in these North American colonies, we are deeply impressed with the paramount importance of the contemplated line of railway from Halifax to Quebec for the consolidation of these portions of your Majesty's dominions, and for the preservation of British interests on this continent.

Strongly attached to our country and its institutions, we beg leave to submit to your Majesty our humble offering in aid of this great national undertaking.

Anticipating that the railway will be constructed by the aid of the Imperial Government, we offer, in consideration thereof, to secure to your Majesty all the ungranted lands through which the said road may pass to the extent of ten miles on each side, to be disposed of in such manner as may be deemed most advisable by your Majesty's Government; and also to secure at the expense of the province, a sufficient breadth of way and the necessary stations over and upon private property for the use of the said road.

And we further pledge ourselves that we will charge upon the general revenues of the province a sum not exceeding 20,000*l.* currency per annum, towards paying the interest upon the capital invested in the said road, to be paid yearly from and after the completion of the said road, and while the same is kept in operation, and to be continued for a term not exceeding twenty years.

We would respectfully impress upon your Majesty's consideration that the quality of the land pledged by us, and its easy access from the United Kingdom, present it as one of the most eligible fields for emigration of any in your Majesty's dominions.

Whenever we shall be advised of the favourable determination of your Majesty's Government in this matter, we will immediately pass such legislative enactments as may be necessary to carry into effect the pledges made in this our humble and dutiful address.

(Signed) William Black, P. L. C.
J. W. Weldon, Speaker, House of Assembly.

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Encl. 2 in No. 3.

Enclosure 2 in No. 3.

REPORT of COMMITTEE of LEGISLATIVE COUNCIL.

THE Committee appointed to give audience to the deputation from the city of St. John, on the subject of the Shediac and St. John railroad, having attended to that duty, beg leave to submit the following report and recommendations to the favourable consideration of the House.

After hearing the statements of the deputation, which were urged with ability, and exhibited a thorough knowledge of the subject, and upon a most deliberate consideration of the whole question, we are unanimously of the opinion that the proposed railway between St. John and Shediac demands the immediate action of the Legislature of the province, being impressed with the conviction that no part of the province presents so eligible a site for a railway, or promises so certain a return for the investment of capital, as this line recently surveyed by Mr. Wilkinson, being a distance of 108 miles, over a country most fertile in soil, and singularly free from engineering difficulties.

Mr. Wilkinson remarks in his preliminary report, "that the ruling gradient is between level and 7 feet per mile, with two maximum gradients, each of only 30 feet per mile;" and he is of opinion that, by a slight variation, and some increase of expense, the rise of 30 feet may be reduced to 22 feet, which would be a very little more than what is termed the angle of repose.

Contrasting the gradients on this line with those on the line surveyed by Captain Henderson over the Cobequid Hills, Mr. Wilkinson states that "the same tractive force which would carry 22½ tons to Halifax, would transport 46 tons to St. John."

Believing that the time has come when a work of this kind should be forthwith commenced in this province, we beg to suggest the following reasons as some of the most prominent which have influenced us in recommending this line:—

First. Because it will connect the city of St. John, the natural market and shipping port for the productions of the valley of the River St. John and our commercial emporium, with the northern and eastern sections of the province, and render available the vast resources of the Gulf of St. Lawrence.

Second. Because of the extent of the population, the fertility of the soil, and the actual traffic and number of travellers throughout the line.

Third. Because when the work is completed as far as the bend, a distance of fifteen miles, and on the other end of the line to any distance, immediate commercial and local advantages would result therefrom.

Fourth. Because it must lead to the construction of a line from Halifax to Shediac, and from St. John to the American frontier, which would make it a part of the great highway from Europe to the remotest States of the Union.

Fifth. Because it will unite and identify the interests of the lower provinces.

Sixth. Because no line of equal extent can be formed in the province which can be so easily and cheaply constructed, or which presents such prospects of immediate advantage to every department of industry, whether connected with the fisheries, the agriculture, or the commerce of the province.

Having every confidence that the great trunk line will be eventually laid down between Halifax and Quebec, it would be of the utmost consequence to the profitable operation of that magnificent work, that a branch line should extend to the city of St. John; we therefore view the construction of this branch, as now proposed, as the commencement of a great national enterprise, involving the union of these North American possessions and the best interests of the British Empire.

Assuming that the Legislature is prepared to give prompt encouragement to the construction of a railway in the province, and that the line between St. John and Shediac is the most eligible for immediate operations, we propose that the following course should be adopted:—

The estimated cost of this line is 500,000*l.*, and this is high, as compared with the estimate for the St. Andrews and Quebec Railroad. We therefore earnestly recommend that the province should take one-half the stock to be raised on provincial scrip, redeemable in forty years, interest payable half-yearly in London; and that the province should guarantee a rate of interest not exceeding 5 per cent. per annum on the balance for twenty-five years, to commence immediately upon the completion and opening of the whole line, and to continue so long only as the line is kept in efficient working order.

All which is respectfully submitted.

Committee Room, March 20, 1849.

(Signed) A. E. BOTSFORD, Chairman.

The Hon. Mr. L. A. Wilmot, from the Committee appointed on the ninth day of March instant, and to whom were referred all matters connected with railways, submitted a report; and he, having read the same, handed it in at the clerk's table where it was again read, and is as follows:—

"The Select Committee, to whom were referred all matters relating to railways in this province, beg leave to submit the following report.

"In the consideration which we have given to the highly-important subject referred to us, we have been deeply impressed with the force of his Excellency's remarks in relation to railways, in the speech at the opening of the present session, that 'The elements of great future prosperity in the North American colonies depend for their immediate development on public works of this description, and that no sacrifice which tends to secure their execution will ultimately be found too great.'

"Viewing the relative position of the North American colonies, and the great importance, in a national point of view, of improving the facilities for mutual intercourse, we consider it a matter of the greatest moment for the permanency of British interests on this continent, that a railway should be laid down to connect the lower provinces with the interior of Canada.

"It was under the influence of this conviction that we cheerfully united with the Legislatures of the adjoining provinces, in 1846, in making provision for a survey between Halifax and Quebec.

"That service has been ably performed, and the practicability of a great trunk line satisfactorily shown by the valuable report of Major Robinson.

"This report we have had before us, but, from the estimated expense of the line, we deem it altogether impossible for these colonies to undertake it, unless largely aided by the Imperial Government.

"The commercial depression at present pervading these provinces, brought about as it has been in a great degree by the recent modifications of the British Tariff, leaves us in an enfeebled condition, and wholly unable to undertake that portion of the great trunk line which runs through this province.

"We believe that no other measure can be devised, which will so certainly consolidate the colonies, and perpetuate our connexion with Great Britain; while without it, we fear that our position as colonies will be of short duration.

"Entertaining these opinions, it might be expected that we should at once suggest some means for the construction of the trunk line; but if we were able to execute our portion, it would be comparatively useless, without the completion of those parts running through the adjoining provinces. Co-operation, therefore, on this work is indispensable, and as we believe the financial condition of the sister colonies is no better than our own, so do we feel satisfied that they cannot undertake their portions without Imperial aid.

"It appears by the observations of the Commissioners of Railways, contained in the communication from Captain Harness to H. Merivale, Esq., that 'after giving this question the fullest consideration, so far as they possess the means to do so, the Commissioners are disposed to think, that, although in a military and political point of view, the completion of a railway between Halifax and Quebec may be of great importance, yet as a commercial undertaking, it is very doubtful whether it can, at least for a long time to come, prove profitable.'

"We will not now go into the calculations which bear upon the commercial view of the question, but admitting the correctness of the Commissioners' opinions, we shall deeply regret if the Imperial Government and the British Parliament are influenced in their deliberations on this all-important question, by the adjustment of commercial profits.

"How would this mode of calculation apply to the military and naval forces of Great Britain? It would certainly be a difficult thing so to direct a financial investigation on this subject, as to produce a profitable result in a commercial point of view, and yet the maintenance of these forces is considered indispensable to the preservation of the national honour and integrity.

"In this light do we humbly conceive the Great British North American Trunk Railway should be viewed, and it is therefore to be deplored that an official paper emanating from the Office of Commissioners of Railways at Whitehall, should deal with this question as wholly commercial, and should therefore give to the foreign ports of New York, Boston, and Portland, a preference to the harbour of Halifax.

"We think that the plain broad question on this subject is—Do the people of England wish to retain the North American colonies or not? If they do, the trunk railway is indispensable, and should be completed at any cost; if, on the other hand, there be a prevailing disposition at home to throw us off, it will be far better to do so at once, and not leave us as at present, depending upon hopes never to be realized, and looking for aid from whence it can never be derived.

"But we hope for better things; and assuming that our value and importance as British colonies, are duly appreciated at home, and that the Government is desirous of ascertaining how far we can assist in the completion of the trunk line, we think there should be an expression of opinion on the part of the Legislature on this subject, and we respectfully recommend that the following offer should be made:—

"To secure to the Government, or to the company that may construct the line, the ungranted lands to the extent of ten miles on each side. To purchase the right of way and the necessary stations on improved and private property; and, if nothing less will suffice, we would respectfully recommend that the House should consent to such modification of the present protective duty on our pine timber as the British Government may deem advisable, if in consideration thereof, they will undertake to make the necessary advances to complete that portion of the line running through this province.

"On our part we are willing to make every reasonable sacrifice for the security of British interests on this continent, and we believe the neighbouring colonies will join with

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us in the effort; if a corresponding feeling exists at home the work will be done, and not otherwise.

"In the event of the trunk line from Halifax to Quebec being constructed, it is very obvious that a branch line will be laid down from Shediac to St. John, in order to secure to this province a share of the commercial advantages derivable therefrom; but even without the trunk line, we are of opinion that no part of the province presents so eligible a site for a railway, or promises so certain a return for the investment of capital, as the line recently surveyed by Mr. Wilkinson, from St. John to Shediac, a distance of 108 miles.

"Being unanimously of opinion that a work of this kind should be forthwith commenced within the province, we respectfully recommend this line as preferable to any other, for the following reasons:—

"First. Because it will open up a commercial communication between St. John and the Gulf of St. Lawrence.

"Second. Because of the extent of population and the fertility of the soil throughout the whole line.

"Third. Because, when twenty miles at either end of the line is completed, great commercial advantages will immediately result therefrom.

"Fourth. Because it must lead to the construction of a line from Halifax to Shediac, and from St. John to the American frontier, which would make it a part of the great highway from Europe to the remotest States of the Union.

"Fifth. Because it will unite and identify the interests of the lower colonies.

"Sixth. Because no line of equal extent can be found in the province, which can be so easily and cheaply constructed, or which can present such prospects of immediate advantage to every department of industry, whether connected with the fisheries, the agriculture, or the commerce of the province.

"We believe that no line of equal extent has been discovered which presents less engineering difficulties.

"Mr. Wilkinson, in his preliminary report, remarks, that 'the ruling gradient is between level and 7 feet per mile, with two maximum gradients, each of only 30 feet per mile;' and he is of opinion that 'by a slight variation, and some increase of expense, the rise of 30 feet may be reduced to 22 feet, which would be a very little more than what is termed the angle of repose.'

"Contrasting the gradients on this line with those on the line surveyed by Major Robinson over the Cobequid Hills, Mr. Wilkinson states that 'the same tractive force which would convey 22½ tons to Halifax, would transport 46 tons to St. John.'

"As we have thus selected this line as the preferable one for immediate operations, the next question for consideration is, in what manner can the funds be raised for its construction.

"It is admitted on all hands that the capital must be obtained from abroad; if left to private enterprise we are sure the work would not be undertaken, unless a legislative guarantee were given to secure a high rate of interest; and even then the management and control of the railway would be principally in the hands of strangers, who being sure of the guaranteed interest, would have little inducement to economize, and would have but little regard to the public accommodation by the establishment of low rates.

"Some other and more effectual course must therefore be adopted. The crisis is extreme, and the remedy must be equal to the emergency. Our trade is stagnant—our people are emigrating—our real estate is rapidly depreciating; and we are called upon to take a bold and decisive course, irrespective of local claims and sectional jealousies. Providence has given us a country rich in all the natural elements of wealth, and we must turn them to account; the talents have been generously bestowed, and we are now to decide whether we shall bury them in the earth or multiply them by profitable employment.

"Impressed with these considerations, we have struck out a course of procedure.

"The estimated cost of the Shediac line is 500,000*l.*, and is high as compared with the estimate for the St. Andrews and Quebec line.

"There are many reasons why the whole of this line should be laid down by the Government; but we think that greater economy would be ensured if a portion of the stock were taken by private individuals, and we therefore respectfully and earnestly recommend that the province should take one-half the stock, to be raised on provincial scrip, redeemable in 40 years, and interest payable half-yearly in London, and that the province should guarantee a rate of not exceeding 5 per cent. per annum, on the balance for 25 years, to commence immediately upon the completion and opening of the whole line, and to continue so long only as the line is kept in efficient working order. Should this recommendation be sustained by the House, we shall submit the necessary Bills for carrying it into effect.

"We are well aware of the nature of those objections with which our recommendations will be met.

"It will be said that we have recommended a course which will involve the province in debt and embarrass our finances; but in answer thereto we would express our opinion, which has been formed after the most mature consideration, that under prudent management, the very expenditure will beget the means for its ultimate liquidation.

"It will also be said, that legislative aid should not be exclusively applied to one line, but so distributed as to give encouragement to similar works in other parts of the province. In answer thereto we say, that unless we bend our energies to the completion of one line, we shall fail altogether, and consequently be discouraged for years to come from undertaking any similar enterprise.

"If the House can select any other line which presents greater facilities and a better prospect of success than the one which we have recommended, we shall cheerfully adopt it; but if no better can be found, we fervently hope that we shall combine our energies in this great cause, and then there must be a railway in New Brunswick.

"We have had under our consideration the Bill now before the House 'to authorize the issue of scrip on the faith and credit of the province, to be employed towards the building and completing of the railroad from St. Andrews to Woodstock.'

"The Legislature has already guaranteed 6 per centum per annum for 25 years, on one-half the estimated cost of this line; and we regret that the company have not been able, with this guarantee, to prosecute their operations with success.

"If we were satisfied that the assistance now asked for would insure the completion of this line, we would cheerfully recommend the passage of the Bill under consideration; but, under all the circumstances, we submit the matter for the consideration of the House.

(Signed) "L. A. Wilmot.
J. R. Partelow.
William End.
D. Hannington.
W. J. Ritchie.
S. Z. Earle.
George Haward.
J. Montgomery."

"Committee Room, March 17, 1849."

A.

Enclosure 3 in No. 3.

Encl. 3 in No. 3.

Average produce of an acre of potatoes, first year of clearing, planted amongst the stumps?	The land being good, well cleared, and cropped, 200 bushels might be looked for.
Average cost of clearing half an acre, burning the rough wood, and fitting the land for planting?	Good hard wood land would take 10 or 11 days to prepare it for crop, and if done by the job, would cost from 3*l.* 10*s.* 10*d.* to 3*l.* 15*s.* per acre.
Quantity of seed for half an acre of potatoes?	The seed being carefully planted, 10 bushels would be required at, say 2*s.* 1*d.* per bushel.
Rate per day of labour, if hired?	For a short period 3*s.* 4*d.* without board, and 2*s.* 3½*d.* with board.
Average cost of rough log-huts?	A log-hut 18 × 12 feet shingled, but without chimney or flooring, would cost 8*l.* 6*s.* 8*d.*, including two windows and one door: a hut of the same dimensions, with chimney, double flooring, and ceiling and a cellar, would probably cost 15*l.* or 16*l.* 13*s.* 4*d.*

(No. 21.) No. 4. No. 4

Copy of a DESPATCH from Lieutenant-Governor Sir Edmund Head, Bart., to Earl Grey.

Government House, Fredericton, April 26, 1850.

(Received May 14, 1850.)

(Answered June 19, 1850, No. 195, page 95.)

My Lord,

I HAVE the honour to inclose an humble address to Her Most Gracious Majesty from the House of Assembly of New Brunswick, relating to the commercial condition of the province, and the Halifax and Quebec Railway.

I request your Lordship to lay this address at the foot of the Throne.

I have, &c.

The Right Hon. Earl Grey, &c. &c. &c.

(Signed) EDMUND HEAD.

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Encl. in No. 4.

Enclosure in No. 4.

To the Queen's Most Excellent Majesty.

The humble and dutiful Address of the House of Assembly of New Brunswick.

May it please Your Majesty.

WE, your Majesty's faithful and devoted subjects, beg leave again to approach your Majesty with renewed assurances of our attachment to the Throne of the empire.

The commercial policy recently adopted by your Majesty's Government has already occasioned such disastrous consequences to the trade of this province, that unless some relief be immediately afforded, we are satisfied the ultimate results will prove destructive to the interests of your Majesty's subjects in this colony.

We cannot, therefore, too strongly press upon your Majesty's consideration the great importance of obtaining a more extended market for the staple productions of this province.

It must be obvious to your Majesty, that as we are now driven from the markets of England, the nature of our productions and the geographical position of our country point to the United States of America as our natural market; and that, for the commercial prosperity of this province, it is essential we should obtain the open ports and the unrestricted coasting trade of the American Union.

There is another measure, however, which, if promptly undertaken and vigorously prosecuted, under the auspices of your Majesty's Government, would tend more than any other to restore the prosperity of the British colonies on this continent, to cement their union, and preserve their integrity as portions of the empire; and that measure is the construction of a railway from Halifax to Quebec.

Although we have, on a former occasion, brought this subject to your Majesty's notice, yet on such a momentous question, involving, as we sincerely believe it does, the stability and permanency of British interests on this continent, it is our duty to be importunate, and not to let the subject rest while there remains any prospect of success.

We have already afforded the best possible proof of our own sincerity, by pledging ourselves to grant a sum 20,000*l.* a-year for twenty years, together with at least 2,000,000 of acres of superior land available for settlement and colonization.

Looking at our prostrate trade and diminished resources, it must be admitted that we have offered to do more than could reasonably have been expected from us; and if our resources were equal to our desire for the permanency of British connexion, we would at once apply them to the accomplishment of this great national project.

Believing your Majesty's Government sincere in the declaration that these colonies will be retained at all hazards, and that they are viewed as part of the strength of the empire, it is surely a question worthy of the best consideration of your Majesty's Government, "What can be done for the North American colonies to prevent their declension, to give them strength and consistency, and thereby to restore confidence in the Imperial Government?"

To this important question we are prepared to answer, that no other measure will so certainly produce the desired effects as the railway from Halifax to Quebec.

The sum of 60,000*l.* a-year being already guaranteed by Canada, Nova Scotia, and this province, we are led to hope that if your Majesty's Government would procure from the Imperial Parliament a grant of 1,000,000*l.* sterling in aid of the undertaking, the work would shortly be commenced and successfully prosecuted.

We most humbly and dutifully beg to urge this subject upon the favourable consideration of your Majesty, from the fact that, while the recent changes in the commercial policy of the empire have been adopted for the benefit of your Majesty's subjects in the United Kingdom, those changes have produced the most disastrous effects upon the trade and resources of your Majesty's North American colonies.

We therefore humbly and earnestly pray your Majesty to take the premises into your Royal consideration, and to grant to your Majesty's devoted subjects in these provinces such timely and effective aid towards the extension of their trade, and the construction of the railway from Halifax to Quebec, as will assure them that their loyalty is duly appreciated, and that their present condition of feebleness and prostration is not viewed with indifference by your Majesty's Government.

And as in duty bound will ever pray, &c.

(Signed) J. W. Welden, Speaker of Assembly.

(No. 55.) No. 5.

COPY of a DESPATCH from Lieutenant-Governor Sir EDMUND HEAD, Bart., to Earl GREY.

Government House, Fredericton, August 26, 1850.

(Received September 10, 1850.)

(Answered September 20, 1850, No. 213, page 96.)

MY LORD,

I HAVE the honour to inclose three memorials from the inhabitants of the county of Westmorland, in this province, on the subject of the proposed line of railway from Halifax to Quebec.

Of these petitions two are addressed to your Lordship, the other one to Lord John Russell.

I do not conceive that it is necessary for me to make any remarks upon these papers since receiving your Lordship's despatch of June 19, No. 195,* of which I have communicated an extract to the petitioners.

* Page 95.

I have, &c.

The Right Hon. Earl Grey, (Signed) EDMUND HEAD.
&c. &c. &c.

Enclosure 1 in No. 5.

Encl. 1 in No. 5.

TO THE RIGHT HONOURABLE THE EARL GREY.

The Memorial of the undersigned Magistrates, Freeholders, and Inhabitants of the several parishes of Westmorland and Botsford, in the county of Westmorland, and Province of New Brunswick.

MOST RESPECTFULLY STATES,

THAT your memorialists have long looked with the deepest anxiety for the construction of the proposed railway from the Atlantic Coast of Nova Scotia to Quebec, an undertaking, from the completion of which, they anticipate the most beneficial results to the British North American Provinces.

That the geographical position of these provinces renders such means of transit absolutely necessary to expedite their communications with each other, and thus to render them one compact powerful dependency of Great Britain, instead of remaining, as they now are, separate and disjointed colonies, apparently with neither weight nor influence in the general affairs of the empire.

That, as your Lordship is aware, a military road was once projected, at the expense of the Imperial Government, in order, as your petitioners understood, to remedy, in part, these inconveniences, and to facilitate the transmission of troops, as well as the general intercourse between the cities of Halifax and Quebec.

That the objections urged by the Commissioners of Railways in England as to the probable profit to arise from the construction of the railway in question, would equally apply to the expenditure on such contemplated military road. But your memorialists entertain no doubt that your Lordship will find, on further inquiry and investigation, that a very considerable receipt will be derived from the traffic on such railroad, as well from the rich and improving Province of Canada, as from the various sources of trade which will be opened by this road, and its probable branches and connexions with the various railroads now built and in progress through the immense territories of the United States.

That if the revenue from these sources, from the increased resort of passengers, and from the colonial guarantees already given, and the amount now paid by the post office for the transmission of letters to and from Canada, should still be insufficient to indemnify the Imperial Government from any guarantee they may give to promote this great work, your memorialists will not hesitate to assume still further responsibility for that purpose, should it be required of them.

That your memorialists submit that no public work in any of the numerous colonies of the empire, possesses the same claims to Imperial aid as that they are now advocating, inasmuch as no other railroad or canal will not only serve as a great commercial artery, open a vast agricultural country, now a wilderness, to colonization and settlement, develop new resources in the mines and fisheries to which it will give access, and form a rapid means of communication between two of the strongest fortresses of the empire, whose maritime intercourse is now hermetically sealed during half the year, but also bind together five important provinces, and connect the whole with the mother-country.

That the extensive works already executed and in progress in the Canadas for improving the navigation of the St. Lawrence, and facilitating the transit of goods and passengers, and the resort of emigrants from Europe to that vast country, will be imcomplete

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without this means of access to the Ocean at all seasons of the year; and that unless such means of access be thus given, a great part of the traffic must inevitably be diverted to a foreign port.

That the desire your Lordship will feel to promote the prosperity of so considerable a portion of the Colonial Empire of Great Britain will, your memorialists confidently hope, induce you to afford the most favourable consideration to this important subject; and they implicitly rely on your Lordship's aid and support in obtaining the guarantee of the Imperial Government for payment of an interest of 4 per cent. on such sum as may be sufficient to insure the construction of this great national undertaking.

(Forty-eight Signatures.)

Encl. 2 in No. 5.

Enclosure 2 in No. 5.

To the Right Honourable the Earl Grey.

The Memorial of the undersigned Magistrates, Freeholders, and Inhabitants of the several parishes of Westmorland and Botsford, in the county of Westmorland, and Province of New Brunswick.

[Same as Enclosure 1, with 103 Signatures.]

Despatches from the Right Hon. Earl Grey, Secretary of State.

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(No. 117.) No. 1. No. 1.

COPY of a DESPATCH from Earl GREY to Lieutenant-Governor Sir EDMUND HEAD, Bart.

SIR, Downing Street, March 31, 1849.

I HAVE to acknowledge the receipt of your despatch No. 23,* of the 5th of March, inclosing a copy of certain Resolutions passed at a meeting of the inhabitants of Bay Verte and its neighbourhood, relative to the proposed railway between Halifax and Quebec.

* Page 69.

I am, &c.
(Signed) GREY.

Sir Edmund Head, Bart,
&c. &c. &c.

(No. 119.) No. 2. No. 2.

COPY of a DESPATCH from Earl GREY to Lieutenant-Governor Sir EDMUND HEAD, Bart.

Sir, Downing Street, April 10, 1849.

I HAVE to acknowledge the receipt of your despatch No. 1, of the 1st of January last,* containing observations by Mr. Wilkinson, of Fredericton, on the joint report of Major Robinson and Captain Henderson, on the proposed trunk line of railway from Halifax to Quebec.

Having judged it proper to furnish Major Robinson with a copy of your despatch and of its inclosure, I now transmit for your information the copy of a letter which I have received from that gentleman, inclosing his reply to Mr. Wilkinson's observations.

I am, &c.
(Signed) GREY.

Sir Edmund Head, Bart.
&c. &c. &c.

Enclosure in No. 2. Encl. in No. 2.

SIR, Portsmouth, March 30, 1849.

IN reference to your letter of the 10th February last, transmitting to me, by direction of Earl Grey, the copy of a despatch from the Lieutenant-Governor of New Brunswick, and containing a copy of certain observations which have been made by Mr. Wilkinson upon the joint report of myself and Captain Henderson, on the proposed trunk line of railway from Halifax to Quebec, and acquainting me that his Lordship would be happy to receive any remarks which I might wish to offer on the subject, I have the honour in reply to submit through you, for his Lordship's consideration, the accompanying observations which I have made in reply to those of Mr. Wilkinson.

I beg leave at the same time to state, that these would have been forwarded to you at an earlier period, but for many interruptions which have arisen from my own present professional duties.

I have, &c.
(Signed) WM. ROBINSON, Captain Royal Engineers, Brevet-Major.

Herman Merivale, Esq.,
&c. &c. &c.

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* Page 66 of Papers relative to the Halifax and Quebec Railway, presented to both Houses of Parliament by Command, February 1849.

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REPLY to the Observations made by Mr. Wilkinson, of Fredericton, upon Major Robinson's Report on the proposed Trunk Line of Railway from Halifax to Quebec.

SIR, Portsmouth, March 30, 1849.

MR. WILKINSON was one of the civil surveyors employed on the exploration railway survey in British North America, and was engaged on that duty from the 10th of June to the 31st of December, 1847.

The portion of country for which his services were required, and to which his attention was directed, was the difficult and hilly (if not to say mountainous) portion lying between the upper part of the Restigouche River and the St. Lawrence, near to where the latter receives the waters of the Trois Pistolles River. The object he had to accomplish was to find a practicable line through this country for about 70 miles, and, by so doing, to complete the exploration of a central and direct route through New Brunswick to the St. Lawrence.

The account of this exploration is given in his report, which forms Appendix No. 3 to the General Report.

It was entirely unsuccessful. The difficulties of the ground tried by him were too great to be surmounted.

In the opinion expressed by the Lieutenant-Governor of New Brunswick of Mr. Wilkinson's great experience in surveying, and that he possesses considerable knowledge of that country I most willingly concur.

But as it affects the question now between us, viz., the relative merits of two lines for a railway, I beg leave to express a doubt whether Mr. Wilkinson has had any experience as a civil engineer, or has had sufficient opportunity of acquiring such a practical knowledge of railways, as to give any unusual weight to the observations he has offered upon my report.

I make this preliminary remark, because it will be seen from what follows, that we differ, at the first starting, upon one of the most essential attributes of railways, viz., easy grades.

In gaining the head waters of the Green River, Mr. Wilkinson encountered in his progress from the St. Lawrence a narrow valley of four miles in length, decreasing in width until at its termination it was merely a ravine. A section of it was made with a theodolite and the levels taken.

Viewing it in a favourable light, that is, supposing the line could have been made in one slope, from its commencement to its termination, there must have been a grade of about 1 in 49, or a rise of 107½ feet per mile for four miles, and involving heaving cuttings and embankments.

Speaking of this part, over which I passed myself and examined it carefully, Mr. Wilkinson thus reports:—

"But upon examination of the last four miles the rate of ascent proved to be much more objectionable.

"The result, however, of a series of elevations and depressions taken by your direction over this portion of the route, and which at leisure moments have been somewhat hurriedly computed, do not warrant me in saying that the rate of inclination of the four miles in question is more than objectionable.

"Its practicability is, I believe, proved by at least two examples of much steeper inclined planes, daily ascended by locomotive power with both passengers and freight. I refer to the Lickey inclined plane of 1 in 37 on the Birmingham and Gloucester Railway, and another of 1 in 34, which I understand to exist on the Hartlepool and Stockton."

These heavy grades on the English railways quoted are but for very short distances, and not to be compared to the long one met on this part of the exploration, and even as short as they are they are most objectionable.

The effect of heavy grades upon a line is to increase greatly the expense of working. As the ascent increases, the power of an engine to draw freight diminishes rapidly, whilst, at the same time, the strain upon the rails is most detrimental to the durability of the road.

An engine which could draw a load of freight up a moderate grade of 30 feet per mile of 144 tons, would on an incline of 1 in 49 draw only 36 tons. As a remunerative line, so far as it depends upon the heavy freight to be expected between Quebec and Halifax, it will depend greatly upon the expenses of working it, and these depend most materially upon the nature of the gradients.

Mr. Wilkinson speaks of a long grade of four miles, rising 1 in 49, as being nothing more than "objectionable."

I consider it as being next to impracticable; and as it is most probable there would be others of a similar nature, in descending on the opposite side, in connexion with other heavy grades though not so great, I should condemn such a line and look for another.

Mr. Wilkinson and myself have therefore widely different views as to one of the qualities of a good railway.

The shortest line between two points may not be the best.

A circuit with easy grades is far superior to a shorter route with heavy ones.

I now proceed to consider the observations which Mr. Wilkinson has deemed it his duty to make upon my report.

The purport of the first portion of his objections I take to be as follows:—

1. That the report is too peremptory in the recommendation of the Eastern or Bay Chaleurs line.

2. Equally too peremptory in the condemnation of any more direct or central route.

3. That he has looked in vain for reasons of adequate force and validity to concur in that opinion. And,

4. That he is of opinion that sufficient efforts have not been made, and that consequently more explorations and surveys are desirable, either to improve upon the central route through New Brunswick, together with, if possible, a continuation of it to the St. Lawrence.

These objections I shall endeavour to answer by stating what has been done on the central line.

Mr. Wilkinson, having joined the exploration survey in the second year of its labours, and having been exclusively employed upon the portion of it allotted to him, may be presumed to be ignorant of much or all that had been done in the previous season.

The reports and proceedings of the surveyors were not submitted to him, and it is not probable that he has ever seen the plans and sections of that year's explorations, which were sent home with a preliminary report by Captain Henderson.

These plans and sections related principally to the central portion of New Brunswick, to which the energies of Captain Pipon and his parties were that season chiefly devoted.

Mr. Wilkinson has not, therefore, had the same facilities or data for forming an opinion of that difficult country as the officers employed have had.

It may be otherwise, but I do not think that he has himself ever been in or seen that part of New Brunswick, and mere inspections of the published maps are not calculated to give a practical knowledge of it.

In the first season, this country was traversed by our parties, not only in the direction of the line, but an expedition under Mr. Grant, a surveyor and draftsman also, of great experience, and of the Crown Land Office at Fredericton (to whose valuable exertions and zeal, even to the risk of his life, the service is deeply indebted), was sent up the Tobique Valley for the express purpose of examining that long mountainous ridge which continues from the mouth of the Tobique River until it joins on to the highest mountains in the centre of New Brunswick, the object being expressly to find the lowest and most favourable point at which they could be passed.

Mr. Grant took with him Indians, as guides, from the village at the mouth of the river; persons to whom the whole district was known, forming part of their hunting grounds.

It should be mentioned that Mr. Grant did not confine himself to boating up and down the different streams, but ascended the highest ground he could find, and took views of the surrounding country.

The result of this expedition was that in the ensuing season the surveying and xploring party succeeded in finding a practicable route across the Tobique Valley, and on to the Restigouche River.

Whilst Mr. Grant was thus engaged on the western side of the central group of mountains in New Brunswick, Captain Henderson was on the eastern side, and ascending high ground, also was able to obtain a good knowledge of the nature of that part of the country.

These gentlemen have therefore had the advantage of having seen and been engaged in the country of which they make mention in their reports. From Mr. Grant's, which has not been published, I make the following extracts:—

"From the surveys and explorations made in the Tobique district, I have the honour to lay before you the following reports of the prospects afforded of finding a practicable line through that difficult section of country.

"In carrying out the project of a railway from Halifax to Quebec, I had, by a careful examination of several maps of the intervening country, from the shed of the waters, combined with such local information as I could bring to bear on the subject, correctly anticipated that one of the great difficulties would be the passing an unbroken range of high lands extending from the River St. John, below Tobique mouth, to the north-east, lying between the head-waters of tributaries to the Rivers Miramichi and Tobique, and connected with Blue Mountain, and the mountainous districht of Restigouche.

"As this bar extends completely across the faces of the country, it of course follows that one of the most important preliminary steps is that of ascertaining the lowest points of transit across it, as the one easiest of access from both directions must become a fixed point, and to a greater or less extent influence both the direction and gradients of the line on either side of it.

"On my arrival at the Blue Mountain, I ascended to one of its summits, and had a most extensive view of the surrounding country, of which I made a complete panoramic sketch, with compass bearings, to such of the principal elevations as were known to the Indian who accompanied me.

"A continuous range, as already stated, extend from the mountainous district in the vicinity of Nictor Lake, and the head-quarters of the Tobique, and separating the tributaries of the Rivers Miramichi and Tobique, until it connects (some distance below the Red Rapids) with the great mass of high lands extending upwards from the River St. John."

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Speaking of the opposite side of the Tobique Valley, Mr. Grant says:—"To the north and west of the highlands at the head of Three Brooks, and as far, I presume, as the highlands near the St. Lawrence, there is a table-land about 400 feet above the bed of the Tobique. Viewed from an elevated position, this section of country has the appearance of a widely-extended plain; but on examination is found to be cut up (wherever there are water-courses) with deep ravines of from about 100 to 300 feet, and which are likely to create a very heavy expense in bridging and viaducts."

To cross the Tobique River at the desired point, a very heavy bridge and viaduct are reported necessary, as the height of the bank on one side is much higher than that of the other.

It will be observed that Mr. Grant speaks of this ridge of highland on the south side of the Tobique River as being continuous and unbroken, extending as a bar completely across the face of the country.

An assistant surveyor, who was employed for two seasons on this part of the central line, speaks of these hills as being "high, and extending in an unbroken chain from 30 or 40 miles, increasing in height until they meet the Tobique Blue Mountains, said to be more than 2000 feet above the sea."

From the point on the ridge where the line passes, to the bed of the Tobique River, the levels were taken instrumentally and barometrically.

From the results so obtained, which were found to agree very closely, the summit level of 1,216 feet was obtained.

It is of course within the limits of possibility, that there may exist some gap in this chain by which it could be passed at a somewhat lower level, but it is highly improbable that there should be, and that it should have been unknown to the Indians, and undiscovered by our exploring parties.

In the country, more to the westward, and nearer to the St. John River, a line for a mail route had been explored between Fredericton and the Grand Falls some years before, but the ground was found very unfavourable, even for a common road, and it was never carried out.

Previous to our parties commencing their operations in the country, there had been officers exploring through it for the purpose of making a great military road from the River du Loup, on the St. Lawrence, through New Brunswick, as far as the Bend of Petitcodiac.

Their plans and reports were sent to us, and we had the benefit of their experience.

They met with almost insurmountable difficulties in the centre of New Brunswick.

The Commanding Royal Engineer in Canada, in his report on this line, dated 20th March, 1845, writes thus:—Paragraph 18, "From the 137th mile, when the surveyed line goes south-east to the Tobique River" (but that line, and along the Odell River, was found difficult and indifferent for settlement). Paragraph 19, "The chained line follows the Odell to the Forks, and afterwards deviated to the north-east, so that the actual line of road may be somewhat shorter." Paragraph 20, "This part of the road, however, from the 137th mile (going southerly) to the 189th mile, shown by the dotted line, will require further examination, it having been found impracticable during the working season of last year."

This was for a distance of fifty-two miles that so much difficulty was found for a common high road.

The Commanding Engineer afterwards reported his opinion that it could be passed with grades of 1 in 15.

To have tried more to the eastward would have been increasing the altitude above the sea, and becoming more involved in the heart of the mountains.

It is rather remarkable, and may not be considered irrelevant to the subject, to state here that there were parties in the country then who objected to the line for the military road passing centrally through New Brunswick.

In paragraph 32 of the report quoted, the Commanding Engineer says, "It is of course to be expected that the formation of any new line of road must be displeasing to such persons as may be established in other parts, and may conceive their particular interests to be injuriously affected by it. While this road was being surveyed, objections were made to the course of the explorations.

The parties objecting were in favour of going round by the Metis and Kempt Road.

Mr. Wilkinson observes, "That an exploration by the way of the right hand bank of the Tobique, towards Briestown, was suggested at the commencement of the season of 1847."

"It might not have been successful, but it offered the greatest probability of success. It is obvious at least that the suggestion could proceed only from the anticipated failure of the route adopted. The proposal is adverted to in the Appendix No. 3, at p. 49, 50, of the Report, but not adverted to in the Report itself."

A proposition was made to me by Mr. Wilkinson, in a letter which I received from him, dated the 6th August, 1847, that he himself, with a party, should ascend the Tobique River, and explore from thence, southerly, as far as the main Miramichi River, a distance of some fifty to sixty miles. But as at the time this proposition was made two months of the working season had passed, and Mr. Wilkinson had not completed one-half of the task allotted to him, it was not noticed.

More especially too as at the same time, or soon after, good accounts were received

from the party upon whose ground he proposed to intrude, and who, instead of failure, as anticipated by him, succeeded in carrying out a practicable line right through to the Restigouche River. The failure proved on his own ground, and the winter found him still embarrassed in the high lands at the head of the Green River.

Large parties were thus employed at great expense for two seasons on this central and direct line through New Brunswick.

Year after year explorations might be continued to be made, and great expenses incurred, in the hope of finding a better line, or improving upon the one last found, and parties interested would still say that every effort had not been exhausted.

Judging from the results of our own labours, from those of others, and the natural difficulties of the country as described, I do not think any further exploration would be attended with any marked difference of success; and that in point of easy gradients, and in every other point, save the one of distance, the eastern, or Bay Chaleurs route, would still command a preference over the central one through New Brunswick to the St Lawrence.

Proceeding next to consider the observations made by Mr. Wilkinson upon that part of the country lying south of the Miramichi, and between it and the Shediac River, I find that in this case his doubts and criticisms have been called forth in consequence of my not giving a sufficiently peremptory opinion, and expressing a belief merely that it would prove, with the exception of the banks of the St. Lawrence, one of the easiest portions of the line.

I shall endeavour to answer this part, as I did in the first instance, by referring to what was done, and by quoting extracts from the reports of the surveyors who had the conduct of the exploration.

In my General Report I described that this portion of country was the last explored, because it was of the most importance to try those portions first where the greatest difficulties were to be expected.

The country in question is well known to be the most level in New Brunswick.

One author (Dr. Gesner, page 186), in speaking of it, says, "The whole country is remarkably level, and upon an average its elevation above the sea will not exceed 20 feet." Another (Mr. Perley), in his description of the counties of New Brunswick, says, page 12, "There is scarcely a single hill of any magnitude in the whole of this county (of Kent), and the land, especially on the Gulf shore, is very low and level. It may be described as the most level county in the province."

Captain Henderson and myself both passed through it, and traversed it from south to north, and found it to be extremely level and favourable.

But as our route was more to the eastward than it was desirable the line of railway should take, it was determined to send in exploring parties.

And it was tested in the severest way, that any country could be tried, by cutting straight lines across it, through the heart of the country. The sections of the lines thus cut and levelled are given in the book of plans.

Our object was not to locate the exact line, but to ascertain that there was nothing impracticable in the way, and to ascertain the general nature of the features of the country.

Two parties were employed under competent surveyors.

They commenced at the same point, nearly a central one, on the Richibucto River; one party cut north-westerly and the other south-easterly, taking the levels over both lines barometrically.

No obstacles were encountered but what could have been avoided, and the surveyor's report is most favourable.

I make the following extracts from the report of Mr. Layton, dated Richibucto, 19th October, 1847:—

"The point selected as the most convenient for commencement was on the Harley Road, at about 6½ miles from Taylor's, on the Richibucto. Corporal Forbes, taking a direction bearing by the magnet north, 39 degrees west, 10½ miles; thence northerly 25 degrees west, 9½ miles to the line, between the counties of Northumberland and Kent, crossing the old Indian portage about half a mile to the westward of the Richibucto (as will be seen upon reference to the plan accompanying the report), and crossing the river at a distance of 7¼ miles from the Harley Road, which will be in a direct line about 15 miles above the head of the tide, also crossing the head of the south branch of the Kouchibouquasis and two other small streams running into it; and also crossing two small streams which empty themselves into the Miramichi.

"The whole extent of this line presents nearly an even surface, with the exception of two slight dips, one at the crossing of the Richibucto, and the other at the crossing of the south branch of the Kouchibouquasis.

"I took a direction bearing by the magnet south, 37 degrees east, from the starting point at the Harley Road, which would pass about a mile to the eastward of Irish Town settlement.

"The country from the Harley Road to the Bouctouche, a distance of 17½ miles, presents generally an even surface with the exception of a few slight dips at the crossings of the different streams, which are laid down upon the plan.

"At the Bouctouche the land rises generally on either side to the height of about 50 feet, but there are places where the same height of land comes boldly out on both sides,

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keeping the same platform. Between the Bouctouche and the Cockburn Road, a distance of 7½ miles, the country presents nearly an even surface, with the exception of a slight dip at the crossing of the north branch of the Cocagne.

"At the Main Cocagne there will also be a dip of about 50 or 60 feet, as at the Bouctouche. On this line there is a large quantity of very excellent land for settlement, and passing in its whole length through unlocated Crown lands. The same description will answer for the country between the Cockburn Road and Shediac River, passing below Irish Town Settlement."

The results of these explanations and Mr. Layton's report prove this line to be practicable and favourable, perhaps only to be exceeded by the plateaus and terraces along the St. Lawrence.

In the first season a section of the line was made from the Bend of the Petitcodiac to Boristown.

Comparing one section with the other, which is the most decisive way of testing the merits of any two lines, the eastern one has the advantage over the other. It will be seen, therefore, from what has been done on this line, that it is not put forward upon the borrowed merits of the central line, but stands upon its own.

"By inspection of the map," Mr. Wilkinson says, "it will be seen that there will be, at fewest, about eight principal summits or water-sheds to cross at right angles, by this portion of the circuitous line, and that at every interval the level of the tide must be quite or nearly regained."

How any mere map could have supplied such information, I am at a loss to conceive. The country of New Brunswick has not been surveyed on any systematic plan; and the maps published of it, are only general outlines of its coasts and rivers. The latter, for the most part sketched in.

Against Mr. Wilkinson's inspections of the map, and the imaginary summit-levels which he has derived from them, with the obligation to descend everywhere to the tide-levels, I place the explorations and report of Mr. Layton, who had the advantage over Mr. Wilkinson of going personally over and surveying the ground in question.

The adding together all the small summit-levels to make an amount equal to that passed over by the central line, is more ingenious than scientific; but it would have been fairer if, at the same time, to the latter had been added the rises and falls occurring before that summit-level is reached, and those which occur after.

Mr. Wilkinson, in contending for his central line, can foresee no impracticability in getting through or over two ranges of highlands: and to do so does not object to some of the heaviest grades known in railway practice; but foresees alarming cuttings and embankments through the most level district in New Brunswick.

As our lines run, and the surveys were only exploratory, it is impossible to say what these latter will be with accuracy; but there is no fear that they will be anything great or extraordinary.

The next question which Mr. Wilkinson enters upon is a military one, and he puts the following case:—"Assume that the United Kingdom were destitute of a railway, and that it was proposed to construct one for the security of military communication and commercial traffic, would it be recommended that it should follow the immediate coasts of the island, or that it should, as much as possible, run centrally through from north to south, with branches to either coast?"

To this I have no hesitation in saying that the one following the coast is perfect everywhere as a means of defence against an invading force; and that the one with branches is imperfect at every point intermediate to where they terminate.

To be equivalent to the other, the branches must be multiplied *ad infinitum*, for between any two points on the coast the defence is imperfect.

A line of railway following along a coast anywhere, would afford additional facilities for its defence. In so much, then, as this affects the question of the two lines, it is another advantage in favour of the eastern or Bay Chaleurs line.

The Gulf and River St. Lawrence may become the highway of all nations; but if it should, nature and the climate will block it up for six months of the year; when the railway will have undisputed possession of the field of communication for the other six. If the line be laid out with care and judgment, it may be made to pass at such moderate distance from the shore, that without being exposed to any danger from cruizers at sea, it will afford the best and readiest means of defence against any attack which they might make upon the settlements.

The central line, without assisting these, and deriving a revenue therefrom, would, from near the Bend of Petitcodiac, enter upon the great wilderness forest of New Brunswick, and not emerge until after a course of about 300 miles upon the banks of the St. Lawrence. Thus, as it were, turning its back upon and depriving numerous existing settlements of all advantage to be derived from it; without, at the same time, giving any one advantage to any other portion of the country, save and except to diminish, by a few miles, the distance at which it should pass from Fredericton.

Mr. Wilkinson next enters upon the subject of probable revenue from freight transmitted between Quebec and Halifax.

To aid him in depreciating the advantages of this line, he has called in two additional

railways, which may or may not, at some remote period be made, viz., from St. Andrews to Quebec, and from St. John's to Quebec.

To neither of these two lines could the Imperial Government give its support in preference to that from Halifax; and without such aid, I do not believe that either the one or the other will ever be completed.

The progress of the railway from Montreal to Portland, which is the great commercial rival of the Halifax and Quebec line for the trade of Western Canada and the Far West of the United States, is advancing so slowly that it is impossible to say when it will ever be completed.

By the last accounts, 30 miles only out of 120, or one-fourth, on the Canadian side, was completed, and their funds were exhausted.

But little more was done on the Portland side, and they were also in want of fresh funds.

Looking to the list of imported and exported articles from the Canadas to England, and *vice versâ*, there are but few whose bulk and weight, in proportion to their value, are so great as to forbid the prospect of their passing by railway.

The great items exported from Canada are, ashes, salted beef, wheat, flour, fish, oil, salted pork, furs of every descriptions, timber unhewn and in scantling, deals and battens, and staves.

The timber in scantling I consider will come by sea, as at present.

Deals and battens will depend upon the rates at which the railway can be worked. If the cost of transportation be low, there will be certain advantages offered by the railway, which may give it the preference. These are, ready and instant transmission when the article is ready, diminished rate of insurance, and diminished freight from Halifax.

A ton weight of the other articles will be of such pecuniary value, that these advantages will leave a good margin towards paying their transit by railway.

A still wider margin will be left for the articles imported into Canada. They are all, or nearly so, the manufactured articles of the mother-country, such as apparel, haberdashery, arms and ammunition, books, brass and copper work, upholstery, cotton, linen, woollen, and silk manufactures, hardware and cutlery, glass, china, plate and plated ware, saddlery, and harness, &c.

Of which, whether by ton-weight or measurement, the value must be so great as to allow a good sum to pay railway carriage, when it is considered that the difference of insurance between the two ports of Halifax and Quebec is, at some times of the year, as much as 8*l.* per cent.

The value of this immense trade (exports and imports together) cannot be estimated at less than 5,500,000*l.* sterling per annum.

For which the railway will have no competition by sea for six months of the year.

Instead, therefore, of there being a faint prospect, I think there is a good prospect of revenue arising from freight by the railway.

There are also some further advantages to be gained by it, which will be adverted to afterwards.

One essential point to be considered as an element of success in competing with its rivals is, the cost of transportation.

On this side of the Atlantic, railways successfully compete with canals and transit by sea. There is no reason why it should not be the same on the other side.

The Halifax and Quebec line, passing over a country abounding in fuel, will have a great advantage in that respect over other railways.

In my report I estimated the cost of transportation from Halifax to Quebec, at 11*s.* per ton, and gave the details showing how it was derived. It was founded upon the best authority, viz., the evidence given before the Gauge Commissioners, and the document attached to the Report, Appendix No. 7.

I have as yet seen no reason to increase that estimate.

I make the following extracts from a report by Colonel Simpson, the Commissioner appointed by Canada to make statistical inquiries for the Quebec and Halifax railway. It is dated 13th May, 1847, and is addressed to the Governor-General of Canada, page 2 :—

"In the meantime, whilst collecting the general statistics of all railroads upon which authentic details were attainable, I have particularly directed my attention to the important question of the cost of motive power.

"The amount of profit in a railroad will be found to be a resulting sum, from the amount of capital absorbed, the degree of motive power acquired, and the extent of the traffic. Mr. Joseph Pease, Chairman of the Stockton and Darlington railroad, in England, recently stated to a Committee of the House of Commons upon the subject of motive power, that in the transportation of coal upon the proposed London and York railroad, one farthing per ton per mile would be found ample to cover all transportation expenses, including 5 per cent. interest on the capital employed in the moveable stock, and the proportion of the maintenance of way belonging to this branch of the traffic. At this rate the transportation of a ton of mineral ore, or eleven barrels of flour, would be 12*s.* 6*d.* sterling between Quebec and Halifax."

Page 3, from data furnished by the Philadelphia and Reading railroad, Colonel Simpson calculates it at 2 dollars 71 cents per ton between Quebec and Halifax, or 11*s.* 4*d.* per ton for 600 miles.

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Pages 8 and 9:—"That I may not mislead as to the importance of favourable gradients to the success of an enterprise demanding such an outlay, I beg to show the items of cost of transport on other railways, where the gradients are less favourable, &c.

"Contrasting with the statement of Mr. Pease, the Baltimore and Ohio, and the Philadelphia roads, it will be seen that, from the difference of level, the one carried, on an average, during the year 1845, 295 tons; whilst the other attained only 31½ tons."

Mr. Wilkinson has drawn up a table of freights for three supposed railways, and has assumed as a basis, that the price charged for freight per ton per mile on the Western Railway in Massachusetts, is the lowest remunerative rate at which goods can be carried; and having made his calculations by the mileage, draws the conclusion that as my estimated cost is only one-seventh part of the rate charged by that railway, a mistake or oversight has been made in the estimate, which destroys the speculations founded upon it, as far as heavy freight is concerned.

This is very summary, but the question is not so easily disposed of.

Mr. Wilkinson should first have proved that the estimate of cost of transport was wrong, and that doubling that amount was not sufficient to produce a profit to the railway. 11*s.* was the cost of motive power, but 22*s.* was the charge calculated upon per ton. In the 11*s.* estimated was embraced, as will be seen by Appendix, No. 7, 1st. Enginemen. firemen, brakesmen; 2nd. Fuel; 3rd. Repairs of engines and tenders; 4th. Oil and cotton waste; 5th. Interest on cost of engines; 6th. Conductors; 7th. Repairs of railroad chargeable to locomotive and tender, and for deterioration of iron.

But little, therefore, if anything, was omitted from the cost of motive power.

The question then is, whether if 11*s.* be the cost, 22*s.* is sufficient to pay superintendence, repairs, and interest of capital.

If a railway has been expensively built, and has large dividends to pay, if its gradients be bad, as we have seen they can be, so that one line can carry nearly per train ten times as much as the other, then the charges upon the heavily graded and expensive line must be increased proportionally to insure any profit, and the rate per mile must also be higher on a short line than upon a long one.

Now such a line is the one which Mr. Wilkinson has assumed for his remunerative rate of 1½*d.* per ton per mile. The Western Railway passes over the highest summit level (upwards of 1400 feet), and to do so has some of the heaviest gradients in the States. Its capacity for running large trains of freight is greatly diminished thereby.

But the charge of 1½*d.* per mile by this railway does not apply to large quantities.

Articles for which the above rate is charged are entitled to a discount of 20 per cent., if previous notice be given that there will be the quantity of 6000 lbs., or not quite three tons.

One-fifth, therefore, off 1½*d.* per ton per mile is considered a remunerative rate by that railway.

But it is quantity that has the greatest influence in fixing the rates of charge, and is the great element of profit to a railway.

During the demand for provisions of all kinds in this country in the winter of 1846, at a time too when the River Hudson was closed, and gave them a monopoly of the traffic from Albany to the sea, this railway carried (if my information be correct, and I have no reason to doubt that it is, but it is not so direct as I could wish), flour from Albany to Boston, a distance of 200 miles, for 1*s.* 3*d.* sterling per barrel, which is equivalent to three-fourths of a penny per ton per mile, or only one-half of the rate assumed in the table by Mr. Wilkinson.

This reduction in charge was no doubt due to the quantity.

But the length of a line has also an effect.

The establishment at the termini of a railway, for the loading and delivery of the goods, and the superintendence or management, must be pretty nearly the same for a line of 200 miles as for one of 635. A long line, therefore, can afford to charge a lower rate per mile for its through-traffic, and yet will have sufficient profit to pay its expenses and interest.

That this view of the case is borne out in practice the following table, compiled from "Doggett's Railroads in the United States," for 1847, will show.

I take the Massachusetts railways as I have before taken them for costs of construction.

The freight-rates are on coal, iron, manure, lumber, corn, grain, sugar, salt, butter, groceries, &c., which generally are on these lines charged under one class, that of heavy goods:—

NAME OF RAILWAY.	Length in Miles.	Price per ton per Mile.	Equivalent in Sterling per Ton per Mile.	Annual Dividend in 1847.
		Cents.	Pence.	
Nashua and Lowell	14	7	$3\frac{1}{2}$	10 per cent.
Pitsfield and Adams	19	7	$3\frac{1}{2}$	..
Boston and Lowell	26	4·7	$2\frac{1}{4}$	8 per cent.
Connecticut River	36	5·5	$2\frac{3}{4}$	7 „
Old Colony	$37\frac{1}{2}$	4·5	$2\frac{1}{4}$	$7\frac{1}{2}$ „
Boston and Providence	41	5·0	$2\frac{1}{2}$	$7\frac{1}{2}$ „
Boston and Worcester	$44\frac{1}{2}$	5·0	$2\frac{1}{2}$	10 „
Fitchburgh	$49\frac{1}{2}$	4·0	2	9 „
Fall River, 42 miles only, but is part of a line of . ..	$53\frac{1}{2}$	3·7	$1\frac{3}{4}$	3* „
New Bedford and Taunton, 20 miles, but is part of line ..	56	3·5	$1\frac{3}{4}$	8 „
Norwich and Worcester	59	Not	given.	
Boston and Maine	73	3·0	$1\frac{1}{2}$	9 „
Eastern, 38 miles, but is part of a line of	105	3·4	$1\frac{3}{4}$	8 „
Western Railway	156	3·0	$1\frac{1}{2}$	8 „
Or with its 20 per cent. discount	..	..	$1\frac{1}{4}$	

Was only completed during the year.

The table shows a diminishing rate of charge as the lines increase in length. The dividends are high, exceeding on the average 8 per cent.

On the Baltimore and Ohio road, which is 179 miles long, coal is carried at a less rate than three-fourths of a penny per ton per mile.

On the London and North Western Railway, in England, coal is carried for three-fourths of a penny per ton per mile, if the distance be above 50 miles.

On the Stockton and Darlington, it is, I believe, $\frac{1}{2}d.$ per ton per mile. The cause of these low rates is no doubt due chiefly to quantity.

If the Halifax and Quebec Railway can carry at all, it will have this essential element of success.

And if the London and North Western Line, which cost about 42,000*l.* per mile, can carry coal at three-fourths of a penny per ton per mile, then I think that the other, which will only cost 7000*l.* per mile, may expect to carry at a profit the article of timber, especially deals and battens, for about 22*s.* per ton, as taken in my estimate of this item (timber): there was imported in the year 1846 no less than 1,258,336 loads.

Of this 482,685 loads were of deals, battens, &c., and 46,000 of staves.

A load is 50 cubic feet, and the deals, battens, and staves would weigh probably not less than 400,000 tons.

From this quantity, however, must be deducted probably one-half, which is shipped from the St. John's River in New Brunswick, and would not be within the influence of the railway. Again, if quantity and length of line have an influence upon rates of charge, and the Western Railroad, 156 miles long, can carry heavy goods, in moderate quantities, at $1\frac{1}{4}d.$ per ton per mile, and when the quantity is great, at three-fourths of a penny, and pay its shareholders 8 per cent. dividends, at how much lower rates could not the Halifax and Quebec line, with its 635 miles, afford to charge to pay only 4 per cent. dividends?

My object, by the table and these remarks, is to show, that taking the rates of charge upon any line of railway, is not the proper criterion to be guided by, and that Mr. Wilkinson's assumption of $1\frac{1}{2}d.$ per ton per mile, as the lowest remunerative rate, is not applicable to the Quebec and Halifax case.

If the rates for traffic and passengers were fixed by law to be the same for all the railways in the table, and the lowest rate assumed, where would be the dividends upon the short lines?

To assume any fixed rate per mile is, I conceive, erroneous.

Captain Huish, the General Manager of the London and North Western Railway Company in England, in a pamphlet recently published by him, thus speaks on the subject of goods traffic:—

"I have a right to assume that the highest obtainable rate is charged, and this being so, the trade should be carried on so long as any margin of profit remains, even if the expense of working it be 90 per cent. of the receipts. The total balance of profit is the point to look at, and although a per centage of working expenses is, to some extent, a useful guide for ordinary purposes, it would lead to error if adopted as a general test. A line working a large traffic at 60 per cent. (cost) may pay a much larger dividend than one working a small traffic at 30 per cent. (cost). I would, moreover, beg to remind Mr. Whitehead [his opponent], that the most profitable lines in England, and the only profit-

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able ones in Scotland, to the present times, have been confined exclusively to the carriage of coal and other minerals."

That is for freight of the heaviest description.

This is from the experience of the manager of the greatest railway in England.

There is hope, then, that with a monopoly for six months in the year, a protecting duty of 4 to 5 per cent. on the average (imposed by Nature), in the way of extra insurance and reduced freight from Halifax, a large portion even of the heaviest freight may find its way to the Atlantic terminus by this railway, and *vice versâ*, from Halifax to Quebec.

Quantity forming so important an item to the success of a railway, it may be necessary to say something of the immense field of existing traffic into which this railway enters for competition.

Quebec and Halifax, the termini, are not to be regarded as merely cities of so many inhabitants each, and calculated upon as affording so much revenue according to their numbers.

Halifax is the centre of a great export and import trade; the first it receives from, and the latter it distributes over, half the Province of Nova Scotia. In value it cannot be much less than 2,500,000*l.* annually.

This is great, but it is only one-half of the immense trade of Quebec. The latter city may be considered as the shipping port for the exports and imports of a million of inhabitants in Canada.

In value, as has before been said, it cannot be less than 5½ millions sterling per annum.

The tonnage arriving in Quebec was, according to Colonel Simpson's Report to the Governor-General, before quoted—

In 1845 . .	1,475 vessels	. .	559,712 tons
In 1846 . .	1,439 „	. .	573,208 „
or the average for the two years	1,457 „	. .	566,460 „

Owing to the short period of the year that the St. Lawrence is open for navigation, the vessels from the United Kingdom arrive and depart in fleets, as it were.

In the spring of the year, in May, between three and four hundred merchantman may be counted at anchor and by the side of the wharves at Quebec.

To arrive thus early, and so secure a second voyage during the season, they arrive in the Gulf of St. Lawrence before it is clear of floating ice, and have to pay a higher insurance.

What the loss of property has been in the gulf I have not the means of ascertaining, but it is well known to have been enormous: and if taken for a number of years back I have no doubt would amount to a sum equal to the cost of making the railway.

To all those ships engaged in the trade between Canada and the United Kingdom, whose cargoes are of such a nature as, with reduced insurance and charges for navigating, to leave a margin for paying transit by railway, will be offered the additional advantage to being saved the dangers of the gulf—that of making one additional voyage at least during the year.

To secure an early arrival of their goods in Canada in the spring of the year, merchants send large quantities by the Cunard steamers, and can afford to pay 7*l.* per ton freight for them in addition to the expense of transit through the United States.

Such portion of these as are destined for Quebec and the Lower Provinces would assuredly travel by the railway, and the whole would no doubt as soon as other railways should be completed from Quebec to Montreal and Upper Canada.

One of the great staples of Nova Scotia is her fishery.

The product of this she now exchanges away with the United States for flour and provisions.

The railway will enable her to exchange it far more profitably with Quebec.

In the winter of 1847-8 there was an inducement of as much as 13*s.* per barrel of flour in favour of going to Quebec for it instead of to the United States.

The whole of this staple commodity would find its way to the markets of Canada and the Far West, and a large portion of it could well afford to pay transit per railway.

Without any reference, therefore, to the trade of Western Canada and the Far West of the United States, there are sufficient grounds for inferring that in a trade of such magnitude, employing such an amount of vessels and tonnage, there will be no lack of quantity, if the railway can compete at all with the St. Lawrence.

This will depend upon the carrying expenses or cost of transportation.

Captain Huish states that "a hundred tons of goods would occupy 22 trucks of the London and North-Western Railway Company, and could be taken by a very ordinary engine."

In the Report of the Directors of the Boston and Worcester Railroad in Massachusetts for the year 1847, is the following:—"The freight-engines weigh 20 tons, and they bring with ease from Worcester to Boston—the maximum grade in each direction being 30 feet in a mile—upwards of 150 tons of merchandize, of 2,240 lbs. per ton, and they have been known to bring at a time 360 tons, the weight of cars and their loading included."

The speed of the London and North-Western not being required, I think from the above, that 100 tons per train was a fair estimate for the power of a locomotive on the Quebec and Halifax line.

While it will be seen from an inspection of the accompanying Table, that 1*s.* 8*d.* sterling per train per mile was rather too high than too low for the estimated cost of motive power; and the 11*s.* per ton from Halifax to Quebec was therefore a sufficiently high estimate for the cost of motive power.

Carrying Expenses.—Goods Trains.

Table showing the Carrying Expenses of Goods Trains, and average speed per hour of the undermentioned Railways, for the Year ending 1844, as returned to the Commissioners for Inquiry into the Gauge of Railways.

NAME OF RAILWAY.	Average Expense of Locomotive Department per Train per Mile.	Heads of Expenses.	Average Load per Train per Mile.	Average Speed in Miles per Hour.
	s. *d.*		Tons.	Miles.
Great North of England ...	0 6	Wages, fuel, grease, repairs, and sundries ...	60	16
Maryport and Carlisle ...	1 8	Coke, tallow, oil, wages, water, repairs & sundries	29	16
Glasgow, Paisley, & Greenock	0 9	Coke, oil, tallow, wages, repairs, and sundries ...	...	25
Manchester and Birmingham	0 5	Wages, repairs, materials, and sundries	64	13
York and North Midland ...	0 10	Wages, 1½*d.*, coke 3½*d.*, repairs 3½*d.*, sundries 1½*d.*	100 to 500	15
Manchester and Bolton ...	0 6¾	Coke, oil, tollow, repairs, materials, and sundries.	37	17
Midland	0 11	Working, repairing, and coke	100	15
London and Birmingham ...	1 7	Wages, coke, oil, tools, repairs, gas, water & sundries	177	20
Liverpool and Manchester ...	0 8	Coke, oil, tallow, wages, repairs, and sundries ...	100	16
London and South-Western .	1 3	Coke, oil, tallow, wages, repairs, and sundries ...	29	13
Grand Junction	1 6	Coke, oil, water, wages, materials, and sundries ...	154	16
London and Brighton ...	1 1	Coke, oil, waste, wages, repairs, and sundries ...	36	18
Bristol and Gloucester ...	1 1	All locomotive expenses	160	15
Sheffield and Manchester ...	0 7	Coke, oil, waste, tallow, repairs, and wages ...	50	15
Glasgow, Paisley, and Ayr .	0 7	Repairs, coke, oil, grease, wages, and sundries ...	125	15
Great Western ...	1 4	Wages, coke, oil, tallow, waste, repairs, & sundries	300	15
Birmingham and Gloucester	1 6	Coke, oil, tallow, repairs, wages and sundries ...	190	20
Hull and Selby	1 1½	Coke, oil, materials, repairs, and wages	100	15
Preston and Wye	0 8¾	Coke, oil, tallow, wages, repairs, and sundries ...	30	18

What the charge should be depends both upon the quantity which it will have to carry, and upon the amount which has been expended upon its construction and equipment.

With reference to the latter, I beg leave to quote the following, taken from a pamphlet on the Condition and Prospects of Railway Property, by S. Smiles, Secretary to the Leeds and Thirsk Railway Company, page 29 :—"The following calculation by Mr. H. Williams, the actuary, puts the matter in another form. Thus :—

	Total Yearly Traffic. Number of Passengers or Tons of Goods.	Original Cost of Construction 15,000*l.* per Mile.	Original Cost of Construction 20,000*l.* per Mile.	Original Cost of Construction 25,000*l.* per Mile.	Original Cost of Construction 30,000*l.* per Mile.
		d.	*d.*	*d.*	*d.*
Fixed charge per mile on every passenger or ton of goods, requisite in order to give common interest at 5 per cent. on the outlay . .	90,000	1·00	1·33	1·66	2·00

"It is clear, therefore, that a line which costs 30,000*l.* per mile must either have double the traffic, or charge double the fares on the same traffic, as compared with the line that has cost only 15,000*l.* per mile."

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Applying this same scale, then, to the Halifax and Quebec Railway, which has been estimated at 7000*l.* per mile, the rate would be per ton per mile, 0·46 of a penny, or, for the whole distance of 635 miles, 24*s.* 4*d.* per ton.

In my general report, when applying the cost derived from the estimate of 11*s.* to the carriage of barrels of flour, I made the charge per ton 22*s.*, which is only 2*s.* 4*d.* per ton under the above.

This difference, however, is fully counterbalanced by the 4 per cent. instead of 5 per cent., which it is calculated will be the interest to be paid on the guaranteed loan.

But further, under certain advantages as to lands to be appropriated, the estimated cost of the Halifax and Quebec Railway was taken at 3,000,000*l.* only, or less than 5000*l.* per mile.

When Mr. Wilkinson calculates another table of freights, he should bear in mind that the Western Railway in Massachusetts cost 10,000*l.* per mile, and pays a dividend of 8 per cent.; whilst the Halifax and Quebec Railway is estimated at 7000*l.* per mile, or under favourable circumstances, 5000*l.* per mile, and will be required to pay only 4 per cent. interest.

With reference to the remarks in Mr. Wilkinson's second paper, dated 28th December, 1848, on the disadvantages of the line running near the coast of the Gulf and River St. Lawrence, because, by treaty, the French and the United States have certain rights therein of fishing, &c.

I derive a directly opposite conclusion from him.

If the settlements along the coast are liable to be attacked by the enemy, the railway will, as I have before stated, afford the best means of defending them, and may, with care and judgment, be kept so far back as not to be injured from the sea. But, as between the two lines, I conceive this objection against the eastern line can only be applied to that part of the Bay of Chaleurs from Bathurst to Dalhousie, a distance of about 50 miles.

In winter, when the greatest object of the railway is to be attained, this objection can have no force, for then the sea is closed to all alike; and in summer, the Bay of Chaleurs, running up so far into the land, can scarcely be looked upon as the open sea, but must be considered inland waters, into which it would be very unlikely that the enemy's vessels would enter.

The results of railway experience generally and the opinions of experienced engineers are, I believe, quite opposite to those quoted by Mr. Wilkinson. Branches are looked upon as costly appendages to trunk lines, and the attention of engineers is at the present moment directed to construct smaller engines and lighter carriages, so as to work them without loss.

Much of the recent depreciation in the value of railway property, and in the dividends of otherwise good lines, has been attributed to the multiplication of branches.

The branches to the Erie Canal in New York are a losing addition to the main trunk canal.

Mr. Wilkinson, in a letter addressed to Sir William Colebrooke, under date 17th March, 1847, which has been published by order of the House of Assembly of New Brunswick, has advocated warmly the employment of wood in the construction of railways, and makes long quotations in favour of the piled and trestle-bridge railways of the United States.

Amongst other lines, the Syracuse and Utica was held up as an example of the success attending the principle.

It is to be remarked that, nearly at the same time this letter was written, that company had determined upon making a substantial structure, adequate to the performance of the business required of it, and had condemned the old one as worn out, sunk, and gone.

The New York and Erie Railroad adopted the principle for a portion of the line, and many miles were so constructed. A stoppage in the works for want of funds occurred, and when they were recommenced a few years after, the greater portion of the wood-work was decayed and had to be taken away.

Notwithstanding these facts, and that all the best lines in the States are permanently constructed, and have good heavy iron rails, Mr. Wilkinson still leans strongly to wood rails and wooden railways.

As an example of the total failure attending the latter, I would refer Mr. Wilkinson to the half-yearly reports of the directors and the report of the committee of investigation (which have been recently published) of the Waterford and Kilkenny Railway Company.

The woodwork of America requires great care for its preservation. In a Report of the Canal Commissioners, made to the House of Assembly, New York, in 1835, it was stated:

"That the canal was commenced in 1817, and completed in 1825. Every part of it has been in use ten years, and some parts of it fifteen years.

"In this period many of the structures of wood have been twice renewed, and all of them once."

I might adduce further instances of the disadvantages attending its use for lines of railway, but I think sufficient has been said upon that subject.

Mr. Wilkinson considers it inconsistent my condemning the use of wood as a principle in the construction of railways, and yet adopting it for the bridges.

I do not think it so. If a bridge be not built of wood, it must be made of stone or iron, and the expense is enormous. But the railway, if not made of wood, is made of earth, and the difference of expense not so very great.

If I wanted any additional evidence to confirm me in the view I have taken as to the use of wood, the quotation made by Mr. Wilkinson from the report of the chief engineer of the Baltimore and Ohio Railroad for the year 1847, would afford it to me.

From this extract it appears eleven bridges and one viaduct of trestle-bridging, making an aggregate length of bridge of 5,748 feet, or 1·09 mile, not having been properly and substantially made with seasoned wood, and covered in, had gone to decay, and were unequal to support the heavy weight passing over them.

The decay, it says, soon commenced. An entire reconstruction of the whole has been considered expedient, rather than resort to a less thorough renovation, which would have been less safe, and in the end more expensive.

The new structures have succeeded admirably, and stood the test of two years.

A very important part of the improvement applied to them consisted in covering them from the weather, and with this protection it is believed, so says the report, they will be as durable as if built of iron or stone.

Without going quite so far as this, I think they can be rendered very durable and lasting by being covered in.

Bridges can be covered in and preserved, but hundreds of miles of railway could not be so easily done, and without it, it is clear, from the extracts quoted, the trestle-bridge principle is bad and to be avoided.

Mr. Wilkinson says it is to be remembered that no water-crossings of great magnitude are likely to occur on the central line through New Brunswick. This is true; but there do occur, on the line explored by us, some long and very high viaducts, which, in my opinion, are as objectionable as the bridges on the eastern route.

They all, I believe, without exception, cross at places where the rivers are so shallow as to have only a few feet of water in depth, and their height in consequence will not require to be very great.

I do not comprehend exactly the import of the concluding paragraph of the remarks relative to "long bridges immediately in the tideway of the Gulf of St. Lawrence."

If it means that these long bridges will be exposed to be destroyed by an enemy from the side of the gulf shore, his alarm is groundless, as the bridges alluded to all occur at a very long distance from the sea-shore, sufficient to save such a catastrophe. Or if it means that on the latter account the line does not pass at the greatest possible distance from the United States, I am willing to allow him the benefit of his finely-drawn distinction.

Mr. Wilkinson, towards the conclusion of his remark, says:—"There is no hope that a line terminating at Halifax can systematically compete either with the navigation of the St. Lawrence, or with shorter railroads terminating in the Bay of Fundy."

The latter I need say nothing about, the prospect of their accomplishment is too remote, but in opposition to the opinion expressed by him, I have the greatest hope and belief that a very large portion of the traffic from the United Kingdom to Quebec will pass by that railway, and that it will command nearly all the passenger traffic, not only to Canada, but also, in the course of time, a very large portion of that between Europe and the continent of North America.

The punctuality and shortness of the voyages made by the Cunard steamers from Liverpool to Halifax, as compared with all others running between England and the United States will, I conceive, ensure this result.

But however important to the Quebec and Halifax Railway may be the carriage of the heavy goods between those two places, it has, though this should fail it, so many other direct and indirect benefits to confer upon the three provinces, and the mother-country also, if it be desirous to retain them as colonies, that no loss, I feel assured, can arise to either party from the construction of this railway, even if it should not be a remunerative line when considered in a merely commercial point of view.

The money spent upon it must enrich the provinces, induce settlement, and promote trade and agriculture. And the benefits arising therefrom will be apparent in the provincial treasuries.

If the railway balance-sheet should produce an unfavourable result, that of each province will be all the better for its having been made.

What the Erie Canal has accomplished for the State of New York, this railway may possibly do for the British Provinces.

In the former case it has doubled the population, and doubled the value of real and personal property, and pays annually out of its surplus profits a large revenue to the State Government, and contributes funds also to pay the interest of money borrowed for the formation of branch canals, or other internal improvements.

Between the year 1820 and the year 1845 the population of this State increased by 1,231,683 souls, and added about 50,000,000 sterling to the value of real and personal property.

It will not be too much, I think, to estimate that within the same period one-third of that number, or about 400,000 settlers, might, by means of the works afforded by the construction of the railway, and the opening out of such a wide field for agriculture, be added to the population of the three provinces.

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With plenty of work, and good markets opened to them by means of the railway, the provincial revenues would derive from these settlers, at a moderate estimate 10*s*. per head, or 200,000*l*. annually, the total amount of interest required if the railway should cost the whole of 5,000,000*l*. sterling.

In conclusion, I beg leave to offer a few more figures to show not so much what may be gained, as what is actually lost yearly by the British North American Colonies, for want of railway intercommunications with each other.

They are taken from the "American Almanack," published at Boston, a work of very great merit.

VALUE of Imports and Exports of the United States with the British North American Colonies.

For the year ending 30th June, 1844:—

	Dollars.	Dollars.
Exports—Domestic Produce	5,361,186	
Foreign Produce	1,354,717	
		6,715,903
Imports		1,465,715
Balance paid by British Colonies		5,250,188

Equal to 1,093,734*l*. sterling for the year 1844.

For the year ending 30th June, 1845:—

Exports—Domestic Produce	4,844,966	
Foreign Produce	1,209,260	
		6,054.226
Imports		2,020,065
Balance paid by the British Colonies		4,034,161

Equal to 840,450*l*. sterling for the year 1845.

For the year ending 30th June, 1846:—

Exports—Domestic Produce	6,042,666	
Foreign Produce	1,363,767	
		7,406,433
Imports		1,937,717
Balance paid by the British Colonies		5,468,716

Equal to 1,139,315*l*. sterling for the year 1846.

For the year ending 30th June, 1847:

Exports—Domestic Produce	5,819,667	
Foreign Produce	2,165,876	
		7,985,543
Imports		2,343,927
Balance paid by the British Colonies		5,641,616

Equal to 1,175,336*l*. sterling for the year 1847.

	Sterling. £
Balance of trade paid by the British North American Colonies to the United States, for the year 1844	1,093,734
Ditto ditto, 1845	840,450
Ditto ditto, 1846	1,139,315
Ditto ditto, 1847	1,175,336
Total for four years	£4,248,835

The British provinces must therefore have paid to the United States, in the course of four years, a sum exceeding 4,250,000*l*. sterling.

Of the exports from the United States during that period, no less an amount than 4,597,000*l*. sterling is for articles of their own domestic produce.

New Brunswick and Nova Scotia have paid the largest portion of this to supply their lumbermen and fishermen with provisions, but what proportion is due to Canada I am unable to ascertain.

The latter is an exporting country for provisions, and could well supply the two sister provinces. I cannot conceive either that in the list of exported articles of their domestic produce there is any one but which could, if it met with due encouragement, be produced in some portion or other of the British North American possessions.

If I am correct in so supposing, then there is a clear loss to them of that amount, and to be saved by a greater attention being paid to agriculture, and the settlement of the hitherto uncultivated lands.

The railway is the one thing needful to afford the means of distributing the produce from one province to another.

From the foregoing, I think it may be said that the British Colonies of North America pay, for their want of enterprise and neglect in developing their internal communications and resources, an annual fine of 1,000,000*l.* sterling to the United States of America.

I have, &c.

(Signed) Wm. Robinson, Capt. R.E., Brevet-Major.

Portsmouth, March 30, 1849.

(No. 120.) No. 3.

No. 3.

Copy of a DESPATCH from Earl Grey to Lieutenant-Governor Sir Edmund Head, Bart.

Sir, Downing Street, April 14, 1849.

I HAVE the honour to acknowledge the receipt of your despatch of the 2nd of February*, No. 13, enclosing for my information a copy of the resolutions passed at a meeting held at Dorchester, New Brunswick, on the 18th of January last, on the subject of the proposed Halifax and Quebec Railroad.

* Page 72. Papers presented by Command, February 1849.

I am, &c.

Sir Edmund Head, Bart. (Signed) GREY.

&c. &c.

(No. 195.) No. 4.

[No. 4.

Copy of a DESPATCH from Earl Grey to Lieutenant-Governor Sir Edmund Head, Bart.

Sir, Downing Street, June 19, 1850.

I HAVE to acknowledge your despatch No. 21* of the 26th April last, inclosing an address from the House of Assembly to Her Majesty on the subject of the admission of New Brunswick to the coasting trade of the United States, and also applying for a grant of 1,000,000*l.* sterling by Parliament towards the construction of the Halifax and Quebec Railway.

* Page 77.

2. You will acquaint the Members of the House of Assembly that I have laid their address before the Queen, and that Her Majesty was pleased to receive the same very graciously.

3. It is unnecessary that I should enter into the subject of the first part of the address, as you are fully aware of the negotiations now pending for the removal of commercial restrictions between the United States and Her Majesty's North American colonies.

4. With regard to the construction of the Halifax and Quebec Railway, I am compelled to state that while Her Majesty's Government are fully sensible of the value and importance of the undertaking, the same causes which have hitherto withheld them from making any application to Parliament for a grant towards it, namely, the multiplicity and urgency of the claims upon the Imperial Treasury, continue to place this out of their power. They can only hope that, notwithstanding the pressure, temporary as they trust, under which the Assembly consider the resources of the North American colonies to labour, means will be gradually found of overcoming the difficulties which at present oppose the project and attracting private capital towards its accomplishment.

I am, &c.

Sir Edmund Head, Bart. (Signed) GREY.

&c. &c.

NEW BRUNSWICK. (No. 213.) No. 5.

No. 5.

COPY of a DESPATCH from Earl GREY to Lieutenant-Governor Sir EDMUND HEAD, Bart.

Sir, Downing Street, September 20, 1850.

* Page 79. I HAVE received your despatch No. 55* of the 26th August, transmitting three memorials from the inhabitants of Westmorland, two of which are addressed to myself and the other to Lord John Russell, on the subject of the proposed Halifax and Quebec Railway.

I have forwarded to Lord John Russell the memorial addressed to his Lordship.

In answer to the two memorials addressed to myself, you will acquaint the petitioners, that for the reasons stated in my despatch No. 195, an extract from which has been already furnished to them by yourself, it is not in the power of Her Majesty's Government to apply to Parliament to guarantee the payment of interest on the capital which will be required to carry out the proposed railway.

I am, &c.

Sir Edmund Head, Bart. (Signed) GREY.
&c. &c. &c.

No. 6. (No. 248.) No. 6.

COPY of a DESPATCH from Earl GREY to Lieutenant-Governor Sir EDMUND HEAD, Bart.

SIR, Downing Street, March 14, 1851.

No. 21, April 26, 1850. No. 55, August 26, 1850. REFERRING to the despatches noted in the margin, on the subject of the proposed railroad between Halifax and Quebec, I have now the honour to transmit to you the copy of a despatch and of its inclosures, which I have addressed this day to the Governor-General of British North America.

No. 569, March 14, 1851, page 21. In the letter which has been written by my direction to Mr. Howe you will find the views entertained by Her Majesty's Government as to the mode by which it is hoped that funds may be raised for accomplishing the proposed undertaking so fully explained, that I am relieved from the necessity of making any further statement on this occasion. I have therefore only to refer you to my despatch to Lord Elgin, and the letter to Mr. Howe, as containing all the information with which I can furnish you at present on this important subject, and to direct you to place yourself without delay in communication with the Governor-General of Canada.

Pages 21, 63.

I am, &c.

Sir Edmund Head, Bart. (Signed) GREY.
&c. &c. &c.

APPENDIX.

CANADA.

(No. 2.) No. 1.

Copy of a DESPATCH from Governor-General the Earl of Elgin and Kincardine to Earl Grey.

Government House, Toronto, January 1, 1851.
(Received January 28, 1850.)

My Lord,

I HAVE the honour to forward herewith the Canada Blue Book for 1849. There has been, I regret to say, much remissness of late in the compilation of these documents. I have taken measures, however, which will, I trust, prevent your Lordship from having for the future to complain of the irregularity of their transmission.

2. The years 1848 and 1849 were years of great commercial depression in Canada, and of much consequent uneasiness and discontent. This depression was no doubt in a great measure due to causes which operated with more or less severity on almost all trading communities during the period in question. It was aggravated by the heavy losses sustained by many merchants who engaged largely in the grain trade during the famine year of 1847, and by England's abandonment of the policy adopted in 1843, which had operated as a bounty in favour of produce transported to her markets by way of the St. Lawrence. These causes combined gave for a time a serious check to trade on this route, and drove it into other channels.

3. In the latter part of 1849 an improvement had already begun to manifest itself; and I have much satisfaction in informing your Lordship that it has been steadily progressive since that period. I shall do all in my power to expedite the returns for 1850, which furnish evidences of prosperity due neither to over-trading nor to artificial arrangements, and therefore the more likely to prove permanent.

I have, &c.
(Signed) ELGIN AND KINCARDINE.

The Right Hon. the Earl Grey,
&c. &c. &c.

CANADA.

Correspondence relative to the Indian Department.

No. 1.

No. 1.

(No. 534.)

COPY of a DESPATCH from Earl GREY to Governor-General the Earl of ELGIN and KINCARDINE.

MY LORD, Downing Street, November 15, 1850.

1. IT becomes necessary for me once more to address you on the subject of the Parliamentary estimates for the Indian Department in Canada.

2. I should wish your Lordship to furnish me with a fresh return of the salaries, and of the several pensions payable from this estimate, as they may at present exist. I place every reliance on your Lordship's not failing to enforce all practicable economy in the salaries. The pensions must of course continue until the death of the holders of them; but you will report how far any may have fallen in since the last return furnished by you on the subject.

3. I should wish to receive some more particular explanation of the item amounting to so much as 1200*l.*, inserted in this estimate under the name of "Ordinary Contingencies." This charge should be divided into smaller items, more clearly described. I should also wish to be apprized more particularly of the object to which the provisions are supplied, of which the cost in the recent estimates has been stated at 373*l.*

4. As the gunpowder has already been explained in your Lordship's former report of the 31st January, 1849, to be indispensable, owing to the extent to which several of the Indians are still dependent on hunting for their subsistence, I shall merely state, that I cordially approve of the commutation which you mention to have been made in several cases, of the issue of ammunition, substituting for it a grant towards education.

5. But having made these remarks on the details of the estimate, I cannot but observe, as to the whole substance of it, that after the management of the affairs of Canada has been so entirely abandoned to the local authorities, and considering that the use of these grants to the Indians can only be to make better provision for the peace and security of the province, great reluctance must be felt in continuing this heavy annual demand on the resources of this country for such purposes. Setting aside smaller charges, the expense of salaries, presents, and contingencies in the last estimate, amounted to 13,100*l.* If I understand aright, the presents to the Indians paid from this grant may be viewed very much in the light of a bounty, partly given as a reward for past fidelity in time of war, and partly as an encouragement to the Indians to render similar services in any future emergency. Even if it could be shown that it is for the real benefit of the Indians themselves that this grant should be continued (which I greatly doubt) the charge is one for which it does not appear to me that the Imperial Parliament can be expected to provide. Your Lordship must therefore be prepared for its being immediately reduced in amount, and altogether put an end to at a very early period.

I shall lose no time, on receiving an answer to this despatch, in communicating with the Lords Commissioners of the Treasury on the mode of effecting this reduction, and the determination which may be come to shall be duly made known to your Lordship.

I am, &c.

The Right Hon. the Earl of Elgin and Kincardine, &c. &c. &c. (Signed) GREY.

No. 2.

No. 2.

(No. 13.)

COPY of a DESPATCH from Governor-General the Earl of ELGIN and KINCARDINE to EARL GREY.

Government House, Toronto, January 21, 1851.

(Received February 10, 1851.)

(Answered, No. 571, March 15, 1851, page 106.)

MY LORD,

I HAVE the honour to inclose herewith the copy of a report by my Military Secretary, Colonel Bruce, on the subject of your Lordship's despatch No. 534, of the 15th of November last, in which you call for certain information with respect to the details of the expenditure of the Parliamentary grant for the Indian Department in Canada, and

add that I must be prepared for its being immediately reduced in amount, and altogether put an end to at a very early period. Colonel Bruce undertook, at my request, the temporary discharge, without salary, of the duties of Governor's Secretary and Superintendent General of Indian Affairs, on the resignation of these offices by Major Campbell. He has devoted much attention to the details of the Indian Department; and I concur with him in thinking that the mode which he suggests for effecting a speedy reduction in the amount of the annual Parliamentary grant for this service is less objectionable than any other which has been proposed. At the same time I cannot but express my regret that it should be considered necessary to depart from the arrangement made by Lord Metcalfe in 1845, under which this charge was already in course of gradual though slow extinction.

2. The estimates sent by this mail show, as compared with former estimates, a reduction under the several heads of charge for pensions, salaries, and presents.

I have, &c.

(Signed) ELGIN AND KINCARDINE.

The Right Hon. Earl Grey,
&c. &c. &c.

Enclosure in No. 2.

Encl. in No. 2.

My Lord, Government House, Toronto, January 11, 1851.

IN obedience to your Excellency's instructions I proceed to report upon the several points adverted to in the Secretary of State's despatch No. 534 of the 15th of November last, having reference to the expenditure of the Indian Parliamentary grant, and giving notice of its probable discontinuance. I undertake this task with extreme diffidence, as, owing to my very short experience at the head of the department, and in the absence of any subordinate officer versed in its details, I feel that my opinion upon these important subjects is entitled to but little weight. I am moreover well convinced that no scheme for depriving the Indians of the gratuities they have so long enjoyed at the hands of the Imperial Government can be devised which will not create much discontent and in many instances considerable suffering among them.

2. I append the returns required by his Lordship of the salaries and pensions now payable from this estimate. Since the date of the last nominal returns furnished by your Excellency in 1849, the decrease of expenditure under these heads is but trifling. By a recent alteration in the central office, a small saving will be effected; but while officers of the department continue to discharge the duties now devolving upon them, the establishment which was placed by Lord Metcalfe on its present footing in 1845 can hardly be considered excessive. By the deaths of Madame d'Eschambault and Mrs. Mary Vement one pension of 70*l.* and another of 10*l.* per annum have fallen in during the period stated, but no vacancies have occurred among those appointments of which the emoluments derived from the grant are understood to cease at the decease or resignation of the existing incumbents.

3. With reference to the two items of the estimate respecting which his Lordship calls for more detailed information, I beg to state that the "ordinary contingencies" comprehend the hire of offices and allowance of fuel for the Visiting superintendents, the supply of stationery, the postage of the department, and a few occasional payments made under the authority of the Governor-General. The cost of freight and transport of presents is a heavy charge upon the estimate, and one over which the department exercises no control. The board and tuition of twelve Indian youths at the Christieville school in Lower Canada forms another large item; the amount of the payments is regulated by the attendance of the scholars, but the annual expense cannot be stated at much below 200*l.* The incidental charges connected with the Manitoulin establishment, although greatly reduced of late years, add also considerably to the expenditure under this head. The "provisions" estimated for in the grant are issued partly for the relief of old and destitute Indians in Lower Canada under certain regulations of long standing, and partly to the Indians when assembled to receive their presents at stations chosen for that purpose.

4. I beg to observe with regard to his Lordship's allusion in the 4th paragraph of his despatch, to the commutation made in several cases of late years of the issue of ammunition and the substitution for it of a grant towards education, that the intended application of that saving has not hitherto been carried into effect.

5. Having thus endeavoured to supply the information required by his Lordship in elucidation of the details of the estimate, I come to his general remarks on the subject of the grant which he concludes by stating that the charge is one for which it does not appear to him that the Imperial Parliament can be expected to provide, and that your Excellency must therefore be prepared for its being immediately reduced in amount and altogether put an end to at an early period. Such being the declared intention of Her Majesty's Government, it would not of course become me to discuss the merits of the contemplated reduction, or to enquire whether the charge can be met from other sources; but in compliance with your Excellency's desire I shall shortly submit my views as to the mode in which that project can be effected with the least amount of injury to the interests of the Indians.

6. As the presents form the chief item of departmental expenditure and the one, moreover, upon which most of the others are contingent, their partial or entire discontinu-

CANADA.

ance affords the only means of accomplishing a prompt or considerate reduction of the grant. It is not necessary for me to remind your Excellency that pursuant to certain recommendations submitted in the report of the Commissioners appointed by Government in 1842 to inquire into the affairs of the Indians in Canada a regulation was adopted under the authority of the Secretary of State for the Colonies prohibiting all Indian children born after the 1st January, 1846, from participating in Her Majesty's bounty. After mature consideration, and having carefully collected and sifted all the evidence they could procure on the subject, these gentlemen arrived at the conclusion that the Crown was not pledged to continue indefinitely this mark of favour to the Indians, but they urged that it would be both unjust and impolitic to deprive that unfortunate people of a resource which they had been taught to regard as permanent and as a reward for their fidelity to the British flag, without first taking steps to prepare them for the change, by teaching them to provide themselves with those necessaries for which they had heretofore depended upon the benevolence of the Government. With this view it was determined, as I have already observed, that the reduction should only apply to a future generation, leaving the existing recipients unmolested. If, however, this scheme be considered too tardy in its operation, the humane object of its authors might, I think, in some measure at least, be attained by proportioning the reduction to the circumstances of the several tribes, and withdrawing the present issues at an early period from those whose superior advantages may enable them to bear the privation with least comparative inconvenience. The inequalities of condition among them, both moral and physical, are very great, but they may be classed into three subdivisions essentially differing from each other:

1st. The Indians inhabiting the settled parts of Canada West.

2nd. The Indians of Lower Canada.

3rd. The tribes on the shores of Lakes Huron and Superior.

The former of these groups contrasts favourably with the other two, both as regards intellectual progress and material prosperity and comfort. The bands which it embraces enjoy in most cases, annuities from the Crown, granted to them in compensation for the surrender of their territorial rights, besides being the possessors of large tracts of valuable land, some of which is reserved for their occupation, and the remainder sold by Government for their behoof. Under a system of management founded on the report of the above-mentioned Commissioners, these advantages are being rapidly turned to account. Schools on the manual labour principle have also been established among them, which promise to be of essential service; and on the whole, there is much reason to hope that a few years will work a marked improvement in their condition. The Indians in Lower Canada are very differently situated; they receive no pecuniary allowance from the Government, and reside upon small properties set apart for their occupation, in a state of great destitution. I believe that steps have been recently taken by the Provincial authorities, with the view of appropriating some of the waste lands of the Crown to the use of certain of the most impoverished of these tribes; but a considerable period must elapse before they could be rendered remunerative. The Indians of the Upper Lakes again yet retain many of the characteristics and customs of their race. Until the present year their title to the vast regions which they frequent had not been extinguished, and they still continue to rely chiefly on the chase for the means of subsistence, having made very little advance in civilization or industrial pursuits, except at the Government settlement on the Island of Manitoulin. In virtue of the Treaty just concluded between them and the Provincial Government, they have become entitled to small annual payments, besides reserving some tracts of land which may perhaps eventually acquire considerable value. Under all these circumstances, it appears to me just and reasonable that the contemplated reduction should bear more heavily in the first instance upon that class of Indians to whom the favour and protection of the Government has been extended in a greater degree than to their less fortunate brethren, and who are therefore less dependent upon eleemosynary aid. If, for example, it were determined that the grant should be gradually diminished till 1858, and to cease altogether at that date, a yearly deduction of one-fourth might be made upon the presents of the civilized Indians of Upper Canada, and of one-fifth upon those of the other tribes, to commence in 1852 and 1853 respectively. I subjoin a table exhibiting the number of Indians who received presents in 1849, from the returns of the Distributing Officers. The returns for 1850 have not yet been received, but they will differ little from those of the former year, as the anticipated negotiations between the Provincial Government and the Indians of the Upper Lakes, caused an unusually large attendance at Manitoulin, which more than counterbalanced the decrease at the other stations.

	Number.
For settled Indians in Upper Canada	6,202
Indians of North-West Lakes	2,193
Indians of Lower Canada	3,442
	11,837

From this statement it will be seen, that the total number of recipients was 11,837. Under the system of reduction which I have ventured to suggest, 6,202, or more than one-half of these would annually forfeit one-fourth of their proportion of the presents until 1855, when they would cease to participate in the grant, and the share of the remaining 5,635

would at the same date be diminished by three-fifths. And in order to make this arrangement more palatable to the former, and as an acknowledgment of their superiority, I should recommend in their case a substitution of money for goods; a measure which would relieve the Government of the expenses connected with the carriage and distribution of presents, and under proper restrictions would in my opinion be for the advantage of those Indians themselves. They have already become accustomed to have a voice in the application of their funds; they have very generally discarded their distinctive costume, and adopted the fashion of their white neighbours, and residing in the midst of populous districts, they can procure without difficulty such articles as they may require. In these respects they differ entirely from the North-West, and partially from the Lower Canadian Indians, with either of whom it is doubtful whether the same experiment could be safely attempted: were they intrusted with money, in lieu of those necessaries with which they have hitherto been supplied, it would in all probability fall into the hands of rapacious and unscrupulous traders, or be wasted upon unprofitable and hurtful objects. Nor do I feel satisfied that the disbursement of the amounts in question, if left to the discretion of the superintendent officers, would be so advantageous or economical as under the existing system. Further consideration and experience may lead to the conclusion that the proposed commutation should be adopted universally; but for the above and other reasons I am disposed to recommend that in the first instance it should only apply to the tribes whose participation in the grant is to cease at the earlier period, and that the reduction in the allowance of the other Indians should be effected by gradually decreasing the authorized scale of equipment of present goods.

7. In the foregoing remarks I have confined myself to a mere outline of the method in which I would propose to carry out his Lordship's instructions, not thinking it expedient to enter into more elaborate details until I had submitted my general views on the subject to your Excellency. Neither have I alluded to certain points which have an indirect but very material bearing upon the matter in hand. For instance, the Lower Canadian Indians have in my opinion a strong equitable claim upon the Provincial Legislature for that measure of compensation for their lands which has been accorded to the Indians of Upper Canada, and I feel confident that an appeal to the justice and humanity of that body would not be made in vain. The assumption by the New England Company of the charge for the support of those clergymen at present maintained by Government at sundry settlements of Church of England Indians, instead of confining their benevolent expenditure to one spot, which has been already suggested by your Excellency to the Secretary of State, would relieve the grant of this temporary burden and, by providing permanent religious instruction for the Indians, would be greatly conducive to their interests. The other Indian communities support their own schools, and it is not unreasonable to expect that the Six Nation Indians, who are the wealthiest of all, should follow their example. On these and other suggestions I forbear at present to dwell; but before closing these remarks I would venture to express my hope that your Excellency will represent to the Secretary of State for the Colonies the injurious consequences to which a hasty withdrawal of this grant will inevitably lead. I do not here refer to the hardships and privations to which the more destitute of the Indians would be exposed, but to the check which would be given to the moral and intellectual progress of the race. England has above all other nations pursued a liberal and considerate course of policy towards them; she has permitted them to reside within her settled territories, and has lavished vast sums for their improvement, although unfortunately to little purpose. It is only of late years that a faithful and enlightened system has been introduced into the management of their affairs; that efficient schools have been established among them, and that they have begun to comprehend their duties and rights as members of a civilised community. I greatly fear that this improvement will be perilled and a distrust of Government, highly detrimental to its progress, engendered by the irritation which any precipitate step in that direction would naturally occasion. The expenditure of the Department has already been considerably diminished, and I sincerely trust that any further measures of reduction may be of a prudent and gradual character.

I have &c.
(Signed) R. BRUCE,
Acting Superintendent General of Indian Affairs.

The Right Hon. the Earl of Elgin and Kincardine,
&c. &c. &c.

List of Officers in the Indian Department, Canada.

Name.	Rank.	Currency.	Sterling.
		£ s. d.	£ s. d.
The Governor-General's Secretary	Superintendent-General Indian affairs ..		
Solomon Y. Chesley	Accountant	120 0 0	..
	Chief Clerk	200 0 0	..
Duncan C. Napier	Visiting Superintendent. Canada East .	350 0 0	..
Joseph B. Clench	Ditto. Canada West	350 0 0	..
Thos. G. Anderson	Ditto. Ditto.	350 0 0	..
Geo. Ironsides	Resident Superintend. Manitoulin Isl.	250 0 0	..
Ignace Giasson	Interpreter. Canada East	100 0 0	..
F. Assekinack	Ditto. Canada West	100 0 0	..
Robert Keyes	Ditto. Canada West	100 0 0	..
Rev. A. Jamieson	Missionary. Walpole Island ..	100 0 0	..
Rev. Rich. Flood	Ditto. Caradoc	100 0 0	..
Rev. Saltern Givens	Ditto. Tyendinaga	..	30 0 0
Rev. F. B. Ellscamp	Ditto. Restigouche	..	69 12 2
Rev. F. Boucher	Ditto. Lorette	..	46 8 6
Rev. F. Marcout	Ditto, Caughnawaga	..	46 8 6
Rev. F. X. Marcout	Ditto. St. Regis	..	41 15 8
Vincent Ferrier . ..	Schoolmaster. Lorette	..	18 11 5
Charles Forrest	Ditto. Christieville	..	24 0 0
Rev. T. Marault	Missionary. St. Francis	..	46 18 6
MANITOULIN ISLAND ESTABLISHMENT.			
David Layton	Surgeon	..	150 0 0
Rev. F. O'Meara	Missionary	..	200 0 0
J. Bailey*	Schoolmaster	..	75 0 0
J. Temessaing	Ditto	..	50 0 0
		2120 0 0	798 14 9
		Is sterling	1737 14 0
			2536 8 9

* Mr. Bailey is appointed temporarily at a salary reduced from 75*l.* to 50*l.* per annum.

Indian Department Pension List, 1851.

Canada West.		Length of Service.	Date of Pension.	£	s.	d.
		Yrs. M. D.				
Mrs. Elliott	Widow of Col. Elliott ..	..	July 14, 1814	74	6	0
Wm. Solomon	Retired Interpreter ..	32 0 0	„ 1, „	52	10	0
T. Assekinack	Ditto	31 0 0	„ 1, „	15	0	0
Jas. Jamieson*	Wounded Indian ..	..	..	15	3	4
Canada East.						
James Hughes	Retired Superintendent .	15 9 18	„ 1, „	100	0	0
Dominique Ducharme ..	Retired Interpreter ..	31 11 4	„ 1, „	88	0	0
Jos. de Neverville. ..	Ditto	24 1 6	Oct. 1, 1837	55	0	0
Gervase Macomber ..	Ditto	11 10 8	„ 1, „	36	0	0
Ignace Portneuf	Wounded Chief . ..	..	July 26, 1813	21	13	4
Pierre N ..	Wounded Warrior ..	..	„ 26, „	15	13	4
				473	6	0

* Jas. Jamieson was omitted in last return, but has enjoyed a pension for many years.

No. 3.

(No. 15.)

Copy of a DESPATCH from Governor-General the Earl of Elgin and Kincardine to Earl Grey.

Government House, Toronto, January 21, 1851.

(Received February 10, 1851.)

(Answered March 15, 1851, No. 571, page 106.)

My Lord,

I HAVE the honour to transmit herewith the annual Estimate of the probable expenses of the Indian Department in Canada, from the 1st of April, 1851, to the 31st of March, 1852. As compared with that of last year, it exhibits a reduction of 65*l.* 11*s.* 3*d.* in salaries, 309*l.* 10*s.* in presents to Indians, and 80*l.* in pensions to retired officers and widows. On the other hand it includes a pension of 15*l.* 3*s.* 4*d.* to a wounded Indian, which had been by some oversight omitted in former Estimates.

I have, &c.

(Signed) Elgin and Kincardine.

The Right Hon. Earl Grey,
&c. &c. &c.

Inclosure in No. 3.

Government House, Indian Department.

Estimate of the expenses of the Indian Department, from April 1, 1851, to March 31, 1852.

	£	s.	d.
Salaries	2,536	8	9
Presents	9,000	0	0
Pensions to retired officers and widows	420	16	0
Wounded Indians	52	10	0
Ordinary contingencies	1,200	0	0
Provisions	373	0	0
Gunpowder	78	2	0
	£13,660	16	9

CANADA

No. 4.

(No. 571.)

COPY of a DESPATCH from Earl GREY to Governor-General the Earl of ELGIN AND KINCARDINE.

My Lord, Downing Street, March 15, 1851.

* Page 100.
† Page 105.

1. I HAVE had under my consideration your Lordship's despatches Nos. 13 * and 15,† both dated the 21st January last, respecting the Indian Department in Canada, and I have communicated on the subject with the Lords Commissioners of the Treasury.

2. I have to convey to you my approval of the clear and satisfactory manner in which Colonel Bruce has furnished the information required of him respecting the concerns of the department of which he has taken temporary charge without remuneration.

3. I should be truly unwilling to find myself called upon to announce to you any measure which could conflict with any just claims on the part of the Indians, or interfere with the prospects of their civilization; but on careful consideration I do not perceive any such consequence is likely to follow from the gradual extinction of the vote for the Indian department. The Indians are entitled to certain compensation for their lands, but this appears to be made to them from provincial and not Imperial funds, nor could it be denied that the former is the proper source from which to derive a payment for this object. Again, schools for the education of the Indians are institutions which are doubtless very deserving of encouragement; but it appears that, so far as they exist, they support themselves or subsist on local aid, and derive no benefit from the English vote. Whatever may have been the intentions formed at different times on this subject, the report now before me shows that the money granted by Great Britain continues to be expended as heretofore in supplying the Indians with dress and ornaments, and with instruments of the chase, and that none of it goes to their instruction, or to raise them in the scale of civilization.

4. I am aware that in the present condition of many of the more distant Indians, the possession of guns and ammunition may be indispensable to the pursuits by which they are accustomed to gain a subsistence; but then the quantity which is furnished by means of the Parliamentary grant must be much smaller than that which they require, and it must be presumed that their supplies are now chiefly drawn from some other source. It appears to me, therefore, that the only real benefit which can be derived from the distribution of presents must be the annual meeting which it causes of numerous Indians, and any opportunity which this may afford of keeping up feelings of good-will on their part; but much as I may regret depriving them of any gratification which they may derive from these periodical assemblages, I cannot feel that the object is one which would justify Her Majesty's Government in indefinitely renewing the application to Parliament to make a large grant for the purpose out of the revenues of this country. I have therefore to instruct you that after the present year the presents to the different classes of Indians specified by Colonel Bruce must be progressively diminished until the whole shall have ceased in the year 1858; and it will be necessary that the estimates be curtailed accordingly, and transmitted from Canada to this country by the end of each calendar year.

5. You will sufficiently have gathered from previous parts of this despatch my opinion that the continuance of the existing system of presents is not really favourable to the civilization of the Indians, and I have merely to add the expression of my confidence that, in so far any assistance is either due to them as compensation for lands, or demanded by a humane interest in their improvement, the Provincial Parliament will never be insensible to the claims which the former occupants of the Canadian territory have upon the consideration of the great and flourishing European community by which it is now inhabited.

I am, &c.
(Signed) GREY.

The Right Hon. the Earl of Elgin and Kincardine,
&c. &c. &c.

No. 2.

CANADA.

AN ACT to provide for affording the guarantee of the Province to the Bonds of Railway Companies on certain conditions, and for rendering assistance in the construction in the Halifax and Quebec Railway.

(May 30, 1849.)

Preamble.

WHEREAS at the present day the means of rapid and easy communication by railway, between the chief centres of population and trade in any country and the remote parts thereof, are become not merely advantageous but essential to its advancement and prosperity; and whereas experience has shown that whatever be the case in long-settled, populous, and wealthy countries, in those which are new and thinly peopled, and in which capital is scarce, the assistance of Government is necessary, and may be safely afforded to the construction of lines of railway of considerable extent: and that such assistance is best given by extending to companies engaged in constructing railways of a certain length, under charter from and consequently with the approval of the Legislature, the benefit of the guarantee of the Government, under proper conditions and restrictions, for loans raised by such companies to enable them to complete their work: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled "An Act to re-unite the Provinces of "Upper and Lower Canada, and for the government of Canada," and it is hereby enacted by the authority of the same, that it shall be lawful for the Governor in Council on behalf of this province, to guarantee the interest on loans to be raised by any company chartered by the Legislature of this province, for the construction of a line of railway not less than seventy-five miles in extent within this province, on condition that the rate of interest guaranteed shall not exceed six per cent. per annum; that the sum on which interest shall be so guaranteed shall not be greater than that expended by the company before the guarantee is given, and shall be sufficient to complete their road in a fitting manner, and to the satisfaction of the Commissioners of Public Works; provided always, that no such guarantee be given to any company until one-half of the entire line of road shall have been completed, that the payment of the interest guaranteed by the province shall be the first charge upon the tolls and profits of the company, and that no dividend shall be declared so long as any part of the said interest remains unpaid; that so long as any part of the principal on which interest is guaranteed by the province remains unpaid, no dividend shall be paid to the stockholders until a sum equal to three per cent. on the amount so remaining unpaid shall have been set aside from the surplus profits of such railroad, and paid over to the receiver-general, under the provisions hereinafter contained, as a sinking fund for the redemption of the debt on which interest is guaranteed as aforesaid; and that the province shall have the first hypothetic, mortgage, and lien upon the road, tolls, and property of the company for any sum paid or guaranteed by the province, excepting always the hypothec, mortgage, or lien of holders of bonds or other securities on which interest is guaranteed by the province for the interest so guaranteed, and the principal on which it shall accrue.

Guarantee of the Province may be granted to loans raised by Railway Companies on certain conditions.

First hypothec and privilege in favour of the Province.

II. And be it enacted, That each railway company deriving any aid or advantage under this Act, shall make up and render to the Inspector-General of Public Accounts in this province, each half-year, a true account in writing of the affairs of such company, in such form and with such particulars as the said inspector-general shall from time to time require, which said accounts shall be signed by the President and the Directors of the said Company, or a quorum of that body, and shall be sworn to by the parties signing the same, before one of the judges of the superior courts of common law jurisdiction in Upper Canada, or one of the judges of the court of superior civil jurisdiction in Lower Canada, and the said company, or the proper officer thereof, shall, within ten days after the rendering of such account, pay over such amount as may be payable under the provisions of this Act to the receiver-general of this province.

Railway Companies receiving such guarantee to render half-yearly accounts to the Inspector-General, attested an oath.

III. And be it enacted, that the sum or sums of money hereinbefore provided to be taken from the surplus profits of any railroad as a sinking fund, shall be invested by the inspector-general of this province in such securities of this province as may be approved by the Governor in Council: Provided always, that it shall be lawful for the directors of any such company to make such bye-laws as may be requisite to prevent the provision of this Act in respect of such sinking fund from bearing unequally upon any class of stockholders.

Sinking Fund monies, how to be invested.

Proviso.

IV. And be it enacted, that, provided the conditions mentioned in the foregoing section be observed, it is expedient that such guarantee be afforded under such further terms and conditions as may be deemed necessary by the Governor in Council, and agreed to by the company applying for such guarantee; it being clearly understood that no enactments which the Legislature may thereafter make, to ensure the observance of such terms and conditions, or to give effect to the privileged claim and lien of the province upon the road, tolls, and property of the company, or to secure the province from loss by such guarantee, shall be deemed an infringement of the rights of the company.

Further conditions may be agreed upon by the Governor in Council and the Company.

CANADA.

Recital.

V. And whereas the proposed railway between Halifax and Quebec will be a great national work, lining together the several portions of the British Empire on the Continent of North America, and facilitating the adoption of an extensive, wholesome, and effective system of emigration and colonization, and it is right that Canada should render such assistance as her means will admit of towards the accomplishment of a work so important and promising results so beneficial: Be it therefore enacted, that if Her Majesty's Government shall undertake the construction of the said railway, either directly or through the instrumentality of a private company, it shall be lawful for the Governor in Council, on behalf of this province, to undertake to pay yearly, in proportion as the work advances, a sum not exceeding twenty thousand pounds sterling, towards making good the deficiency (if any) in the income from the railway, to meet the interest of the sum expended upon it, and to place at the disposal of the Imperial Government all the ungranted lands within the province lying on the line of the railway, to the extent of ten miles on each side thereof, and to undertake to obtain, pay for, and place at the disposal of the Imperial Government, all the land required within the province for the line of railway, and for proper stations and termini.

Aid to the Quebec and Halifax Railway.

Under what provisions lands may be taken for the Quebec and Halifax Railway. 9 Vict., c. 37.

VI. And be it enacted, that any lands to be taken under the provisions of the next preceding section, for the purposes therein mentioned, shall be deemed to be land required for public provincial works, and may be taken by the Commissioner of Public Works under the provisions of the Act passed in the ninth year of Her Majesty's reign, and intituled "An Act to amend the Law constituting the Board of Works," and of any Act amending the same.

As to monies advanced under this Act.

VII. And be it enacted, that any monies which shall be payable on behalf of the province under any of the provisions of this Act, may be paid out of any unappropriated monies forming part of the Consolidated Revenue Fund; and that all monies due by any company as having been paid for them under any guarantee given under this Act, shall be deemed monies due by such company to Her Majesty, payable according to the provisions of this Act, and the conditions agreed upon by the Governor in Council and such company.

NOVA SCOTIA.

NOVA SCOTIA.

No. 3.

No. 3.

Report of Mr. Commissioner Young on the Proposed Railway.

Genera Report, giving a practical view of the whole project, of the probable Cost and Returns, the Statistics of Railway Rates of Transit for Passengers and Freight, and suggesting the best means by which the Work may be completed. By the Hon. G. R. Young, Commissioner for Nova Scotia.

THE Report lately returned by Major Robinson, R.E., to Her Majesty's Government, detailing the survey of a practical line, and giving an estimate of cost, and the despatch of Earl Grey, dated the 17th November last, addressed to his Excellency Sir John Harvey, suspending the action of the Imperial Government until the Legislatures of the three provinces have passed upon it, place this project in an entirely new phase, and reduce it to a question of calculation and finance.

The inquiries now are—Is it to be prosecuted or abandoned? Can the requisite means be raised to complete it, and in what way?—and, the main and material inquiry here—Ought the Legislature of Nova Scotia to pledge the revenues of the country to the extent required?

Before proceeding to the details by which these inquiries are to be solved, it may be judicious to state certain preliminary points upon which no difference of opinion is likely to arise.

First. Of the four lines referred to in the Report No. 2, called "The Halifax and Eastern or Bay Chaleurs Route, through New Brunswick to Quebec," may be adopted as the best. It seems to be the easiest line—it possesses the most extensive and profitable field for colonization—it is most distant from the American territory, and will collect the largest amount of returns. The grounds upon which it is recommended appear, therefore, to be ample and conclusive.

Second. It will not be contested that the railway ought to be built upon the most approved model, to combine at once strength and durability. Although its centre will pass, for at least three hundred miles, through a new and unsettled country, it must be constructed with a view to meet the requisites of the two termini—to provide at once for the transit of heavy freights, and to afford the comfort and speed, if not elegance, which passengers travelling, whether for business or pleasure, between the Old and New World,

will require. An inferior and cheaper line would defeat the ends in view, and be, therefore, an unwise and injudicious saving.

Third. It may be expedient here to touch, although not to pass decisively upon, two prominent questions suggested by the report: first, the height at which the rails should be laid, to prevent impediment from the snows; and, second, the width of the gauge.

As to the first of these, the evidence is most satisfactory and complete, that snow will not impede the working of the railroad. The elevation of the rails above the surface—the erection of snow-fences to guard against heavy drifts—and the use of the snow-plough, have been found, in the Great Northern Railroad in Great Britain, and on the railways both in the United States and in Russia, effective in keeping the rails free. The fears very generally entertained on this subject, when the project was first mooted, are now dissipated. On the line from Montreal to St. Hyacinthe, being part of the St. Lawrence and Atlantic Railway, the rails have been elevated above the surface to the height of from four to five feet: the height at which they ought to be placed on the great trunk line will depend, of course, upon the nature of the ground—the inequalities of its surface, and upon the results of experiments still trying out both in Canada and the United States.

As to the gauge, the report states, "That as no railways have as yet been built in that part of British North America through which the line is intended to be run, the question of the gauge is clear and open." An intermediate gauge, however, has been recommended, and the width, five feet six inches, is stated as that "probably most suitable, combining the greatest amount of practical utility with the least amount of increased expense."

No single point in railway science has been more warmly discussed, or produced a greater variety* of opinions among scientific men. A break of railway entails all the inconvenience of crossing a ferry—change of freights and passengers from one set of carriages to another, loss of baggage, annoyance and delay. The question has been referred to the consideration of the Committee of the House of Commons; voluminous reports have been published; and, at last, the Imperial Parliament interfered, and passed an Act to introduce uniformity. By the 9th and 10th Vict. it is enacted, "That five feet three inches shall be the gauge for Ireland, and that all lines in England, south of the Great Western Railway from London to Bristol, shall be of the gauge of seven feet; and those north of this line, except certain undefined lines connected with the Great Western, shall be of the gauge of four feet eight and a half inches."

There are many reasons for establishing that the intermediate gauge is the best adapted for the colonies; and although the question may be left open, the fact that the Directors of the St. Lawrence and Atlantic Railway, and of the Great Western Railway of Canada West, have both adopted the gauge of five feet six inches, ought to have material bearing. How far west this line will yet penetrate—whether it is yet destined to cross the St. Lawrence, and to circulate the northern edge of Lake Ontario, is a problem for the future. In laying, however, this Atlantic basis of a great trunk, uniformity of gauge, from one end of the provinces to the other, ought to be kept steadily in view.

In the Report the estimate of cost is thus given:—

	£
Total distance, Halifax to Quebec, 635 miles, at 7000*l.* sterling per mile ..	4,445,000
Add 1-10th for contingencies	444,500
Total	4,889,500

In round numbers, 5,000,000. Estimate for each province according to distance:—

	£	£
124 miles in Nova Scotia, at 7000*l.* per mile	868,000	
Add 1-10th as above	86,000	
		954,800
243 miles in New Brunswick	1,638,000	
Add 1-10th as above	163,800	
		1,801,800
277 miles in Canada	1,939,000	
Add 1-10th as above	193,900	
		2,132,900
Total		4,889,500

* In his evidence before a Committee of the House of Commons, Mr. Wyndham Harding said (Nov. 6, 1846):—"Among the peculiar advantages of railways is punctuality as well as dispatch: whereas, where you have a break of gauge it is quite impossible to ensure punctuality. Taking a passenger out of one carriage, moving him with all his articles of luggage, and all that accompanies him, into another carriage, gives rise to delay; but when horses and carriages accompany passengers, that increases the delay. I have seen two or three hours occupied in getting a restive horse into a train (trunk). With regard to merchandize, you stop your train, you take it to pieces and damage it, to unpack and repack them in bulks of a different size, to take an inventory of the whole as you pass them over. This costs a great deal of money and time. The goods are continually injured, wrongly invoiced and misdirected; it must always be so when work is done in a hurry." Mr. Chaplin, the great forwarder, stated, "that a break of gauge necessarily involves transshipment and that this involves loss by misdirection and pilferage, as well as a detention of hours and days, and an actual money tax of from 1*s.* 6*d.* to 3*s.* 6*d.* sterling per ton."

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Looking at the table of gradients, as returned by Captain Henderson, R.E., it will be obvious that, in proportion to distance, these are higher and more difficult in our own province than in Canada and New Brunswick. The results in the table are thus stated:—

Heights of Gradients.	Canada.	New Brunswick.	Nova Scotia.
Feet.	Miles.	Miles.	Miles.
50 to 40	5	8	10
50 to 60	8	4	7
60 to 70	None.	None.	4
Total	13	12	21

In Report, page 17, it is said: "In Nova Scotia the passage over the Cobequid Hills cannot be effected without heavy grades of 1 in 79 and in 85; but as these occur, the one in ascending, and the other immediately descending, and only for 10 miles, the inconvenience can be easily got over by affording an assistant agent for the goods train at that part." The effect of these gradients is to increase the cost of construction and tariff of working expense, and will of course swell the relative proportions of both against the province.

It is an ascertained fact, says Colonel Simpson, in his Preliminary Report, page 2, that an inclination of a railway rising only 15 feet in a mile, an inclination not distinguishable from a level without the aid of levelling instruments, would double the resistance of a railway. An engine of 20 tons, capable of drawing a train of cars carrying 800 tons on a level, would carry, in an ascent of 15 feet in a mile, only 400 tons, and were that ascent to increase to 60 feet, only 220 tons. To overcome the difficulties occasioned by the heavy gradients on this line, it is suggested in the Report, page 26, that an extra engine should be provided for the distance of 25 miles.

The estimate of 7,000*l.* sterling (8,750*l.* currency) per mile, based upon the experience of Massachusetts, may be regarded as sufficiently large to cover all contingencies. It might be stated at a lower sum. The cost of 369 miles of railway in the State of New York, as ascertained by an official return on the 1st January 1847, was equal to 6,252*l.* currency, or 25,008 dollars per mile. Most of these had only the plate rail, but the iron rail was then laying on some of them, at the cost of 10,000 dollars per mile. This would increase the cost there to 35,008 dollars per mile. In Colonel Simpson's Report, p. 7, an estimate is given of six of the least expensive roads laid in the United States, being 158 miles, at 2,065,852 dollars, equal to 13,156 dollars per mile; and at the same page he states that the Champlain and St. Lawrence Railroad, 15 miles, cost 212,000 dollars, equal to 14,140 dollars per mile. The estimate for the Great Western Railway of Canada West was, for the

Eastern division,	42,10, 23,682 dolls.,	or 5,920*l.*	currency, per mile.
Central „	75,84, 27,067 „	6,767*l.*	„
Western „	109,95, 16,875 „	3,969*l.*	„

In the Report of a survey and estimate for building a railroad from Waterville to Bangor in the State of Maine, dated 1st May, 1848, the expense of grading and superstructure, with iron rails, for the distance of 54¼ miles, is stated at 16,709 dollars, or 4,186 currency per mile; the estimate for running furniture, engines, cars, snow-ploughs, &c., at 73,700 dollars for the whole length, equal to about 1380 dollars per mile, making the entire cost of this line only 4,522*l.* 5*s.*, a little more than one-half of the estimate contained in the report. The estimate for the line from Portland to Kennebec (measuring 38 miles) was 6,400*l.* per mile; from Concord to Haverhill, New Hampshire, 25,809 dollars per mile. Considering the large outlays required in New York and Massachusetts for land damages, and the sums paid for stations, depôts, the additional cost of labour and materials there, the tariff upon iron, which, according to an estimate made by Mr. Stuart, in his Report on the Great Western line for Canada West, 1st September, 1847, p. 12, and in the report is calculated at 500*l.* per mile, and the larger experience now acquired, this estimate of 8,750*l.* per mile will be rather above than below the mark.

A point here worthy of due consideration is, whether it ought to be undertaken as a public work, or whether such adequate security and encouragement ought to be afforded as to induce capitalists to embark in it. Both modes are suggested in Earl Grey's despatch.

The former is no doubt the preferable course. In the first place, it is thought that no company will be organized for the purpose, unless interest on the capital be secured by the Imperial Government for a certain number of years. The risk must therefore be assumed by the Colonial Legislatures. In such case they ought to retain the management and control. But there are other equally cogent reasons: as the funds must come from

abroad, to incorporate a company would be to create a monopoly, held by absent proprietors, over whom the Legislature could ensure no effective check or control.

In the United States many of these works have been prosecuted mainly with the view of advancing the indirect efforts, the changes they produce in the channels of trade, and the increase they give to the value of real estate. In the adjustment and reduction of their tariffs, these objects are kept steadily in view. If a company were formed in London, or elsewhere, it is obvious that no such policy would govern them.

The next inquiry is, ought the Imperial Government and the Provincial Legislatures to undertake it as a joint work; or should the colonies build and work the line each within the limits of its own territory?

If the statistical tables kept from the 1st July to the 1st January last in Canada and Nova Scotia, should establish the fact that the line from Halifax to Amherst (124 miles), and from Quebec to River du Loup (110 miles), will, as soon as completed, pay the working expenses and interest upon capital, these two provinces might gain by a severance of interest, and by confining their responsibilities to the charge of the line each within its own territory. Nova Scotia would gain even more than Canada by the adoption of the principle; but as it is put forward as a great inter-colonial project, as the Government is expected to aid it as such, as the gradients in Nova Scotia are the most difficult, and as both Canada and New Brunswick are required to furnish larger quotas of Crown lands, which this province has not now in reserve, the fairest and simplest mode will be to treat it as a general undertaking, and to build and conduct it without reference to territorial distinctions.

The fact that both of these sections are expected to remunerate will of course diminish the responsibility on the whole; so far as regards them, however, all that is required will be payment of the interest until they are completed. With this project they are sites where operations ought to be first begun.

The more unproductive portions of the line will then lay thus:—

In Canada	277 miles.	
Off from Quebec to River du Loup .	110 „	
		167 miles.
In New Brunswick	233 „	
	400 „	

In addition to the 5,000,000*l.*, New Brunswick may stipulate for aid to enable her to complete the branch of which a survey has been made last season, running from the bend of the Peticodiac to the city of St. John, and onwards to the United States. In this branch Nova Scotia has an immediate and equal interest, and, whenever completed, it will, from her territorial position, give the railroad in this province two sources of revenue. Her separate interests in this ought to be protected in any agreement now made.

It is proposed in the report, that the 5,000,000*l.* required should be raised by a loan of 3,000,000*l.* upon the credit of the provincial revenues, and under an Imperial guarantee; and that the residue should be drawn out of 2,000,000 of acres of the wild land lying along the line, to be reserved and sold from time to time for the exclusive benefit of the work. And further, "that, upon the reserved lands, and the loan as a basis, notes should be issued in payment of wages and salaries," receivable for customs and excise duties, and made payable at the different ports of emigration in the United Kingdom. "The amount," adds the Report, "to be issued might be limited to the extent of acres, and as these were sold, an equal amount of the notes should be cancelled."

First, as regards the sales of land, it cannot be calculated with certainty that they will yield so large a sum and at such an advance in price.

In Nova Scotia the upset price of Crown lands is 1*s.* 9*d.* per acre; a Bill has here passed the Legislature reducing the price to 1*s.* 3*d.* per acre. In New Brunswick the price has varied from 2*s.* 6*d.* to 3*s.* per acre; and in Canada, so far from their being held as a source of revenue, during the last year large tracts have been laid off by survey, public roads formed to intersect them, and gratuitous grants offered, on condition of their being settled, and a certain proportion cultivated within a limited period. It is a calculation too sanguine to rest upon, that these lands, now selling at 2*s.* 6*d.* or 3*s.* an acre, would ascend so rapidly in value, and be realized at 20*s.* sterling, or 25*s.* currency, per acre.

In the United States the upset price of the public lands is limited to 7*s.* 6*d.* per acre. By the last report of the Commissioners, submitted to Congress at the session of 1847, the quantity of land sold in the States of Ohio, Indiana, Illinois, Missouri, Alabama, Mississippi, Louisana, Michigan, Arkansas, Wisconsin, Iowa, and Florida, up to the 1st January, 1848, was 94,749,271 acres, and the money received, therefore, was 130,851,448 dollars, the average price being 1 dollar 38 cents per acre. In a second report, dated November 30, 1847, and submitted to Congress by the Secretary of the Treasury, it is stated that during the year 1846, 2,263,730 acres were sold, amounting to 2,904,637 dollars; and in the first, second, and third quarters of the year (1847) 1,839,024 acres have been sold, producing 2,366,352 dollars. The average produce, it will thus be seen, of the sales for 1847 was equal to 1 dollar 40 cents per acre. Speaking from memory, the average sales of the Canada Land Company did not exceed 12*s.*; and those of the British North American Land Company not over 6*s.* for 1847.

Although doubtful of the success of this part of the scheme, the Crown lands, I still

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incline to think, may be made to yield the sum required. The three provinces will not hesitate to name a larger quantity, provided it will insure the completion of the work. Wild lands are comparatively valueless in themselves; they become valuable by being settled, by the growth of villages and towns. The railway will amply repay the appropriation required, by increasing population, and adding to the marketable value of the residue.

They will unquestionably be made available to a large extent by voluntary sales, by inducing the contractors and workmen to accept part of their payment in lands: but the preferable and more certain mode would be to lay off the best tracts, to dispose of them to some of those companies in Great Britain now organizing for the purpose of promoting systematic emigration, or to guarantee them to the Imperial Government as a suitable field for a great scheme of national colonization. In this way the two millions might be obtained.

The agitation of late years in the mother-country indicates clearly that the public mind is preparing for some vigorous movement of this kind. Mr. Godley's letter to Lord John Russell, 1st March, 1847; Lord Lincoln's speech in the Commons; Lord Monteagle's report to the House of Lords, with the mass of startling and prophetic evidence attached to it; the publication of the Colonial Circular, under official authority: the formation of no less than three societies in London during the last year; Captain Lewis' letter to Earl Fitzwilliam, and the tone of the British press, are the visible symbols of that outward pressure which ever precedes the action of the Government. The famine of 1847, which produced such fearful effects in the Highlands of Scotland and in Ireland, requiring the immense sum of 14,000,000*l.* in public and private contributions to alleviate its misery, and at one time throwing the support of 3,500,000 of a starved and dying population upon property, have produced "a crisis," which will induce measures to secure relief against the recurrence of a similar calamity, and guard, in fact, against the impending dangers of such an over-crowded and surplus mass.

The remedial measures passed for Ireland in the session of 1847, founded upon the apopthegm that "property has its duties as well as its rights;" telling the landlords "that a surplus population upon an estate, like barrenness, or the absence of improvements, is one of those disadvantages contingent upon its possession, against which they are bound to provide relief;" that they must either increase the produce of their lands and improve the the habits of their tenantry, or support them by poor-rates; making them, in fact, a tax upon rent-roll or income, will induce them, like the landlords in England and Scotland, to turn to this new field for emigration, with an eager desire to avail themselves of its advantages.

Great Britain has now no field for her surplus millions, comparable to that afforded by the Crown lands of these lower colonies. In the United States, there is a feeling daily expanding hostile to the admission of foreign emigrants to the rights of citizenship; Hunterian Societies are on the increase; some pamphlets full of prophecy and threatened danger to their institutions have been published in 1848. It has been proposed that a residence of years should be required before the emigrant is admitted to a full enjoyment of constitutional rights, and new guards have been introduced by recent Acts passed in New York and Massachusetts. In Boston the local authorities may now demand from the captain of an emigrant ship a bond of 1000 dollars to insure that the emigrant should not become chargeable upon the State for a period of ten years; and in New York a bond of 300 dollars may be enforced to guard there against the same risks. The redundant population of the Atlantic cities; the high price of unsettled lands in the Northern States; the long distance inland to be travelled before a suitable location can be had, and the feeling of antipathy alluded to, render the United States less available now than formerly, as a receptacle for British emigrants.

The Cape again has no attractions to Europeans. The convict colonies have reached a frightful state of demoralization. The cost of conveying an adult to Australia, as stated by Earl Grey in his speech, August 10th last, before the House of Lords, amounts to 20*l.* sterling; the upset price of lands there, as settled in 1843, and confirmed by a recent despatch, is 20*s.* sterling per acre. To convey a man and his wife, and three children, equal to three adults, to Australia, would cost 60*l.* sterling; and 50 acres of land, 50*l.* additional. To land the same family in a port in British America, would cost 12*l.* to 15*l.* currency; and if the emigrant be a man of good character and steady habits, a suitable cation of 50 acres would be conceded by a gratuitous grant.

To secure the successful and practical working of a national scheme, the railroad would be an invaluable auxiliary; it will provide employment and food to the emigrant while he is "waging his war upon the wilderness," raising his log hut and preparing his first crop.

These views are thoroughly understood by the Ministry and other statesmen in Parliament. They are referred to in Lord Lincoln's speech; they have been propagated by Lord Stanley; and Earl Grey has said:—"I am opinion that the mode in which colonization may, with most prospect of success, be promoted, is by the application of any money which may hereafter be granted or advanced by Parliament for this purpose, in opening land for settlement, by making such improvements as I have described, or by constructing public works of a more important character, such as railways and canals."

Neither need it be apprehended that, with this influx of population, the colonies will be overrun by an inundation of paupers. The new Passenger Act, passed last session of

the Imperial Parliament; the liberal grant of 130,000*l.* sterling voted to compensate Canada and New Brunswick for the extra expenditures to which they had been subjected by the emigrant fever of 1847; and the sounder views now propagated, that to ensure success it is necessary "to colonise," to transport capital and industry as well as numbers to the new field, are a sufficient guarantee that the necessary guards will be adopted to transfer only a valuable and superior class. But it is, of course, in the power of the Colonial Legislatures to pass such Acts as they deem requisite to ensure safety.

The following table exhibits the extent of this vast area:

	Total Area.	Granted.	Not Granted.
	Acres.	Acres.	Acres.
CANADA, WEST	31,742,639		
Lands surveyed and disposed of	..	18,150,289	
Lands unsurveyed and not disposed of ..	..	..	13,592,350
CANADA, EAST	125,629,769		
Surveyed in Seignories .. 9,027,800			
Surveyed Crown lands and Clergy Reserves, laid out in townships 8,748,758			
	..	17,773,769	
Disposable Lands	..	..	107,856,000
Total undisposed of in Canada (East and West) (See Report of Surveyor-General, dated Montreal, January 28, 1845).	..	..	121,455,350
NEW BRUNSWICK	16,207,360		
Granted and located lands	..	6,355,729	
Lands not granted	..	..	9,851,631
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Lands granted in Western Counties, about ..	..	2,200,000	
„ „ Eastern Counties, including Halifax County	..	3,060,000	
Lands not granted in Western Counties ..	..	..	1,780,000
„ „ Eastern Counties ..	..	..	2,460,000
(Return of Surveyor-General, January 12, 1849.) ..			
Cape Breton has an area of	2,146,850		
Of this there is granted	..	851,741	
Not granted	..	..	1,295,109
Total area not yet granted	..	..	136,642,000

By the returns of 1846, the area of France was stated at 130,339,000 English acres: the population 35,400,486 souls. In these three provinces there is a larger area of ungranted land than is in the entire surface of France; and while it supports a population of 35,000,000, there are not here 2,000,000 in all.

In Great Britain there are:—

Acres of land cultivated	46.522.970
Uncultivated	15,000,000
Unprofitable	15,871,455
	77,394,455

In these colonies we have nearly double the extent of acres in the whole area of Great Britain yet to be disposed of. In 1841 the population of the United Kingdom was 27,019,558.

Upon the advantages and feasibility of issuing redeemable notes, as proposed, doubts are seriously entertained. If the loan of 3,000,000 is obtained under the sanction and with the guarantee of the British Government, the capital ought to be drawn to the extent only to which it may be required. It would of course be injudicious to borrow, and deposit actual capital or specie, upon which interest was accruing to support the credit of a fictitious capital, valuable only because the representative of that which is tangible and real.

If, again, the amount issued is "to be limited to the extent of acres, and as these are sold, an equal amount of notes should be cancelled," it would follow that they are intended to be redeemable out of the sales of land. But it is obvious that no paper redeemable out of so uncertain and precarious a fund would circulate at par. These notes would assume the character of land scrip, and in Canada, scrip of this kind have been depreciated to a twentieth part of their nominal value. If, however, to be made redeemable in cash, at the respective treasuries of the three provinces, and at the chief ports of emigration in the United Kingdom, they would effect no saving, because, if payable on demand, and such a condition would be essential to maintain their value at par, a sufficient quantity of money would be required to be kept at all times on hand to redeem them when presented. If, indeed, in each province a certain amount of negotiable paper were issued, redeemable only

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at its own treasury, a relative amount of the precious metals might be deposited to meet the probable demand; but if issued in the three provinces, payable in England, and throughout the colonies, whenever and wherever presented, it would create, I fear, inextricable confusion and embarrassment.

Had it been proposed that debentures or scrip should be issued to a limited extent, under the guarantee of the British Government, payable in a period of five or ten years, with a fund set apart for the payment, annually, of the accruing interest, like the stock certificates issued by the Government of Nova Scotia, or the scrip issued by the State of New York for raising capital to complete the Great Western and the New York and Erie Railroads, such a proposition would be tangible and might be adopted; but to issue redeemable paper in the mode suggested would, it is feared, infringe the established principles upon which a sound currency can only be based, and would of necessity fail to realise the beneficial consequences anticipated from it.

In the report two estimates are given:—

First. "Upon the loan of 3,000,000*l.*, the interest at 4 per cent. would amount to 120,000*l.* per annum.

"Of this sum it may fairly be assumed that for the conveyance of the mails between Halifax and Quebec, the Post Office department would be willing to pay annually an equal amount to what is now paid for the same service. This has not been officially obtained, but there are good grounds for supposing that it is nearly 20,000*l.*

"In the case, then, that beyond this the railway only paid its own working expenses, the sum of 100,000*l.* would have to be made good out of the revenues of the provinces.

"The proportion of this, or of whatever sum might be deficient to pay the interest on the loan, would have to be arranged; and it may, for the sake of illustration, be supposed to be as follows:—

	£		
"Nova Scotia	20,000	Proportion	2
"New Brunswick	20,000	„	2
"Canada	30,000	„	3
"The Imperial Government	30,000	„	3
"Total	100,000		10"

The second estimate is:—

"There is some reason to believe that these two * portions of the line will be found to have sufficient traffic to pay, over and above working expenses, the moderate interest upon capital of 4 per cent.

"If such should prove to be correct, then the foregoing statement would be modified, and stand thus:—

	Miles.	
"Total distance, Halifax to Quebec		635
"*Quebec to River du Loup	110	
"Halifax to Amherst and Bay Verte	125	
		235
"Leaving unproductive still		400

"If the total line can be done for 3,000,000*l.*, then the proportion for the 400 miles would be 1,889,600*l.*, or 2,000,000*l.* nearly.

"The interest for which would amount to 80,000*l.*

"Deducting 20,000*l.* for the conveyance of the mails, then the sum to be responsible for would be 60,000*l.*, which, divided proportionally as before, would give for—

	£		
"Nova Scotia	12,000	Proportion	2
"New Brunswick	12,000	„	2
"Canada	18,000	„	3
"Great Britain	18,000	„	3
"Total	60,000		10

"Therefore, for the responsibility (perhaps for assuming it only) of 100,000*l.*, or, as the case may prove, 60,000*l.*, the Quebec and Halifax Railway may be made."

Founding our present calculations upon the higher estimate, and presuming that Nova Scotia will be required to provide adequate security for the payment of 20,000*l.* per annum, as the interest on her share of the capital, it may now be inquired what is the extent of liability actually necessary to be assumed?—which is the best way in which security can be given?—and what may be the probable risk?

In the report no opinion is given upon this subject, but it has been supposed, upon the best authority, that it will take five years to complete the whole. Supposing the expenditure to be equally apportioned over this whole period, then Nova Scotia would require to provide in—

	£	
1849	4,000	only, in
1850	8,000	
1851	12,000	
1852	16,000	
1853	20,000	sterling.

But in 1849 the line may be completed to Truro, and in 1850 to Amherst. As soon as the roads are laid the cars may be put in operation just as the cars are now running from Portland 40 miles into the State of Maine, and from Montreal 30 miles to St. Hyacinthe, both of these forming branches of the St. Lawrence and Atlantic trunk. This practice is invariably adopted in the United States. They gradually complete the line from village to village, and one-half of a long line may actually be yielding a profit before the grading on the other half has even been begun.

At the end of the second year the portion of the line from Quebec to River du Loup, and from Halifax to Amherst, on the Bend of the Peticodiac, may be completed; and if, as is anticipated, they yield enough to pay the working expenses and interest on capital, this will proportionably reduce the amount of interest to be contributed in the last three years. If they pay, the contribution would be reduced in—

		£
1851	to	4,000
1852	to	8,000
1853	to	12,000

To meet the payment of 4000*l.* and 8000*l.*, the people of Nova Scotia will have the profits derived from the expenditure of 954,800*l.* sterling of British capital, 1,193,500*l.* currency; and during the next three years they will have all the advantages which the railway must confer, the increase of population, intercourse, and trade, the wealth, development, and activity which it will produce.

It is believed that the introduction and expenditure of such an amount of foreign capital, the increase of mechanics, labourers, and settlers which it will necessarily bring, will, even under the existing tariff, increase the revenue to a larger amount than is required.

The revenue in Canada is equal to about 16*s.* a-head; in New Brunswick it is about 14*s.*; in Nova Scotia, last year, it was equal to about 7*s.* 6*d.* If the railroad add 50,000 to our population, this addition of itself would nearly yield the revenue demanded.

Such an addition would create a new market for agricultural produce, elevate prices, and add to the prosperity and comfort of the whole agricultural class. It would create a demand, a market at home.

From the calculations made in the States of New York and Massachusetts, it has been found that the population situate within any given area, to whom the facilities of railway communication are extended, yield a revenue of* 11*s.* sterling per head to the railway fund. Supposing the average would be as 10*s.* sterling per head, the return would be as follows:—

Halifax City, say	20.000
County (beyond the city)	10 000
Colchester	12 000
Cumberland	10.000
Hants	5,000
Pictou, say of the population of 30,000	5,000
Sydney	1,000
Guysborough	1,000
Cape Breton, of the population of 40,000	5,000
Prince Edward Island	5,000
within the verge of the railway.	74,000 persons

At 10s. sterling a-head these would yield a revenue say of 37,000*l.* sterling.

This represents only the way or local traffic; but the great source of income will be the intercolonial or *through* traffic, for the most imposing feature of this railroad is that it is to become the great thoroughfare for travelling between the Old World and the New—from the Atlantic States by the way of Boston, Portland, and St. John's to Halifax, and from the Western States, Ohio, Iowa, Michigan, and Canada, by St. Joseph, Detroit, Windsor, to Hamilton, and thence by the lines circling the northern sides of the Canada Lakes to Quebec, and onwards to Halifax, clearly destined yet to become the great maritime entrepôt—the point first and nearest of disembarkation and of departure from and to Europe.

Before the magnitude of this scheme and its future effects can be realized there are subsidiary enterprises yet to be accomplished. The railroad is now completed from London to Holyhead, and the Dublin mail-steamers make the latter their starting point. With a rapid steam communication from Holyhead across the Channel, and a railroad traversing Ireland to Valentia Bay, the mail-steamers may take their departure from the latter port, enter at once upon the Western Ocean, avoid the dangers of the Irish Channel, and with the lighter weight of coal which the shorter voyage will require, may accomplish the voyage to Halifax, not 1800 geographical miles, in less than 6 days. With a railroad to Quebec, 635 miles, at 30 miles an hour, and to Boston, 600 miles at the same speed, the distance would be accomplished to the former 7 days 21 hours, and to the latter in 20 hours.

* These calculations, in these States, are based upon a division of the Railway Returns by the entire number of the population. The above is differently stated.

	Days.	Hours.
London to Valentia, say	1	0
Valentia to Halifax	6	0
Halifax to Quebec	0	21
Time to Quebec	7	21
Time to Boston	7	20

A project is now on foot to convey the mails from Boston to New York in six hours, which, when accomplished, will lessen the distance from London to New York, now varying from 13 to 16 days, to 8 days and 3 hours.

The average speed of the passenger trains in New England is 25 miles an hour. Mr. Robert Stepleman, in his examination before a Committee of the House of Commons on the Gauge Question, August 5, 1846, said, "Every day we are running upwards of 51 miles an hour with our passenger trains, and these trains are not made with a view of obtaining an enormous speed, but such a speed as we deemed then advisable to run. There is no difficulty whatever in making an engine upon the narrow gauge to take 40 tons at 60 miles per hour; not the least difficulty, or even more than that. I believe that the highest speed that I have heard mentioned was by Mr. Locke to me, but that was an engine by itself; it ran 68 miles an hour on the Grand Junction. On an experimental trip, on the 13th June, 1846, the Great Western engine, in running from London to Bristol, with 100 tons, reached in some places the speed of 63 miles an hour. The highest speed of a steamer varies from 10 to 13 miles an hour. The relative proportion between a railway and steamboat is three to one in favour of the former."

The expense of the voyage will be diminished, not increased.

All these results are feasible, and may be attained by the advances now made in science, and hence it is that the projectors of this railroad have ever looked forward to the time when Halifax will become the great depôt for the mails and passengers passing to and from the Old World and the New. The United States will become dependent upon us for the rapid transition of letters and news, as of telegraphic information. These mails would yield a very large sum annually.

If this line of intercourse were once established, the fund derived from passengers, mails, traffic, &c., on that portion of the railroad running from Halifax to the bend of the Peticodiac, would far exceed any estimate which could now be made.

It would besides have two sources of revenue— one derived from the traffic between our Atlantic port and the States, the other between Halifax and the eastern counties of New Brunswick, Canada, and the distant and fruitful West.

If, again the contemplated system of national colonization be carried out, it is expected that the worn-out or *hack* fleet of steamers now beginning to crowd the docks of Great Britain, unfit for the higher requirements of the route they once occupied—may be converted into emigrant ships, and land their cargoes, after a twelve days' voyage, at the railroad terminus in Halifax. The Emigrant Act now requires that a ship should provide 70 days' food for every passenger. In steam-ships 20 or 25 days' provisions would be sufficient. This railway would become the highway for all who sought a home in British North America or in that the United States, and thus yield a large fund to augment the annual returns.

Let such a facile communication be opened between Halifax and the United States, and Canada, the desire for travelling would increase—the colonists in summer would pass to the South and West, and that immense body of travellers who now periodically come from the South to Canada, would seek in the pursuit of health and recreation, our Atlantic breezes and pure atmosphere. This would create an entirely new, and, it is calculated, an ample source of revenue.

The following Table gives the number of emigrants who have arrived at Quebec in

1840	22,065	
1841	28,060	
1842	44,374	
1843	20,714	
1844	20,142	
1845	24,440	
1846	32,753	
1847	98,016	
Up to the 27th May, 1848	Being an increase over the same period in 1847, of 1,329.	6,443

At the rate of 2 cents per mile, or 1*d.* sterling, which is the lowest rate established in England for third-class carriages, by Act of Parliament, the revenue in 1847, from this source alone, would have been equal to 200,000*l.* and upwards.

To give some idea of the increase of passengers resulting from the establishment of railways, the following extract is taken from Baron Charles Dupin's report on the Paris and Orleans Railway: "Experience has proved, both in France and abroad, that in a short space of time the facility, expedition, and economy afforded by railways, more than double the number of passengers and the quantity of merchandize. In order to support such statements, we will quote the following facts relative to the railways of Belgium,

England, and Scotland, in positions of extreme difference, and giving rise to a variation in the returns which far exceed all anticipation.

"Comparison of the number of travellers conveyed daily throughout the whole or a portion of the line:—

Railways.	No. of Passengers before the establishment.	No. of Passengers after the establishment.
Manchester and Liverpool	400 ..	1,620
Stockton and Darlington	130 ..	630
Newcastle and Carlisle	90 ..	500
Arbroath and Forfar	20 ..	200
Brussels and Antwerp	200 ..	3,000

"Increase of the number of passengers by the establishment of a railway:—

	Per Cent.
Liverpool and Manchester	300
Stockton and Darlington	380
Newcastle and Carlisle	465
Arbroath and Forfar	900
Brussels and Antwerp	1,400

"Progress in the conveyance of merchandize by railway, compared to that of passengers:—

Year.	Passengers.	Tons.
1834 ..	924,063 ..	22,909
1836 ..	1,248,552 ..	161,501
1838 ..	1,535,189 ..	274,808

"Thus, while the number of passengers increased 60 per cent. in four years, same time the quantity of goods increased 1100 per cent."

The following is drawn from an official report on English railways, made to the French Government by a competent agent sent for the special purpose of prosecuting the inquiry.

"The Darlington Railway has produced, by its low rates of passage and freight, a complete revolution in the state of the country which it traverses. It has increased the value of land 100 to 200 per cent. By these low rates, the freight, estimated at 80,000 tons, has been increased to 640,000 tons. The passengers, estimated at 4000, have been increased to 200,000."

The Irish Railway Commissioners, in their second report, state:—

"On the Newcastle and Carlisle road, prior to the railway, the whole number of persons the public coaches were licensed to carry in a week were 343, or both ways 686. Now the average daily number of passengers by railway for the whole length, viz., 61 8-10 miles, is 228, or 1596 per week.

"The number of passengers on the Dundee and Newtyle line exceeds at this time 50,000 annually; the estimated number of persons who performed the same journey previous to the opening of the railway having been 4000.

"Previous to the opening of the railway between Liverpool and Manchester there were about 400 passengers per day, or 146,000 per year, travelling between those places by coaches, whereas the present number by railway alone exceeds 500,000.

"In foreign countries the results arising from the same cause are equally if not more striking. The number of persons who usually passed between Brussels and Antwerp was 75,000 in the year, but since the railroad has been opened from the former place to Malines, it has increased to 500,000; and since it was carried all through to Antwerp, the number has exceeded a million. The opening of a branch from Malines to Termonde appears to have added 200,000 to the latter number; so that the passenger traffic of that railroad, superseding a road traffic of only 75,000 persons, now amounts to 1,200,000."

To illustrate the gradual increase of business on various railroads, the following statements are adduced:—

Boston and Lowell:—

Net revenue, 1836	22,450
„ 1845	44,356
Increase in 9 years	21,806

Western railroad, Boston to Worcester:—

Net revenue, 1842	61,517
„ 1845	110,715
Increase in 3 years	49,198

Boston and Providence:—

Net revenue, 1842	30,911
„ 1845	49,457
Increase in 3 years	18,456

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Boston and Maine:—

Net revenue, 1842	19,150
„ 1845	33,241
Increase in 3 years	14,091

The following returns relative to the railways of Great Britain for the last five years, extracted from the Report of Commissioners laid before Parliament last session, and dated March 31, 1848, furnish some valuable data:—

TRAFFIC for the year ending June 30.

	Miles.	Passengers.	Paid by Passengers.	Freights.	Total.
			£	£	£
1843	1,857	23,000,000	3,110,257	1,424,932	4,535,189
1844	1,952	27,000,000	3,439,294	1,635,380	5,074,674
1845	2,148	33,000,000	3,976,341	2,233,373	6,209,714
1846	2,441	43,000,000	4,725,215	2,840,353	7,565,569
1847	3,036	51,000,000	5,148,002	3,362,883	8,510,886

In the year ending June 30, 1847, the relative proportions were:—

	£
From Passengers	5,148,002 sterling.
„ Freight	3,362,882 „

In the year 1847 the relative proportions derived from railroads in the State of New York were:—

	$
From Passengers	
„ Freight	

In the year 1847, Boston and Lowell Road yielded:—

	Dollars.
Passengers	209,601
Freight	234,815
Mails	4,129
Total	448,555

In the year 1847, Boston and Maine:—

	Dollars.
Passengers	321,181
Freight	179,988
Mails	10,334
Total	511,504

In the year 1847, Boston and Providence:—

Passengers	236,103
Freight	118,172
Total	354,275

In the year 1847, Boston and Worcester:—

Passengers	304,580
Freight	374,662
Mails, &c.	42,927
Total	722,170

In England, in the year ending 30th June, 1847, the passengers were conveyed in:—

First Class	6,572,714
Second Class	18,699,288
Third Class..	15,865,510
Parliamentary Class	6,695,494
Mixed Class	3,229,357
Total	51,352,163

The fares on railroads in the New England States may be stated at an average of two cents and a fraction per mile. On some of the lines there is a division of first and second class; the four rates or classes in England are not required here, because there is nearer approximation to equality in wealth and station in these colonies, than has grown up amidst the aristocratic forms and ancient institutions existing in the old world. In July last the rates of fare were:—

	Fares.	Dollars.	Cents.
Boston to Plymouth	37½ ..	1	—
Boston to Bridgewater	28½ ..	0	65
Boston to Worcester . ..	44 ..	1	55
Boston to Newton	11½ ..	0	25
Worcester to Albany	156 ..	4	25 1st class.
		3	30 2nd class.
Boston to Fall River	53½ ..	1	35
Utica to Schenectady	77¾ ..	3	—
Utica to Rochester	.77 ..	3	—
Michigan Central Railroad—			
Detroit to Kalanazoo	146 ..	4	30
Antrim to Springfield	84 ..	2	—
New York to Otisville (Erie) ..	87 ..	1	50
Brooklyn, Greenfield, Long Island ..	95 ..	2	—

If the proposed project be carried into effect, and if of the 5,000,000 required, 2,000,000 be realized out of the sales or appropriation of the Crown lands, upon which, of course, no dividends for interest will require to be paid: and deducting from the interest on the balance of 3,000,000*l.*, equal to 120,000*l.*, 20,000*l.* expected to be paid by the Post Office for the transit of mails, and 30,000*l.* to be contributed by Great Britain for the privilege of carrying military stores, &c., interest would then only be required on a capital of 1,750,000*l.* Interest on 5,000,000*l.* at 4 per cent. would be eqnal to 200,000*l.* By this contemplated saving of 130,000*l.* per annum on the capital required, the fares upon this line ought to be established upon a lower scale.

The following shows the English and Belgian fares in juxta-position:—

	British. 10ths of a Penny.	Belgium. 10ths of a Penny.
First Class, per head per mile	26	14 8–10
Second Class, per head per mile .. .	18 6–10	8
Third Class, per head per mile	10	6

The fares on British railways are higher than on any other European lines. The first-class fares are 63 per cent. higher than the French or German, 100 per cent. higher than the Italian, and 160 per cent. higher than the Danish lines. The second-class are 50 per cent. higher than those of France and Germany, and 130 per cent. higher than those of Belgium and Denmark. The third-class fares are 66 per cent. higher than those in Belgium, and 100 per cent. higher than in Denmark and Italy. The railways of England have cost, on an average, 25,000*l.* sterling per mile. In order to protect the poorer classes Parliament have interposed, and by the Act 7 and 8 Vict., c. 85, s. 6 to 10, it is incumbent on railway companies, to whom the Act extends, to provide one train, at the least, on every week-day, and also on Sundays if they run other trains, to and from the termini, in which the charge is not to exceed 1*d.* per mile; children under 3 years of age to be taken without charge, and above 3 years and under 12 at half the charge for an adult passenger. Some of the railways charge even less.

Dublin and Drogheda	¾*d.* per mile.
Glasgow and Greenock, third class	66-100th of a penny.
Glasgow and Greenock, Parliamentary ..	30-100th „
Newcastle and Berwick	662-1000th „
South Eastern	90-100th „

At the New England rates the fares would be nearly as follows:—

	Dollars.	Cents.
Halifax to Truro, 60 miles, at 2 cents	1	20
Halifax to Amherst, 122 „ „	2	44
Halifax to St. John, 220 „ „	4	40
Halifax to Quebec, 635 „ „ . ..	12	18

For the reasons already given, these rates ought to be regarded as too high.

The Belgium rates may be adopted as enough to yield an adequate return. The fares on this scale would be as follows:—

	1st Class.	2nd Class.	3rd Class.
	s. *d.*	*s.* *d.*	*s.* *d.*
Halifax to Truro, 60 miles	7 6	4 0	2 6
Halifax to Amherst, 122 „	15 3	8 0	5 2
Halifax to St. John, 220 „	27 6	14 6	9 4
Halifax to Quebec, 635 „	81 7	49 3	29 7

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Without going into minute details, which here would be supererogatory, it may be stated, upon the best authority, that the working expenses of railroads in New England have been found not to exceed 1200 dollars, or 300*l.* currency per mile per annum.

	£	
For the whole distance from Halifax to Amherst and Bay Verte, 122 miles, at 300*l.* per mile, the annual expense would be ..		36,000 currency.
But it has been already shown by the table of population, &c. that the way trade—that is to say, the traffic in Nova Scotia alone would probably yield	37,000 sterling.	
One fourth exchange	9,250 „	
		46,250 „

So far as respects this province, there are two additional items, which, on looking to the returns, ought not to be overlooked.

In estimating the results of this speculation, it has been calculated that, according to the experience of other countries, the value of the real estate in the city of Halifax, and in the counties of Colchester and Cumberland, and the eastern part of Hants, through which it will penetrate, will be largely increased in value—to state that it will double is not thought unreasonable. The assessed value of the real estate is thus estimated:—

	£
Halifax city	1,800,000
Halifax county	1,000,000
Colchester	600,000
Cumberland	600,000
Part of Hants	200,000
	4,200,000

If its value be doubled, the returns will then be 8,400,000*l.* This of course, is independent of the increased value which will be given to the real estates in the other counties of the province, and of the addition to the exchangeable value of all our products, which must result from an expanding capital, an increase trade, and a growing population.

Another—the consumption of coal in Halifax is estimated at from 18,000 to 20,000 chaldrons per annum. If coal can be raised and sold at Onslow or Londonderry for 10*s.* per chaldron, and transported to Halifax, so as to be purchased here at 15*s.*, this saving alone of 10*s.* or 12*s.* 6*d.* per chaldron on the extent of our consumption, being equal to 10,000*l.* or 12,500*l.* per annum, would of itself twice repay the amount of that proportion of the pledge of 20,000*l.* sterling, say one-fourth, which the city of Halifax would require to contribute, even supposing the improbable result, that it were ever exacted.

To which there is to be added the returns of the inter-colonial or through traffic.

In the first part of Colonel Simpson's excellent preliminary report, dated Montreal, 13th May, 1847, and prepared under the authority of the Governor-General Lord Elgin, there is a valuable collection of statistics relative to working expenses, and the net cost of freight per ton. In the items of cost on the Philadelphia and Reading Railroad, of the total aggregate of 109 dollars 46 cents, the wood for fuel, 12 62-100 cords, at 3 dollars 50 cents per cord, is equal to 44 dollars 17 cents, about 17-40ths of the whole. In this single item a large saving would be effected here. Cord-wood could be furnished at less than one-half, say 7*s.* 6*d.* per cord, and if the locomotives were fed with coal, the line passes through the coal-fields at Folly River and Dorchester, where they could be loaded at the pit mouth, and at an expense varying from 10*s.* to 17*s.* currency per chaldron.

There still remains a branch of revenue which ought to be thoroughly surveyed—I allude to the transit of heavy goods. The facts relating to these are very fully elaborated in Colonel Simpson's and Major Robinson's reports.

Mr. Joseph Pease, Chairman of the Stockton and Darlington Railroad in England, has stated before a Committee of the House of Commons, that in the transportation of coal on the London and York Railroad, one farthing per ton per mile would be found ample to cover transportation expenses, including interest on capital, and allowance for wear and tear. At this rate a ton of mineral ore could be conveyed from Halifax to Quebec, at the cost of 12*s.* 6*d.* sterling per ton, and as there are 11 barrels of flour in a ton, at the cost of 1*s.* 4½*d.* currency per barrel. On the Philadelphia and Reading Railroad a ton of coals is conveyed at the rate of 23 cents per ton for 93 miles, nearly the same rate as stated by Mr. Pease. In Major Robinson's report, taking the average of five of the leading railroads in Great Britain, the cost of transporting goods upon them is stated at 1-10th of a penny per ton, being gross weight, including carriages, or one-fifth of a penny per ton net weight. Between Halifax and Quebec, it is estimated that 100 tons of goods may be conveyed at the rate of eight or ten miles per hour, at the cost of 15*l.*. or 11*s.* sterling per ton; and a barrel of flour at the cost of 1*s.* 1*d.* sterling, or nearly the same price, 1*s.* 4½*d.* currency, as estimated by Colonel Simpson. These statements are far beneath previous calculations.

At the cost price above stated, a barrel of flour—

From Halifax to Truro would cost 1*d.* 388-1000th parts of a penny.
To Amherst .. .. 2*d.* 776-1000th „

Less than 2*d.* to Truro; less than 3*d.* to Amherst. To charge 6*d.* for the first would yield more than 300 per cent. profit, and 1*s.* for the other would yield over 400 per cent.

The cost of a quintal of codfish—

To Quebec would be	.. .. ..	9*d.* currency.
A barrel of pork	.. ..	2*s.* „
A barrel of fish	.. ..	2*s.* „

At this rate a ton of coals from Londonderry to Halifax would cost, say distance from Folly River, 80 miles, 1*s.* 4*d.* 400-635th, or 2-3rds of a penny.

A ton of iron would of course cost the same.

A ton of hay—

From Truro to Halifax, 62 miles, would cost	1 . 1
From Onslow to Halifax, 70 miles, say	1*s.* 3*d.*
From Amherst to Halifax, 124 miles, say	2*s.* 2*d.*

The charge in Massachusetts for freight is 2½ to 4 cents per ton per mile.

In England it varies from* 1*d.* on coal, to 4*d.* and 6*d.* sterling per ton per mile on goods.

In Russia the average is 2½*d.* sterling per ton.

In France, per ton, 1st class, 6 cents; 2nd class, 4 cents per ton.

The rates of fares as now charged on the railroads in the United States, obtained from the freight bills of July last, are as follows:—

Boston to Providence, 105 miles—

Coal, iron, manure, timber, butter, dry goods, &c. ..	3 dollars 55 cents. per ton.
Light and bulky merchandize	5 dollars per ton.

Worcester and Albany, 156 miles—

Coal, iron, lumber, corn, butter, &c.	4 dollars for 2000 lbs.
Light and bulky, and dry goods	7 „ „
Grains	4 „ „

Charlestown to Fitchburgh, 50 miles—

Coal, iron, manure, lumber, grain, butter	4 cents per ton per mile.
And dry goods, light and bulky merchandize ..	4 cents per ton of 150 cubic feet.

Cincinnati to Springfield, 84 miles—

Coal, iron, sugar, butter, groceries, and dry goods ..	3 dollars 20 cents per ton through.
Lumber	4 dollars per M. feet.

New York to Otisville, 87 miles—

Coal and manure	2 dollars 20 cents per ton.
Iron	2 dollars 50 cents per ton.
Lumber	3 dollars per ton.
Heavy merchandize	3 dollars 50 cents to 4 dollars.

Brooklyn to Greenport, Long Island, 95 miles—

Coal	1 dollar 50 cents for 2000 lbs.
Lumber	2 dollars 12 cents for 1000 ft.

Baltimore to Columbia, 71 miles—

Coal	1 dollar 37½ cents per ton.
Iron	1 dollar 84 cents per ton.
Lumber	1 dollar 75 cents per ton.
Groceries and dry goods	2 dollars 50 cents per ton.

Baltimore and Ohio Railroad, 179 miles—

Coal	2 dolls. 73 cents per ton.
Iron	3 dolls. 50 cents per ton.
Dry goods	7 dolls. per ton.

The difference between these charges and the estimate of cost, constitutes the profit of the different companies. In estimating the responsibility or risk entailed by this project, regard must be had of course only to the first.

In Nova Scotia, at moderate rates, the transport of ores, coal, iron, &c., must furnish a considerable income, and will of necessity open up a new branch of traffic and of foreign trade, both from the Bay of Fundy and from Halifax to St. John.

If the coal mines at Folly River and at Maccan are as promising as they are reported to be, the railroad will facilitate the projected operations at both.

* See Parliamentary Returns for 1846–47.

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Since the introduction of the mail-steamers, a change has been produced in the transportation of light or fancy goods. The retailers in Halifax, in place of laying in heavy stocks by single spring and fall importations, receive now periodical or monthly supplies. If the railroad were opened, Halifax would probably become, like New York or New Orleans, a great wholesale mart for the sale of the light and fancy goods obtained from Europe, and supply the whole interior, extending in winter to the most distant parts of Canada. Halifax would be the nearest and cheapest port of debarkation; bulk would here be broken, and the railroad presenting an easier mode of transit than a river, would be available for their transportation into the interior.

The transportation of these and of light goods in bales would yield a considerable return.

In the memorandum of the Executive Council of Canada, transmitted by his Excellency the Governor-General, May 12th, to Earl Grey, and laid before the House of Commons in July last, relative to the anticipated removal of the Navigation Laws, the comparative cost of conveying flour from the west, destined to Europe, by the route of the Erie canals to New York and by the River St. Lawrence is clearly stated. The cost of conveying a barrel from Cleveland, Ohio, to New York is estimated at 4*s.* 6*d.* per barrel; to Montreal by the canals it can be carried at 2*s.* 9*d.*; the difference in favour of the latter route is therefore 1*s.* 9*d.* per barrel. The freight from Montreal and New York to Liverpool, on the average of the four past years, is 5*s.* 1*d.* per barrel from the former, and 2*s.* 6*d.* per barrel from the latter.

By New York, total 4*s.* 9*d.* + 2*s.* 1*d.* = 6*s.* 10*d.* per barrel.
By Montreal, total 2*s.* 9*d.* + 5*s.* 1*d.* = 7*s.* 10*d.* „

It is estimated, however, that the canal and river freights can yet be largely reduced.

The present high rates of freight from Canada are kept up by the effect of the Navigation Laws, by the dangers of the navigation in the River St. Lawrence, and by the heavy rates of insurance charged on vessels leaving the river ports after the month of October.

The question here is, what effect the railroad will have upon this trade? Will it embrace any, and what portion of it?

It is obvious that this will afford the only land route through the British territory, leading to a British port. The routes by the New York canals and the railroad from Montreal to Portland, pass through the territory of the United States, and terminate on the seabord at American ports. This will render the whole exports of the west, and of the most fertile portion of Canada, dependent upon American legislation and the policy of a foreign state.

But the railroad to Portland is not yet completed; and although now in progress, dependent as it is upon private capitalists solely, it may yet be some years before it is in operation.

Again, although completed, such is the mighty progress of the West, it is asserted that ample materials will be afforded for the three—the New York Canals, the Atlantic Railroad, and the Grand Trunk Line.

The following facts will exhibit the rapid growth of the West within the last ten years:—

	Tons.	Sail.
In 1816 the tonnage on the latter above Niagara was ..	2,180	42
On the 1st July, 1847, they were estimated at	108,457	490
At Buffalo the entries and departures were—		
1816	80	
1818, when the first steamboat was built ..	100	
1846 they were	7,714—ton. 1,825,914	

The exports from the Upper Lakes in the following years were—

	1835.	1845.	1846.
Flour	86,233	717,466	1,280,987 barrels.
Wheat	98,071	1,354,990	3,611,224 bushels.

In addition to the above, the following articles passed through the Welland Canal to Lake Ontario, from the West, and the Canadian ports on the north side of Lake Erie:—

	1845.	1846.
Flour	207,555	273,284 barrels.
Wheat	1,891,667	3,172,969 „

The following are the returns of population in the State of Wisconsin:—

In 1830 the population was	3,245
1842 „	46,678
1846 „	245,228
1847 „	390,000

Up to 1840 Wisconsin imported their supplies of every kind, including provisions. In 1846 they fed themselves, supplied an army of over 100,000 new emigrants; and of their surplus remaining, they exported through the lake between three and four millions of dollars in value, mostly in agricultural products.

In this increase and progression Canada has now a direct interest, for the reasons already stated.

From Michigan, in 1846, the exports were—

748,533 barrels of flour	.. ..	value 2,555,221 dollars.
650,889 bushels of wheat	.. ..	447,826
23,289 barrels of beef and pork	..	138,693

Total value of exports, 4,647,608 dollars.

Tonnage of Vessels enrolled at the Collection District of Detroit.

	Tons.
Steam-vessels	8,400
Sail-vessels	18,527
	26,927

Detroit.

	Dollars.
Exports in 1842	1,108,200
,, 1844	1,747,000
,, 1846	2,495,333

Total Commerce of the Lakes, close of 1847.

	Dollars.
Net value of the *bonâ-fide* trade for 1846, being nearly double the amount in 1841 ..	61,914,910

Number of clearances and entries :—

	Tons.
Steam tonnage of the latter in 1846	60,825
Sailing tonnage	46,011
British shipping employed in the Lake Trade ..	30,000
	136,836

The average rates of freight from Montreal to Liverpool for the last four years have been 5*s.* 1*d.* per barrel.

The charge of conveying a barrel of flour from Halifax to Liverpool is estimated at 2*s.* 6*d.* to 3*s.* per barrel; by the railway from Quebec to Halifax the cost will be 1*s.* 1½*d.* per barrel; the charge, according to Major Robinson's Report, 2*s.* 2*d.* per barrel.

	s.	*d.*
Cost from Quebec to Halifax, say	2	2
Cost from Halifax to Liverpool, say	2	9
	4	11
Average freight	5	1
	0	2 saving.

How far, and to what extent this trade will be embraced by the railroad it would be speculative to estimate. We refer to those facts that the prospects may be fairly understood, for, independent of it altogether, we have ever been of opinion that the intercolonial way trade in the different provinces, the transit of passengers from the Old World to the New, the opening up and settlement of the eastern parts of New Brunswick and Canada, the entire new world of population of producers and consumers it will create, will afford an ample return for the outlay. In the event of a war between the United States and Great Britain, the traffic along this line, and the returns from the produce and goods passing to and from the Atlantic to Canada, would be boundless.

The following table is prepared from official documents:—

TABLE of Exports from Canada by Sea.

	Flour.	Wheat.	Oatmeal.	Oats.	Pork.	Butter.	Beef.	Peas.
	Barrels.	Bushels.	Barrels.	Bushels.	Barrels.	Tubs.	Barrels.	Bushels.
1845	444,228	396,252	1,570	53,535	3,493	812,745	2,140	220,912
1846	555,602	554,747	5,930	44,060	5,598	786,701	2,826	216,339
1847	651,030	628,001	21,990	165,800	4,674	1,036,585	1,899	119,202

Export of Timber.

1845	.. .. ..	24,000,000 and upwards.	
1846	.. .. ..	23,000,000	„
1847	.. .. ..	17,000,000	„

But it will be recollected that the canals in Canada affording passage for a larger class of boats were not opened till last year, and, therefore, that the exports for future years will exceed those above stated.

From these statistics it may be gathered how far the probable returns will justify the Legislature of the three provinces to embark in it, as a paying or remunerating speculation. No work of such magnitude can be begun without some risk of failure; but it can be said that it offers every reasonable prospect of success, and all we can do is to exercise a sound discretion. With the aids and guarantees suggested, the most prudent financier would not hesitate to go on.

But there are other reasons equally potent, which ought to induce the Imperial Government and the Legislature to co-operate in having it speedily accomplished.

Nothing can be added to what has already been written relative to the effect which it is likely to exercise in binding the colonies together, in diminishing the danger of invasion, and adding to our political safety without and within.

Nova Scotia and New Brunswick for the last three years have been visited with a blight, which has diminished their crops fully one-half. The losses by the farming classes in the former are moderately estimated at two and a-half millions; this being the surplus produce of the soil which supplied the main elements of trade. The British West Indian Islands, formerly a secure market for fish, have been opened to foreign competition, and have been reduced by the introduction of free trade, and foreign sugars at reduced duties into the British markets, to a state of bankruptcy and ruin. This main branch of our trade has become profitless. Our vast mineral resources are held in the hands of monopolists; and with natural resources far superior to any State of New England, it is in vain to deny the fact that we are retrograding. Capitalists are withdrawing their funds and making foreign investments; the young enterprising men of our country are leaving it to push their fortunes in the more favoured lands of the south; the value of real estate is lessening; rents are falling, and numerous houses in Halifax are empty; trade languishes; our revenue is diminishing, the sources of professional income are cramped, and a gloom is gathering over the public mind. In Nova Scotia we want physical development,—we want fresh sources of employment for our industry,—we require the principles of free trade to be carried further,—we want the control of our minerals,—we want, in short, the railroad, easy and more frequent intercourse with the broad country in the rear, and a free trade with the United States for our fish and the boundless fields of coal and iron which we possess, and we only, on the Atlantic side of the Alleghanies. The whole market of the Atlantic States for bituminous coal is open to us, if our beds were made free to competition.

The table beneath gives an estimate of the extent and condition of the coal trade in the United States.

The Anthracite coal trade from the different regions of the State of Pennsylvania gives the following returns:—

In 1820	.. .. ..	365 tons were sent to market.	
1830	.. .. ..	174,754	„
1840	.. .. ..	845,414	„
1845	.. .. ..	2,021,474	„
1847	.. .. ..	2,982,309	„
1848	.. .. ..	3,089,238	„

Gross Importations of Foreign Coal in the United States

	Tons.	Dollars.
1845 ..	85,771 ..	224,483 official value.
1846 ..	156,853 ..	378,597 „
1847 ..	148,021 ..	370,985 „

Of these 1-25th part was re-exported.

The duties on coals imported to the United States were—

From 1825 to 1842	6 cents per bushel.
1842 to 1847	1 dollar 75 cents per ton,
1847	30 per cent. ad valorem.

It is of vast importance to Nova Scotia that these duties should be modified as soon as possible, "because the use of anthracite for all domestic purposes will become so firmly established on the seaboard, that no other quality will find admittance into their houses." To show the effect of this exclusion, I refer to the following Table of the comparative business in coal at Boston for the years 1840 and 1847:—

	Tons in 1840.	Tons in 1847.
Pennsylvania anthracite received	73,847 ..	258,093
American bituminous coal	3,299 ..	4,554
Foreign „	49,997 ..	65;203

"Thus, while the anthracite importation has increased three and a half times, that of the foreign and the American bituminous coal has been almost stationary."

How stands New Brunswick? She has hitherto advanced, from the returns of her timber trade and ship-building. Both of these have become unproductive. She has flourished hitherto by protection. Her forests have been exhausted of their best timber, and that which she sends to Britain has to meet competition with the produce of the Baltic upon more equal terms. Upon the Saint John the timber comes down from the Aristook, and is cut on that disputed territory, which the late Treaty transferred to the United States. The great fire of 1824 cut off the supply for twenty years of the eastern side of that fine province. Superior timber can now only be got far north from the Restigouche and its tributaries. Upon the Saint John, and from Shediac to the north branch of the Miramichi, their trade must for the future be confined chiefly to deals aud timber. Their command of logs is boundless, but their best, we may say their only market, the United States, is shut from them by a tariff of 20 to 30 per cent. The depression in New Brunswick during the last year is alarming. Trade in St. John has been at a stand. Bankruptcies have been numerous. In Miramichi the value of real estate is nominal; while there in June last, property was pointed out to me which cost 1100*l.* and had been sold for 300*l.* Young men of enterprise and steady habits are moving off. New Brunswick has a crisis to pass through. She must wait till the habits of her population have changed, and her fruitful soil is more widely cultivated. Singular, with the prolific Bay of Chaleurs to the north, and its waters fairly alive with shoals of superior fish, there is but one solitary fishing establishment on the New Brunswick side, and that belongs to a house in Jersey! The export of fish there is confined to the salmon which enter her noble rivers. She wants also physical development, employment for her industry, markets for her products; hence the anxiety expressed there for free trade with States that deal in lumber, and for the building of railroads from St. Andrew's to Woodstock, from St. John to Shediac, from Westmorland to Cumberland.

But in Canada the discontent which prevails with their present prospects in Montreal and at Quebec, is even more conspicuous than in the Lower Provinces. The Atlantic States have opened the war of commercial rivalry with the two great cities whose ambition it has been to centralize the trade of Canada and the far West. It has been lately proposed to give a bounty equal to one-third of the duty imposed on all goods imported by the route of the St. Lawrence. The Legislature has favoured this policy, and has incurred heavy responsibilities and a debt of two millions and a half to improve the navigation of the St. Lawrence, and to permit the descent of deep-laden boats from Chicago to Quebec. These facilities have been opened. Boats, carrying 3000 to 4000 barrels, have this season prosecuted this wonderful voyage, but their rivals have not been asleep. The supply of groceries and West India produce, till lately engrossed by the merchants in Canada, has been transferred to Troy and Albany. Foreign goods are permitted to be entered at American ports, and to pass by their canals and railways to Canada, duty free. New lines of railroad are laying—no less than seven, to tap the waters of the Canadian lakes and the St. Lawrence at different points, and to arrest the produce of the West in its downward voyage. Choice timber can now only be got at a long distance from the St. Lawrence. Logs and deals are abundant. Protection has been removed there as in New Brunswick. Canada has suffered this year largely in its revenue. One-fifth of the city of Montreal is said to be empty; 12,000 to 15,000 of the population have moved off. The people of Canada want free trade: they want a canal from La Prairie to St. John, to float their timber from the St. Lawrence unto Lake Champlain, and thus to find a market at Whitehall, Albany, and New York; they want a free interchange of their respective products; they want the tariff reduced. A Bill was before Congress last session, and two of the members of the Executive Government were at Washington in June last to press its passage and arrange the basis of future reciprocity. They wish the navigation laws of the empire to be modified, so that the flags of all nations may float under the citadel of Quebec and at Montreal, and the western produce, which the descending current of the lakes and their costly canals bring down, may be carried at the lowest freights into the markets of the world; and while Montreal seeks to connect herself with the Atlantic by her railroad to Portland, Quebec and the lower towns on the south side of the St. Lawrence seek their outlet in peace and war, and a new development of the fertile forest lands lying between the River du Loup and the Bay of Chaleurs, by having this great national undertaking begun and finished.

It would lead to tedious discussion, and be esteemed entirely out of place to inquire why it is that there is such a contrast between the colonies of British North America and the neighbouring republic; why it is that the line of demarkation is so strongly marked; and the glowing comparisons between the one and the other, so vigorously and eloquently sketched in Lord Durham's Report, must be admitted to be true.

Whatever may have been the past policy and the vices of the former system, new principles have been acknowledged; and if we are retarded for the future in the measures which enrich, elevate, and a people, the fault will be here—we have now constitutional freedom and are responsible to ourselves.

But the retarding influences in these colonies have certainly been disastrous. Let us contrast, for example, the State of Maine and the Province of New Brunswick. Until the late settlement of the boundary dispute, Maine had an extent of territory equal only to about two-fifths of that of New Brunswick; she had a long rocky front upon the sea on

NOVA SCOTIA. the south. New Brunswick had three sides of her parallelogram washed by the tide. Maine had three rivers running inland. New Brunswick is cut up by rivers and lakes; and it is said, there is not a point distant more than eight miles from navigable water. There is no comparison between the two as regards the extent and value of their forests or the fertility of their soils. New Brunswick has minerals, coals, iron, and fisheries; Maine has neither: and yet with all this admitted inferiority, mark the contrast! Maine has now a population of 700,000 souls; New Brunswick has not yet 300,000.

Maine.		New Brunswick.	
1820	298,335	1824	74,116
1830	399,955	1834	119,457
1840	501,793	1840	158,162
1848	700,000	1848	208,000

It is not requisite to pursue the contrast further in relation to the comparative extent of their foreign trade, amount of shipping, revenue, manufactures, steam-boats, railroads, cities; the one is all activity, life, wealth, progress; in the other, there are depression, languor, and fearful bodings for the future.

One of the prominent retarding causes is that much of the wealth and capital created in the colonies has been withdrawn from them and invested in foreign securities. We have not the advantage of that accumulated wealth which our own resources have actually created. Nothing can be more destructive to the growth of a new country. Neither have we the power of attracting it from abroad.

In Mr. Godfrey's celebrated letter to Lord John Russell, dated 31st March, 1847, detailing "a Plan for the Colonization of Ireland," this subject is referred to. After inquiring what it is that prevents Canada from obtaining "a supply of capital equal to the opportunities of profitable investment which Canada presents," and referring to the causes in detail, the letter proceeds:

"But there is another circumstance relating to colonies in general, which operates with still more effect. It is the discredit which at present attaches in public opinion to everything relating to colonies and colonization. In the City of London, the great money mart of the world, the disposition to engage in colonial enterprise is extinct, and its extinction is there attributed to causes utterly beyond the control of those who have lost their money by engaging in colonial enterprise. It is idle to reason with this sentiment; it is a prolonged panic which cannot cease till its causes shall be forgotten, or till a better system in the administration of colonial affairs shall have had time to create new impressions."

Not so in the United States; the Old are ready to assist the New. Look at the large investments recently made in the coal-fields of the Ohio, in the copper mines of Lake Superior, in the railroads of the south and west. In 1847, the State of Michigan began the line of railroad from Detroit to Michigan city; it was finished to St. Joseph's, about half way across the peninsula; the State became embarrassed; a body of capitalists in Boston stepped forward, bought the enterprise from the State, and completed it with their own funds.

The colonies have no such aids to rely upon; and hence, in this project, as Canada in the sums borrowed to complete her canals, they would, even when united, be powerless, unless the Imperial Government offered their guarantee.

The statesmen of Great Britain have to decide whether they will open up a great highway to this boundless and promising home for her surplus population, which, while removing the victims of starvation, and lessening the burthen of the poor-rates, will convert a nation of paupers into consumers, and give a new spring to our prosperity; whether they will effectually aid these colonies in their season of distress; whether they will adopt this certain mode of restoring hope to the public mind, and binding two millions of loyal subjects by stronger ties to the Throne.

This question has been reasoned out as one mainly of calculation, of comparative outlay and return; assuming that the halcyon days of peace were never again to be disturbed. Suppose, however, they are! Suppose Great Britain and the United States to separate upon some question of international policy, and to man their rival fleets, and to marshal their armies, for hostile conflict. What will be the effect of such a crisis upon that vast and growing empire which lies to the north of St. Lawrence and her magnificent lakes? Canada West, accustomed, by the facilities of canals and railroads and the late commercial polity which Congress has wisely adopted, to rapid intercourse, or rather to daily transit to and from the sea, is at once deprived of these enjoyments: her trade interrupted, her progress stunted, her prosperity clouded; for six months of the year, her outlet by the St. Lawrence inaccessible, and bound in icy fetters. Canada, in fact, unless she have a highway over British ground, becomes hermetically sealed. The effect of this upon her material interests are too obvious to require illustration; and hence it is, that, to those who look around and peer into the future, it appears to be an imperative duty that this railway ought to be laid in peace, to preserve and stimulate these colonies in time of war.

The state of feeling and the actual condition of these colonies have been thus prominently and freely sketched. Discontent has been alluded to: let the term not be misunderstood. It is not discontent on the part of the people with their institutions; no feeling adverse to the Crown or British usages and allegiance. Their pride, their hope, their feeling of security in these, are still the same. The loyalty of the people is as intense

and lively now as in the war of 1816, when the colonial militia gave such brilliant examples, or when the border difference aroused and inflamed their national predilections. They seek no political change, most certainly they desire no separation. They are discontented with the present state of things, because they believe the present depression has been largely influenced by causes which it is in the power of the Imperial Parliament and our own Legislature to modify and control. British America may remain British for ages to come. It is the interest of the parent State and of the colonies mutually to promote their common prosperity; and if these free suggestions will accomplish the remedy desired, the sole and only object in view will be attained.

(Signed) GEORGE R. YOUNG, Commissioner.

Halifax, January 24, 1849.

FURTHER CORRESPONDENCE

RELATIVE TO THE

PROJECTED RAILWAY

FROM

HALIFAX TO QUEBEC.

(*In continuation of Papers presented by Command of Her Majesty, 8th April* 1851.)

Presented to both Houses of Parliament by Command of Her Majesty.

June 16, 1851.

LONDON:

PRINTED BY WILLIAM CLOWES AND SONS, STAMFORD STREET

FOR HER MAJESTY'S STATIONERY OFFICE.

1851.

SCHEDULE.

CANADA.

DESPATCH FROM THE RIGHT HON. THE EARL OF ELGIN.

Number in Series.	Date and Number.	SUBJECT.	Page.
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NEW BRUNSWICK.

DESPATCHES FROM LIEUT.-GOVERNOR SIR E. HEAD.

1	April 6, 1851 (15)	Enclosing a Copy of RESOLUTIONS OF THE HOUSE OF ASSEMBLY, rejecting the offer made by Her Majesty's Government for aiding the Construction of the HALIFAX AND QUEBEC RAILWAY passing through the Province of New Brunswick	6
2	April 7, 1851 (18)	Transmitting a JOINT ADDRESS TO HER MAJESTY by the two Branches of the COLONIAL LEGISLATURE to a similar purport .	7
3	April 7, 1851 (16)	Forwarding the following ACTS OF THE PROVINCIAL LEGISLATURE RELATIVE TO RAILWAYS:—	
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DESPATCHES FROM THE RIGHT HON. EARL GREY.

1	May 22, 1851 (259)	In Acknowledgment of Sir H. Head's Despatches of 6th and 7th April, conveying the RESOLUTIONS AND ADDRESSES OF THE LEGISLATURE on the Subject of the proposed RAILWAY	26
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FURTHER CORRESPONDENCE

RELATIVE TO THE

PROJECTED RAILWAY FROM HALIFAX TO QUEBEC.

CANADA.

CANADA.

(No. 64.) No. 1.

No. 1.

COPY of a DESPATCH from the Right Hon. the Earl of ELGIN AND KINCARDINE to Earl GREY.

Government House, Toronto,
May 8, 1851.
(Received May 26, 1851.)

MY LORD,

WITH reference to your Lordship's Despatch No. 569*, of the 14th March, I have the honour to enclose the copy of a communication which I have addressed to the Lieutenant-Governors of Nova Scotia and New Brunswick, and of a Minute of Council accompanying the same.

I have, &c.,
(Signed) ELGIN AND KINCARDINE.

The Right Hon. Earl Grey,
&c. &c. &c.

Enclosure 1 in No 1.

Encl. 1 in No. 1.

COPY of DESPATCH from the Right Hon. the Earl of ELGIN AND KINCARDINE to {Sir JOHN HARVEY. / Sir E. HEAD.}

SIR, Government House, Toronto, May 1, 1851.

I HAVE the honour to enclose herewith the copy of a Minute of the Executive Council of this province, which has reference to a Despatch from Earl Grey to me, the number and date of which is given in the margin, on the subject of the proposed railway between Halifax and Quebec, the copy of which has, I understand, been furnished by his Lordship to your Excellency. Earl Grey has suggested that deputations from the Executive Councils of the two lower provinces should proceed to the seat of Government in Canada, in order to confer with me and my Council on the proposition which he has submitted; and if you should see fit, after communicating with {Sir E. Head, / Sir J. Harvey,} to act on this suggestion, I shall be glad to hear from you at what time I may expect the deputation from your Council to reach Toronto.

April 24, 1851.

No. 569, March 14, 1851.

I have, &c.,
(Signed) ELGIN AND KINCARDINE.

To {Sir John Harvey. / Sir E. Head.}

Enclosure 2 in No. 1.

Encl. 2 in No. 1.

COPY of MINUTE of COUNCIL, dated 24th April, 1851.

ON the Despatch of Earl Grey to your Excellency, dated 14th March last, No. 569, stating that Her Majesty's Government are prepared, on certain conditions, to recommend to Parliament that imperial credit should be employed to enable the provinces of Canada, New Brunswick, and Nova Scotia to raise, upon advantageous terms, the funds necessary for the construction of the Halifax and Quebec Railway, the Committee of Council are respectfully of opinion that the suggestion of Earl Grey, that "a deputation from the Executive Councils of the two lower provinces should proceed to the seat of Government in Canada, in order to confer

* Page 21 of Papers referring to the Halifax and Quebec Railway, presented to both Houses of Parliament by Command, April 8, 1851.

with your Lordship and your Council for the purpose of coming to some agreement on this subject, which, after being approved by the Legislatures of the several provinces, might be submitted for the sanction of Parliament," should be adopted. The great work, in the construction of which the Imperial Government is disposed to lend its powerful aid, has already been sanctioned to a certain extent by the Canadian Parliament. Any new proposition from the Imperial Government is entitled to the fullest and most respectful consideration; and the Committee of Council entertain no doubt that the respective Governments of Nova Scotia and New Brunswick will be prepared, on the invitation of your Excellency, to send deputations to consult with your Excellency in this city without unnecessary delay.

NEW BRUNSWICK.

Despatches from Lieutenant-Governor Sir Edmund Head.

NEW BRUNSWICK.

No. 1.

(No. 15.) No. 1.

Copy of a DESPATCH from Lieut.-Governor Sir Edmund Head to Earl Grey.

Government House, Fredericton, New Brunswick,
April 6, 1851.

My Lord,

(Received May 13, 1851.)

(Answered No. 259, May 22, 1851, page 28.)

I had the honour of receiving your Lordship's Despatch of the 14th March, No. 248,* with its enclosures, relating to the Halifax and Quebec Railway.

I lost no time in laying these important papers before the Legislature with a message, of which a copy is enclosed.

1st Enclosure, March 31, 1851.

The result has been the consideration of the subject by the Assembly, and the adoption of certain resolutions, of which a copy is annexed to this Despatch.

2nd Enclosure, April 5, 1851.

I deeply regret to say, that the House of Assembly altogether reject the offer of Her Majesty's Government, and refuse to undertake, on the proposed terms, the construction of that portion of the line which runs through this colony. At the same time, they distinctly reaffirm the offers of land and money made by the Legislatures of 1849 and 1850. Whether this offer may, at any time hereafter, be sufficient to induce capitalists to undertake such a work, it is not for me to conjecture.

I regret this decision, inasmuch as the proposition of Her Majesty's Government would have insured the outlay in this province of a very large sum raised at a rate of interest utterly unknown on this side of the Atlantic. Reckoning ten miles on each side of the road, it promised, moreover, to open for sale and settlement upwards of 2,000,000 acres of ungranted land belonging to the Government of this colony, the value of which would necessarily be greatly enhanced by the construction of such a railroad.

I do not in any way undervalue the importance of the proposed line to Portland, but its successful prosecution must, like that of the Quebec line, depend in part on the government of Nova Scotia, and the completion of that part would be secured at the cheapest rate by the Halifax and Quebec line.

For these reasons then, my own opinion (irrespective of my Executive Council) decidedly is, that the Legislature of New Brunswick would have acted wisely in accepting the general terms offered by Her Majesty's Government. I trust sincerely that the course of events may be such as not to expose us hereafter to the reproach of having impeded our own progress, and retarded the general prosperity of the whole British North America.

I shall communicate a copy of the resolutions of the House of Assembly to his Excellency the Governor General of Canada, and his Excellency the Lieut.-Governor of Nova Scotia. It is obvious that no further step can at present be taken with advantage on my part in negociating with the governments of these two colonies.

I have, &c.,

The Right Hon. Earl Grey, &c. &c. &c.

(Signed) EDMUND HEAD.

Encl. 1 in No. 1.

Enclosure 1 in No. 1.

New Brunswick.

Message to the House of Assembly, March 31, 1851.

(Signed) Edmund Head.

The Lieut.-Governor lays before the House of Assembly a copy of a Despatch with its Enclosures, which he received on the 29th instant from Her Majesty's Secretary of State

His Excellency is anxious that these papers should receive the earnest and immediate consideration of the House, as he feels satisfied that no communication involving consequences more important to the province can be submitted to its Legislature.

(Signed) E. H.

---

* Page 96 of Papers relative to "The Civil List and Military Expenditure in Canada, and to the projected Railway from Halifax to Quebec;" presented to both Houses of Parliament by Command, April 8, 1851.

Enclosure 2 in No. 1.

NEW BRUNSWICK.

Encl. 2 in No. 1.

House of Assembly, New Brunswick, April 5, 1851.

WHEREAS the attention of this House has been called, by a message of his Excellency the Lieut.-Governor, to a Despatch from the Right Hon. Earl Grey, Her Majesty's Principal Secretary of State for the Colonies, with several documents accompanying the same, relative to the railway formerly proposed between Halifax and Quebec, upon which it is desirable that the immediate action of this house should be taken;—therefore,

Resolved, That this House fully responds to the sentiments and opinions expressed by Earl Grey in his Despatch to Lord Elgin, dated 14th March, 1851:—"That the construction of a railway from Halifax to Quebec is calculated greatly to advance the commercial and political interests, both of the British provinces of North America and of the mother country;" and "that the time has at length arrived when this great national enterprize may be undertaken:" but they learn with regret, that in a work now admitted to be of "such great importance to the British empire," Her Majesty's Government is not prepared to contribute any portion of the funds necessary for its construction; and should, as a condition precedent to the imperial guarantee, require these colonies to pledge their whole available revenues to build the same at their own expense.

Resolved, That while this house will adhere with strict fidelity to the pledges given to Her Majesty by the joint address of the Houses of the Legislature of this province in the session of 1849, and the address of the House of Assembly in the session of 1850, guaranteeing to Her Majesty, for the purposes of the railroad from Halifax to Quebec, "all the ungranted lands through which the said road might pass, to the extent of ten miles on each side, to be disposed of in such manner as may be deemed most advisable to Her Majesty's Government, and to secure, at the expense of the province, a sufficient breadth of way, and the necessary stations, over and upon private property, for the use of the said road; and to charge upon the general revenues of the province a sum not exceeding 20,000*l.* currency per annum, towards paying the interest upon the capital invested in the said road, to be paid yearly from and after the completion of the said road, and while the same is kept in operation, and to be continued for a term not exceeding twenty years." They desire distinctly to state, that the refusal by Her Majesty's Government, as conveyed in the several Despatches of the Right Hon. Earl Grey, bearing date the 5th April, 1849, and the 19th June, 1850, to undertake that great national work under the pledges made towards the same by Canada, New Brunswick, and Nova Scotia, induced the people of this province to turn their attention to the accomplishment of undertakings, which it would be in their power to carry out, and which, from their prospect of more immediate remuneration, would hold out greater inducements to capitalists to embark therein; and that, in accordance with the almost unanimous wishes of the people of this province, as expressed by overwhelming majorities in both Houses of the Legislature, the public credit has been pledged to the sum of 300,000*l.* sterling, for the building of the European and North American Railway, and the Saint Andrews and Quebec Railway, within this province. And this House cannot adopt the plan suggested in the correspondence between the Hon. Mr. Howe and the Right Hon. Earl Grey, accompanying his Excellency's message, and is not prepared to pledge the public credit, or the future resources of the province, further than as set forth in the address before mentioned, towards building the great trunk line from Halifax to Quebec.

Resolved, That this House would view with unqualified disapprobation any scheme, whereby convicts should be introduced into this province, either for labour or otherwise.

Resolved, That in the opinion of this House, the Executive Government of this province should, without delay, make urgent application to Her Majesty's Government for the Royal assent to the Acts passed at the present session of the Legislature to facilitate the construction of the European and North American, and the Saint Andrews and Quebec Railways, respectively.

Resolved, That the Legislative Council be requested to join in an address to Her Majesty, founded upon the foregoing resolutions.

CHAS. P. WITMORE, Clerk.

(No. 18.) No. 2. No. 2.

COPY of a DESPATCH from Lieut.-Governor Sir EDMUND HEAD to Earl GREY.

Government House, Fredericton, New Brunswick.
April 7, 1851.
(Received May 13, 1851.)

MY LORD, (Answered No. 259, May 22, 1851, page 28.)

I have the honour to enclose a joint address of the two branches of the Legislature of this Colony, with reference to the Halifax and Quebec Railway, which I have to request your Lordship to lay at the foot of the Throne.

I have, &c.

(Signed) EDMUND HEAD.

The Right Hon. Earl Grey,
&c. &c. &c.

NEW BRUNSWICK.

Encl. 1 in No. 2.

Enclosure 1 in No. 2.

To the Queen's Most Excellent Majesty,

The humble Address of Your Majesty's Legislative Council and House of Assembly of the Province of New Brunswick.

May it please Your Majesty—

Your Majesty's most faithful subjects, the Legislative Council and Assembly of New Brunswick, beg leave most humbly to approach Your Majesty with sentiments of unaltered attachment to Your Majesty's Person.

The Council and Assembly having taken into consideration the Despatch of the Right Hon. the Secretary of State for the Colonies, dated the 14th of March last, relative to the proposed railway from Halifax to Quebec or Montreal, have agreed to the accompanying Joint Resolutions, as expressing their opinions and views on this very important subject, and which they humbly pray may be graciously and favourably considered by Your Majesty.

William Black, President of the Legislative Council.
Charles Simonds, Speaker of the Assembly.

Encl. 2 in No. 2.

Enclosure 2 in No. 2.

House of Assembly, Saturday, April 5, 1851.

Whereas the attention of this House has been called by a message of His Excellency the Lieutenant-Governor, to a despatch from the Right Honourable Earl Grey, Her Majesty's Secretary of State for the Colonies, with several documents accompanying the same, relative to the railway formerly proposed between Halifax and Quebec, upon which it is desirable that the immediate action of this House should be taken.

Therefore resolved, that this House fully responds to the sentiments and opinions expressed by Earl Grey in his despatch to Lord Elgin, dated 14th March, 1851, "that the construction of a railway from Halifax to Quebec, is calculated greatly to advance the commercial and political interests both of the British Provinces of North America and of the Mother Country," and "that the time has at length arrived when this great national enterprise may be undertaken;" but they learn with regret, that in a work now admitted to be of "such great importance to the British Empire," Her Majesty's Government is not prepared to contribute any portion of the funds necessary for its construction, and should, as a condition precedent to the Imperial guarantee, require these Colonies to pledge their whole available revenues to build the same at their own expense.

Resolved, That while this House will adhere with strict fidelity to the pledges given to Her Majesty by the joint Address of the Houses of Legislature of this province in the Session of 1849, and the Address of the House of Assembly in the Session of 1850, guaranteeing to Her Majesty, for the purposes of the railroad from Halifax to Quebec, "all the ungranted lands through which the said road might pass, to the extent of ten miles on each side, to be disposed of in such manner as may be deemed most advisable to Her Majesty's Government, and to secure at the expense of the province a sufficient breadth of way and the necessary stations, over and upon private property for the use of the said rond, and to charge upon the general revenue of the province, a sum not exceeding 20,000*l.* currency per annum, towards paying the interest upon the capital invested in the said road, to be paid yearly from and after the completion of the said road, and while the same is kept in operation, and to be continued for a term not exceeding twenty years:" they desire distinctly to state, that the refusal by Her Majesty's Government, as conveyed in the several despatches of the Right Hon. Earl Grey, bearing date the 5th of April, 1849, and the 19th of June, 1850, to undertake that great national work under the pledges made towards the same by Canada, New Brunswick, and Nova Scotia, induced the people of this province to turn their attention to the accomplishment of undertakings which it would be in their power to carry out, and which from their prospect of more immediate remuneration would hold out greater inducement to capitalists to embark therein, and that in accordance with the almost unanimous wishes of the people of this province, as expressed by overwhelming majorities in both Houses of the Legislature, the public credit has been pledged to the sum of 300,000*l.* sterling, for the building of the European and North American railway, and the St. Andrews and Quebec railway within this province; and this House cannot adopt the plan suggested in the correspondence between the Honourable Mr. Howe and the Right Honourable Earl Grey, accompanying His Excellency's Message, and is not prepared to pledge the public credit or the future resources of the province further than as set forth in the address before mentioned, towards building the great trunk line from Halifax to Quebec.

Resolved, That this House would view with unqualified disapprobation any scheme whereby convicts should be introduced into this province, either for labour or otherwise.

Resolved, That in the opinion of this House, the Executive Government of this province should, without delay, make urgent application to Her Majesty's Government for the Royal Assent to the Acts passed at the present Session of the Legislature, to facilitate the construction of the European and North American, and the Saint Andrews and Quebec railways respectively.

Resolved, That the Legislative Council be requested to join in an Address to Her Majesty, founded upon the foregoing Resolutions.

CHARLES P. WITMORE, Clerk.

Legislative Council Chamber, Saturday, April 5, 1851.

Resolved, That this House doth agree to join the Assembly in the proposed joint Address to Her Majesty, relative to the proposed railway from Halifax to Quebec.

W. BOTSFORD, Clerk.

(No. 16.) No. 3. No. 3.

COPY of a DESPATCH from Lieut.-Governor Sir EDMUND HEAD to Earl GREY.

Government House, Fredericton, New Brunswick,
April 7, 1851.

(Received May 13, 1851.)

My LORD, (Answered, No. 269, June 12, 1851, page 28.)

I HAVE the honour to enclose certified copies of three Acts of the Provincial Legislature.

The first is an Act, entitled "An Act to incorporate the European and North American Railway Company,"* and is passed without a suspending clause, but does not come into force until the 1st of June.

The second is entitled "An Act to facilitate the construction of the European and North American Railway,"† and has a suspending clause.‡

The third is entitled "An Act to facilitate the construction of a Railway from St. Andrew's to Quebec," and like the second, does not come in force until Her Most Gracious Majesty's pleasure be signified.§

I have very little to remark on these Acts, except that the undertakings to which they relate are of great importance, and the Legislature of this Province are desirous that they should be laid before Her Majesty as soon as may be.

I have, &c.,

The Right Hon. Earl Grey, (Signed) EDMUND HEAD.
&c. &c. &c.

* Page 12.

† Infrà.

§ Page 11.

Enclosure 1 in No. 3. Encl. 1 in No. 3.

ANNO DECIMO QUARTO VICTORIÆ REGINÆ.

(Suspending Clause.)

AN ACT to facilitate the construction of the EUROPEAN and NORTH AMERICAN RAILWAY.
(No. 2062.) Passed March 28, 1851.

BE it enacted by the Lieutenant-Governor, Legislative Council, and Assembly:—

I. When the shareholders of the European and North American Railway Company shall pay in to their Treasurer at least the sum of Ten thousand pounds sterling, and it shall be satisfactorily proved to the Lieutenant-Governor in Council that such sum has been actually paid in and is ready to be expended in the construction within this province of the European and North American Railway, the Province Treasurer shall be authorized by the Lieutenant-Governor in Council to subscribe on behalf of the province for shares in the said Company to the like amount, and in payment therefor to deliver to the said Company special certificates of debt, to be called debentures, bearing interest at a rate not exceeding six per cent. per annum, the principal money redeemable in thirty years, and so from time to time, when it shall be satisfactorily proved to the Lieutenant-Governor in Council that the sums theretofore subscribed and paid in by the shareholders of the said Company, and the proceeds of the debentures previously delivered, have been expended in the construction of the said railway, and that a further sum of at least Ten thousand pounds sterling has been actually paid in by the shareholders, and is ready to be expended in like manner, the Province Treasurer shall be again authorized to subscribe on behalf of the province for shares in the said Company to an equal amount with the sum so paid in and ready to be expended, and also to pay in full for such shares by a further delivery of debentures: Provided always that the amount of shares in the said Company subscribed and paid for by the Province Treasurer in any one year shall

When the shareholders pay to their treasurer ten thousand pounds sterling, stock to a like amount to be taken by the Province, and debentures delivered to the Company for the amount.

On further payments of ten thousand pound by the shareholders, the like additional amounts of stock to be taken.
Limit.

‡ A further Act will be found printed at page 26.

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not exceed One hundred thousand pounds sterling, and in the whole shall not exceed Two hundred and fifty thousand pounds sterling.

Form, numbers and amounts of debentures.

II. The debentures shall be in the form in the Schedule annexed, they shall be signed and sealed by the Lieutenant-Governor, and countersigned by the Provincial Treasurer, they shall be numbered consecutively, beginning with No. 1, and shall be issued for such sums from One hundred pounds to One thousand pounds sterling, as may be deemed expedient; the interest thereon shall be paid half-yearly, either in London, New York, or Saint John, at the option of the holders, who shall give to the Provincial Treasurer six months' notice in writing, at which of the places named he wishes to receive interest on the debentures he holds: Provided always, that whenever such interest is paid at New York, it shall be paid at the rate of Four dollars and eighty cents for the pound sterling, and when at St. John, at the rate of Twenty-four shillings currency for the pound sterling.

Interest to be paid half yearly in London, New York, or Saint John.

Debentures to be redeemed in thirty years.

III. The principal money of such debentures shall be paid in full at the end of thirty years to the then holders thereof at the same places, and on the like terms as the interest is made payable.

Certificates of shares to be held as public property, but no control to be exercised or interest received.

IV. The Certificates of shares in the European and North American Railway Company, to be from time to time delivered by the said Company to the Provincial Treasurer, shall be held by him for and on behalf of the province as public property, and while such shares are so held, no vote thereon shall be given at any meeting of the Company, nor shall there be any interference with, or control over, the management or business of the said Company, on account thereof, by the Provincial Government: Provided that the Legislative Council and Assembly may annually, by joint resolution, appoint two Directors in addition to the Directors to be annually elected by the stockholders, who shall have the same power and authority as any other Director chosen under the Act of Incorporation; and no interest shall be paid to or claimed by the province on such shares, in consideration of their having been paid for in full at the time of subscription.

Two Directors may be appointed by the Legislative Council and Assembly.

Application of dividends, and disposal of shares.

V. The dividends arising from shares in the said Company held by the Provincial Treasurer, shall be applied towards the payment of interest on the said debentures, and at the expiration of thirty years, when such debentures become payable, the said shares not before disposed of shall be sold and disposed of, and the proceeds applied towards the payment of the same; and the faith and credit of this province, and the ordinary revenues thereof, and the amount or proceeds of any special impost which may hereafter be levied and collected for the purpose of paying off such railway debentures, and the interest thereon, shall be and are hereby declared pledged to any and every holder of the same for payment of interest as it becomes due, and for payment of the principal money at the expiration of the time limited for payment of the said debentures, as they severally fall due: Provided that there shall be no sale by the province of any shares so held below the par value until after the expiration of ten years from the time of the first subscription for stock by the Province Treasurer.

Faith, credit, and revenues of the province pledged for the interest and principal of debentures.

Act may be altered.

VI. This Act may be altered or amended during the present session of the Legislature.

Suspending clause.

VII. This Act shall not come into operation or be in force until Her Majesty's Royal approbation thereof be first had and declared.

SCHEDULE.

British North America.

Six per Cent Stock of the Province of New Brunswick.

(L.S.)

Form of Debentures.

No. . Certificate for £ Sterling.

This is to certify that there is due from the Province of New Brunswick to the holders of this certificate, hundred pounds sterling, to be paid in London on the day of , A. D. 18 , or in the cities of New York, or St. John, New Brunswick, at the option of the holder, on six months' previous notice being given by him to the Treasurer of the said province.

This certificate bears interest at the rate of six per cent per annum, payable on presentment thereof half yearly in London, on the day of and the day of in each year, or on the same days in the cities of New York, or St. John, New Brunswick, at the option of the holder, on six months' previous notice being given by him to the Province Treasurer, of his desire to be paid interest at either of those places.

In testimony whereof, the Lieutenant-Governor of the Province of New Brunswick, on behalf of the said province, and by virtue of the authority vested in him by an Act of the General Assembly of the same, intituled, "An Act to facilitate the construction of the European and North American Railway," which Act has been approved and allowed by Her Majesty, has hereunto set his hand, and affixed his seal of office, at Fredericton, in the Province of New Brunswick, this 7th day of April, A.D. 1851.

(Signed) Edmund Head, Lieutenant-Governor.

Countersigned by the Provincial Treasurer.
J. R. Partelow, Provincial Secretary.

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Encl. 2 in No. 3.

Enclosure 2 in No. 3.

ANNO DECIMO QUARTO VICTORIÆ REGINÆ.

(Suspending Clause.)

AN ACT to facilitate the construction of a Railway from ST. ANDREWS to QUEBEC.
(No. 2063.) Passed March 28, 1851.

BE it enacted by the Lieutenant-Governor, Legislative Council and Assembly:—

When the shareholders pay to their treasurer two thousand pounds sterling, stock to a like amount to be taken by the Province, and debentures delivered to the Company for the amount.

I. When the shareholders of the St. Andrews and Quebec Railroad Company shall pay in to their Treasurer at least the sum of Two thousand pounds sterling, and it shall be satisfactorily proved to the Lieut.-Governor in Council that such sum has been actually paid in, and is ready to be expended in the construction within this province of a railway from St. Andrews to Woodstock, the Provincial Treasurer shall be authorized by the Lieut.-Governor in Council to subscribe on behalf of the province for shares in the said Company to the like amount, and in payment therefor to deliver to the said Company special certificates of debt, to be called debentures, bearing interest at a rate not exceeding six per cent. per annum, the principal money redeemable in thirty years, and so from time to time when it shall be satisfactorily proved to the Lieut.-Governor in Council, that the sums theretofore subscribed and paid in by the shareholders of the said Company, and the proceeds of the debentures previously delivered have been expended in the construction of the said railway, and that a further sum of Two thousand pounds sterling has been actually paid in by the shareholders and is ready to be expended in like manner, the Provincial Treasury shall again be authorized to subscribe on behalf of the province for shares in the said Company to an equal amount with the sum so paid in and ready to be expended, and also to pay in full for such shares by a further delivery of debentures: Provided always, that the amount of shares in the said Company subscribed and paid for by the Provincial Treasurer in any one year shall not exceed the sum of Twenty thousand pounds sterling, and in the whole shall not exceed the sum of Fifty thousand pounds sterling: Provided always, that the shares to be delivered to the Provincial Treasurer on account of the province shall be of the same class and description as those paid up by the shareholders of the Company for the purposes of this Act.

On further payments of two thousand pounds by the shareholders the like additional amounts of stock to be taken.

Limit.

Form, numbers, and amounts of debentures.

II. The debentures shall be in the form in the Schedule annexed; they shall be signed and sealed by the Lieut.-Governor, and countersigned by the Provincial Treasurer; they shall be numbered consecutively, beginning with Number One, and shall be issued for such sums from one hundred to one thousand pounds sterling, as may be deemed expedient; the interest thereon shall be paid half-yearly either in London, New York, or St. Andrews, at the option of the holder, who shall give to the Provincial Treasurer six months' notice in writing at which of the places named he wishes to receive interest on the debentures he holds: Provided always, that whenever such interest is paid in New York it shall be at the rate of four dollars and eighty cents for the pound sterling, and when at St. Andrews at twenty-four shillings currency for the pound sterling.

Interest to be paid half-yearly in London, New York, or Saint Andrews.

Debentures to be redeemed in thirty years.

III. The principal money of such debentures shall be paid in full at the end of thirty years to the then holders thereof, at the same places and on the same terms as the interest is made payable.

Certificates of shares to be held as public property, but no control to be exercised or interest received.

IV. The certificates of shares in the St. Andrews and Quebec Railroad Company to be from time to time delivered by the Company to the Provincial Treasurer, shall be held by him for and on behalf of the province as public property, and while such shares are so held no vote thereon shall be given at any meeting of the Company, nor shall there be any interference with or control over the management or business of the said Company on account thereof by the Government, and no interest shall be paid to or claimed by the province on such shares in consideration of their having been paid for in full at the time of subscription: Provided, that the Legislative Council and Assembly may annually, by joint resolution, appoint two Directors, who shall have the same powers and authority as any other Directors chosen under the Act of Incorporation.

Application of dividends and disposal of shares.

Faith, credit, and revenues of the Province pledged for the interest and principal of debentures.

V. The dividends arising from the shares in the said Company held by the Provincial Treasurer shall be applied toward the payment of interest on the said debentures, and at the expiration of thirty years when such debentures become payable the said shares shall be sold and disposed of, and the proceeds be applied toward the payment of the same, and the faith and credit of this province, and the ordinary revenues thereof, and the amounts or proceeds of any special impost which may hereafter be levied and collected for the paying off such railway debentures, and the interest thereon, shall be and hereby are declared pledged to any and every holder of the same for payment of interest as it becomes due, and for payment of the principal money at the expiration of the time limited for payment of the said debentures as they severally fall due.

Act may be altered

VI. This Act may be altered and amended during the present Session.

Suspending clause.

VII. This Act shall not come into operation or be in force until Her Majesty's Royal approbation thereof be first had and declared.

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SCHEDULE.

British North America.

Six per cent. Stock of the Province of New Brunswick.

(L.S.)
Form of debenture.

No. Certificate for £ sterling.

This is to certify that there is due from the province of New Brunswick to the holder of this certificate hundred pounds sterling, to be paid in London on the day of A.D., 188 , or in New York, or St. Andrews, N. B., at the option of the holder on six months previous notice being given by him to the Treasurer of the said province.

This certificate bears interest at the rate of six per cent. per annum, payable on presentment thereof half-yearly in London on the day of , and the day of in each year, or on the same days in New York or St. Andrews, at the option of the holder, on six months previous notice being given by him to the Provincial Treasurer of his desire to be paid interest at either of those places.

In testimony whereof, the Lieut.-Governor of the province of New Brunswick on behalf of the said province, and by virtue of the authority vested in him by an Act of the General Assembly of the same, intituled "An Act to facilitate the construction of a railway from St. Andrews to Quebec," which Act has been approved and allowed by Her Majesty, has hereunto set his hand and affixed his seal of office at Fredericton in the province of New Brunswick this 7th day of April, A.D., 1851.

(Signed) Edmund Head, Lieut.-Governor.

Countersigned by the Provincial Treasurer,
J. R. Partelow, Provincial Secretary.

Encl. 3 in No. 3.

Enclosure 3 in No. 3.

Anno Decimo Quarto Victoriæ Reginæ.

Cap. I.

An Act to incorporate the European and North American Railway Company.
(No. 2061.) Passed 15th March, 1851.

Preamble.

"Whereas it is contemplated, under concurrent Charters, to construct a continuous line of Railway from Bangor, in the State of Maine, through the Provinces of New Brunswick and Nova Scotia, to Halifax, or some other Port on the Eastern Coast of Nova Scotia, under the name of "The European and North American Railway Company," thereby affording an uninterrupted route of land communication to all parts of North America, from some Atlantic Port in the most direct line of Emigration, Traffic, and Travel, between the old and the new world: And Whereas in furtherance of this great object, the Legislature of the State of Maine has passed an Act to authorize the construction of such Railway through their own territory, by a Corporation under the aforesaid name: And Whereas it is advisable for the more efficient and economical construction and working of the said Railway, that provision should be made in the concurrent Charters of the said Provinces and State, to enablet he respective Corporations or Companies, by deed, contract or agreement, if they deem it expedient, to establish a uniform system of management and direction over the whole proposed line: And Whereas it is the duty of this Province to grant every facility and encouragement to such enterprising persons as may be desirous and willing to make and maintain such a Railway throughout this Province, by granting to them an Act of Incorporation, with the privilege of establishing Branch Lines and Steam Vessels in connexion with the said Railway, both on the Gulf of Saint Lawrence and the Bay of Fundy, as the Company may deem desirable."

Company incorporated by the name of "The European and North American Railway Company."

I. Be it therefore enacted by the Lieutenant-Governor, Legislative Council and Assembly, That the Honourable Ward Chipman, the Honourable Charles Simonds, Speaker of the House of Assembly, the Honourable E. B. Chandler, Rear-Admiral the Honourable William Fitzwilliam Owen, the Honourable J. R. Partelow, Provincial Secretary, the Honourable Amos E. Botsford, the Honourable John Robertson, the Honourable R. L. Hazen, the Honourable Alexander Rankin, M.P.P., J. Montgomery, M.P.P., William Crane, M.P.P., the Honourable John A. Street, Attorney-General, M.P.P., William J. Ritchie, M.P.P., John Hamilton Gray, M.P.P., Daniel Hanington, M.P.P., Bliss Botsford, M.P.P., James Taylor, M.P.P., Robert B. Chapman, M.P.P., Matthew M'Leod, M.P.P., George Hayward, M.P P., George Ryan, M.P.P., Henry W. Purdy, M.P.P., William Scoullar, M.P.P., Robert D. Wilmot, M.P.P., William H. Steves, M.P.P., Reuben Stiles, M.P.P., William H. Needham, M.P.P., S. L. Tilley, M.P.P., George L. Hatheway, M.P.P., John M. Johnson, M.P.P., William Porter, M.P.P., John Robinson, M.P.P., Robert Jardine, George Botsford, President of the Central Bank of New Brunswick, James M'Farlane, Thomas G. Hatheway, William Wright, D. J. M'Laughlin, President of the Commercial Bank at the City of Saint John, James W. Chandler, Nehemiah Marks, Frederick A. Wiggins, Joseph Salter, Enoch Stiles, George Calhoun, John Smith, John C. Littlehale, James Roach, James Secord, Alleyn C. Evanson, William Coates, Moses Jones, Silas Crane Charters, John Robb, John Hickman, Junior, Christopher Boltenhouse, Charles F. Allison, George Oulton, William H. Buckerfield, Peter Etter, Charles F. Prescott, Allan Otty, Henry Chubb, William R. M. Burtis, John V. Thurgar, George E. Fenety, T. W. Anglin, Edward Allison, Thomas E. Millidge, President of the Bank of New Brunswick, Charles Brown, George Sutherland, John Wesley Weldon, Stephen Binney, Alexander Wright, and such other persons as shall from time to time become proprietors of the shares in the Company hereby established, their successors and assigns, shall

be, and they are hereby declared, ordained and constituted to be a Corporation, Body Politic and Corporate, by the name of *The European and North American Railway Company*, and shall by that name have perpetual succession and a Common Seal; and shall and may by the same name sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended in all Courts and places whatsoever, and shall also have power and authority to purchase, hold and enjoy lands, tenements and hereditaments, for them and their successors and assigns, for making the Railway, and for settlers on the line of the said Railway, and generally for the purposes of carrying the provisions of this Act into effect; and also that they the said Company, shall from time to time, and at all times, have full power and authority to constitute, make, ordain and establish such bye-laws, regulations and ordinances as may be deemed necessary for the good rule and government of the said Company: Provided that such bye-laws, regulations and ordinances as may be deemed necessary, be not contradictory or repugnant to the laws of this Province: and provided also, that no bye-laws, regulations and ordinances made under and by virtue of the power and authority of this Act, shall be of any force or effect, until one calendar month after a true copy of such bye-laws, regulations and ordinances, certified under the hand of the President of the said Company, shall have been laid before the Lieutenant-Governor or Administrator of the Government in this Province for the time being, for approval or disapproval, unless the Lieutenant-Governor or Administrator of the Government shall before such period signify his approbation thereof.

Perpetual succession. Common seal. Suits.

Bye laws to be submitted to the Lieut.-Governor for approval.

II. And be it enacted, That the capital stock of the Company hereby established shall be Fifteen hundred thousand pounds, the whole to be paid in current money of this Province; the whole amount of the said capital stock to be divided into sixty thousand shares, of twenty-five pounds each; and the said Corporation, if necessary, shall have power to extend the said capital stock to a sum or sums not exceeding Two millions of pounds of like current money, and shall have power to increase the number of shares accordingly; which original shares and increased stock shall be vested in the persons hereinbefore named, and such other persons as may take shares in the said Company, their successors or assigns; and upon taking such shares, they shall deposit in such Bank or Banks in the British North American Colonies, or elsewhere, as the Directors of the said Company shall from time to time appoint for that purpose, the sum of five shillings per share current money aforesaid; and the remaining amount of such shares shall be called in as the work progresses, in such parts and amount per share as the Directors of the said Company may deem necessary: Provided always, that two pounds ten shillings per share shall be the greatest amount per share of any one call which the said Directors may make on the shareholders, and two months at least shall be the interval between successive calls; and thirty days previous notice of payment being required for any one call, shall be given in the Royal Gazette at Fredericton, and one or more of the newspapers published in the city of Saint John: Provided also, that the whole amount of such calls shall not exceed, in any one year, one third part of the amount subscribed; and on demand of the holder of any share, the Company shall cause a receipt or certificate of the proprietorship of such share to be delivered to such shareholder, and the same may be according to the form in tho Schedule A to this Act annexed, or to the like effect, or in such other form as the said Company may by their bye-laws prescribe; and every of the said shares shall be deemed personal estate, and transferable as such, and shall not be deemed or taken to be of the nature of real property; and every such share shall entitle the holder thereof to a proportionate part of the profits and dividends of the said Company: Provided also, that the money so to be raised as aforesaid, shall be laid out in the making, completing and maintaining the said Railway, and other the purposes therewith connected, mentioned in this Act, and in payment of the legal and other expenses incurred in and about the incorporating and establishing the said Company, and to no other use or purpose whatsoever.

Capital to be 1,500,000*l.*, divided into 60,000 shares, with power to increase.

Periods and amounts of payments.

Shares to be personal estate.

III. And be it enacted, That so soon as One hundred thousand pounds of the capital stock of the said Company shall have been subscribed, and the deposit of five shillings per share shall have been actually paid as aforesaid, and not before, it shall be lawful for the said Company, and they are hereby authorized and empowered, by themselves, their deputies, agents, officers, and workmen, to make, construct, finally complete, alter, and keep in repair, a Railway, with one or more sets of rails or tracks, with all suitable bridges, archways, turn-outs, culverts, drains, and all other necessary appendages, and to erect such wharves, moles, jetties, piers, docks, harbours, landings, aboideaux, dikes, buildings, depôts, and warehouses, either at the termini or on the line of the said Railway, and to purchase and acquire such stationary or locomotive steam-engines and carriages, waggons, floats, and other machinery and contrivances, and real or personal property, as may be necessary for the making and maintaining the said Railway, and for the transport of passenger and merchandize thereon, and for other purposes of this Act; and may hold and possess the land over which the said Railway is to pass, and such adjoining lands as may be required; which Railway is to run from some point or place from the Eastern Boundary of this Province, in the County of Westmorland, so as best to connect with a Railway to be constructed from the City of Halifax, or some other Port on the Eastern Coast of the Province of Nova Scotia, on the Atlantic Ocean, over the most practicable route through this Province of New Brunswick, so as best to connect with a Railway to be constructed from the City of Bangor, in the United States of America, to the Eastern part of the State of Maine, under a Charter from the same State, with a like name as is used in this Act, as the Directors of this Company, in the exercise of their best judgment and discretion, shall judge most favourable and best calculated to promote the public convenience, and carry into effect the intentions and purposes of this Act: Provided always, that a Map or Plan of the route determined upon shall be deposited in the Office of the Secretary of this Province.

On subscription of 100,000*l.* and deposit of 5*s.* per share, Company authorized to construct and maintain their railway, with necessary appendages.

Direction of the route.

Plan of route to be deposited in the Provincial Secretary's office.

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Company empowered to make branch railways and own steamboats.

IV. And be it enacted, That the said Company shall and may, if they deem it expedient, make Branch Railways to every or any part of the Province, and manage such Branch Railways, and procure and own such steam-boats or vessels as may be necessary to ply in connexion with the said Railway, in the waters of any part of the Gulf of Saint Lawrence, or in the Bay of Fundy, or in the waters contiguous to either of them; and for that purpose shall exercise and possess all the powers, privileges, and authorities necessary for the management of the same in as full and ample a manner as they are hereby authorized to do with respect to the said Railway.

Interest on moneys called in may be paid till the railway be completed.

V. And be it enacted, That it shall be lawful for the Directors of the said Company, in their discretion, until the said Railway shall be completed and opened to the public, to pay interest at any rate not exceeding six pounds per centum per annum on all sums called up, in respect of the shares from the respective days on which the same shall be paid, such interest to accrue and be paid at such times and places as the said directors shall appoint for that purpose: Provided always that no interest shall accrue to the proprietor of any share upon which any call shall be in arrear in respect of such shares or any other share to be holden by the same proprietor during the period while such call shall remain unpaid.

Evidence of property in a share.

VI. And be it enacted, That the certificate of the proprietorship of any share in the said Company shall be admitted in all Courts as *primâ facie* evidence of the title of any shareholder, his executors, administrators, successors, or assigns, to the share therein specified; nevertheless, the want of such certificate shall not prevent the holder of any share from disposing thereof.

No share to be transferred while in arrear.

VII. And be it enacted, That no shareholder shall be entitled to transfer any share, after any call shall have been made in respect thereof, until he or she shall have paid all calls for the time being due on every share held by him or her.

Company not bound to see to the execution of trust in respect of shares.

VIII. And be it enacted, That the said Company shall not be bound to see to the execution of any trust, whether express, implied, or constructive, to which any of the said shares may be subject and the receipt of the party in whose name any such share shall stand in the books of the said Company, or if it stands in the name of more parties than one, the receipt of one of the parties named in the Register of Shareholders shall from time to time be a sufficient discharge to the said Company for any dividend or other sum of money payable in respect of such share, notwithstanding any trust to which such share may then be subject, and whether or not the said Company have had notice of such trusts, and the said Company shall not be bound to see to the application of the money paid upon such receipts.

Subscribers to the stock, and their representatives, to pay as appointed by the directors.

IX. And be it enacted, That the several persons who have or shall hereafter subscribe any money towards the said undertaking, or their legal representatives respectively, shall pay the sums respectively so subscribed, or such portion thereof as shall from time to time be called for by the Directors of the said Company, at such times and places as shall be appointed by the said Directors; and with respect to the provisions in this Act contained for enforcing the payment of the calls, the word "shareholder" shall extend to and include the personal representatives of such shareholder.

Power to make calls upon the shareholders for money.

X. And be it enacted, That it shall be lawful for the Directors of the said Company from time to time to make such calls of money upon the respective shareholders in respect of the amount of capital respectively subscribed or owing by them as they shall deem necessary, provided that thirty days' notice at the least be given of each call as aforesaid, and that no call exceed the prescribed amount aforesaid, and that successive calls be not made at less than the prescribed interval aforesaid, or a greater amount called in, in any one year, than the prescribed amount aforesaid; and every shareholder shall be liable to pay the amount of the call so made in respect of the shares held by him to the persons and at the times and places from time to time appointed by the said Company or the Directors thereof,

Interest to be paid on overdue calls.

XI. And be it enacted, That if before or on the day appointed for payment any shareholder do not pay the amount of any call to which he is liable, then such shareholder shall be liable to pay interest for the same at the rate allowed by law, that is to say, six per centum per annum from the day appointed for the payment thereof to the time of the actual payment.

Power to receive advances from shareholders on interest.

XII. And be it enacted, That it shall be lawful for the said Company, if they think fit, to receive from any of the shareholders willing to advance the same, all or any part of the moneys due upon their respective shares beyond the sums actually called for; and upon the principal moneys so paid in advance, or so much thereof as from time to time shall exceed the amount of the calls then made upon the shares, in respect of which such advance shall be made, the Company may pay interest at such rate, not exceeding the legal rate of interest for the time being, as the shareholder paying such sum in advance and the said Company may agree upon.

Power to sue defaulting shareholders.

XIII. And be it enacted, That if at the time appointed by the said Company, or the Directors thereof, for the payment of any call, any shareholder shall fail to pay the amount of such call, it shall be lawful for the said Company to sue such shareholder for the amount thereof in any Court of Law or Equity having competent jurisdiction, and to recover the same with lawful interest from the day on which such call was payable.

Declaration in suits to recover money due on calls.

XIV. And be it enacted, That in any action or suit to be brought by the said Company against any shareholder to recover any money due upon any call, it shall not be necessary to set forth the special matter, but it shall be sufficient for said Company to declare that the defendant is the holder of one share or more in the said Company, stating the number of shares, and is indebted to the said Company in the sum of money to which the calls in arrear shall amount in respect of one call or more upon one share or more, stating the number and amount of each of such calls whereby an action hath accrued to the said Company by virtue of this Act.

XV. And be it enacted, That on the trial or hearing of such action or suit it shall be sufficient to prove that the defendant at the time of making such call was the holder of one share or more in the said Company, and that such call was in fact made and such notice thereof given as is directed by this Act; and it shall not be necessary to prove the appointment of the Directors who made such call, or any other matter whatsoever; and thereupon the said Company shall be entitled to recover what shall be due upon such call and interest thereon, unless it shall appear either that any such call exceeds the prescribed amount aforesaid or that due notice of such call was not given, or that the prescribed interval between two successive calls had not elapsed as aforesaid.

Proof of call, and defendant having been a shareholder at the time sufficient.

XVI. And be it enacted, That the production of the Register of Shareholders shall be *primâ facie* evidence of such defendant being a shareholder, and of the number and amount of his shares.

Register of shareholders to be *primâ facia* evidence.

XVII. And be it enacted, That if any shareholder fail to pay any call payable by him, together with the interest, if any, that shall have accrued thereon, the Directors of the said Company at any time after the expiration of two months from the day appointed for payment of such call, may declare the share in respect of which such call was payable, forfeited, and that whether the said Company have sued for the amount of such call or not.

Shares in arrear may be declared forfeited.

XVIII. And be it enacted, That before declaring any shares forfeited, the Directors of said Company shall cause notice of such intention to be left or transmitted by Post to the usual or last place of abode of the person appearing by the Register of Shareholders to be the proprietor of such share; and if the holder of any such share be beyond the limits of this Province, or if his usual or last place of abode be not known to the said Directors, by reason of its being imperfectly described in the shareholders' Address Book, or otherwise; or if the interest in any share shall be known by the said Directors to have become transmitted otherwise than by transfer, and so the address of the parties to whom the said share or shares may for the time being belong shall not be known to the said Directors, the said Directors shall give public notice of such intention in the Royal Gazette, at Fredericton, and also in one or more of the Newspapers published in the city of Saint John, and the several notices aforesaid shall be given ninety days at least before the said Directors shall make such declaration of forfeiture.

Notice to be given of intention to declare shares forfeited.

XIX. And be it enacted, That the said declaration of forfeiture shall not take effect so as to authorize the sale or other disposition of any share, until such declaration shall have been confirmed at the next general meeting of the said Company to be held after such notice of intention to make such declaration of forfeiture shall have been given; and it shall be lawful for the said Company to confirm such forfeiture at any such meeting, and by an order at such meeting, or any subsequent general meeting, to direct the share or shares so forfeited to be sold, or otherwise disposed of.

Forfeiture of shares to be confirmed at a general meeting.

XX. And be it enacted, That after such confirmation as aforesaid, it shall be lawful for the said Directors to sell the forfeited share by public auction; and if there be more than one forfeited share, then either separately or together, as to them shall seem fit; and any shareholder may purchase any forfeited share so sold as aforesaid.

Forfeited shares to be sold.

XXI. And be it enacted, That an affidavit by some credible person not interested in the matter, sworn before any Justice of the Peace, or before any Commissioner for taking affidavits in the Supreme Court, or other person qualified by law to take affidavits, that the call in respect of a share was made and notice thereof given, and that default in payment of the call was made, and that the forfeiture of the share was declared and confirmed in manner hereinbefore required, shall be sufficient evidence of the facts therein stated, and such affidavit, and the receipt of the Treasurer of the said Company for the price of such share, shall constitute a good title to such share, and a certificate of proprietorship shall be delivered to such purchaser, and thereupon he shall be deemed the holder of such share, discharged from all calls due prior to such purchase, and he shall not be bound to see to the application of the purchase money, nor shall his title to such share be affected by any irregularity in the proceedings in reference to such sale.

Evidence of proprietorship in purchased shares.

XXII. And be it enacted, That the said Company shall not sell or transfer more of the shares of any such defaulter than will be sufficient, as nearly as can be ascertained at the time of such sale, to pay the arrears then due from such defaulter on account of any calls, together with interest and the expenses attending such sale and declaration of forfeiture, and if the money produced by the sale of any such forfeited shares be more than sufficient to pay all arrears of calls and interest thereon due at the time of such sale, and the expenses attending the declaration of forfeiture and sale thereof, with the proof thereof and certificate of proprietorship to the purchaser, the surplus shall, on demand, be paid to the defaulters.

No more shares to be sold than are sufficient to pay off arrears and expenses.

XXIII. And be it enacted, That if payment of such arrears of calls, and interest and expenses, be made before any share or shares so forfeited and vested in the said Company shall have been sold by public auction as aforesaid, such share or shares shall revert to the party or parties to whom the same belonged before such forfeiture, in such manner as if such calls had been duly paid.

On payment of arrears before sale, shares to revert to the party.

XXIV. And be it enacted, That his Excellency the Lieutenant-Governor, or Administrator of the Government for the time being, by and with the advice and consent of Her Majesty's Executive Council, be and is hereby authorized and empowered to grant unto the said Company, and the said Company are hereby invested with the right, by their agents, servants, and workmen, to enter and go in and upon the Crown Lands lying in the route or line of the contemplated Railway, for the purpose of making examinations, surveys, and other necessary arrangements, and also for the construction and repair of the said Railway and the Branches connected with the said Railway, its several station-houses and depôts, and for fuel for the use of the engines, station-houses, and depôts belonging thereto and the said Branches, to dig for,

Company, with the consent of the Executive Government, authorized to enter on Crown lands for examination, and take materials for construction.

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take, remove, and use any earth, gravel, stone, timber, wood, or other matter, under, on, or from the Crown Land contiguous to the Railway, free from any duties or charges therefor.

Executive Government authorized to grant lands for the route of the railway.

XXV. And be it enacted, That it shall and may be lawful for the said Lieutenant-Governor or Administrator of the Government for the time being, by and with the consent aforesaid, and he is hereby fully authorized and empowered, to grant unto the said Company, without pecuniary consideration, from the vacant Crown Lands, a belt or strip of such part of the Crown Lands as the said contemplated railway and the said branches may pass over and through, the said belt or strip to extend two hundred feet on both sides of the track of the Railway measured from the centre thereof, and also additional pieces or parcels of land severally not exceeding five hundred feet in length and three hundred feet in breadth, measured along and at right angles to the line of the said belt or strip of land at such points and distances from each other not less than five miles, as may be necessary and the said Company may elect and determine.

Power to erect bridges.

XXVI. And be it enacted, That if the said Railroad shall in the course thereof cross any tide waters, navigable rivers or streams, the said Company are hereby authorized and empowered to erect, for the sole and exclusive travel on the said Railroad, a Bridge across each of the said rivers or streams, or across any such tide waters, provided such Bridge or Bridges shall be so constructed as not unnecessarily to obstruct or impede the navigation of said waters.

Exemptions from taxation.

XXVII. And be it enacted, That no County, Parish, City, or other local tax or assessment shall be levied or assessed on or payable by the said Corporation, or any of their lands, tenements, personal property, privileges, or franchises, or on the stock thereof owned by the respective shareholders therein, or on the income derivable therefrom.

Legislature may inquire as to the doings of the Company, and by fines compel a compliance with this Act, but shall not impose other duties, nor alter this charter without consent.

XXVIII. And be it enacted, That the Legislature of this Province shall at all times hereafter have the right to inquire into the doings of the said Corporation, and into the manner in which the privileges and franchises herein and hereby granted may have been used and employed by the said Corporation, and to correct and prevent all abuses of the same, and to pass any laws imposing fines and penalties upon said Corporation, which may be necessary more effectually to compel a compliance with the provisions, liabilities, and duties herein set forth and enjoined, but not to impose any other or further duties, liabilities, or obligations; and that this Charter shall not be revoked, annulled, altered, or amended without the consent of the Corporation, or during the present Session of the Legislature, or limited or restrained except by due process of law.

Corporation may join any other corporation in Nova Scotia or State of Maine to construct the whole or any portion of the line of railway from Bangor to the eastern coast of Nova Scotia.

XXIX. And be it enacted, That it shall be lawful for the said Corporation, if they shall at any time or times hereafter deem it expedient to do so, to join or unite with any Body Politic, or Corporation or Company in the Province of Nova Scotia, or State of Maine, or to be formed therein for the purpose of constructing the whole or any portion of the said continuous line of Railway from the City of Bangor aforesaid, through this Province of New Brunswick to the Eastern Coast of Nova Scotia, as set out in the third Section of this Act; and also to enter into such contracts, arrangements, or agreements, by Deeds or Writings, with all or any of such Bodies Politic, Corporations, or Companies, as may be considered mutually beneficial, and as will conduce to the accomplishment of the desired end, and to the effectual carrying into operation the objects and intentions of this Act, and of such Bodies Politic, Corporations and Companies, and as may tend to the mutually beneficial management of the affairs of said continuous Railway during its erection and after its completion, and the just and equitable distribution and appropriation of the proceeds and earnings thereof; and all such contracts, arrangements, agreements, deeds, and writings, shall be valid and binding within this Province, as well on this Corporation as on such Bodies Politic, Corporations, and Companies, being parties thereto respectively, and shall be duly enforced in the Courts of this Province, as if the said Bodies Politic, Corporation, and Companies had been duly incorporated herein.

If railway be not completed within ten years, grants of land and privileges to revert to Her Majesty.

XXX. Provided always, and be it enacted, That if the said contemplated Railway shall not be completed and in full operation within the space of ten years from the time this Act shall come into operation, all and every the said grants of land, and the rights and privileges conferred by this Act shall be utterly null and void, and the land and privileges shall revert to and revest in Her Majesty, as fully as if no grant had been made or rights and privileges conferred.

Company invested with all necessary powers, &c.
To enter on lands for survey.

XXXI. And be it enacted, That the said Company shall be and are hereby invested with all the powers, privileges, and immunities which are or may be necessary to carry into effect the intentions and object of this Act; and for this purpose the said Company, their successors, deputies, agents, and assistants shall have the right to enter and go into and upon the lands and grounds of all and every description lying in the said route and general direction as aforesaid, for the purpose of making surveys, examinations, or other necessary arrangements for fixing the site of the said Railway; and it shall and may be lawful for the said Company and their

Take lands and material.

successors to take and hold so much of the land and other real estate as may be necessary for the laying out, making and constructing, and convenient operation of the said Railway, and shall also have the right to take, remove and use, for the necessary construction and repair of said Railway and appurtenances, any earth, gravel, stone, timber, or other materials on or from the land so taken, without any previous agreement with the owner or owners, tenant or tenants of the land, and upon which such surveys, examinations, or other arrangements may be made, or through which the said Railway may be explored, laid out, made, worked, or constructed, or on which materials and other things shall be laid for the purposes of the said

Extent limited.

Railway: Provided always, that the said land so taken shall not exceed six rods in width, except where greater width is necessary for the purpose of excavation or embankment, and

where the said Railway shall pass through any woods, lands, or forests, the said Company shall have the right to fell or remove any trees standing thereon to the distance of six rods from either side of the said railway, which by their liabilities to be blown down, or from their natural falling, might obstruct or impair said Railway: Provided always, that in all cases the said Company shall pay for such lands or estate so taken or used (in case the owner thereof demand it), such price as the said Company and the owner or respective owners thereof may mutually agree upon; and in case the said parties should not agree, then it shall be lawful for the said Company or the said parties to apply to three or more of the Commissioners to be appointed in manner hereinafter provided, who shall, after giving at least twenty days notice in writing to the said Company and parties, examine the site of the said Railway; and in case the said Railway shall pass through or extend upon any improved lands, or shall occasion the removal of any buildings or fences, then and in all such cases the damages shall be ascertained and assessed by such Commissioners or a majority of them: Provided always, that not less than three Commissioners shall concur in such assessment: Provided nevertheless, that the said Commissioners in assessing the said damages, are authorized and empowered, and shall take into consideration the indirect as well as the direct advantages which may accrue to the owner or respective owners, as such owner or respective owners, by the construction of such Railway, as by the enhancement in value of the land by the passage of the Railway in regard to the increased facilities of access to the different stations and termini of the said Railway, in diminution of the damages; and in all cases where the Commissioners shall assess damages to be paid to the owner or owners of any land over which the said Railroad may be laid out, the Commissioners so assessing shall lay the said assessment before the next general meeting of the said Company under the authority of this Act, who are hereby required to pay the amount set forth in the said assessment into the hands of the persons for whom such damages may have been assessed, within twenty-one days next after such general meeting of the said Company, together with the reasonable costs and charges of the said Commissioners in assessing such damages; and in default of such payment it shall and may be lawful for the said Commissioners, or either of them (in case of the absence or death of the others), at the instance of the said party or parties to whom such damages are payable, by warrant under the hands and seals of the said Commissioners or one of them (in case aforesaid), to levy the same with costs by distress and sale of the goods and chattels of the said Company: Provided always, that no claim for damages shall be allowed by such Commissioners, unless the same shall have been made in writing and submitted to the said Company within one year from the time of taking such land or other property: Provided also, that nothing in this Act contained shall be construed to affect the rights of the Crown in any ungranted lands within this Province, or to authorize the said Company to enter upon or take possession of any such lands without the previous permission of the Executive Government of the Province.

Company to pay for lands taken.

In case of disagreement damages to be assessed by Commissioners.

Assessment to be laid before the next meeting of the Company, and amount paid.

On default to be levied with costs.

XXXII. "And whereas divers and many persons, being the owners and proprietors of or interested in lands through which the line or route of the said Railway may pass, have by deeds or writings under their hands and seals, after reciting that—'Whereas at a Convention held at Portland in the State of Maine, for the purpose of devising means to insure the construction of a Railroad to extend from Portland aforesaid, in a continuous land route through the Province of New Brunswick, to a suitable point or terminus on the Eastern Coast of the Province of Nova Scotia, and to be called 'The European and North American Railroad,' John A. Poor, Esquire, of Portland, the Honourable Anson G. Chandler, of Calais, the Honourable Elijah L. Hamlin, of Bangor, the Honourable James B. Uniacke, of Halifax, Robert B. Dickie, Esquire, of Amherst, Robert Jardine, Esquire, of Saint John, and George Botsford, Esquire, of Fredericton, were appointed an Executive Committee to carry out the object of the said Convention, and to obtain a Charter or concurrent Charters from the Legislatures of Maine, New Brunswick, and Nova Scotia, to incorporate a Company or Companies for that purpose: Then in consideration that the said Committee did take upon themselves the aforesaid duty, and procure as aforesaid, a Charter or concurrent Charters, the subscribers feeling a deep interest in the erection of the said Railroad, did each for himself thereby covenant and agree to and with the said Committee, that such Company when formed, or any persons in their employment might, for the purpose of such Railroad, enter upon any lands belonging to either of them, and appropriate therefrom a sufficient width of way for such road over such lands, not exceeding six rods in width, without any claim for compensation or damages on either of their parts, except in cases where such road or width of way requires the removal of any buildings; and they further severally consented each for himself, that an Act of Assembly might be passed, to give full effect to the licence and agreement aforesaid, and for vesting such width of way in such company for the purposes of such road: And whereas other parties have executed or may hereafter execute other deeds, covenants, agreements, writings, or documents to the like purport and effect, or for carrying out the same objects or intentions;" Be it therefore enacted, That all and every such deeds, covenants. agreements, writings or documents already executed, or which shall hereafter be executed, shall be binding in law on each and every of the said parties thereto respectively, and each and every of them, their heirs and assigns, to take effect from the day when the same shall be respectively signed by the respective parties thereto, and be binding on such parties, their heirs and assigns, from the day of such signing of the same respectively, as if made and entered into with this Company after the passing of this Act, and of the organization of the said Company themselves, and all the lands, rights, privileges and immunities mentioned and referred to in said deeds, covenants, agreements, writings or documents respectively, which may be required, taken or used by the said Company, for the purposes of the said Railway, shall by operation of law vest absolutely in said Company, and shall be to all intents and purposes as valid and effectual for

Effect given to past or future agreements for transfers of land for the route of the railway.

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absolutely conveying and transferring said lands, and the right, title and interest of said parties respectively, their heirs and assigns, therein or thereto, as if they had respectively signed, sealed and delivered to the said Company good, valid, and effectual conveyances and assurances therefor, and for the rights, privileges and immunities granted, mentioned or intended to be granted by such deeds, writings, covenants, agreements or documents respectively, without registration or further act, deed, matter or thing being done or performed.

Executive Government to appoint Commissioners to settle all disputes as to lands and materials taken, &c., under sections 31, 34, and 35.

XXXIII. And be it enacted, That when and so soon as the same may be deemed necessary, the Lieutenant-Governor or Administrator of the Government for the time being, by and with the advice and consent of Her Majesty's Executive Council, shall appoint not less than five persons to be Commissioners for ascertaining and settling all disputes or difficulties, with reference to the payment for land or materials taken or used by the said Company under the thirty-first, thirty-fourth, and thirty-fifth sections of this Act, or damages occasioned thereby; which said Commissioners shall be appointed during pleasure; and in case of vacancy by refusal to act, resignation, death, removal, incapacity, or absence from the Province, appointments shall be forthwith made as aforesaid for filling such vacancies, and said Commissioners shall be sworn to the faithful and impartial discharge of their duties before any Clerk of the Peace for any County in this Province, and the Clerk so administering such oath shall forthwith transmit a certificate of such oath having been duly administered, to the Office of the Secretary of the Province.

Agreements with, and discharges by, Corporations and trustees for lands taken to be valid.

XXXIV. And be it enacted, That when the said Company shall take any land or estate of any Body Corporate, aggregate or sole, guardians, committees, executors, administrators, or other trustees whatsoever, held for or on behalf of those whom they represent, whether corporations, infants, idiots, lunatics, femme-coverts, persons deceased or beyond seas, or other person or persons whatsoever, who are or shall be possessed of or interested in the said land or estate, the respective contracts, agreements, and sales of the said corporations, guardians, committees, executors, administrators, or other trustees whatsoever, shall be valid and effectual in law to all intents and purposes whatsoever, and their respective receipts shall be good and valid releases and discharges therefor; and it shall be lawful for them respectively to agree and settle with the said Company for damages, if any, by reason of taking such land or estate aforesaid, and in case of disagreement, such damage to be ascertained and settled as provided by the thirty-first section of this Act.

Power to enter on adjacent lands and take materials for the construction and repair of the railway.

XXXV. And be it enacted, That the said Company, their superintendents, engineers, agents, and workmen, may enter upon the land adjoining the said Railway, and from thence take and carry away any timber, stone, gravel, sand, and earth, or materials necessary for the construction of the said Railway; and in case of any slip happening or being apprehended to any cutting, embankment, or other work belonging to the said Railway, the said agents and workmen shall at all times hereafter have full egress and regress into and upon such adjoining lands, for the purpose of repairing and preventing such accident, and to do such works as may be necessary for the purpose: Provided always, that such works shall be as little injurious to the said adjoining land as the nature of the operations will admit of, and shall be executed with all possible dispatch, in all which cases the damage incurred, if the parties cannot agree, shall be ascertained and paid in like manner in all respects as provided for in the thirty-first section of this Act.

Fences to be maintained on each side of the railway.

XXXVI. And be it enacted, That the said Company, at their own proper costs and charges, shall erect and maintain on each side of the said Railway, sufficient fences wherever the same may be necessary, in order to protect the public, or wherever any cleared or cultivated land occurs on the line of the said Railway, and for neglect or failure to erect and maintain such necessary fences, the said Company shall be liable to be indicted at any Court of Oyer or Terminer or General Sessions of the County where such fences shall be insufficient, and to be fined in such sum as shall be then and there adjudged; and such fine shall be expended for the erection or repair of said fences, and for compensation of individual damage, as the case may be; and it shall and may be lawful for the Justices of the said Court of Oyer and Terminer or General Sessions, to make such order for levying the said fine on the property of the said Company, or otherwise, as to them shall seem most proper to the exigencies of the case, which said fine shall be exclusive of any claim for damages which any party may sustain by any such neglect or failure as aforesaid.

A bell to be rung at eighty rods distance from every railway crossing.

XXXVII. And be it enacted, That the said Company shall cause a Bell of at least thirty-five pounds in weight, to be placed on each locomotive engine passing upon the said road, and the said bell shall be rung at the distance of at least eighty rods from the place where such road crosses any railroad, turnpike, highway, statute labour, or private road, upon the same line with the railroad, and shall be kept ringing until the engine shall have crossed such railroad, turnpike, highway, statute labour or private road, and every train of cars moved by steam power shall be provided with suitable breaks, and one trusty and skilful breaksman to every two cars in said train.

Boards with a printed caution to be put up at the crossing of roads.

XXXVIII. And be it enacted, that wherever the said Railway or any of its branches shall cross, or shall hereafter cross any railroad, highway, turnpike road, statute labour or private road for carriages of any description, within this Province, the said Company shall cause boards to be placed, well supported by posts or otherwise, and constantly maintained across each railway, highway, statute labour or private road, where it is crossed by the railroad upon the same level therewith, the said posts and boards to be of such height as shall be easily seen by travellers without obstructing the travel, and on each side of said boards the following inscription shall be printed in plain legible letters of at least the length of nine inches, "Rail Road crossings, look out for the engine when the bell rings!!" Provided always, that it shall be lawful, if the said Company shall deem it more conducive to the public safety, for the said

Company may alter any turnpike or other road, instead of crossing on a level.

Company, at their own expense, to carry such turnpike or highway, statute labour or private road, over or under such railway, by means of a bridge or archway, in lieu of crossing the same on the level, and shall have power to raise or lower such turnpike, statute labour or private road, so as the safe and convenient use thereof be not obstructed: and the said Company shall constantly maintain in good repair all bridges, with the abutments and embankments which they may construct for conducting the railroad over any turnpike, highway, statute labour or private road, over said railroad; and when the said railway shall approach any such turnpike, highway, statute labour or private road, so as to be inconvenient in the construction or building of said railroad, or in the discretion of the Directors of the said Company, dangerous to persons passing on such turnpike, highway, statute labour or private road, it shall be lawful for the said Company to alter and change the line or course of such turnpike, highway, statute labour or private road, so as to obviate any such inconvenience difficulty or danger, doing as little injury to such turnpike, highway, statute labour or private road, as may be.

Company affairs to be managed by a Board of directors.

XXXIX. And be it enacted, That the immediate government and management of the affairs of the said Company shall be vested in seven, nine, or thirteen Directors, as the said Company may by bye law from time to time fix and determine, who shall be proprietors of at least forty shares each, and who shall be chosen by the shareholders of the said Company in the manner hereinafter provided, and shall hold their offices until others shall have been duly elected and qualified to take their places; that not less than three or five Directors, as the said Company shall by bye laws from time to time fix and determine, shall constitute a Board for the transaction of business, of which the President shall always be one, except in case of sickness or necessary absence, in which case the Directors present may choose one of their number as Chairman in his stead; that the President shall vote at the Board as a Director, and in case of there being an equal number of votes for and against any question before them, the President shall have the casting vote.

Board for business.

Number of votes to be given by shareholders ascertained.

XL. And be it enacted, that the number of votes which each shareholder shall be entitled to on every occasion when in conformity to the provisions of this Act the votes of the shareholders are to be given, shall be in the following proportions, that is to say, each share one vote; and all shareholders may vote by proxy if they shall see fit, provided each proxy do produce from his constituent whom he shall represent, or for whom he shall vote, an appointment in the form set forth in Schedule B to this Act annexed, or to the like effect; and whatever question of election of public officers or other matters or things shall be proposed, discussed, or considered in any public meeting of the said Company under the authority of this Act, shall be determined and decided by the majority of votes and proxies then and there present: Provided always, that such proxy shall have been registered in a book to be kept for that purpose, at least forty eight hours before the meeting at which such proxy shall claim to vote: Provided also, that neither the President nor any Director of the Company for the time being, shall be allowed to vote as proxy, and that the same person shall not vote as proxy for any number of persons who together shall be proprietors of more than two hundred shares.

Votes by proxy.

First meeting of the shareholders to be held at Saint John, when 100,000*l.* are subscribed.

XLI. And be it enacted, That whenever One hundred thousand pounds of the said capital stock shall have been subscribed and the deposits paid as aforesaid, the first general meeting of the shareholders shall take place at the City of St. John, and such meeting shall be called by Daniel J. M'Laughlin, President of the Commercial Bank above named, or in case of his death, absence, neglect or refusal, by any two of the said Company, to be called by notice in the Royal Gazette at Fredericton, and in one or more of the newspapers published in St. John, thirty days previous to such meeting, in order to organize the said Company, make bye laws, and to choose the Directors thereof, who shall continue in office until re-elected, or others chosen and appointed in their stead, at any meeting to be held under the authority of this Act; that the shareholders present or appearing by proxy shall choose the Directors of the said Company by a majority of votes, and the Directors so chosen shall choose out of their number one who shall be President of the said Company; and in case of the death, resignation, removal, disqualification by sale of stock, or incompetency of any Director, the remaining Directors, if they think proper so to do, may elect in his place some other shareholder duly qualified to be a Director, and the shareholder so elected to fill up any such vacancy, shall continue in office as a Director so long only as the person in whose place he shall have been elected would have been entitled to continue if he had remained in office.

Directors may call extraordinary meetings, and appoint officers.

Shareholders empowered to make bye-laws at the annual meeting.

To be published, and binding, if not disapproved by the Lieut.-Governor.

XLII. And be it enacted, That the said Directors shall have the power of calling extraordinary meetings of the said Company, when they may consider the same expedient or necessary, and of nominating and appointing all and every the officers and engineers and other persons connected with the said Railway, at such salaries or rates of remuneration as to the said Directors shall seem proper, subject to the bye laws, rules and regulations of the said Company; and the shareholders shall have the power from time to time to alter and amend, or to make such new rules, bye laws and regulations, for the good government of the said Company, and of the said Railway, and of the works and property hereinbefore mentioned, and for the well governing of the engineers, workmen and other persons employed by the said Company, as to the major part of the said shareholders at the annual meeting of the said Company shall seem meet; which said rules, bye laws, and regulations, being put into writing under the Common Seal of the said Company, shall, if not disapproved of by the Lieutenant-Governor or Administrator of the Government in this Province for the time being, as hereinbefore provided, be published in the Royal Gazette at Fredericton, and also in one or more of the newspapers published in the City of Saint John, shall be binding upon and observed by all parties, and shall be sufficient in any Court of Law to justify all persons who shall act under the same.

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Annual meeting

XLIII. And be it enacted, That the said shareholders shall meet annually at the City of Saint John on the first Tuesday in September in each year, or at such other time or place in this Province in each year as may from time to time be fixed and determined by any bye laws of said Company; at which meeting the shareholders present, personally or by proxy, may either continue in office the Directors before appointed, or any number of them, or may elect a new body of Directors to supply the places of those not continued in office: Provided always, that the omission to meet shall work no forfeiture, but the shareholders may be afterwards called together for that purpose by the Directors of the said Company for the time being.

Appointment of directors.

Two auditors to be appointed at the first annual meeting, and one at each meeting thereafter.

XLIV. And be it enacted, That the said Company at the first general meeting for the choice of Directors shall elect two Auditors in like manner as is provided for the election of Directors; and at the annual general meeting of the Company in each year thereafter, the Company shall in like manner elect an Auditor to supply the place of the Auditor then retiring from office according to the provisions hereinafter contained; and every Auditor so elected, being neither removed or disqualified, nor having resigned, shall continue to be an Auditor until another be elected in his stead; and one of the two Auditors first elected (to be determined in the first instance by ballot between themselves, unless they shall otherwise agree, and afterwards by seniority) shall go out of office at the annual general meeting in each year; but the Auditor so going out shall be immediately re-eligible, and after any such re-election shall, with respect to the going out of office by rotation, be deemed a new Auditor; and if any vacancy take place among the Auditors in the course of the current year, the vacancy shall be filled by the shareholders at a special meeting: Provided always, that every Auditor shall have at least one share of stock in the said Company, but shall not hold any other office in the same, or be in any other manner interested in its concerns except as a shareholder.

One auditor to go out each year, but to be re-eligible.

Periodical accounts and balance sheets to be submitted to the auditors, who shall report on or confirm the same.

XLV. And be it enacted, That the Directors of the Company shall deliver to such Auditors the half yearly or other periodical accounts and balance sheet, at least fourteen days before the annual general meeting, or before any special or periodical meeting at which the same are required to be produced to the shareholders; and it shall be the duty of the Auditors to receive and examine such accounts; and it shall be lawful for the Auditors to employ such accountants and other persons as they may think proper, at the expense of the Company, and they shall either make a special report on the said accounts, or simply confirm the same; and such report or confirmation shall be read, together with the Report of the Directors, at every annual or half yearly or special meeting at which the accounts of the Company shall be presented.

Officers entrusted with the custody of money to give security.

XLVI. And be it enacted, That before any person entrusted with the custody or control of moneys, whether Treasurer, Collector, or other officer of the Company, shall enter upon his office, the Directors shall take sufficient security from him for the faithful execution of his office.

Officers to render accounts and vouchers when required, and pay over balances.

XLVII. And be it enacted, That every officer employed by the Company shall from time to time, when required by the Directors, make out and deliver to them, or to any person appointed by them for that purpose, a true and perfect account in writing under his hand, of all moneys received by him on behalf of the Company; and such account shall state how, and to whom, and for what purpose such moneys shall have been disposed of; and together therewith, such officers shall deliver the vouchers and receipts for such payments; and every such officer shall pay to the Directors, or to any person appointed by them to receive the same, all moneys which shall appear to be owing from him upon the balance of such accounts.

On failure officers may be cited before two or more justices of the peace, who may determine the matter in a summary way.

XLVIII. And be it enacted, That if any officer of the Company shall fail to render such account, or to produce and deliver up all the vouchers and receipts relating to the same, which are in his possession or power, or to pay the balance due by him when required, or if for three days after being required, he fail to deliver up to the Directors, or to any person appointed by them to receive the same, all papers and writings, property, effects, matters and things in his possession or power, relating to the execution of his office or belonging to the Company, then on complaint thereof being made to a Justice of the Peace, such Justice shall summon such officer to appear before two or more Justices at a time and place to be set forth in the Summons, to answer such charge; and upon appearance of such officer, or in his absence, upon proof that the summons was personally served upon him, or left at his last known place of abode, the Justices may hear and determine the matter in a summary way, and may adjust and declare the balance owing by such officer; and if it appear either upon confession of such officer, or upon evidence, or upon inspection of the account, that any moneys of the Company are in the hands of such officer, or owing by him to the Company, the Justices may order such officer to pay the same; and if he fail to pay the amount, it shall be lawful for such Justices to grant a Warrant to levy the same by distress, or in default thereof to commit the offender to gaol, there to remain without bail for a period not exceeding two months unless the same be sooner paid.

On refusal to render accounts, &c., the justices may commit the officer to gaol.

XLIX. And be it enacted, That if any such officer shall refuse to make out an account in writing, or to produce and deliver to the Justices the several vouchers and receipts relating thereto, or to deliver up any books, papers or writings, property, effects, matters or things in his possession or power, belonging to the Company, the Justices may lawfully commit such officer to gaol, there to remain until he shall have delivered up all the vouchers and receipts, if any, in his possession or power relating to such accounts, and have delivered up all books, papers, writings, property, effects, matters and things, if any, in his possession or power belonging to the Company: Provided always, that if any Director or other person acting on behalf of the Company, shall make oath that he has good reason to believe, upon grounds to be stated in his deposition, and does believe that it is the intention of any such officer as aforesaid to abscond, it shall be lawful for the Justice before whom the complaint is made,

instead of issuing his Summons, to issue his Warrant for the bringing such officer before two such Justices as aforesaid; but no person executing such Warrant shall keep such officer in custody longer than twenty-four hours before bringing him before some Justice, and it shall be lawful for the Justice before whom such officer may be brought, either to discharge such officer, if he think there is no sufficient ground for his detention, or to order such officer to be detained in custody, so as to be brought before two Justices at a time and place to be named in the order, unless such officer give bail to the satisfaction of the Justice for his appearance before the Justices, to answer the complaint of the Company.

A warrant may be issued on affidavit of belief of intention to abscond.

L. And be it enacted, That no such proceeding against or dealing with any officer as aforesaid, shall deprive the Company of any remedy which they might otherwise have against such officer or any surety of such officer.

Proceedings against officers not to deprive the Company of other remedy.

LI. And be it enacted, That the said Company shall annually submit to the Legislature, within the first fifteen days after the opening of each Session, a detailed and particular account, attested upon oath of the Treasurer and two Directors, of the moneys received and expended by the Company under and by virtue of this Act, with a statement of the amount of tonnage and of passengers that have been conveyed along the said road.

Account of moneys received and expended to be laid before the Legislature.

LII. And be it enacted, That the Lieut.-Governor in Council may order and direct the said Company, and whereupon it shall be their duty to make up and deliver to the Provincial Secretary, Returns, according to a form to be from time to time prescribed by the Lieutenant-Governor in Council, of the aggregate traffic in passengers, according to their several classes, and of the aggregate traffic in cattle and goods respectively, on the said Railway, as well as of all accidents which have occurred thereon attended with personal injury, and also a table of all tolls, rates and charges, from time to time levied on each class of passengers, and on cattle and goods, conveyed on the said Railway.

Returns of traffic to be made to the Provincial Secretary.

LIII. And be it enacted, That it shall be lawful for any number of shareholders holding in the aggregate five hundred shares, by writing under their hands, at any time to require the said Directors to call an extraordinary meeting of the said Company, and such requisition shall fully express the object of the meeting required to be called, and shall be left at the office of the said Company, or given to at least three Directors, or left at their last or usual place of abode; and forthwith upon the receipt of such requisition the said Directors shall convene a meeting of the shareholders; and if for thirty days after such notice the Directors fail to call such meeting, the shareholders aforesaid, qualified as aforesaid, may call such meeting, by giving thirty days public notice thereof in the Gazette and newspapers hereinbefore in this Act mentioned.

Power to call extraordinary meetings of the Company.

LIV. And be it enacted, That thirty days public notice at the least, of all meetings, whether general or extraordinary, shall be given by advertisement in the Gazette and newspapers hereinbefore in this Act mentioned, which shall specify the place, the day and hour of meeting; and every notice of an extraordinary meeting shall specify the purpose for which the meeting is called.

Thirty days' notice by advertisement to be given of all meetings of the Company.

LV. And be it enacted, That a toll be and is hereby granted for the sole benefit of the said Company on all passengers and property of all descriptions, which may be conveyed or transported upon such Railway, any of its branches, or in the steam boats or vessels connected therewith as aforesaid, at such rates per mile as may be established from time to time by the Directors of the said Company; the transportation of persons and property, the construction of cars and carriages, the weight of loads, and all other matters and things in relation to the use of the said Railway and its branches, shall be in conformity to such rules, regulations, and provisions, as the said Directors shall from time to time prescribe and direct; and such Railway and its branches may be used by any person or persons who may comply with such rules and regulations: Provided always, that if after the completing the said Railway, the rates, tolls or dues that may be established by the said Company, under and by virtue of this Act, shall be found excessive, it shall and may be lawful for the Legislature to reduce the said rates, tolls or dues, so as the same shall not produce to the said Company a greater rate of clear net annual profits, divisible upon the subscribed and paid up capital stock of the said Company, than fifteen pounds annually for every one hundred pounds of such capital; and in order that the true state of the said Company shall be known, it shall be the duty of the President and Directors thereof to file in the Office of the Secretary of the Province, for the information of the Legislature, at the expiration of seven years after the said Railway shall have been completed as aforesaid, a just and true statement and account of the moneys by them disbursed and laid out in making and completing the said Railway in manner aforesaid; and also the amount of tolls and revenues of the said Railway, and of the annual expenditure and disbursements in maintaining and keeping up the same during the said seven years; the said several accounts and statements to be signed by the President and Treasurer of the said Company, and by such President and Treasurer attested to on oath before any one of Her Majesty's Justices of the Peace for any County in this Province; and provided also, that it shall be the duty of the said President and Directors of the said Company, once in each and every year after the expiration of the said seven years, to file in the said office of the Secretary of the said Province, for the information of the Legislature, a like statement and account, verified on oath by the President and the Treasurer as aforesaid.

Toll granted to the Company.

The rates may be reduced if found to be excessive.

Statement of expenses and receipts to be filed in the Provincial Secretary's Office for the information of the Legislature.

LVI. And be it enacted, That the said Corporation, after they shall commence the receiving of tolls, shall be bound at all times to have their Railroad in good repair, and a sufficient number of suitable engines, carriages, and other vehicles, for the transportation of persons and articles, and be obliged to receive at all proper times and places, and convey the same, when the appropriate tolls therefor shall be paid and tendered, and a lien is hereby created upon all articles transported for said tolls.

Obligations to have the railroad in good repair, &c., after commencement of receipt of tolls.

Lien granted.

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Right of purchasing the railway and its appurtenances reserved to Her Majesty's Government.

LVII. And be it enacted, That whatever may be the rate of divisible profits on the said Railway, it shall be lawful for Her Majesty's Government, if it shall think fit, subject to the provisions hereinafter contained, at any time after the expiration of the term of twenty-one years, to purchase the said Railway, with all its hereditaments, stock, and appurtenances, for the use of this Province, upon giving to the said Company three calendar months notice in writing of such intention, and upon payment of a sum equal to twenty-five years purchase of the annual divisible profits, estimated on the average of the seven then next preceding years: Provided that if the average rate of profits for the said seven years shall be less than the rate of fifteen pounds in the one hundred pounds, it shall be lawful for the Company, if they should be of opinion that the said rate of twenty-five years purchase of the said average profits is an inadequate rate of purchase of such Railway, reference being had to the prospects thereof, to require that it shall be left to arbitration, in case of difference, to determine what (if any) additional amount of purchase money shall be paid to the said Company: Provided also, that such option of purchase shall not be exercised, except with the consent of the Company, while any such revised scale of tolls, fares, and charges shall be in force.

Mails, guards, &c., to be forwarded on the railway under the direction of the Postmaster-General.

LVIII. And be it enacted, That it shall be lawful for the Postmaster General or his chief Deputy, or the duly authorized authorities with reference to the Post Office in this Province, by notice in writing under his hand or under the hand of such Deputy or authorized authority as aforesaid, delivered to the said Company, to require that the Mails or Post Letter Bags shall from and after the day to be named in such notice (being not less than twenty-eight days from the delivery thereof) be conveyed and forwarded by the said Company on their Railway, either by the ordinary trains of carriages or by special trains as need may be, at such hours or times in the day or night, as the Postmaster-General or his said Deputy shall direct, together with the guards appointed and employed by the Postmaster-General or his said Deputy in charge thereof, and any other officers of the Post Office; and thereupon the said Company shall from and after the day to be named in such notice, at their own costs, provide sufficient carriages and engines on the said Railway for the conveyance of such Mails and Post Letter Bags, to the satisfaction of the Postmaster-General or his said Deputy, and receive and take up, carry and convey by such ordinary or special train of carriages or otherwise, as need may be, all such Mails or Post Letter Bags as shall for that purpose be tendered to them, or any of their officers, servants or agents, by any officer of the Post Office, and also to receive, take up, carry and convey, in and upon the carriage or carriages carrying such Mails or Post Letter Bags, the guards in charge thereof, and any other officer of the Post Office, and shall receive, take up, deliver and leave such Mails or Post Letter Bags, guards and officers, at such places in the line of such Railway, on such days and such hours or times in the day or night, and subject to all such reasonable regulations and restrictions as to speed of travelling, places, times, and duration of stoppages and times of arrival, as the Postmaster-General or his said Deputy shall in that behalf from time to time order or direct: Provided always, that the rate of speed required shall in no case exceed the maximum rate of speed prescribed by the Directors of the said Company for the conveyance of passengers by their first class train, nor shall the Company be responsible for the safe custody or delivery of any Mail Bags so sent.

Compensation to be fixed by agreement or arbitration.

LIX. And be it enacted, That the said Company shall be entitled to such reasonable remuneration, to be paid by the Postmaster-General or his Deputy, for the conveyance of such Mails, Post Letter Bags, Mail guards and other officers of the Post Office, in manner required by such Postmaster-General, his Deputy, or by such authorized authority of the Post Office as he shall in that behalf nominate as aforesaid, as shall (either prior to or after the commencement of such service) be fixed and agreed upon between the Postmaster-General or such authorized authority and the said Company, or in case of difference of opinion between them, the same shall be referred to the award of two persons, one to be named by the Postmaster-General, or his Deputy, or such authorized authority, and the other by the said Company; and if such two persons cannot agree on the amount of such remuneration or compensation, then to the umpirage of some third person, to be appointed by such two first named persons, previously to their entering upon the inquiry; and the said award, or umpirage, as the case may be, shall be binding and conclusive on the said parties and their respective successors and assigns.

Nomination of arbitrators and umpires.

LX. And be it enacted, That in all references to be made under the authority of this Act, the Postmaster-General, his Deputy, or authorized authority, or the said Company, as the case may be, shall nominate his or their arbitrators within fourteen days after notice from the other party, or in default, it shall be lawful for the arbitrator appointed by the party giving notice, to name the other arbitrator, and such arbitrators shall proceed forthwith in the reference, and make their award therein within twenty-eight days after their appointment, or otherwise the matter shall be left to be determined by the umpire, and if such umpire shall refuse or neglect to proceed and make his award for the space of twenty-eight days after the matter shall have been referred to him, then a new umpire shall be appointed by the two first named arbitrators, who shall in like manner proceed to make his award within twenty-eight days, or in default be superseded, and so *toties quoties*.

Her Majesty's Forces of the Line, &c., to be conveyed when required.

LXI. And be it enacted, That the Directors of the said Company shall be bound to provide such conveyance for the Officers and Soldiers of Her Majesty's Forces of the Line, Ordnance Corps, Marines, Militia, or Police Forces, at such time or times (whether the same shall be the usual hours of starting trains or not) as shall be required or appointed by any officer duly authorized for that purpose, and with the whole resources of the Company; and the said Company shall be entitled to receive such reasonable remuneration, to be paid by such officer or the authority authorizing him, as shall be fixed and agreed upon between such

officer or authority and the said Company, or in case of difference between them, the same shall be referred to the award of two persons, one to be named by such officer or authorized authority, and the other by the said Company, in like manner in all respects as is provided in and by the fiftieth and fifty-first sections of this Act for determining the remuneration and compensation for carrying Mails.

Company may alter the rates of charges, so as to be equal to all alike.

LXII. And be it enacted, That the Directors of the said Company shall be and they are hereby authorized from time to time to alter or vary the tolls to be taken upon the said Railroad or its branches, as they shall think fit: Provided that all such tolls be at all times charged equally to all persons, and after the same rate, whether per ton, per mile, or otherwise, in respect to all passengers, and of all goods, chattels or carriages of the same description, and conveyed or propelled by a like carriage or engine passing only over the same portion of the line of Railway under the same circumstances; and no reduction or advance in any such toll shall be made, either directly or indirectly, in favour of or against any particular company or person travelling upon or using the Railway.

Obligation to permit a line of electrical telegraph to be laid down for and by Her Majesty's Government.

LXIII. And be it enacted, That the said Company, on being required so to do by Her Majesty's Government, shall be bound to allow any person or persons duly authorized by Her Majesty's Government, with servants and workmen, at all reasonable times to enter into and upon the lands of the said Company, and to establish and lay down upon such lands adjoining the line of the said Railway or any of its branches, a line of Electrical Telegraph for Her Majesty's Service, and to give to him and them every reasonable facility for laying down the same and for using the same for the purpose of receiving and sending Messages on Her Majesty's Service, subject to such reasonable remuneration to the Company as may be agreed upon between the Company and Her Majesty's Government: Provided always, that subject to a prior right of use thereof for the purpose of Her Majesty, such Telegraph may be used by the Company for the purposes of the Railway, upon such terms as may be agreed upon between the parties, or in the event of differences, as may be settled by arbitration, in like manner as is provided for in the fiftieth and fifty-first sections of this Act for fixing the compensation or remuneration to this Company for carrying Mails.

Half-yearly dividends of the profits to be made.

LXIV. And be it enacted, That the Directors of the said Company shall make half-yearly dividends of tolls, income and profits arising to the said Company, first deducting thereout the annual costs, charges and expenses of the said Company, as well of the repairs of the works belonging to them, as for the salaries and allowances of the several officers and servants, and for such other purposes connected with the said Company as may be deemed proper by the said Directors, consistent with the bye-laws, rules and regulations of the said Company.

Receipts of guardians of minors and committee of innatics to be good discharges.

LXV. And be it enacted, That if any money be payable from the said Company to any shareholder or other person being a minor, idiot or lunatic, the receipt of the guardian of such minor, or the receipt of the committee of such lunatic, shall be a sufficient discharge to the said Company for the same.

A portion of the profits may be reserved before declaring dividends.

LXVI. And be it enacted, That before apportioning the profits to be divided among the shareholders, the said Directors may, if they think fit, set aside thereout such sum as they may think proper to meet contingencies, or for enlarging, repairing and improving the works connected with the said Railway or its branches, or any part of the said undertaking, and may divide the balance among the shareholders.

No dividend to be paid on shares in arrear.

LXVII. And be it enacted, That no dividend shall be paid in respect of any share until all calls then due in respect of that and every other share held by the person to whom such dividend may be payable shall have been paid.

Joint stock to be alone responsible for the Company debts.

LXVIII. And be it enacted, That the joint-stock or property of the said Company shall alone be responsible for the debts and engagements of the said Company; and that no person or persons who shall or may have dealings with the said Company shall under any pretence whatsoever have recourse against the separate property of any of the individual shareholders of the said Company, or against their person or persons, further than may be necessary for the faithful application of the funds of the said Company: Provided also, that no shareholder of the said Company shall be liable for or charged with the payment of any debt or demand due from the said Company beyond the extent of his share in the capital of the said Company not then paid up.

Time limited for bringing actions for anything done under this Act.

LXIX. And be it enacted, That no suit or action at law or equity shall be brought or prosecuted by any person or persons for any act, matter or thing done under the authority of this Act, unless such suit or action shall be commenced within six months next after the offence shall have been committed, or cause of action accrued; and the defendant or defendants in such suit or action may plead the general issue, and give this Act and the special matter in evidence under the said plea, and that the same was done in pursuance and by the authority of this Act.

Punishment for malicious acts, destroying works, &c.

LXX. And be it enacted, That if any person or persons shall wilfully and maliciously, or wantonly and to the prejudice of the undertaking, break, injure or destroy any of the works to be made by virtue of this Act, or obstruct the passage of any carriage on said Railroad, or in any way spoil, injure or destroy such Railroad, or any part thereof, or anything belonging thereto, or any materials or implements to be employed in the construction or for the use of the said Railroad, every such person or persons shall be adjudged guilty of felony; and every person so offending shall be guilty of felony, and being convicted thereof shall be liable to be imprisoned in the Provincial Penitentiary for a term not exceeding four years, which punishment shall be in addition to any civil or other remedy for such offence.

Company to have all the powers of commissioners of roads for removing obstructions.

LXXI. And be it enacted, That this Company shall have all the powers and authorities which are or may be given by any Act or Acts of the General Assembly of this Province to

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Commissioners of Roads for the purpose of removing any obstruction or for selling or disposing of any articles left on said Railroad.

Legislature may authorize the connexion of other railways.

LXXII. And be it enacted, That the Legislature of this Province may authorize other Companies to connect their Railroads with the Railroad of this Company at any points on the route of said Railroad, and this Company may connect their Railroad with any other Railroad existing or to be constructed within this Province.

Act to be void if railway be not completed within ten years.

LXXIII. And be it enacted, That the said Company, to entitle themselves to the privileges, benefits and advantages to them granted in this Act, shall and they are hereby required to make and complete the said Railway within ten years from the passing of this Act, and if the same shall not be so made and completed within the period before mentioned, so as to be used for the conveyance and carriage of passengers, goods, chattels, wares and merchandize thereon, then this Act and every matter and thing therein contained shall cease and be utterly null and void.

Commencement of Act.

LXXIV. And be it enacted, That this Act shall come into operation and be in force from and after the first day of June next ensuing.

SCHEDULE A.

FORM OF CERTIFICATE OF SHARE.

Form of certificate of share.

The European and North American Railway Company.

Number

This is to certify that A. B., of is proprietor of the Share (*or* Shares) Number of the European and North American Railway Company, subject to the regulations of the said Company, and upon which Shares respectively the sum of has been paid.

Given under the Common Seal of the said Company the day of in the year of our Lord One thousand eight hundred and

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SCHEDULE B.

FORM OF PROXY.

Form of proxy.

I, A. B., of do hereby nominate, constitute and appoint C. D., of to be my proxy, in my name and in my absence to vote or give any assent or to dissent from any business, matter or thing relative to the European and North American Railway Company, in such manner as he the said C. D. shall think proper and for the benefit of the said Company.

In witness whereof I, the said A. B., have hereunto set my hand (*or if a Corporation say* the Common Seal of the Corporation) the day of One thousand eight hundred and

A. B.

J. R. PARTELOW,
Provincial Secretary.

EDMUND HEAD, Lieut.-Governor.

(No. 32.) No. 4.

No. 4.

COPY of a DESPATCH from Lieut.-Governor Sir EDMUND HEAD to Earl GREY.

Government House, Fredericton, New Brunswick,
May 23, 1851.

MY LORD, (Received June 10, 1851.)

I HAVE the honour to enclose a copy of a petition addressed to myself, as Lieutenant-Governor, together with a copy of certain resolutions passed at a public meeting in the county of Restigouche with reference to the Halifax and Quebec Railway.

Sir E. Head to Earl Grey. No. 15, April 7, 1851.

I have, in my Despatch of April 7, No. 15, sufficiently explained my own views as to the proposal conveyed in your Lordship's Despatch of March 14, No. 248.

The county of Restigouche is, as your Lordship knows, situated on the Bay of Chaleurs.

The difference of opinion thus manifested between different sections of the province completely exemplifies what I anticipated in my Despatch to your Lordship of March 31, 1849, paragraph 10*.

I have, &c.,

The Right Hon. Earl Grey, &c. &c.

(Signed) EDMUND HEAD.

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* Page 71 of Papers relative to the Halifax and Quebec Railway presented to both Houses of Parliament by Command,-8th April 1851.

Enclosure 1 in No. 4.

To his Excellency Sir EDMUND W. HEAD, Bart., Lieut.-Governor and Commander-in-Chief of the Province of New Brunswick, &c. &c.

The Petition of ADAM FERGUSON, CHARLES SIMONDS, PETER TAYLOR, CHIPMAN BOTSFORD, GEORGE MOFFATT, and GEORGE B. COWPER,

RESPECTFULLY SHOWETH,

THAT your Petitioners were appointed a Committee at a very large and unanimous county meeting held in Dalhousie on the 9th instant, to forward to your Excellency a copy of the Resolutions passed at that meeting, with a request that your Excellency will be pleased to transmit such copy to the Colonial Secretary, and also to advise that Her Majesty's assent be withheld from the Act, passed at the last session of the New Brunswick Legislature, for the furtherance of the "European and North American" and the "St. Andrews and Woodstock" railways.

Your Petitioners therefore humbly pray that your Excellency will be pleased to carry out the wishes of your Petitioners, and of the meeting at which they were appointed.

And as in duty bound will ever pray.

(Signed) A. FERGUSON.
CHARLES SIMONDS.
P. TAYLOR.
CHIPMAN BOTSFORD.
GEORGE MOFFATT.
GEORGE B. COWPER.

Restigouche, May 12, 1851.

Enclosure 2 in No. 4.

AT a large and influential county meeting convened by the high sheriff, pursuant to a requisition numerously signed, to take into consideration the late proposition of the Colonial Secretary with respect to the Halifax and Quebec Railway, and the action of the New Brunswick Legislature thereupon, held at the Court-house in Dalhousie, the shire town of the county of Restigouche, in the province of New Brunswick, on Friday the 9th day of May, 1851, Alexander Campbell, Esq., J. P., was called to the chair, and George B. Cowper, Esq., appointed secretary; when the chairman having explained the object of the meeting, the following resolutions were unanimously agreed to:—

Moved by ADAM FERGUSON, Esq., J. C. P.
Seconded by DAVID SADLER, Esq.

1st. *Resolved*—That the construction of a trunk line of railway from Halifax to Quebec would be in the highest degree beneficial to the British North American possessions. That the advantages accruing from such an undertaking would not be limited to anticipated commercial prosperity, but its accomplishment would necessarily be a means of strengthening and perpetuating the bond of union between these provinces and the parent State, and of opening up a rich and fertile country as a home for its surplus population.

Moved by CHIPMAN BOTSFORD, Esq.
Seconded by ALEXANDER FRASER, Esq., J. P., (Canada East).

2nd. *Resolved*—That this meeting view with great regret and distrust the hasty rejection by the Legislature of this province of the terms proposed by Her Majesty's Colonial Secretary to advance the required capital for such undertaking, for the following, among other reasons:—

1. That the continuation of a trunk line from near Shediac (the contemplated junction of the "Portland" and "Halifax and Quebec" lines) to the Restigouche, although about the same length as that part of the proposed "Portland" line from said junction to the State of Maine, yet it can be made at much less expense, owing to the natural advantages of the country through which it will pass; that therefore the interest of the capital which will be required to complete the latter line as at present contemplated, would be more than the interest upon capital sufficient to complete both lines under Earl Grey's proposition, the most favourable terms upon which capital can be obtained under the present provincial guarantee for the "Portland" and "St. Andrew's" lines, being at six per cent., with a further probability of the debentures being hereafter at a discount in the money market.

2. That from the hasty rejection by the Legislature of Earl Grey's proposition, by which the permanent advancement and interest of the province have been so far sacrificed, this meeting is led to believe in the rumours that many of the Legislators, from being shareholders in the "Portland" and St. Andrew's" lines, have been influenced by other motives than the general welfare of the province.

3. That this hasty rejection of the offer made by the Colonial Secretary, and the reguarantee by the Provincial Legislature of their former pledge (which was not entertained by the British Government) thereby virtually closing all further negotiation, may be very injurious to the future interests of the province, by leading to a determination on the part of the Home Government to withhold any offer in future, or even to carry out the late proposition of the Colonial Secretary with respect to the Great Trunk Railway.

4. That the continuation of the Trunk line through this province will open up an immense extent of ungranted lands of superior quality, and so enhance their value as to repay the outlay

NEW BRUNSWICK.

for its construction, and by inducing immigration to a great extent will double both the population and revenue of the province in a short time.

Moved by CHARLES SIMONDS, jun., Esq.
Seconded by GEORGE B. COWPER, Esq.

3rd. *Resolved*—That the only guarantee for the proper expenditure of the money for building the Great Trunk line will be in the appointment of Commissioners under the authority of the British Government to superintend the same, who will be wholly disinterested in the road being laid elsewhere than on a line most beneficial to all the colonies; the combined interest in the Provincial Legislature of the "Portland" and "St. Andrew's" lines, tending to have a most prejudicial influence not only against provincial but also British interest with respect to the selection of a proper route. That these combined interests, in the event of Her Majesty's assent being given to the Bills passed at the last session of the Provincial Legislature, providing for the building of the "Portland" and St. Andrew's" lines, will, without doubt, have a much greater effect in swamping the whole provincial revenue in future, for the exclusive benefit of only a section of the province, than the late proposition of Earl Grey, even if accepted in its most literal sense.

Moved by Dr. TAYLOR.
Seconded by CHARLES SIMONDS, jun., Esq.

4th. *Resolved*—That it is an injurious and ruinous policy to grant large tracts of Crown lands to railway companies, as these lands during the construction and after the completion of the roads will be the most valuable resources within the province. That all great public works, such as the Halifax and Quebec line of railway, should be Government undertakings, and not in the hands of private companies; and further resolved, that a committee be appointed to prepare and forward a petition to the Lieutenant-Governor, with a copy of the resolutions, praying that his Excellency will be pleased to transmit such copy to the Colonial Secretary, and to recommend to his Lordship the necessity of the Royal assent being withheld from the Bills passed at the last session of the New Brunswick Legislature, in aid of the "European and North American" or "Portland," and the "St. Andrew's" or "Woodstock" lines.

Moved by Mr. CHARLES MURRAY.
Seconded by DANIEL FERGUSON, Esq.

5th. *Resolved*—That the able and unwearied exertions of the Hon. Joseph Howe in bringing the condition and resources of the British North American Colonies so clearly before the Home Government and British public, and in advocating the interests of the Great Trunk Railways, deserve the most unqualified approbation of all colonists, and this meeting desire to express their sincere thanks to Mr. Howe for his valuable services.

6th. *Resolved*—That Adam Ferguson, Charles Simonds, Peter Taylor, Chipman Botsford, George Moffat, and George B. Cowper, Esqs., to be the Committee to carry out the objects of the fourth resolution.

Moved by ARCHIBALD RAMSAY, Esq., J.P.
Seconded by Mr. GEORGE MOFFAT.

7th. *Resolved*—That the secretary do furnish copies of these resolutions to the editors of some of the New Brunswick, Nova Scotia, and Canada newspapers, and also of one of the British papers, with a request for publication in their respective periodicals.

(Signed) ALEXANDER CAMPBELL, Chairman.
GEORGE B. COWPER, Secretary.

Dalhousie, Restigouche, N. B.,
May 9, 1851.

No. 5.

(No. 2064.)

No. 5.

ANNO DECIMO QUARTO VICTORIÆ REGINA.

An ACT further to facilitate the construction of the EUROPEAN and NORTH AMERICAN RAILWAY. Passed 30th April 1851.

After a specified progress made in the construction of the Railway, the Company may survey, and Executive Government grant to the Company or their assigns, the Crown Lands contiguous to the Line, to the extent of five miles on each side thereof.

I. BE it enacted by the Lieutenant-Governor, Legislative Council, and Assembly, that when the line of railway contemplated by the Act of Assembly, made and passed during the present session of the Legislature, intituled "An Act to incorporate the European and North American Railway Company," shall be surveyed and located, and a sum not less than one hundred thousand pounds shall actually have been expended towards the construction of the said railway, it shall be lawful for the said Company, at their own proper costs and charges, and under the supervision of the Surveyor-General of this province, to survey and lay out all the ungranted Crown lands contiguous to and within five miles of each side of the said line of railway, in lots of one hundred acres or less, as the said Company may think most for the interest of the said Company, which said land so surveyed, or any of them, the Lieutenant-Governor, by and with the advice of the Executive Council, shall be, and he is hereby authorized to grant in fee simple to the said Company, or to any

individual stockholder, as the said Company under their seal may direct, free from any charge, save and except the expense of survey as aforesaid: Provided nevertheless, that such lands are to be held on the express condition that unless five per cent. of the actual quantity so to be granted, either to the Company or to individual stockholders, be brought into actual cultivation within five years from the date of the said grants respectively, then the said grants shall become forfeited and the lands revert to, and become reinvested in the Crown as if no such grants had been made: Provided also, that no one stockholder shall receive more than one acre of land for every one pound currency actually paid in by him to the said Company: Provided also, that no Crown lands which may be within five miles of the St. Andrew's and Quebec line of railway, or within ten miles of the proposed line of railway from Halifax to Quebec, shall be by virtue of this Act granted as aforesaid.

Grants voidable for want of improvement.

Certain Lands exempted.

II. Provided always and be it enacted, that nothing in this Act contained shall extend, or be construed to extend, to prevent the Executive Government from granting licenses to cut logs and timber upon the wild lands coming within the meaning of this Act, or to prevent the Government from granting lands for actual settlement until the actual survey has been made under this Act, or at any time to prevent the Government from making any equitable condition which the Government may deem right in favour of squatters upon such lands on the granting of the same.

Act not to preclude the granting of Licenses to cut Timber, &c., or grants to actual Settlers.

III. And be it enacted that this Act shall be and continue in force for five years from the passing thereof, and no longer.

Limitation of Act.

IV. And be it enacted that this Act shall not come into operation, or be in force, until Her Majesty's Royal approbation thereto be first had and declared.

Act suspended till Her Majesty's approbation be declared.

(Signed) J. R. PARTELOW,
Private Secretary.

NEW BRUNSWICK.

Despatches from the Right Hon. Earl Grey, Secretary of State.

No. 1. (No. 259.) No. 1.

COPY of a DESPATCH from Earl GREY to Lieut.-Governor Sir EDMUND HEAD,

SIR, Downing-street, May 22, 1851.

* Page 6.
† Page 7.

I HAVE to acknowledge the receipt of your Despatches Nos. 15* and 18,† of the 6th and 7th April, on the subject of the Halifax and Quebec Railway, and I have to direct you to inform the Legislative Council, and the House of Assembly of New Brunswick, that their joint Address to the Queen, and the Resolutions therein referred to, have been duly laid before Her Majesty.

I cannot but express my regret that the Legislature of New Brunswick should not have considered the measure submitted to its notice on this subject, as one which it would be for the interest of the Province to adopt. Under present circumstances the further consideration of the subject must be postponed until I learn what may be the view taken of it by the Legislatures of Nova Scotia and Canada.

I have, &c.,

Lieut.-Governor Sir Edmund Head, &c. &c. &c. (Signed) GREY.

No. 2. (No. 269.) No. 2.

COPY of a DESPATCH from Earl GREY to Lieut.-Governor Sir EDMUND HEAD.

SIR, Downing-street, June 12, 1851.

* Page 9.

I HAVE to acknowledge the receipt of your Despatch, No. 16,* of the 7th April, transmitting certified copies of three Acts passed by the Legislature of New Brunswick in its last session, entitled respectively, "An Act to incorporate the European and North American Railway Company." "An Act to facilitate the construction of the European and North American Railway," and "An Act to facilitate the construction of a railway from St. Andrew's to Quebec."

No. 2061.
No. 2062.
No. 2063.

Having referred these Acts for the consideration of the Commissioners of Railways, I have received from these officers a report, of which I now transmit you a copy for your information.

June 2, 1851.

Although it would appear that the most important of these Acts (that numbered 2061) is in some respects defective, I do not consider it necessary to recommend its disallowance on account of the imperfections pointed out by the Commissioners. I trust that without doing so, and thus delaying the commencement of the work, a sufficient opportunity for reconsidering the subject will be secured to the Legislature of New Brunswick by my deferring to submit the Act numbered 2062 for Her Majesty's confirmation. By this Act it is proposed that pecuniary assistance from the Colonial Treasury to a very considerable amount should be given to the Company to enable them to construct the proposed railway. To this I have no objection, on the contrary, I believe that in the present state of New Brunswick it is consistent with sound policy that assistance should be given by the public towards the construction of the great leading lines of railway, and the particular line now suggested for encouragement is one which I think deserves it, for though it appears to me one of less importance than the projected line from Halifax to Quebec, I regard it as not being calculated at all to interfere with the latter (if properly regulated), but on the contrary, to contribute to its success. But while I am prepared to advise that Her Majesty's sanction should be given to a measure for affording assistance to this line on the principle proposed by the Act now under my consideration, I consider it inexpedient that this should be done until the Legislature shall have had an opportunity of reconsidering the

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

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

I have, &c.,

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

(Signed) GREY.

Enclosure in No. 2.

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

SIR,

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

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

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

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

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

NEW BRUNSWICK.

sum equivalent to the outlay incurred by the Company in making that portion of the line; and, with this view, that the accounts relative to its construction should be kept in such a manner as to afford the means of apportioning the outlay accordingly.

The Commissioners proceed to consider certain provisions of this Act, which appear to them to call for remark.

In the 1st section, provision is made for submitting the Company's bye-laws to the Governor of the province for his approval; but no power is reserved (as in the Imperial Act for the regulation of Railways 3 and 4 Vict. c. 97, s. 9) of disallowing the bye-laws at any future time after they shall have come into operation. And this power appears to be necessary for the completeness of the controul over the bye-laws intended to be vested in the Governor, who would otherwise have no power of suspending the operation of a bye-law that was found to be objectionable.

By section 5, the Directors are authorized, until the Railway is completed, to pay interest to the shareholders on the amount of the calls paid up by them. In former Reports on New Brunswick Railway Acts, containing a similar provision, the Commissioners took occasion to observe, that provisions of this kind were at one time frequently inserted in English Railway Acts; but in the Session of 1847 a resolution was passed by both Houses of Parliament (which has since been adopted as a Standing Order) requiring the insertion in every Railway Bill of a clause prohibiting the payment of interest out of capital; and it might therefore be worthy of consideration whether the reasons that led to that resolution were equally applicable to the colony.

By section 28, it is provided that the Act shall not be revoked, altered, or amended without the consent of the Company. This is inconsistent with the first recommendation in Mr. Secretary Gladstone's Circular Despatch of the 15th of January, 1846, and the clause there referred to as proper to be inserted in all Colonial Railway Acts, viz.:—"That nothing herein contained shall be construed to except the Railway by this Act authorized to be made from the provisions of any general Act relating to Railways which may be passed during the present or any future session of Parliament." A clause of this kind is invariably inserted in English Railway Acts.

Section 38, after providing for the level crossing of roads, authorizes the Company, "if they shall deem it more conducive to the public safety" to substitute a bridge over or under the Railway for the level crossing. The Commissioners would suggest that a matter of so much importance to the public should not be left entirely to the discretion of the Company, but that power should be reserved to the Governor of the province, or some other public officer, of requiring the Company to make the alterations which the increase of traffic on the roads, arising from that on the Railway, may hereafter render necessary, although at present a level crossing may be allowed without danger.

Section 55 gives the Company the power of levying tolls for the conveyance of passengers and goods. But the Act does not provide any scale of maximum charges for such conveyance. And this defect does not appear to be remedied by the power of revising the tolls, and the option of purchasing the railway reserved to the Government by the 55th and 57th sections.

The exercise of those powers is dependent upon the event of the Company's profits exceeding a certain rate per cent. on their capital. In former communications addressed to the Colonial Office, the Commissioners have stated that, although such provisions may have been introduced into Colonial Railway Acts for the purpose of thus intimating the possibility of future revision and purchase, yet, in their opinion, it may be questionable whether they can have any other practical effect.

The provisions in section 61, with respect to the conveyance of troops, appear to be defective in not specifying the terms and conditions of conveyance, as provided by the corresponding enactments of the Imperial Act, 7 and 8 Vict. c. 85, s. 12.

The 59th section adopts the provisions of the 13th section of the Imperial Act, 7 and 8 Vict. c. 85, with regard to the power of the Government to establish a line of electrical telegraph on the Railway, but does not contain any clause similar to the 14th section of that Act, for providing that the telegraph, subject to the prior right of use by the Government, shall be open to all persons, without favour or preference, and at equal charges.

In the absence of any general legislation on the subject of railways in this colony, it is necessary that every New Brunswick Railway Act should comprise within itself the whole of the provisions that may be considered requisite for the protection of the public interests. Provision is made by the present Act for the conveyance of mails and troops, for laying down an electrical telegraph on the line of the railway, and for making returns of traffic and accidents. But of the other matters which in this country have been made the subject of general legislation, with a view to the public safety and convenience, the Commissioners would particularly observe that the Act does not contain any provisions similar to those of the Imperial Acts relating to cheap trains, the appointment of inspectors, and the opening of the railway after notice and inspection, and the construction of bridges over roads.

The Commissioners are desirous to draw the attention of Lord Grey to these variations from the course pursued in legislating upon railways in this country, leaving it as a matter entirely for his Lordship's consideration what degree of importance is to be attached to them with reference to the local circumstances of the colony, and whether any correction may be called for in the way of supplementary legislation.

The object of the Act No. 2062, is to afford the Company incorporated by the first Act the aid of the public credit of the colony in raising part of the money required for making the railway. This is proposed to be done by authorising the Governor of the province, as soon as the shareholders have paid up capital to the amount of 10,000*l.*, to take shares in the Company to the like amount, and pay for them in debentures for that amount, the payment of the interest and principal due on such debentures being guaranteed out of the revenue of the

province. Similar issues of debentures are authorised when further payments of 10,000*l.* have been made by the shareholders, the whole amount of the guarantee being limited to the principal sum of 250,000*l.* A project which thus throws itself upon the public for assistance in raising so large a part of the funds required can hardly hold out any very inviting prospects as a commercial speculation. This circumstance obviously places the Company in a situation that affords an opportunity of making stipulations with them on behalf of the public with regard to the modification of the provisions of their Act, and for arrangements adapted to render the project subservient to the more important undertaking of the great line from Halifax to Quebec, and to prevent the aid solicited in the present Act from interfering with any engagements entered into by the colonial Governments with respect to their several contributions to the expense of making that line.

By the remaining Act, No. 2063, it is proposed to authorise similar assistance on the part of the colonial treasury to the St. Andrew's and Quebec Railway Company: but the guarantee is to come into operation when no more than 2,000*l.* has been paid up by the shareholders, the whole principal sum guaranteed being limited to 50,000*l.* Other Acts, as the Commissioners are informed, have already been passed for the purpose of giving encouragement to this undertaking, both by the free grant of Crown land and the guarantee of interest on advances of money. As far, therefore, as relates to the conditions upon which the further assistance now sought for might be granted, the observations that have been made on the Act No. 2062 appear to apply with nearly equal force to that at present under consideration.

I have, &c.,

(Signed) J. L. A. Simmons,
Captain Royal Engineers.

Herman Merivale, Esq.,
&c. &c.

LONDON:
Printed by WILLIAM CLOWES and SONS, Stamford Street,
For Her Majesty's Stationery Office.

MR. RYLAND

RETURN to an Address of the Honourable The House of Commons, dated 19 May 1851; – *for*,

A "COPY or EXTRACT of a DESPATCH from the Governor-General of *Canada* to the Secretary of State for the Colonies, dated the 24th day of December 1850, relative to Mr. *Ryland*'s PENSION, formerly Clerk to the Executive Council of *Canadas* (in continuation of the Papers presented 18th April 1850)."

Colonial Office, Downing-street, 2 June 1851.

B. HAWES.

(No. 240.)

COPY of a DESPATCH from Governor the Right Honourable the Earl of *Elgin* to Earl *Grey*.

Government House, Toronto, 24 December 1850.

My Lord, (Received 13 January 1851.)

I HAVE the honour to report, for your Lordship's information, that I have thought it proper to cause an inquiry to be made, with the view of ascertaining whether the Registrarship of Montreal, conferred on Mr. Ryland by the late Lord Metcalfe, has proved so much more lucrative than that of Quebec, as to justify the withdrawal of the pension formerly enjoyed by him in conjunction with the latter office. The results of this inquiry and the decision which this Government have formed upon it, are stated in the Minute of Council, of which I herewith enclose a copy.

Governor the Earl of Elgin to Earl Grey. 24 Dec. 1850.

Enclosure No. 1. 20 Dec. 1850.

2. The effect of this decision will be to restore Mr. Ryland to the place on the Pension List which was assigned to him by Lord Stanley, and from which he was removed, with his Lordship's approval, on his appointment to the Registrarship of Montreal.

3. In the prosecution of this inquiry, the attention of the Government has been called to the fact, that Mr. Ryland does not reside at the city of Montreal where his office is kept, and the Committee of Council recommend, that he should be informed, that in future he must reside there and perform the duties of his office in person. I have given instructions that an intimation to this effect shall be conveyed to him accordingly.

4. I enclose a memorandum. showing the number of documents received for registration at the registry offices of Quebec and Montreal respectively, during the past four years, with a statement of the proceeds of the Quebec office, furnished by the Registrar.

Enclosure No 2. 24 Dec. 1850.

I have, &c.

(signed) *Elgin & Kincardine.*

Enclosure No. 1.

EXTRACT from a REPORT of a Committee of the Honourable the Executive Council on Matters of State, dated 20 December 1850, approved by his Excellency the Governor-general in Council, on the same day.

Enclosure No. 1. THE Committee of the Executive Council have had under consideration, on your Excellency's reference, returns from the Registry-offices of Quebec and Montreal, showing the number of documents received for registration since 9 July 1845, up to 15 October 1850, with a view of considering whether the office of Registrar of Montreal, conferred on Mr. Ryland, was so much more lucrative than that of Quebec, as to justify the withdrawal of the pension formerly enjoyed by Mr. Ryland.

The Committee of Council have had reference to the report of the Executive Council of 3 July 1848, approved by your Excellency, recommending that the question of the restoration of Mr. Ryland's pension be kept open until an examination could be made of the office, when it might be made a subject for inquiry. The returns lately made from the two offices, and now under consideration, establish, to the satisfaction of the Committee, that Mr. Ryland has not been materially, if at all, benefited by his transfer from the office of Registrar of Quebec to that of Montreal; and the Committee are therefore of opinion, that Mr. Ryland's pension should be restored, and that he should be paid the arrears which have accrued since the last payment. In considering the subject of Mr. Ryland's claim, and in examining the returns from the two offices, the Committee of Council have had their attention directed to the fact, that Mr. Ryland is not a resident at the city of Montreal, where his office is kept. The Committee of Council are respectfully of opinion, that the Registrar of the important county of Montreal ought to be constantly on the spot; and they recommend that Mr. Ryland be informed that he must reside in future at the city of Montreal, and attend in person to the duties of his office.

(Certified.)

Colonel the Honourable Robert Bruce, &c. &c. &c. (signed) *J. Joseph.*

Enclosure No. 2.

Enclosure No. 2. STATEMENT, showing the Number of Documents received for Registration in the *Montreal* Registry Office from the 9th July 1845 to the 15th October 1850; viz.

From 9 July 1845 to 1 January 1846	1,161
„ 1 January 1846 to 1 January 1847	2,718
„ 1 January 1847 to 1 January 1848	1,559
„ 1 January 1848 to 1 January 1849	1,472
„ 1 January 1849 to 1 January 1850	1,157
„ 1 January 1850 to 15 October 1850	871
	8,938

And in the Quebec Registry Office—

From 16 July 1845 to 1 January 1846	901
„ 1 January 1846 to 1 January 1847	1,961
„ 1 January 1847 to 1 January 1848	2,140
„ 1 January 1848 to 1 January 1849	1,689
„ 1 January 1849 to 1 January 1850	1,482
„ 1 January 1850 to 15 October 1850	1,162
	9,335

EMOLUMENTS of Mr. *Montizambert*, the Successor of Mr. *Ryland*, as Registrar of *Quebec*.

YEAR.	GROSS FEES.			EXPENSES.		
	£.	s.	d.	£.	s.	d.
1846 - -	699	4	2	93	18	8
1847 - -	764	11	8	115	8	4
1848 - -	622	14	4	112	12	11
1849 - -	547	19	6	128	16	4
£.	2,634	9	8	450	16	3
	450	16	3			
	2,183	13	5			
Average - £.	545	18	4			

Secretary's Office, Toronto,
24 December 1850.

(signed) *J. Leslie*,
Secretary.

MR. RYLAND.

COPY of a DESPATCH from the Governor-General of *Canada* to the Secretary of State for the Colonies, dated the 24th day of December 1850, relative to Mr. *Ryland*'s PENSION, formerly Clerk to the Executive Council of *Canadas* (in continuation of the Papers presented 18th April 1850).

(*Mr. Walpole.*)

Ordered, by The House of Commons, *to be Printed,*
4 *June* 1851.

361.

Under 1 *oz.*

ROMAN CATHOLIC BISHOP OF NEWFOUNDLAND.

RETURN to an Address of the Honourable The House of Commons, dated 18 March 1851;—*for*,

"COPIES or EXTRACTS of any CORRESPONDENCE which has taken place between Her Majesty's Secretary of State for the Colonies and the Governor of *Newfoundland*, upon the subject of the Assumption of the Title of BISHOP OF NEWFOUNDLAND by the Roman-Catholic Bishop in that Colony."

Colonial Office, Downing-Street, 1 April 1851.

B. HAWES.

— No. 1: —

(No. 46.)

COPY of a DESPATCH from Governor Sir *J. G. Le Marchant* to Earl *Grey*.

No. 1. Governor Sir J. G. Le Marchant to Earl Grey.

Government House, St. John's, Newfoundland, 27 August 1850.

My Lord, (Received 17 September 1850.)

I HAVE the honour to transmit the enclosed letter to your Lordship, at the request of the Lord Bishop of Newfoundland.

I have, &c.
(signed) *J. Gaspard Le Marchant.*

Enclosure in No. 1.

My Lord, St. John's, Newfoundland, 27 August 1850.

Enclosure in No. 1.

I HAVE the honour to inform your Lordship (as I feel in duty bound to do) that the Roman-catholic bishop in this colony has lately assumed the title of "Bishop of Newfoundland," calling himself, in a public address, "John Thomas, by the grace of God and favour of the Apostolic See, Bishop of Newfoundland." This address was issued nearly five weeks ago (on the 22d of last month).

I trust it will not be supposed that I intend or wish to prefer a complaint against Dr. Mullock, the bishop; for it is to me personally a matter of indifference by what title he is called or calls himself; but as Her Majesty has been graciously pleased to confer on me and my successors the name and title of "Bishop of Newfoundland," it seems my duty to make known to your Lordship this encroachment upon the Royal prerogative, and this assumption, on the part of the See of Rome, of power to confer titles implying jurisdiction in the colony. I was required to swear, before my consecration, that the Pope has no such powers.

The late Roman-catholic bishop (Dr. Fleming) was called and called himself Bishop of Carpasia.

Should your Lordship have any instructions to give me in reference to the case, they will be thankfully received and respectfully attended to.

I have, &c.
(signed) *Ed. Newfoundland.*

The Right honourable the Earl Grey.

— No. 2 —

— No. 2. —

No 2.
Earl Grey to Gov. Sir J. G. Le Marchant.

(No. 173.)

COPY of a DESPATCH from Earl *Grey* to Governor Sir *J. G. Le Marchant.*

Sir, Downing-street, 7 October 1850.

I HAVE received your despatch, No. 46, of the 27th August, enclosing a letter addressed to myself by the Lord Bishop of Newfoundland, reporting that Dr. Mullock, the Roman-catholic Bishop, has lately assumed the title of Bishop of Newfoundland.

Sessional Papers, House of Commons:
No. 112 of 1837.
No. 568 of 1848.
No. 562 of 1849.
No. 174 of 1850.

The accompanying Parliamentary Papers, ordered to be printed respectively on the 11th March 1837, the 31st July 1848, the 26th July 1849, and the 25th March 1850, will furnish the Lord Bishop with the instructions issued by my predecessors and by myself, in regard to the titles and precedency of Roman-catholic prelates. At the same time I must observe, that the prefix of "Roman-catholic" Bishop of Newfoundland would render the assumption of that title by Dr. Mullock of no importance.

You will have the goodness to communicate this despatch and its enclosures to the Bishop in answer to his letter.

I have, &c.

(signed) *Grey.*

ROMAN CATHOLIC BISHOP OF NEWFOUNDLAND.

COPIES or EXTRACTS of any CORRESPONDENCE which has taken place between Her Majesty's Secretary of State for the Colonies and the Governor of *Newfoundland*, upon the subject of the Assumption of the Title of BISHOP OF NEWFOUNDLAND by the Roman-Catholic Bishop in that Colony.

(*Sir Robert Harry Inglis.*)

Ordered, by The House of Commons, *to be Printed,*
1 *April* 1851.

169.

NEWFOUNDLAND.

RETURN to an Address of the Honourable The House of Commons, dated 14 February 1851;—*for*,

"COPIES or EXTRACTS of the CORRESPONDENCE between the Governor of *Newfoundland* and the Secretary of State for the Colonies, in reference to the Appropriation of the Subscriptions raised for the Relief of the Sufferers at *St. John's* by the Fire in 1846."

Colonial Office, Downing-street, 6 August 1851.

B. HAWES.

(*Mr. Fagan.*)

Ordered, by The House of Commons, *to be Printed*, 8 *August* 1851.

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COPIES of CORRESPONDENCE between the Governor of *Newfoundland* and the Secretary of State for the Colonies, in reference to the Appropriation of the Subscriptions raised for the Relief of the Sufferers at *St. John's* by the Fire in 1846.

— No. 1. —

NEWFOUNDLAND.

No. 1.
Governor Sir J. Harvey to Mr. Secretary Gladstone.
10 June 1846.

(No. 38.)

COPY of a DESPATCH from Governor Sir *John Harvey*, K.C.B., to the Right honourable *W. E. Gladstone*.

Newfoundland, Government House, St. John's,
Sir, 10 June 1846.

IT has pleased the Almighty to visit this Colony with a great calamity. An awful and irresistible conflagration has suddenly swept away three-fourths of this so lately wealthy and prosperous city.

A fire broke out at half-past eight o'clock yesterday morning in the western section of the city; and owing to the prevalence of a westerly gale of wind, which unhappily continued to increase in violence, before the close of the day most of its public buildings, and the whole (with one single exception) of its wharves, storehouses and mercantile establishments, upwards of a mile in extent, had been reduced to ashes.

It is estimated that 2,000 houses, and property to the amount of from 600,000 *l.* to 1,000,000 *l.* sterling has been destroyed, and that 12,000 persons are now houseless.

Much as the hopes of the mercantile and the sufferings of the labouring classes claim our sympathies, yet should our deepest commiseration rest upon the middle classes, who, accustomed to comparative ease and comfort, find themselves and their helpless families suddenly reduced to a state of the most absolute destitution. Every effort dependent upon the local government will be made and is making for their relief and that of the lower orders; and even under circumstances so apparently desperate, and with a scene of such affecting desolation before my eyes, still do I indulge a sanguine hope that, if promptly aided by the benevolence and liberality of the British people, of the legislature and people of the neighbouring colonies, but, above all, by the British Government and Parliament, not only will present distress be at once alleviated, but the fine site of the provincial capital of this ancient and valuable possession of the British Crown (which as a commercial town may be said for the present almost to have ceased to exist) will again be occupied by buildings, of so secure and durable a description, laid out upon a plan so judicious and well considered as, at no remote period, to convert the calamity which is now pressing so heavily upon its inhabitants, into a great and inappreciable blessing.

A similar calamity, though not to the same extent, was thus turned into a vast benefit, even by the almost unaided efforts of the province itself, during the period of my administration of the government of New Brunswick some years ago.

In order to meet the pressing emergency of our situation, I have adopted the following measures:

1st. I have, by proclamation, convened the local legislature to meet in six days, viz. on the 16th instant.

2d. I have issued a proclamation, laying an embargo, for a limited period, upon the exportation of provisions, other than such as are required for the use of the crews, passengers, and the fisheries.

3d. I have issued a proclamation, warning all persons against the re-construction of wooden buildings upon the burnt district before the intentions of the local legislature on the subject shall be declared.

 4th. I have

NEWFOUNDLAND.

4th. I have addressed a circular letter to the Governor-general and the Lieutenant-governors of all the British American Colonies, and to Her Majesty's Consul at New York, of which copies are enclosed.

5th. I have authorized the chartering of two vessels, one to Halifax and the other to New York, for provisions.

6th. I called a meeting this day in this house, at which I presided, of all the heads of the mercantile establishments, as well as of the principal inhabitants, the clergy, judges and officers of the government. Copies of the resolutions adopted at this meeting, as well as of other resolutions adopted at a meeting of the inhabitants previously held, are enclosed; the whole of which, it will be perceived, I had anticipated.

Friday, 12th June.

I have now the satisfaction to report, that through the operations of the Committee of Relief, appointed at the meeting of Wednesday, all the houseless have been placed under shelter, in aid of which I have placed fifty (all) the tents in the Ordnance store at its disposal; and an adequate supply of provisions, particularly bread, has been and will be continued to be issued to them for the present. They (the recipients) are, however, I understand, gradually dispersing in the colony or emigrating. Fortunately, the weather is fine.

For the details of the progress of the fire, and of the measures used for its suppression, I beg permission to refer to the accompanying extract of a report addressed by the Commanding Officer of the Royal Engineers to the head of his department on the subject, and to the general order which I have issued upon this melancholy occasion, and to express my hope that you will be pleased to receive the details contained in these documents in lieu of a more lengthened despatch at the present hurried moment, until I am enabled to enter more fully into the sadly altered circumstances of this lately prosperous and happy colony, which I shall scarcely be in a position to do until after the meeting of the legislature.

I have, &c.
(signed) *J. Harvey.*

P.S.—With the exception of the two soldiers of the Royal Artillery, the injuries of one of whom are not dangerous, I believe very few accidents to have occurred during the awful conflagration; only one has as yet been made known to me from any authentic source.

The sketches of the town which accompany my despatches, though hurriedly prepared, show, with sufficient precision, the extent of the ravages of this destructive fire. *J. H.*

Enclosure 1, in No. 1.

PROCLAMATION:

Encl. 1, in No. 1.

J. Harvey,
(L.S.)

BY his Excellency Major-General Sir *John Harvey,* Knight Commander of the Most honourable Military Order of the Bath, Knight Commander of the Royal Hanoverian Guelphic Order, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.

WHEREAS the General Assembly of this Island stands prorogued until Tuesday the 23d day of June instant:

And whereas divers weighty causes and considerations render it expedient and necessary that the said General Assembly should be called together with as little delay as possible: I, the Governor, do therefore by these presents direct and appoint, that the said General Assembly shall meet, for the despatch of important and urgent business, on Tuesday the 16th day of this instant June; of which all persons are required and commanded to take due notice and govern themselves accordingly.

Given under my hand and seal, at the Government House at St. John's, in the aforesaid Island, the 10th day of June 1846, in the ninth year of Her Majesty's reign.

By his Excellency's Command,
(signed) *J. Templeman,* Pro. Secretary.

Enclosure 2, in No. 1.

PROCLAMATION:

J. Harvey. (L. S.)

BY his Excellency Major-General Sir *John Harvey*, Knight Commander of the Most honourable Military Order of the Bath, Knight Commander of the Royal Hanoverian Guelphic Order, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. Encl. 2, in No. 1

WHEREAS in consequence of the disastrous and devastating fire by which the town of St. John hath been visited on Tuesday last, large quantities of bread, flour, and all other provisions have been destroyed, and it being found that a very scant supply of such provisions remains for the subsistence of the inhabitants of the said town, and that it is necessary to retain the same for their support, I, the Governor, do therefore, by and with the advice of Her Majesty's Council, by this my proclamation, forbid and prohibit any or all ships, vessels and boats from carrying away or exporting from the port of St. John any kind of bread, flour or other provisions, save and except in such moderate quantity as may be deemed sufficient for the subsistence and uses of the crews of such ships, vessels or boats respectively. And I do further order and direct, by and with the advice aforesaid, that in order to secure the observance of this order, all ships, vessels and boats departing from this port shall first obtain a certificate from the Collector of Her Majesty's Customs before they are allowed to depart from this port.

Given under my hand and seal, at the Government House at St. John's, in the aforesaid Island, the 11th day of June 1846, in the ninth year of Her Majesty's reign.

By his Excellency's command,

(signed) *J. Templeman*, Pro. Secretary.

Enclosure 3, in No. 1.

PROCLAMATION:

J. Harvey. (L. S.)

BY his Excellency Major-General Sir *John Harvey*, Knight Commander of the Most honourable Military Order of the Bath, Knight Commander of the Royal Hanoverian Guelphic Order, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. Encl. 3, in No. 1.

WHEREAS the town of St. John was, on Tuesday the 9th day of this instant month of June, desolated and destroyed by a most calamitous fire, the ravages whereof have been chiefly occasioned by the narrowness of the streets and the irregularities and insufficient construction of the houses and buildings therein:

And whereas it appears that for the better security of the said town on its re-erection, and for the safety and welfare of its inhabitants in future, that further laws and regulations should be made to prevent, as far as may be found possible and expedient, the recurrence of such calamities: I, the Governor, do thereby, by and with the advice of Her Majesty's Council, under this my proclamation, hereby prohibit and forbid any and every person and persons from erecting or making any building or buildings whatsoever on the site of any buildings that have been destroyed by the late fire, or upon any ground contiguous thereto, until it shall be ascertained and publicly declared what regulations the General Assembly (now immediately to be convened) shall establish for the better formation of the streets, and the erection of all houses and buildings of the said town.

And I further warn all persons, at their peril, to pay due regard to this injunction and public notice, as in the event of any person acting contrary to the same, and incurring expense in the erection of any buildings contrary to such regulations as the legislature may deem fit to establish, such persons will have no claim to any consideration or compensation in respect to the same.

Given under my hand and seal, at the Government House at St. John's in the aforesaid Island, the 11th day of June 1846, in the ninth year of Her Majesty's reign.

By his Excellency's Command,

(signed) *J. Templeman*, Pro. Secret[illegible]

Enclosure 4, in No. 1.

Government House, St. John's, Newfoundland,
11 June 1846.

My Lord,

Encl. 4, in No. 1. It is my painful and melancholy duty to acquaint your Lordship that Almighty God has been pleased to visit this town with an awful and devastating conflagration, which has reduced the chief portion of it to ashes.

The fire broke out about half-past eight o'clock on the morning of Tuesday last, the 9th instant, in the western extremity of the town, and the flames, borne onwards by a strong wind from the same quarter which prevailed during the whole of that day and the succeeding night, overcame every effort to subdue them, and involved in one common ruin (with scarcely an exception) the whole of the mercantile establishments, with their stores of goods and provisions, very many of the public buildings, and at least three-fourths of the dwelling-houses of the inhabitants.

It has not been possible as yet to obtain a correct return of the number of edifices burnt, but it is estimated that, in all, about 2,000 have been destroyed, and nearly 12,000 persons rendered houseless.

I beg leave herewith to enclose for your Lordship's information a copy of certain resolutions yesterday adopted by a meeting of the heads of departments and principal inhabitants of the town, convened by me, at the Government House; and in consideration of the state of utter destitution and distress to which many thousands of the poorer inhabitants have been reduced by the suddenness of this awful visitation of Divine Providence, and on their behalf, I have, through your Lordship, to make an earnest appeal to the sympathy and philanthropy of the inhabitants of the province under your Lordship's government for that relief which I cannot doubt will be promptly extended to their fellow subjects in this colony, who have been overwhelmed by so stupendous a calamity.

I am, &c.

(signed) *J. Harvey.*

Lieutenant-general his Excellency
The Earl Cathcart, K.C.B.
&c. &c. &c.

Enclosure 5, in No. 1.

Colonial Secretary's Office, Newfoundland,
11 June 1846.

Sir,

Encl. 5, in No. 1. I AM directed by his Excellency Sir John Harvey, Governor of this Island, to communicate to you the painful intelligence of the almost total destruction of the town of St. John's by fire on the 9th instant.

The whole of the mercantile establishments (with but one exception) on the north side of the Harbour have been utterly consumed, together with by far the greater part of the provisions and other stores which they contained, the few mercantile premises on the south side being of comparatively little importance.

By this calamitous event nearly 12,000 persons have been rendered houseless, and a majority of them utterly destitute; for these, and on their behalf, an appeal is earnestly made, through you, to the sympathy of the citizens of New York.

I beg leave to enclose herewith a copy of a series of resolutions submitted to and unanimously adopted by a meeting of the inhabitants of St. John's, held at the Government House yesterday, and presided over by his Excellency the Governor.

I have, &c.

(signed) *Jo. Noad,* Pro. Secretary.

Her Britannic Majesty's Consul-general,
New York.

Enclosure 6, in No. 1.

COPY of RESOLUTIONS unanimously adopted at a General Meeting of the Mercantile Body held at the Factory on the 10th of June.

Encl. 6, in No. 1. *Resolved,* That it is the opinion of this meeting, that in order the most effectually to meet the exigency arising from the present calamity, a session of the Legislature should be immediately convened, and that a deputation be appointed to wait upon his Excellency the Governor, instanter, to pray his Excellency to convene the Legislature at the earliest possible period, for the consideration of the best means of arresting the present suffering.

Resolved, That his Excellency be requested to adopt the best means of affording protection to the persons and property now exposed in this town and neighbourhood.

Resolved,

Resolved, That a provisional committee be appointed to solicit from the clergymen of the several congregations, from the officers of the Irish and Natives' Societies, the conductors of the Factory, and all the public buildings, the use of the churches and other edifices under their control, for the shelter of the houseless.

Resolved, That the committee be requested to pray his Excellency to cause a general search to be made in every house in St. John's and its vicinity without distinction, to ascertain the quantity of provisions in town, and to discover such provisions and other property as any individuals may have improperly appropriated.

Resolved, That the committee be requested to pray his Excellency to cause tents to be erected this evening for the shelter of the people.

Resolved, That the Honourable C. F. Bennett, the Honourable Robert Job, the Honourable John Stuart, and Messrs. Brooking, Alsop, M'Bride, Stabb, Glen, Nugent, Henry P. Thomas, Taylor, Milroy, Dillon, J. H. Warren, Eugenius Harvey, Ambrose Shea, Kenneth M'Lea, jun., Marry, Howley, M'Kellar and Cozens, do form such committee, with power to add to their number.

Resolutions submitted at a Meeting of the principal Inhabitants convened at Government House by his Excellency Sir *John Harvey*, on this day, the 10th of June, and adopted unanimously.

1st. *Resolved*, That this meeting are deeply impressed with the awful visitation which yesterday befel the city of St. John's, by which nearly 2,000 houses, embracing the whole of the mercantile establishments, with but one exception, have been reduced to ashes, and nearly 12,000 individuals deprived of a home.

2d. *Resolved*, That it is necessary, in order to guard against that distress which exposure to the weather and an improvident use of the small quantity of provisions that have happily been saved may occasion, that a committee should be appointed, under whose management, in co-operation with his Excellency Sir John Harvey, relief may be afforded to those who are destitute, and means taken to guard against imposition.

3d. *Resolved*, That the committee above mentioned do consist of the following persons:

A clergyman of each religious denomination.
The Honourable William Thomas.
The Honourable Charles Bennett.
The Honourable John Kent.
The Honourable Lawrence O'Brien.

Ex-officio members:
- Lieutenant-colonel Law, K. H.,
- Major Robe, R. E.,
- Major Wright, R. A.,
- Assistant Commissary-General Weir,
- Deputy Ordnance Storekeeper Winter,

Esquires:
- Thomas Glen, M. G. A.,
- Nicholas Stabb,
- Richard Howley,
- James Hutton,
- George Brooking,
- Charles Bowring,
- Thomas Job,
- Robert Prowse,
- James Clift,
- Nicholas Mudge,
- J. B. Bulley,
- John O'Mara,

Of whom three shall form a quorum.

4th. *Resolved*, That this meeting are aware that the well-established credit and stability of the trade of St. John's, coupled with the natural and inexhaustible resources of its fisheries, will speedily enable it to resume its usual current, but that in the meantime it is necessary that publicity should be given to the demand for provisions and building materials which at present exist in this market.

5th. *Resolved*, That this meeting have learned with great satisfaction that his Excellency has issued a proclamation convening a meeting of the Legislature for the 16th instant, and they are assured that such remedial measures will then be submitted to that body as will tend to the partial relief of present suffering, and the permanent improvement and increased security of the capital of this island.

NEWFOUNDLAND.

Enclosure 7, in No. 1.

Encl. 7, in No. 1. EXTRACT from a Report made by Major *Robe*, commanding Royal Engineers, St. John's Newfoundland, to the Inspector-General of Fortifications.

St. John's, Newfoundland,
Wednesday, 10 June 1846.

IT is my painful duty to report to you that this town was visited yesterday by one of the most calamitous fires that has ever come within my knowledge. It broke out in the heart of the town soon after eight o'clock in the morning, raged furiously for the whole of the day and night, and is still at this time, 10 A.M., unextinguished, though, I trust in God, its fury is now nearly exhausted; but from the mass of heated ruins and burning embers much danger is still to be apprehended, especially should the wind, which has continued to blow from the same quarter since the commencement of the fire, W. N. W., change the direction more to the southward, and thus carry the sparks over that part of the town which has yet escaped. It is impossible to describe or imagine the state of distress which must ensue to the inhabitants generally, both rich and poor, before any effective relief can be obtained, as every merchant's and nearly every tradesman's and shopkeeper's premises, including wharves, stores, and in most instances dwelling-houses, have been entirely consumed, with the exception of Messrs. Newman and Company, which were situated further west than the point to which the flames extended.

The church of St. John's, the Court-house, the Roman Catholic convent and school (two beautiful new buildings), the Custom-house, the Ordnance and Commissariat Store on the Ordnance Wharf, the Bank, and other public buildings have been destroyed, together with the whole range of water-side premises from one end of the town to the other; the shipping having been compelled to cut adrift, some of them having been obliged to be scuttled to save the rest, and they are all either now anchored in the Narrows or close to the opposite or south side of the harbour. Flashes of fire were carried across the harbour, and up to the very top of Signal Hill, setting fire to the brushwood in various places, making it necessary to send the detachment stationed there back again to protect the new barracks and Government property on the summit. The merchants' powder magazine, situated half way up the hill, caught fire, and the whole of the roof, which was shingled, was entirely burnt, without igniting the powder in the bomb-proof beneath. With the exception of the Ordnance Wharf, all the property in charge of the Ordnance Department has providentially escaped, though great fears were at one time entertained for the barracks at Fort Townshend, when the convent was in flames, and the surrounding fences of the fort ignited. Subsequently the Ordnance-yard was in imminent danger, and nothing but the unwearied efforts of the troops and civil workmen employed in my department could possibly have saved it; had the buildings in that yard been burnt, the barracks in Fort William would in all probability have followed. The Governor's residence, being situated on an isolated spot to windward of the fire, has most providentially escaped, together with St. Thomas's Church (used as a garrison chapel), the Bishop's, Chief Justice's, Attorney-general's and Collector's houses.

I regret that I have to report the occurrence of a melancholy accident in the death of a gunner and severe wounding of a serjeant of the Royal Artillery, in an attempt to make a fire-break by means of gunpowder. The powder was placed in two tin canisters, containing about 30 lbs. each, against the chimney shaft in the centre of a wooden house, for the purpose of throwing it down and loosening the framework. In consequence of my directions for firing the charge not being exactly complied with, these men had not time to escape before the explosion took place. Lieutenants Brettingham, Royal Artillery, and Binney, Royal Engineers, narrowly escaped injury; the latter officer was struck in the knee with a splinter at the moment he discovered the mistake, and was springing forward to endeavour to withdraw the unfortunate men. The Serjeant Handyside has, I am happy to say, every prospect of recovering without permanent injury.

It is impossible to say to what state of destitution and distress the whole town will be reduced before any effectual relief can arrive. I am almost afraid to think to what state of desperation the people may be driven when starvation stares them in the face, from which calamity we may not ourselves be exempt; and it is to be hoped that the Government at home, together with the public at large, will take some immediate steps to send us relief, which will be most acceptable in any form, whether provision, clothing, bedding, or materials for building and other purposes. At this moment the mass of the people are houseless, and are spread about the open fields, protecting what little property they were enabled to save from the conflagration. The quantity of bedding and other stores now in charge of the Ordnance Storekeeper will go but little way towards relieving the distressed; and the provision in the Commissariat store would also be of very little service among so many, after the wants of the troops have been provided for.

To the Inspector-General of Fortifications,
&c. &c. &c.

AT ST. JOHN'S, NEWFOUNDLAND.

GENERAL ORDER.

Head Quarters, St. John's, Newfoundland,
10 June 1846.

No. 1.—Having witnessed and superintended the zealous, unwearied, and almost unaided efforts of the officers and soldiers of this small garrison to arrest the progress of the awful conflagration of yesterday, his Excellency the Governor and Major-general commanding deems it an imperative duty towards them to place upon official record the high sense which he entertains of those exertions, which, although, owing to a concurrence of adverse circumstances, were necessarily in a great degree unavailing, were most unremittingly persevered in for 24 successive hours.

To the gallant and determined, and, in this instance, successful stand made towards the close of the day by this small body of wearied and exhausted men, under the immediate directions of Lieutenant-colonel Law and Major Robe, by which the direction of the conflagration was diverted from the Ordnance Buildings, the Major-general imputes, under Providence, the preservation of all the buildings, public and private, at the east end of this city, including the barracks, &c., at Fort William, the garrison bakery (the only remaining one), the commissariat house and office, Saint Thomas's Church, the theological institution, the collegiate school, the residences of the Lord Bishop, of the Chief Justice, of the Attorney-general, of the Collector of Customs, of the Honourable Messrs. Thomas, and even of the Government House, which, in the event of the extension of the fire to the buildings above enumerated, must have been placed in imminent danger.

In aiding in the preservation of the barracks at Fort Townshend, the Major-general learns with much satisfaction that the conduct of Captain Hunt, half-pay, late of the Royal Newfoundland Companies, the guard of those companies, and the few individuals remaining in barracks in the absence of the troops, was very praiseworthy.

Where all have so well performed their duties, it is difficult to discriminate in bestowing individual praise; to name those who have merited it would be to name all. The Major-general must, therefore, rest satisfied for the present with offering his warmest thanks to Lieutenant-colonel Law, commanding Royal Newfoundland Companies, to Major Robe, commanding Royal Engineer, and to Major Wright, commanding Royal Artillery, and to all the officers, non-commissioned officers and soldiers under their respective commands, for their admirable conduct yesterday, conduct which has entirely satisfied the Major-general that the utmost reliance can confidently be placed upon their soldier-like qualities, in whatever exigencies of the service they may be called upon to perform their duties.

To the active and useful exertions of the officers attached to his Excellency's personal staff, namely, Lieutenant F. C. Harvey, 34th Regiment, and Lieutenant H. B. Chambers, Royal Newfoundland Companies, the Major-general has pleasure in expressing his acknowledgments; as well as to Fort Major Mason, Deputy Commissary-general Green, Assistant Commissaries-general Weir and Robinson, Deputy Ordnance Storekeeper Winter, and, generally, to all connected with the public departments, who were present and rendered all the assistance in their power.

However unusual a proceeding under ordinary circumstances, yet his Excellency the Governor and Major-general commanding does not abstain from adverting in this Memorandum to the zeal displayed by all the principal persons connected with the Government, including the Lord Bishop of the Diocese, the clergy of all denominations, the chief justice (whose exertions were conspicuously useful), the judges, the members of Her Majesty's Council, and all the principal officers of the Government, who all evinced every desire to render their services useful upon this awful occasion. The Major-general cannot conclude this notice without expressing his warm acknowledgments to Captain Dacres, Royal Artillery (on leave), and to Mr. Hele, master of H. M. S. "Vindictive," (at St. John's on duty connected with a civil prosecution), for their most valuable and unremitted exertions throughout the whole day.

The names of several non-commissioned officers and soldiers, who have been reported to the Major-general by their commanding officers as having prominently distinguished themselves, will be promulgated in a future order.

No. 2.—Major-general Sir John Harvey has pleasure in accepting the offered services of Captain Dacres, Royal Artillery, and of Captain Hunt, half-pay, late of the Royal Newfoundland Companies, during the continuance of the arduous patrol and other duties which have necessarily devolved upon this small garrison; the names of these officers will accordingly be placed upon the roster of garrison duty, and they will be attached, the former to Captain Wright's Company, Royal Artillery, and the latter to the Royal Newfoundland Companies, until further orders.

By Command,

Hugh B. Chambers,
Lieut. R. N. Companies,
Acting A. D. C.

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679. Enclosure

NEWFOUNDLAND.

Encl. 8, in No. 1.

Enclosure 8, in No. 1.

SKETCHES of the Town of St. John's, Newfoundland, showing the Extent of the Ravages of the late Fire; received with the Duplicate of Sir John Harvey's Despatch of the 10th June 1846, No. 38.

— No. 2. —

No. 2.
Mr. Secretary Gladstone to Governor Sir J. Harvey.
3 July 1846.

(No. 27.)

COPY of a DESPATCH from the Right Honourable *W. E. Gladstone* to Governor Sir *John Harvey*, K. C. B.

Sir, Downing-street, 3 July 1846.

I HAVE to acknowledge, with deep concern and commiseration, your despatch No. 38, in which you make known to me the awful conflagration with which it has seemed good to the Almighty that the town of St. John's, Newfoundland, should be visited.

I have addressed by the mail of this day a circular to the Governor and Lieutenant-governors of the other British North American Provinces, desiring them to render whatever assistance it may be in their power to give on this distressing occasion; an injunction which it was seemly for Her Majesty's Government to issue, but which I am sure is hardly necessary in order to secure their active interest in the measures of relief which it may be requisite to adopt.

Although the intelligence has reached England at a moment when Her Majesty's advisers only hold the seals of office until their successors shall have been designated and shall be prepared to receive them, yet I have not scrupled, in conjunction with my colleagues, to form the judgment that the character and urgency of the circumstances at the particular moment imposed upon us the duty to act decisively, so far as regards the affording immediate relief.

I am therefore to acquaint you, that you are at liberty either to apply to the officer in charge of the commissariat on the station, or to draw upon the Lords of the Treasury, forthwith for a sum not exceeding 5,000 *l.*, to be applied, under your authority and superintendence, towards such purposes as may appear to you to be the most pressing in their demands, and to be duly accounted for.

After considering and conferring with gentlemen interested in the colony, upon the question, what description of relief would be most effective, I came to the conclusion that it ought to be given in the form of money, and that all necessary supplies could be better procured from sources other than the public stores of this country.

It will remain for the successors of the present administration to determine whether any and what further measures should be taken here in aid of the sufferers by this dreadful conflagration. They will approach the consideration of that question probably with full information, and certainly with full authority. We have been called upon to act in a manner unusual under the circumstances in which we stand, in consequence of the exigency of the moment; and our part, therefore, has been confined to affording on the part of this country a pledge of its sympathy, and a fund sufficient for the immediate support of the destitute.

I have, &c.
(signed) *W. E. Gladstone.*

PLAN, Nº 1.

(To face Page 8)

Sketch of the Town of St. John's Newfoundland,
Shewing by the "Yellow Line" the extent of the District
Destroyed by Fire on the 9th of June, 1816.



Scale.

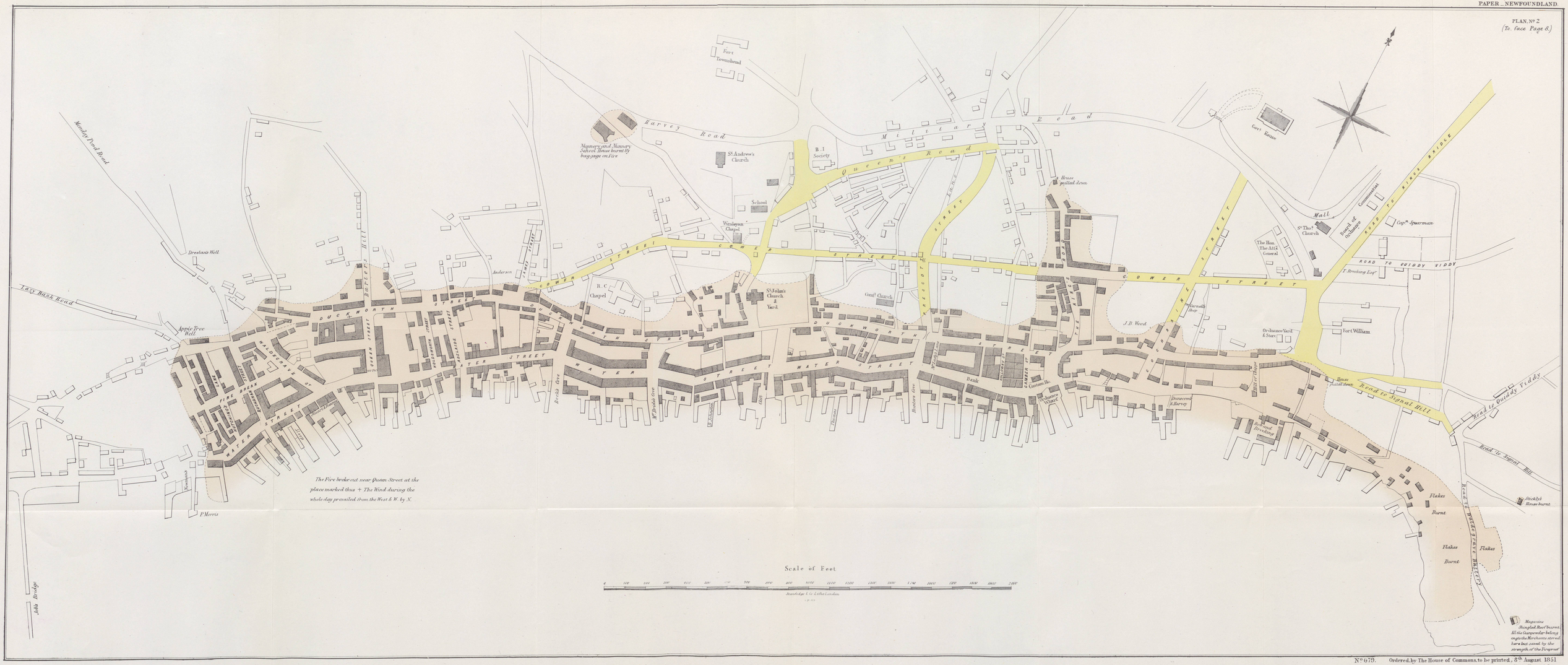
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Standidge & Co. Litho. London
1,P175.

ROYAL ENGINEERS OFFICE,
St JOHN'S, NEWFOUNDLAND. 12th JUNE, 1846.
A. W. ROBE, MAJOR COMMdg ROYAL ENGINEERS.

Nº 679. Ordered, by The House of Commons, to be printed, 8th August 1851.
Henry Hansard, Printer

PLAN, Nº 2
(To face Page 8.)


Fort Townshend
Harvey Road
Military Road
Queen's Road
Monday Pond Road
Dreeland's Well
Navy Hall Road
Apple Tree Well
Nunnery and Nunnery School House burnt by baggage on Fire
St Andrew's Church
B.I Society
School
Wesleyan Chapel
R.C Chapel
SS John's Church & Yard
Congl Church
Anderson
Duckworth Street
Water Street
Gower Street
Queen Street
Bulley's Hill
Halfgrave or Fire Brook
Brooks Cove
Mc Brooks Cove
Hutchings
Thomas
Butlers Cove
Bank
Custom Ho.
Treasurer's Office
Court House
Jno Thomas
Jno Dawe
Jno Dawe Jr
Jno Dawe & Co
Jno Dawe & Co's Store
Jno Dawe & Co's Stores
Jno Dawe & Co's Shop
Jno Dawe & Co's Dwelling House
Jno Dawe & Co's Dwelling House & Store
Jno Dawe & Co's Dwelling House & Shop
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Jno Dawe & Co's Dwelling House & Store & Shop & Yard & Garden & Orchard & Pasture & Meadow
Jno Dawe & Co's Dwelling House & Store & Shop & Yard & Garden & Orchard & Pasture & Meadow & Field
Jno Dawe & Co's Dwelling House & Store & Shop & Yard & Garden & Orchard & Pasture & Meadow & Field & Wood
Jno Dawe & Co's Dwelling House & Store & Shop & Yard & Garden & Orchard & Pasture & Meadow & Field & Wood & Water
Jno Dawe & Co's Dwelling House & Store & Shop & Yard & Garden & Orchard & Pasture & Meadow & Field & Wood & Water & Land
Jno Dawe & Co's Dwelling House & Store & Shop & Yard & Garden & Orchard & Pasture & Meadow & Field & Wood & Water & Land & Sea
Jno Dawe & Co's Dwelling House & Store & Shop & Yard & Garden & Orchard & Pasture & Meadow & Field & Wood & Water & Land & Sea & Air
Jno Dawe & Co's Dwelling House & Store & Shop & Yard & Garden & Orchard & Pasture & Meadow & Field & Wood & Water & Land & Sea & Air & Fire
Jno Dawe & Co's Dwelling House & Store & Shop & Yard & Garden & Orchard & Pasture & Meadow & Field & Wood & Water & Land & Sea & Air & Fire & Earth
Jno Dawe & Co's Dwelling House & Store & Shop & Yard & Garden & Orchard & Pasture & Meadow & Field & Wood & Water & Land & Sea & Air & Fire & Earth & Heaven
Jno Dawe & Co's Dwelling House & Store & Shop & Yard & Garden & Orchard & Pasture & Meadow & Field & Wood & Water & Land & Sea & Air & Fire & Earth & Heaven & Hell
Jno Dawe & Co's Dwelling House & Store & Shop & Yard & Garden & Orchard & Pasture & Meadow & Field & Wood & Water & Land & Sea & Air & Fire & Earth & Heaven & Hell & Purgatory
Jno Dawe & Co's Dwelling House & Store & Shop & Yard & Garden & Orchard & Pasture & Meadow & Field & Wood & Water & Land & Sea & Air & Fire & Earth & Heaven & Hell & Purgatory & Limbo
Jno Dawe & Co's Dwelling House & Store & Shop & Yard & Garden & Orchard & Pasture & Meadow & Field & Wood & Water & Land & Sea & Air & Fire & Earth & Heaven & Hell & Purgatory & Limbo & Paradise
Jno Dawe & Co's Dwelling House & Store & Shop & Yard & Garden & Orchard & Pasture & Meadow & Field & Wood & Water & Land & Sea & Air & Fire & Earth & Heaven & Hell & Purgatory & Limbo & Paradise & Eden
Jno Dawe & Co's Dwelling House & Store & Shop & Yard & Garden & Orchard & Pasture & Meadow & Field & Wood & Water & Land & Sea & Air & Fire & Earth & Heaven & Hell & Purgatory & Limbo & Paradise & Eden & Adam
Jno Dawe & Co's Dwelling House & Store & Shop & Yard & Garden & Orchard & Pasture & Meadow & Field & Wood & Water & Land & Sea & Air & Fire & Earth & Heaven & Hell & Purgatory & Limbo & Paradise & Eden & Adam & Eve
Jno Dawe & Co's Dwelling House & Store & Shop & Yard & Garden & Orchard & Pasture & Meadow & Field & Wood & Water & Land & Sea & Air & Fire & Earth & Heaven & Hell & Purgatory & Limbo & Paradise & Eden & Adam & Eve & Cain
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Jno Dawe & Co's Dwelling House & Store & Shop & Yard & Garden & Orchard & Pasture & Meadow & Field & Wood & Water & Land & Sea & Air & Fire & Earth & Heaven & Hell & Purgatory & Limbo & Paradise & Eden & Adam & Eve & Cain & Abel & Seth
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— No. 3. —

No. 3.
Mr. Secretary Gladstone to the Governor-General and Lieutenant-Governors of the North American Provinces.
3 July 1846.

COPY of a CIRCULAR DESPATCH from the Right Hon. *W. E. Gladstone* to the Governor-General and to the Lieutenant-Governors of the *North American* Provinces.

Sir, Downing-street, 3 July 1846.

ON the 1st instant I received from the Lieutenant-governor of Newfoundland a report of the calamitous conflagration which has destroyed the greater and more populous part of the city of St. John's in that Island. It appears from that report, that of the 19,000 persons by whom the city was inhabited, 12,000 had been rendered altogether houseless, and that the destruction of provisions, wearing apparel, and the other first necessaries of life, had been such as most severely to enhance their distress.

Her Majesty's Government have, by the mail of this day, authorized the advance of a sum of money to provide some immediate relief for the sufferers. I am well assured that their distress will have excited the lively sympathy of the Queen's subjects in all the neighbouring British provinces, and that your own attention will have been promptly given to the discovery of the most effectual means of relieving them. I cannot, however, permit this mail to be despatched without instructing you to afford such aid as it may be in your power to bestow on the victims of this disaster, either by furnishing supplies of provisions and other stores, or in any other way which you may have reason to believe will more effectually meet the exigency of the occasion.

I have, &c.
(signed) *W. E. Gladstone.*

— No. 4. —

No. 4.
Earl Cathcart to Mr. Secretary Gladstone.
22 July 1846.

(No. 96.)

COPY of a DESPATCH from Earl *Cathcart*, K.C.B., to the Right Honourable *W. E. Gladstone.*

Government House, Montreal,
Sir, 22 July 1846.

I HAVE the honour to acknowledge the receipt of your despatch, No. 105, of the 3d instant, stating that you had received from the Governor of Newfoundland a report of the calamitous conflagration by which the greater part of the city of St. John's has been destroyed, and instructing me to afford such aid as it may be in my power to bestow towards the relief of the victims of this disaster. I have the honour to inform you, in reply, that immediately on the receipt of a letter from Sir John Harvey, acquainting me with the particulars of this calamity, I lost no time in bringing the subject before the executive council of this province, and had much satisfaction in approving of their recommendation that an advance of 2,000*l.* should be made from the Canadian Treasury towards the relief of the immediate wants of the sufferers. This sum was afterwards, by my directions, paid into the hands of the committee appointed in this city to collect contributions, and was by them employed in despatching a schooner laden with flour and other provisions for distribution at St. John's. I enclose for your information a copy of the letter which I addressed to Sir John Harvey, acquainting him with the measures adopted here for the purpose of extending assistance to the unfortunate inhabitants of St. John's.

I have, &c.
(signed) *Cathcart.*

Enclosure in No. 4.

Government House, Montreal,
11 July 1846.

Sir,

Encl. in No. 4.

I AVAIL myself of the sailing of the "St. Croix," chartered for the conveyance of supplies for the relief of the sufferers at St. John's, to acknowledge the receipt of your Excellency's Despatch of the 11th ultimo, with its Enclosures, communicating the particulars of the destructive fire which has reduced to ashes the greater part of that city.

With the ready concurrence of my council, under whose consideration I lost no time in bringing the subject of your Despatch, I have directed an immediate advance of 2,000*l.* from the provincial chest to aid in meeting the appeal which your Excellency has made to the sympathy of the inhabitants of this province, and I do not doubt that private contributions to a large amount will very speedily attest the general feeling of the community in behalf of their fellow subjects who have been overwhelmed by this stupendous calamity.

The Committee appointed to superintend the collection and expenditure of such subscriptions in this city have entered on the discharge of this duty with much energy, and the subscription in this city is proceeding under their superintendence in a highly encouraging manner.

At their suggestion I have caused the amount of the advance from the provincial revenue to be paid over to their treasurer, to be invested in provisions for immediate export to Newfoundland. The accompanying copy of a letter from their Chairman will explain to your Excellency the steps which they have taken and propose to take to carry out the measures intended. Your Excellency, and the inhabitants of the province under your Government, may rely on the sincere anxiety which all parties here manifest to aid in ministering to the utmost of their power to the pressing wants of the sufferers by this calamity.

I have, &c.
(signed) *Cathcart.*

His Excellency Major-General Sir John Harvey,
St. John's, Newfoundland.

No. 11, S^{t} F^{rs} Xavier-street, Montreal,
7 July 1846.

Sir,

BY direction of the committee to procure relief for the sufferers by the late fire at St. John's, Newfoundland, I have the honour to transmit the enclosed resolutions relative to the manner in which they (the committee) deem it proper that the sum of 2,000*l.*, about to be granted by his Excellency the Governor-general for the above purpose, should be applied, and have to request that you will cause the said resolutions to be submitted to his Excellency.

I have, &c.
(signed) *F. Campion,* Secretary.

The Hon. D. Daly, M.P., Secretary.

No. 11, S^{t} F^{rs} Xavier-street, Montreal,
7 July 1846.

EXTRACT from the Minutes of a Meeting of the Committee appointed to procure Aid for the Sufferers by the late Fire at St. John's, Newfoundland.

MR. TOBIN informed the committee that the Governor-general in Council had appropriated the sum of 2,000*l.* to the relief of the sufferers at St. John's, Newfoundland, whereupon it was moved by Mr. John Young, seconded by Mr. Joseph Knapp, That, in the opinion of this committee, it is deemed expedient to recommend to the Governor-general that the amount intended to be sent for the relief of the sufferers at St. John's, Newfoundland, be invested in 500 barrels of prime pork, and the remainder in flour. Carried.

Moved by Mr. John M. Tobin, seconded by Mr. John E. Mills, That the Secretary be instructed to forward a copy of the foregoing resolutions to the Government. Carried.

(signed) *J. W. Dunscombe,* Chairman.

— No. 5. —

NEWFOUNDLAND.

No. 5.
Earl Grey to Earl Cathcart.
18 August 1846.

(No. 18.)

COPY of a DESPATCH from Earl *Grey* to Earl *Cathcart*, K. C. B.

My Lord, Downing-street, 18 August 1846.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 22d July, No. 96, in which you report the measures adopted by your executive government, with the view of relieving the distress prevailing at St. John's, Newfoundland, in consequence of the fire at that place; and I have to express to your Lordship the satisfaction with which I have learnt the prompt and liberal assistance which has been extended by your Government to the unfortunate sufferers at St. John's.

I have, &c.
(signed) *Grey*.

— No. 6. —

(No. 76.)

No. 6.
Sir W. M. G. Colebrooke to Mr. Secretary Gladstone.
28 July 1846.

COPY of a DESPATCH from Sir *W. M. G. Colebrooke* to the Right honourable *W. E. Gladstone*.

Sir, Fredericton, New Brunswick, 28 July 1846.

I HAVE had the honour to receive your despatch, No. 41, dated the 3d instant, and having been apprised by Sir John Harvey of the calamitous conflagration which had occurred at St. John's, Newfoundland, I lost no time in calling a public meeting in Fredericton, and in directing that public meetings should be convened in the several counties of the province, with the object of raising subscriptions for the relief of the sufferers.

Enclosed I transmit a copy of the communication I caused to be circulated, and which has led to liberal subscriptions being raised here and in some other quarters. I enclose also copy of a letter which I have addressed to a number of leading gentlemen in St. John's, with the object of aiding the private subscriptions by a public contribution, and in taking this course under the authority conveyed in your despatch, I feel every assurance that the Executive Council, when they meet here on the 31st instant, will concur with me in the measure, and that the Assembly in the next session will reimburse the advance. I will take an early opportunity of again addressing you on this subject.

I have, &c.
(signed) *W. M. G. Colebrooke*.

Enclosure 1, in No. 6.

CIRCULAR.

Encl. 1, in No. 6.

Sir, Fredericton, 30 June 1846.

HIS Excellency the Lieutenant-governor having this day received the following despatch from his Excellency Major-general Sir John Harvey, Governor of Newfoundland, detailing the circumstances attending the recent calamitous conflagration in St. John's, the capital of that island, the Lieutenant-governor directs, on receipt of this communication, that you will request the sheriff of the county to call a public meeting, to take the same into consideration, with a view of obtaining such contributions as may be made available for the relief of the sufferers.

I have, &c.
(signed) *John S. Saunders*,
Prov. Sec.

To the Clerk of the Peace
of the county of

COPY of a LETTER from Major-general Sir *John Harvey* to Sir *W. M. G. Colebrooke*, dated Government House, St. John's, Newfoundland, 11 June 1846.

[For Copy of Sir J. Harvey's Letter to the Governor-general and to the Lieutenant-governors of the North American Provinces, *vide* page 4.]

Enclosure 2, in No. 6.

Encl. 2, in No. 6.

Gentlemen, Fredericton, N.B., 25 July 1846.

DESIRING to forward to the city of St. John's, Newfoundland, as soon as possible a supply of articles the most urgently required for the relief of the poorer classes of the inhabitants, so many thousands of whom are in a state of destitution from the late conflagration, I request that you will do me the favour to act as a committee, to carry this measure into effect. My object is, that an arrangement should be made for shipping immediately to Newfoundland, in a small fast sailing vessel, a quantity of flour and other articles of subsistence, of building materials, and also some clothing and bedding, particularly for infirm old people and children requiring them, to be consigned for distribution to the committee now sitting at St. John's, Newfoundland. I propose to place at the disposal of the committee a sum not less than 1,000 *l.*, to be laid out in these supplies by the committee, of whom seven may be a quorum, and I leave to the committee whether to obtain them and provide for their transmission by public tender or otherwise, and considering that the object is one of charity, their efforts will, I am sure, be directed to rendering the contribution as effective as possible, by reducing the attendant expenses.

As the Executive Council will meet at Fredericton on the 31st instant, I request that you will oblige me by acknowledging this communication, so as to enable me to advise with the council as to the definitive arrangements.

I would further suggest that the committee should arrange for the reception of voluntary contributions in aid of the supply it is proposed to forward, announcing by public advertisement that they will be received and duly transmitted.

I have, &c.
(signed) *W. M. G. Colebrooke.*

The Honourable Charles Simmonds,
Hugh Johnston, R. L. Hagen,
and J. Robertson.

— No. 7. —

No. 7.
Earl Grey to Sir W. M. G. Colebrooke.
18 August 1846.

(No. 12.)

COPY of a DESPATCH from Earl *Grey* to Sir *W. M. G. Colebrooke.*

Sir, Downing-street, 18 August 1846.

I HAVE to acknowledge the receipt of your despatch, No. 76, of the 28th July, in which you report the measures which have been adopted in New Brunswick with the view of mitigating the distress experienced at St. John's, Newfoundland, in consequence of the recent conflagration in that city; and I have to signify to you my approval of the steps which have been taken for this object in New Brunswick.

I have, &c.
(signed) *Grey.*

— No. 8. —

No. 8.
Sir H. V. Huntley to Mr. Secretary Gladstone.
27 July 1846.

(No. 43.)

COPY of a DESPATCH from Sir *H. V. Huntley* to the Right honourable *W. E. Gladstone.*

Government House, Prince Edward Island,
Sir, 27 July 1846.

WITH reference to your despatch, No. 26, of the 3d of July, relating to the calamity which has so recently fallen upon the city of St. John's in Newfoundland, and desiring me to use every endeavour to afford assistance, I beg leave to transmit the Royal Gazette of this island, in which will be found a statement of proceedings adopted by a meeting of the principal inhabitants and others residing in Queen's County.

Independently of the money then subscribed, there will be, I have no doubt, further collections from this as well as from the other counties, which will be forwarded with the least possible delay.

I have, &c.
(signed) *H. V. Huntley,*
Lieutenant-governor.

Enclosure in No. 8.

PUBLIC MEETING of the Inhabitants of Queen's County, to take into consideration the best means of affording Relief to the Sufferers by the late Fire at St. John's, Newfoundland. Encl. in No. 8.

(Reported for the Royal Gazette.)

THE High Sheriff having read the requisition calling the meeting, it was moved by the Hon. the Secretary for the Colony, seconded by his Excellency the Lieutenant-governor, that the High Sheriff do take the chair. The High Sheriff (W. Cundall, Esq.) having assumed the chair, John Longworth, Esq., was requested to act as Secretary. The chairman was supported by his Excellency the Lieutenant-governor, and the Hon. the Chief Justice. A very numerous assemblage of the inhabitants of the county were present.

The High Sheriff briefly explained the object of the meeting, which was, he observed, not only to assist those who had suffered by the recent fire at St. John's, by contributing their mite towards their relief, but also to convey to the people of that city an expression of sympathy with their sufferings under the calamitous visitation which had befallen them.

His Excellency the Lieutenant-governor moved the first resolution. He would first read to the meeting a despatch which he had that morning received from his Excellency Sir John Harvey, similar to one which had been addressed to the Governor-general and Lieutenant-governors of the British American colonies.

His Excellency observed, that he thought it hardly necessary to appeal at any length to the feelings of the meeting he then addressed. The circumstances spoke for themselves. They had doubtless read the particulars of the fearful disaster which had befallen their fellow colonists in St. John's in the public papers; and the despatch which he had just read to them placed the matter so clearly before them, that he felt assured they would respond to the appeal made to them by Sir John Harvey. Nothing could exceed the zeal, humanity and promptitude displayed by that distinguished officer. His conduct had been above all praise. In bringing the resolution he then held in his hand before them, he would ask the meeting to picture to themselves for a moment the miseries resulting from that dreadful conflagration,—the distress of families,—mothers unable to find shelter for their helpless children,—fathers answering their calls for food by telling them "to wait for daylight," and when that daylight appeared finding they had little or none to give them. It was impossible to contemplate the sufferings of the helpless without having their strongest sympathies awakened. Nor ought this picture to be considered as one representing a state of things which passed away with the passing of the night. The sufferers were yet in want of food,—were yet without shelter. The relief prayed for could not be afforded in a few hours, and it was the obvious duty of all persons to contribute to their utmost means to alleviate such distress as this. There was also a reason, and a very strong one, why this colony should sympathize with and assist the sufferers in Newfoundland. Were they only to argue it as a question of pounds, shillings and pence, they would find the claim that that colony had upon them. It was one of their best and oldest friends. It had been a market for their ships and produce, and had ever maintained with them the greatest honour and integrity. Flourishing as the circumstances of that colony had been, it was now laid even with the poorest, and the feeling of the situation in which such a calamity would place the inhabitants of this town should stimulate them to exertion on behalf of their fellow colonists. Since he (Sir Henry Huntley) had been in the Government of this island no less than four fires had taken place in Charlottetown, and though he was bound to acknowledge the zeal and promptitude of the inhabitants on the occasions alluded to in getting them under, they were indebted for success in their exertions to a higher power than man, without whose Divine assistance the town might have been laid in ashes. The same Providence which had preserved them had afflicted the people of St. John's with this visitation, and it was their duty not only as fellow colonists, but as Christian men, to afford all the relief in their power. It might be but small, but if all gave to the extent of their means, though it were but a mite, a handsome sum might be raised; he would, therefore, impress upon them the duty which they had to perform, and tell them not to be deterred from performing it, because the offering they brought was small. Though it were but a penny it would prove acceptable; and thousands had been collected by the smallest contributions at the doors of churches. His Excellency concluded by expressing his earnest hope and belief that all persons would lend their aid, and contribute to the extent of their means towards the object of the meeting, and then moved the following resolution:—

"It having pleased Almighty God in his inscrutable Providence to visit the inhabitants of St. John's, Newfoundland, with an awfully destructive fire, we, the inhabitants of Queen's County, Prince Edward Island, deeply sympathizing with our fellow colonists in the overwhelming calamity which has thus befallen them, deem it a duty incumbent upon us (in common with the inhabitants of the other districts of this island) to offer our humble contributions towards their relief. Resolved, therefore, that the most prompt and energetic measures be taken by this meeting for the purpose of rendering every assistance to the

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sufferers, pecuniary or otherwise, which may have a tendency to alleviate their present distress."

The resolution was seconded by James Peake, Esq.

The Hon. the Chief Justice observed, that it was quite unnecessary for him to enter into further particulars connected with this melancholy visitation of Providence than those which were known to the meeting. They had only to read the accounts already before them to awake their sympathies; for they spoke at once to the heart. A wealthy and flourishing city had been reduced in one night from affluence to poverty, and when the suffering which such an event had produced was considered, he perfectly coincided in opinion with his Excellency, that an appeal to the people, not only in Charlottetown, but throughout the island generally, would not be made in vain. He could not but recur to a similar meeting which had been held last year, at which he had the honour of presiding, to extend relief to the sufferers by the great fire at Quebec. He had received a communication from that place, in which their praiseworthy exertions were not only duly appreciated, but he had heard from a credible source that their contribution exceeded in proportion any that had been made from elsewhere. He could not but therefore cherish a hope that in considering this a calamity of a more afflicting nature than that which had happened to Quebec, the same good feeling would be evinced, and the same liberality shown. If the feeling of self-interest alone were to prevail, even that should induce them to extend all the relief in their power; for when they looked around them on their own town, and contemplated the probability of a similar calamity,—when they saw the blocks of wooden buildings which might in a few short hours be reduced to a heap of ruins,—while they acknowledged the protecting hand of Providence, which had hitherto spared them, and felt that they were not exempt from similar calamities to those which had befallen the other colonies,—they should remember that they might to-morrow want that assistance which it was now in their power to bestow. But he (the Chief Justice) was satisfied it was quite unnecessary to press this matter further on their attention; he believed that charitable feeling would prevail, and that they would liberally contribute to alleviate the want and distress which called so loudly and imperatively upon them.

The Hon. Chief Justice then moved the following resolution, which was seconded by Dr. Conroy:—

"2. Resolved, That subscription lists be immediately opened, and that the firewardens in this town be appointed to solicit subscriptions in their several wards, and that they be requested to enter upon their duties without loss of time."

Dr. Conroy could not but feel the strongest sympathy with the inhabitants of St. John's. Having property in that city, which had been providentially preserved, he felt called upon to testify not only his own gratitude, but how deeply he felt the loss which the people of that place had sustained, and to prove in every manner his sincere desire to alleviate the sufferings which they laboured under. He had lately visited that colony, and he should never forget the kind and hospitable manner in which he had been received by all ranks and classes. He felt that the people of that place had a strong claim upon his services, and he would endeavour to contribute in every way towards the object of the meeting. It was of the greatest consequence that the most prompt and energetic measures should be adopted, and he was ready to afford every assistance in his power to alleviate the sufferings which this awful calamity had brought upon the people of St. John's. He most cordially seconded the resolution.

The Hon. John S. Macdonald moved the following resolution, seconded by Andrew Duncan, Esquire.

3. "Resolved, That a committee, consisting of a chairman, secretary, treasurer, and seven other gentlemen, be appointed to carry into effect the intentions of this meeting, and also to correspond with such persons as may be appointed at St. John's, Newfoundland, to ameliorate the melancholy situation of the sufferers at the late calamitous fire at that town, and to convey to them our sympathy on the present trying occasion, and that the following gentlemen compose the said committee, viz.:—

"James Peake, Daniel Brenan, Hon. T. H. Haviland, Andrew Duncan, Hon. Captain Swabey, Dr. Conroy, Thomas Owen, the Chief Justice, Peter Macgowan and George Birnie, Esquires."

Mr. Owen suggested that it might be necessary for the committee to correspond with other persons than those named in the resolution as it then stood.

The resolution was altered to meet Mr. Owen's suggestions, and—

Moved by Daniel Brenan, Esq., seconded by Dennis Reddin, Esq.,—

4. "Resolved, That the committee now appointed be requested to correspond with the ministers of the several congregations throughout the island, the following gentlemen resident in the country, and such other persons as they may deem expedient, for the purpose of soliciting such subscriptions from the inhabitants in their several districts towards the same benevolent object.

Benjamin

Benjamin Clow, Esq., Murray Harbour.
Joseph Wightman, Esq., Three Rivers, St. Andrew's Point.
Hugh M'Donald, Esq., Georgetown.
John Dingwell, Esq., Bay Fortune.
John Macgowan, Esq., Souris.
James M'Callum, Esq., Brackley Point.
Peter M'Callum, Esq., St. Peter's Bay.
Charles Dingwell, Esq., St. Peter's Bay.
William Hodges, Esq., Rustico.
Robert Orr, New Glasgow.
William Haslam, Esq., Lot 67.
John C. Sims, Esq., New London.
Charles M'Nutt, Esq., Darnley.
William Bearistoe, Esq., Princetown.
James Yeo, Esq., Port Hill.
James Warburton, Esq., Lot 11.
Allan Forsyth, Esq., Cascumpec.
Nicholas Conroy, Esq., Tignish.
Thomas Hunt, Esq., St. Eleanors.
Lemuel Cambridge, Esq., Lot 16.
Evan Thomas, Esq., Bedeque.
Joseph Pope, Esq., Bedeque.
John Clarke, Cape Traverse.
Samuel Dawson, Esq., Tryon.
William Crosby, West River.
John R. Bourke, Esq., Mill View.
Allan Macdougal, Esq., Flat River."

During the discussion of this resolution, several suggestions were made by different gentlemen. Among others, Mr. John Davis, jun., suggested that, in consequence of the scarcity of cash, provisions of every description should be accepted as subscriptions. In the state of destitution which prevailed in St. John's, many might be induced to contribute more largely in this manner, and all would prove acceptable.

The chairman said this might be an instruction to the committee.

Hon. Mr. Haviland suggested the use of the words, " pecuniary or otherwise."

The chairman did not doubt that the committee would willingly receive assistance in every form; but as the proceedings of the meeting would doubtless go to the public, it was better so to frame the resolution as to render it perfectly explicit.

Dr. De St. Croix thought it advisable that the committee should request the clergy in the different parts of the island to make collections in their several parishes.

Mr. George Beer thought it would be well if part of the subscriptions collected were laid out in the purchase of provisions. There was an abundance in the island, and it would be better to procure them than to remit money.

Dr. De St. Croix reminded the meeting that a cargo of wheat was to be sold on the following day.

Mr. Reddin was of opinion that, if proper means were adopted, a cargo might be immediately shipped from the island.

Moved by Honourable Edward Palmer, seconded by Charles Binns, Esquire,—

5. " Resolved, That it be a recommendation to the committee to adopt means, as far as practicable, to provide depôts in the most convenient places at the different shipping harbours for the reception and storing such grain, provisions, lumber, &c. as may be subscribed by different individuals, who prefer paying their subscriptions in that manner."

The object of this resolution was, that the people of the country should have it in their power to contribute in perhaps the only way they were able to do so. It was possible, that in the out harbours grain and lumber might be contributed, which it would be difficult, if not almost impossible, for the parties contributing to forward to the committee. If these depôts were established, and publicity given to the fact, much good might be done.

The resolution was seconded by C. Binns, Esquire, who remarked that it was necessary that the people of the country should have an opportunity of contributing to the object in view in the easiest and most practicable manner.

His Excellency the Lieutenant-governor would remark, that he considered it far better, while the committee accepted all contributions that were sent to them, that as much money as possible should be remitted. When a sum of money was subscribed, those for whose benefit it was intended naturally wished to have the disposal of it. Any provisions might be placed in depôt, but he for one certainly did not like the idea of laying out any money that might be contributed.

Mr. Reddin thought that it was probable that produce, under present circumstances, might be more acceptable.

Mr. Brenan.—It would certainly be more generous to forward whatever amount might be received in money, and at the same time it would not hinder the committee from receiving contributions in any other form. It certainly did appear to him rather selfish to expend the money, and it would be a question whether the articles purchased were actually required.

Mr. Coles believed that many persons would contribute if they only knew that produce would be received. He perfectly agreed with his Excellency that it was better to remit whatever money was collected. It would not only look better but would be safer, as articles might be sent which were not required, and of which they already had a surplus.

NEWFOUNDLAND. He would, as far as contributions were concerned, neither limit nor name the quantity or rate at which produce should be received. He anticipated no difficulty in carrying out the resolutions. He would mention that a variety of useful articles might be shipped at once by individuals. He had himself shipped half a ton of oatmeal to the committee in St. John's, and if others would pay attention to the matter, immediate relief, however small, might be afforded.

Mr. Brenan would again repeat, that the best way was to open a general list; and if people could not give in one way they might be able to do so in another. He was in favour of letting every person give in what manner he pleased.

Hon. Captain Swabey thought that it might impede the object the meeting had in view if they tied up the hands of the committee. He fully concurred with those gentlemen who advocated taking the contributions in whatever way charitably disposed persons might be able to give.

Dr. Conroy thought it was better to leave these matters of detail in the hands of the committee.

Mr. Henry Palmer proposed a resolution, to the effect that it be a recommendation on the part of the meeting, that the Executive be petitioned to grant a sum of money in aid of the object of the meeting.

His Excellency the Lieutenant-governor observed, that he considered such a resolution quite needless. The Executive could appropriate no money, except as provided for in the "Appropriation Bill." Their hands were tied up by that Bill, and he thought it useless to press the resolution.

Hon. E. Palmer was aware of the provision in the "Appropriation Bill," but it was possible for the Executive to make any advance, and afterwards ask for an indemnity. These matters were never acted upon in strictness, and under such circumstances, he, if he possessed the power, should not oppose any such proposition. It was true it rested with the Legislature to confirm or disallow the act of the Executive, but this was the case in all the colonies, and an indemnity under such circumstances was always given.

Mr. Brenan thought there would be no necessity to create the possibility of collision. He hoped the motion would not be proposed.

Mr. H. Palmer had no wish to press his resolution.

His Excellency the Lieutenant-governor hoped and believed such a step would not be necessary, and that there would be no occasion to call upon the public funds. He had that confidence in the people of the island, that he hoped no such call would be made until the population had shown their intentions. He thought that if the matter were left to the open, honest and frank minds of the public, it would be sufficient to answer the object of the meeting.

The resolution was withdrawn.

Moved by William Forgan, Esquire, seconded by Daniel Brenan, Esquire,—

6. "Resolved, That the most respectful thanks of this meeting be given to his Excellency Sir Henry V e Huntley, Knight, for his condescension and promptness in attending this meeting, and for his liberality in contributing so handsomely to the objects thereof."

His Excellency returned thanks. In any service which he might have rendered he had been assisted by the able conduct of the chairman, and kind feeling of the meeting. He regretted that the word "condescension" had been applied to an act which was his duty, and which was cheerfully performed at the call of benevolence. His Excellency concluded by moving the following resolution, which was seconded by the Hon. the Chief Justice, and carried by acclamation.

7. "Resolved, That the warmest thanks of this meeting be given to the high sheriff of this county for the able conduct which he has displayed in presiding over this meeting."

The high sheriff returned thanks. It gave him much pleasure to have presided over such a meeting, and he hoped all who wished to carry out its object would experience that it was "more blessed to give than to receive." He appreciated the feeling shown, and returned the meeting his sincere thanks.

The subscriptions were then entered into.

Amount of subscriptions - - - £.207. 10.

— No. 9.—

(No. 5.)

COPY of a DESPATCH from Earl *Grey* to Sir *H. V. Huntley*.

No. 9.
Earl Grey to Sir H. V. Huntley.
3 September 1846.
* Page 12.

Sir, Downing-street, 3 September 1846.

I HAVE received your despatch, No. 43,* July 27th, reporting the proceedings which have taken place in Queen's County, Prince Edward's Island, for the purpose of alleviating the distress occasioned to the inhabitants of St. John's, Newfoundland, by the recent fire at that place, and I have to express my satisfaction at learning the sympathy which has been exhibited in this county towards the distressed population of St. John's.

I have, &c.
(signed) *Grey*.

— No. 10. —

(No. 39.)

COPY of a DESPATCH from Governor Sir *John Harvey*, K. C. B., to the Right Honourable *W. E. Gladstone*.

No. 10.
Governor Sir J. Harvey to Mr. Secretary Gladstone.
18 June 1846.

Newfoundland, Government House, St. John's,
Sir, 18 June 1846.

WITH reference to my despatch of the 10th instant, No. 38, I have now the honour to report that I opened the Special Session of the General Assembly on the 16th instant (every member in the island being in attendance, except one for one of the most remote districts), with a speech, of which I have the honour to transmit a copy, as well as of the address which was promptly adopted in answer, and presented to me by the Speaker and the whole House on the following day. The only further action which has as yet been adopted by the House is an address to me for a survey of the burnt district, which has already been furnished. The discussion will now take place as to the sum to be applied for in aid of the reconstruction of the city (which will probably not exceed in the first instance), followed by the passing of a Bill for securing the punctual payment of the interest, and the ultimate repayment of the principal of the loan.

I am happy to say that, with the exception of a few hundred persons, chiefly women and children, by whom the tents continue to be occupied, the whole of the houseless appear to have found temporary cover. Several vessels have already entered the port laden with provisions. Many shops have been re-opened, chiefly on the south side of the harbour, and articles of primary necessity are being retailed at scarcely any advance of price. Employment of the industrious classes is being gradually resumed. Order, tranquillity, and comparative cheerfulness prevail, and every thing appears to indicate that the weight of the late calamity, as respects the lower classes, is beginning to be alleviated.

But, as the summers are very short in this climate, and it is most important that some provision should be made as respects shelter for such as may be found in need of it at the approach of winter, I would respectfully submit whether a couple of good sized vessels of war, to be moored in this harbour, and used as receiving ships for the houseless, might not be spared from England for this service of humanity; and if they were to bring out a donation of fuel (coals), provisions, bedding and blankets, coarse warm clothing, &c., &c., their advent would be a joyful and acceptable event to the poor of this afflicted place; and I venture to add, that if they had a few heavy guns on board they would add greatly to the defences of the place in case of any unforeseen emergency, of the probability of which, and the consequent value of this suggestion, Her Majesty's Government must be the fittest judge. In the meantime funds have been placed at my disposal by the local legislature for the erection of such temporary sheds as may serve for the cover of the houseless during the summer months, as considerable suffering is already beginning to be experienced in the (fireless) tents during the nights, which are at all times cold in this climate whenever the wind is either northerly or easterly, and particularly as there is at present an unusual quantity of ice on this coast.

I have, &c.
(signed) *J. Harvey*.

Enclosure in No. 10.

Encl. in No. 10. SPEECH of his Excellency the Governor on opening a Special Session of the Legislature, Tuesday, 16th June 1846.

Mr. Speaker, Hon. Gentlemen, and Gentlemen,

THE great calamity with which it has pleased the Almighty Disposer of Events to visit this colony has imposed upon me the necessity of suddenly resorting to your advice and co-operation, as well for the purpose of providing means of relief for present distress as for devising well-considered measures for regulating the reconstruction of that large portion of this city which has been swept away by the late awful conflagration, upon a plan, which, while it shall confer that which St. John's has never before enjoyed, viz., a due degree of security (as far as can be effected by human precautions) upon property of every kind deposited within it, shall at the same time not only embellish the provincial capital, but tend greatly to promote the health, comfort and convenience of its inhabitants, objects which I think you will agree with me in regarding as quite incompatible with that long continuous line of wooden wharfs, covered with every species of goods of the most inflammable kind (including oil vats), and the close admixture of wood and stone buildings crowded together in narrow streets, and without an adequate command of water which heretofore characterized it, and which leaves less cause for surprise at the occurrence of the calamity, than that it should not long since have happened.

In the endeavour to effect improvements of such magnitude, and fraught with such incalculable permanent benefit to this commercial emporium, but of which the attainment is obviously beyond the present unaided powers, though I trust not beyond the ultimate reach of the well-assured resources of the colony, I am ready to concur with you in an application to the Imperial Government to guarantee a loan to Newfoundland to such an amount, not exceeding half a million pounds, as may, upon mature consideration, be regarded as requisite and sufficient for effecting the objects to which I have adverted, the punctual payment of a moderate rate of interest, and the ultimate repayment of the principal within a specified period, being provided for and secured by the assignment of a sufficient portion of its permanent revenues.

In the meantime many preparatory arrangements connected with the preservation of the public health, peace and security of property, the continuance of the supply of food and shelter to such of the houseless and destitute as may be incapable of labour, but, above all, the restoration of regular employment to the industrious classes, to whom, if I have not formed an erroneous estimate of their general character, I cannot doubt that the bread of independence would be far sweeter than that which is purely eleemosynary or unearned by honest labour.

In proceeding to apprize you of the measures which I deemed it necessary promptly to adopt (with the advice and consent of Her Majesty's Council), with a view to meet the pressing emergency created by this awful calamity, and in respect to which I have confidently anticipated your cordial concurrence, I know not how that object can be more readily effected than by reading to you an extract of the despatch which I addressed to Her Majesty's Secretary of State for the Colonies, immediately after the occurrence of the calamity, and which is now on its way to England.

" Sir,—It has pleased the Almighty to visit this colony with a great calamity. It was as if the wing of the destroying angel, in the shape of an awful and irresistible conflagration, had suddenly swept away three-fourths of this so lately wealthy and prosperous city.

" A fire broke out at half past eight o'clock yesterday morning in the western section of the city, and owing to the prevalence of a westerly gale of wind, which unhappily continued to increase in violence, before the close of the day most of its public buildings, and the whole, with one single exception, of its wharves, storehouses, and mercantile establishments, upwards of a mile in extent, had been reduced to ashes. It is estimated that 2,000 houses, and property to the amount of from 600,000 *l.* to 1,000,000 *l.* has been destroyed, and that 12,000 persons are now houseless.

" Much as the losses of the mercantile and the sufferings of the labouring classes claim our sympathies, yet should our deepest commiseration rest upon the middle classes, who, accustomed to comparative ease and comfort, find themselves and their helpless families suddenly reduced to a state of the most absolute destitution. Every effort dependent upon the local government will be made and is making for their relief, and that of the lower orders; but even under circumstances apparently so destitute, and with a scene of such affecting desolation before my eyes, still do I indulge a sanguine hope, that if promptly aided by the benevolence and liberality of the British people, of the legislatures and people of the neighbouring colonies, but, above all, by the British Government and Parliament, not only will the present distress be at once alleviated, but the fine site of the capital of this most ancient and valuable possession of the British Crown, which, as a commercial town, may be said for the present almost to have ceased to exist, will again be occupied by buildings of so secure and durable a description, laid out upon a plan so judicious and well-considered, as at no remote period to convert the calamity which is now pressing so heavily upon its inhabitants into a great and inappreciable blessing.

" A similar

"A similar calamity, though not to the same extent, was thus turned into a vast benefit, even by the almost unaided efforts of the province itself, during the period of my administration of the Government of New Brunswick, some years ago.

"In order to meet the pressing emergencies of our situation I have adopted the following measures:—

"1st. I have by proclamation convened the local legislature to meet in six days; viz., on the 16th instant.

"2d. I have issued a proclamation, laying an embargo, for a limited period, upon the exportation of provisions, other than such as are required for the use of crews, passengers and the fisheries.

"3d. I have issued a proclamation, warning all persons against the re-construction of wooden buildings upon the burnt district before the intentions of the local legislature upon the subject shall be declared.

"4th. I have addressed a circular letter to the Governor-general and Lieutenant-governors of all the British American Colonies, and to Her Majesty's consuls at Boston and New York, of which copies are enclosed.

"5th. I have authorized the chartering of two vessels, one to Halifax and one to New York, for provisions.

"6th. I called a meeting this day, in this house (at which I presided), of all the heads of the mercantile establishments, as well as of the principal inhabitants, the clergy, judges, and officers of the Government. Copy of the resolutions adopted at this meeting, as well as of other resolutions adopted at a meeting of the inhabitants previously held, are enclosed, the whole of which it will be perceived I had anticipated.

"June 12.

"I have now the satisfaction to report, that through the operations of the committee of relief appointed at the meeting of Wednesday, all the houseless have been placed under shelter, in aid of which I have placed all the tents in the Ordnance store (51) at its disposal; and an adequate supply of provisions, particularly bread, has been and will continue to be issued to them for the present."

Mr. Speaker, Honourable Gentlemen, and Gentlemen,

I have directed that the state of the public funds, including all receipts and expenditure since your recent separation, shall be laid before you; and, inviting on your part the most unreserved communication and interchange with me of such ideas as may mutually suggest themselves to us as to the remedial measures best calculated to aid the colony in recovering from the effects of this dire calamity, I now leave you to your deliberations.

ADDRESS of the House of Assembly in answer to his Excellency's Speech, adopted and presented to his Excellency by the Speaker and the whole House on the following day.

To his Excellency Major-general Sir John Harvey, Knight Commander of the Most Honourable Military Order of the Bath, Knight Commander of the Royal Hanoverian Guelphic Order, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.

May it please your Excellency,

WE, Her Majesty's most loyal and dutiful subjects, the Legislative Assembly of Newfoundland in general session convened, beg leave to thank your Excellency for the gracious speech with which your Excellency has been pleased to open the present Session of the Legislature.

While we deplore equally with your Excellency the calamitous event which has occasioned our being assembled at this season, we fully concur in the opinion that an immediate and pressing necessity exists for the adoption, under the sanction of legislative authority, of such remedial measures as may tend to the relief of present suffering, to the prevention of a recurrence of a catastrophe so afflicting as that with which we have been recently visited, and to the permanent improvement of the capital of this colony.

Upon the subject of an application to the Imperial Government for a loan of money to be appropriated towards the rebuilding of St. John's, we beg to assure your Excellency of our unqualified concurrence in the absolute necessity of such a measure. With such aid the resources of the colony will again be speedily developed; trade will resume its course, and industry will obtain its accustomed reward; but without it this valuable colony will languish; many who still possess large capital may lose much that remains to them for want of present assistance; and thousands of our hardy fishermen and artificers, with their families, driven in destitution and misery from our shores, will emigrate to the United States of America, or be thrown upon the resources of the parent country or our neighbouring colonies. We heartily assure your Excellency that our best endeavours and co-operations shall not be wanting to carry into effect your Excellency's important suggestions on this point.

We thank your Excellency for the measures which your Excellency has caused to be adopted for the present relief of the most urgent necessities of those of the inhabitants of St. John's who have lost their houses and property in the recent conflagration, for the prompt communication of our situation to Her Majesty's Government and the governments

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of the neighbouring colonies, and for the applications for assistance which your Excellency has kindly made on behalf of our poorer fellow citizens.

We shall be glad to receive such information upon our financial condition as your Excellency may be pleased to communicate; and we beg to assure your Excellency of our earnest desire to apply ourselves as speedily as possible to the framing and adoption of such legislative enactments as our present state and circumstances may require, and as may most conduce to the permanent welfare and prosperity of this ancient colony.

Passed the General Assembly, 17th June 1846.

(signed) *John Kent*, Speaker.

To the foregoing his Excellency was pleased to make the following reply:—

Mr. Speaker, Honourable Gentlemen, and Gentlemen,

I AM happy to receive this prompt and emphatic declaration of your concurrence in the views and opinions which I yesterday laid before you, and the assurance of your satisfaction with the measures which I deemed it my duty promptly to adopt for the purpose of meeting, by the necessary aid in food and shelter, the distress which this great calamity had suddenly brought upon so many of the poorer classes of our fellow subjects. No time will be lost by me in bringing to the knowledge of the Secretary of State the earnest petition of the legislature of Newfoundland that it may receive from the Imperial Government and Parliament that aid by which it can alone hope to effect the great object of renovating its commercial capital in such a manner as to confer upon it increased security and consequent prosperity. And I do not allow myself to entertain any doubt that this appeal will be met in a manner accordant with the paternal character of the Government of our gracious Sovereign.

(signed) *J. Harvey.*

— No. 11. —

No. 11.
Earl Grey to Governor Sir J. Harvey.
18 July 1846.

(No. 1.)

COPY of a DESPATCH from Earl *Grey* to Governor Sir *John Harvey*, K.C.B.

Sir, Downing-street, 18 July 1846.

IMMEDIATELY after the seals of this office had been confided to me, my attention was directed to the consequences to the inhabitants of St. John's, Newfoundland, of the recent calamitous fire at that place. Finding that Her Majesty's late Government, in the position which they occupied at the period of the departure of the last North American mail, only felt themselves at liberty to authorize an advance of money to the extent of 5,000*l.*, (that sum being regarded as sufficient for affording relief in urgent cases for the space of a fortnight), it devolved on Her Majesty's present advisers to consider what measures should be taken to afford further and more extensive assistance. I have now the satisfaction of acquainting you that, after ample inquiry, Her Majesty's Government have determined upon applying immediately to Parliament for a grant of 30,000*l.*, and that the Lords Commissioners of the Treasury will, by this packet, instruct the officer in charge of the commissariat at Newfoundland to place at your disposal the sum of 25,000*l.*, which will complete the whole amount proposed to be granted.

It is scarcely necessary for me to express my conviction that you will make every arrangement which may be expedient and effectual for ensuring the due application of this money to the service of the persons who have been rendered destitute by this calamitous event.

A deputation of gentlemen and merchants in this city, connected with Newfoundland, having waited upon me on this subject, it was strongly pressed upon me at that interview that, as your successor in the Government could not be expected to reach the colony for some months, and as, under existing circumstances, it would be very undesirable that the administration of the Government should, in your absence, devolve upon an officer who would only exercise the provisional functions of your situation, it would be most conducive to the public interests if you could be persuaded to remain at Newfoundland until the spring. It is due to those gentlemen to state that the above suggestion most fully corresponds with my own views, and I trust that the state of your health and other circumstances will not deprive the colony of the advantage of your services and advice during the ensuing winter, which from the late calamity may possibly be one of great distress.

I reserve

I reserve for future consideration the question mooted in your despatch, No. 39,* of the 18th June, which has just reached me, as to the stationing of two vessels off St. John's to afford shelter to the houseless inhabitants of that city.

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* Page 17.

I have, &c.
(signed) *Grey.*

— No. 12. —

(No. 45.)

COPY of a DESPATCH from Governor Sir *John Harvey*, K. C. B., to the Right Honourable *W. E. Gladstone.*

No. 12. Governor Sir J. Harvey to Mr. Secretary Gladstone. 23 June 1846.

Newfoundland, Government-House, Saint John's,
Sir, 23 June 1846.

WITH reference to my despatches of the 10th and 18th instant, Nos. 38† and 39,‡ I have now the honour to transmit to you an Act which has been passed by the General Assembly of this Colony, specially convened by me (chiefly with this object), and to which I have this day given my assent, and by which provision is made, secured upon the permanent assignment of the whole of the revenues of the colony, for the punctual payment of the interest and the ultimate repayment of the principal, of any sum not exceeding 250,000*l.*, which by the aid and guaranty of Her Majesty's Government may be raised in England for the object of rebuilding that portion of this lately wealthy city which was destroyed by the late conflagration.

† Page 1.
‡ Page 17.

No. 58.

To this Act I have the honour most earnestly to solicit your early and favourable attention, and that of Her Majesty's Government, under the conviction which I feel, that by no other means than those referred to in this Bill can the grievous and overwhelming calamity with which it has pleased Almighty God to visit this lately prosperous and thriving colony be repaired, its unaided resources, great and staple as they assuredly are, being utterly inadequate to effect this great work of renovation within such a period as may counteract the ruinous consequences of the withdrawal of any considerable portion of the British capital at present embarked in its trade,—a calamity which by prompt relief may now be averted.

Feeling it unnecessary for me further to dilate upon the vast importance to Newfoundland involved in the decision of Her Majesty's Government upon the proposition now submitted to them,

I have, &c.
(signed) *J. Harvey.*

P. S.—In presenting this Bill for my assent, the Speaker said "that the passing of this Act added to the confidence which was felt in the paternal character of Her Majesty's Government,—had raised the drooping spirits of the citizens of St. John's," to which he added the expression of the conviction which was felt by the House and the colony, that no effort on my part to promote its success would be withheld.

J. H.

Enclosure in No. 12.

(No. 58.)

AN ACT to raise by Loan a Sum of Money for the Rebuilding and Improvement of the Town of St. John's.

Encl. in No. 12.

WHEREAS the town of St. John's, the capital of this island, hath been recently visited by a devastating conflagration which has destroyed the chief portion thereof; and the extensive ravages of the said fire, and the consequent destruction of property, were mainly attributable to the inflammable materials of which the buildings were in a great measure composed,

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and to the narrowness and irregularity of the streets: And whereas in the reconstruction of the said town it is highly expedient and necessary, as well for the security of property and the reduction of the expense of insurance, as for the health and convenience of the inhabitants, that the streets thereof should be laid out upon an improved plan, both as to width and regularity, and should be intersected at suitable distances by open cross streets or fire-breaks; and further, that the buildings to be erected in the said town should be constructed in accordance with such regulations for that purpose as shall be made and declared by the Legislature: And whereas, in consequence of the late calamity it will press heavily upon the means of private individuals owning property in the said town, who may be required to reconstruct their dwelling-houses and stores of stone or brick, and it would greatly facilitate the rebuilding of the said town, develope the resources, and promote the prosperity of the colony, if loans towards rebuilding on a new improved plan of the town were made to private individuals on the security of mortgages on the property so to be built upon: And whereas, for the purpose of aiding parties by such loans as aforesaid, as also for the compensation of persons whose ground may be taken for the widening and altering of the streets, and for other public purposes, it is necessary that a loan or loans of money, not exceeding in all the sum of 250,000 *l.*, should be raised, chargeable upon and to be repaid with interest out of the public funds of this colony, and it is desirable that such loan or loans should be raised by and through the intervention and guarantee of Her Majesty's Government: And whereas, in further security for the repayment of the principal and interest to grow due upon such loan, it is expedient that (in addition to the charge upon the revenues of this colony as aforesaid) the mortgages of property so to be executed as above mentioned should be made and executed to such person or persons in trust as shall for that purpose be named and appointed by Her Majesty's Government: Be it therefore enacted, by the Governor, Council and Assembly, in Legislative Session convened, and by the authority of the same, that it shall and may be lawful for the Governor or person administering the Government of this colony for the time being, by and with the advice of Her Majesty's Council, to negotiate with any person or persons, bodies politic or corporate, in the United Kingdom of Great Britain and Ireland, or elsewhere, either directly with such person or persons, or bodies politic or corporate, or through the intervention of Her Majesty's Government, as by and with the advice aforesaid he shall deem most expedient, for the raising and obtaining, from time to time, by way of loan, of such sum or sums of money as may be requisite for the purposes above specified, not exceeding in the whole the sum of 250,000 *l.*; which said sum or sums of money shall be chargeable upon and be repaid out of the public funds of this colony, together with interest at such rates, in such instalments and manner, and at such times as the Governor and Council may deem most expedient, and as shall be provided and agreed upon by and with Her Majesty's Government, and the parties advancing the sums of money to be loaned as aforesaid.

II. And be it further enacted, that it shall and may be lawful for the Governor or person administering the Government for the time being, and he is hereby authorized and empowered, by and with the advice aforesaid, upon obtaining such loan of 250,000 *l.*, or any portions thereof, from time to time to grant and issue, or cause to be granted and issued, one or more debentures for the same, to be numbered in succession, from one upwards; and such debentures shall be in such form and words as is usual and customary in the like cases, and as shall be needful for the purposes of this Act, and shall be signed and executed on the part and behalf of this colony, by such person or persons as the Governor or person administering the Government of this colony shall, by warrant under the great seal of the colony, from time to time, for that purpose, appoint.

III. And be it further enacted, that from and out of such monies as shall from time to time remain in the hands of the treasurer of the colony unappropriated, there be granted to Her Majesty, Her heirs and successors, such sum or sums of money, not exceeding in all the sum of 10,000 *l.* annually, as may be necessary to defray the interest yearly, to grow due upon the said sum of 250,000 *l.*, or such portion or portions thereof as may be raised on loan under and by means of this Act.

IV. And be it further enacted, that for the purpose of enabling private individuals to reconstruct their dwelling-houses and stores of stone or brick, it shall and may be lawful for the Governor or person administering the Government, in Council, to receive the applications of persons desirous of obtaining loans of money for that purpose; and upon proof, to the satisfaction of the Governor and Council, that the title and nature of the interest of the applicants in the ground on which such buildings are proposed to be erected, are such as to afford reasonable security for the repayment of the sums to be loaned thereon, to lend and advance to such persons respectively such sum or sums as the Governor and Council shall deem proper, not exceeding in the whole three-fourths of the appraised value of the interest of the party borrowing in the premises on which such buildings shall be intended to be erected. And all such loans to private individuals shall be made upon the express condition, and on due security being taken, that the sums advanced to them shall be expended in the erection of buildings on the mortgaged premises respectively, in accordance with such plan and regulations as shall be made and prescribed by any Act or Acts of the Legislature of this colony for that purpose. And all and every mortgages, conveyances, leases or other charges of and upon the respective premises of the parties to whom such loans shall be granted as aforesaid shall, for the better security

and

and repayment of the said public loan of 250,000 *l.*, be made and executed to such person or persons, in trust, as shall be named and appointed, and under and subject to such rules, regulations and restrictions as shall be made and prescribed for that purpose by Her Majesty's Government. NEWFOUNDLAND.

V. And be it further enacted, that no part of the said sum of 250,000 *l.*, to be raised and borrowed on the credit of this colony, shall be expended or applied in any way or manner other than such as is herein directed and expressed, or shall be directed and expressed by some other Act or Acts of the Legislature of this colony.

VI. And be it further enacted, that this Act shall not be of any force or effect until Her Majesty's pleasure thereon shall have been first signified.

— No. 13. —

(No. 46.)

No. 13. Governor Sir J. Harvey to Mr. Secretary Gladstone. 24 June 1846.

COPY of a DESPATCH from Governor Sir *John Harvey*, K.C.B., to the Right honourable *W. E. Gladstone*.

Newfoundland, Government House, St. John's,
Sir, 24 June 1846.

SINCE three o'clock yesterday the General Assembly has (acting promptly upon my suggestion) passed an Act to which I have just given my assent, and by which it appears to me to have afforded unequivocal evidence of its desire to act in perfect good faith in the matter of the loan, by having by this Bill assigned and placed beyond its own control for an unlimited period, or rather for a period limited only by the duration of the obligation, the import duties on certain articles of which the produce may be fairly estimated at 16,000 *l.* per annum, it never having fallen materially below that amount, to be applied exclusively in the first instance to the payment of the interest of the loan now proposed to be raised through the aid and intervention of the Imperial Government. No. 59.

Trusting that this prompt and in some respects voluntary measure will be regarded with satisfaction by Her Majesty's Government,

I have, &c.

(signed) *J. Harvey.*

Enclosure in No. 13.

(No. 59.)

AN ACT to make further Provision for securing the due Payment of the Interest that shall become due and payable upon a certain Loan to be raised under Authority of an Act passed in this present Session, intituled, "An Act to raise by Loan a certain Sum of Money for the Rebuilding and Improvement of the Town of St. John's." Encl. in No. 13.

WHEREAS during this present session of the General Assembly of the Island of Newfoundland an Act hath been passed, intituled, "An Act to raise by Loan a Sum of Money for the Rebuilding and Improvement of the Town of St. John's:" And whereas by the said Act it is enacted, that it shall and may be lawful for the Governor or person administering the government of this colony for the time being, by and with the advice of Her Majesty's Council, under the provisions contained and expressed in the said Act, to negotiate for, raise, and obtain by way of loan such sum or sums of money as may be requisite for the purposes mentioned in the said Act, not exceeding in the whole the sum of 250,000 *l.*, and which sum and sums of money, together with interest for the same, shall be chargeable upon and be repaid out of the public funds of this colony: And whereas it is expedient and necessary that ample and satisfactory securities should be provided for the due and regular payment of the interest as it shall grow due upon the said sum of 250,000 *l.*, or upon such portion or portions thereof as may be raised on loan: And whereas in and by an Act passed by the Governor, Council and Assembly of Newfoundland, in the ninth year of Her Majesty's reign, intituled, "An Act for granting to Her Majesty certain Duties on Goods, Wares and Merchandize imported into this Colony and its Dependencies," the following duties are imposed to be paid upon the importation into this colony of the several articles of

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wines, spirits, tea, tobacco and salted provisions; that is to say, upon all wines in bottles, the gallon, 2*s.* 6*d.*; all other wines, the gallon, 1*s.* 6*d.*; for every gallon of brandy, Geneva, cordials, or other spirits not therein defined or enumerated, the gallon, 2*s.* 6*d.*; for every gallon of rum and whiskey, the gallon, 6*d.*; for every pound of tea, 3*d.*; for every 1,000 of cigars, 10*s.*; for every pound of manufactured and for every pound of leaf tobacco, 2*d.*, and for every 112 pounds of tobacco stems, 2*s.*; for every 112 pounds of meat salted or cured, 1*s.* 6*d.*; which said Act as is therein declared is made to continue and be in force from the 5th day of July 1846, and thence for the period of 18 calendar months, and no longer: And whereas it is expedient that so much of the said Act as relates to the payment of the several duties on all the before-enumerated articles, and also that all the clauses, provisions and regulations contained in the same Act for the levying and collecting the said duties, should be made perpetual, and that the produce of the said duties should be applied in the first instance towards the payment of the interest to grow due upon the principal monies to be raised on loan, under the provisions of the Act first above recited; be it therefore enacted by the Governor, Council and Assembly in Legislative Session convened, and by the authority of the same, that all such parts of the before-mentioned Act passed in the last Session of the General Assembly, as impose the payment of duties on all and every of the above-enumerated articles after the rates aforesaid, and all and every the clauses, provisions, regulations and restrictions relating to the levying, collecting and securing of the same duties as the same are declared and set forth in the said Act, shall be and the same are hereby made perpetual; and that all the monies and produce of the said enumerated duties, or so much thereof as may become necessary for the purpose, shall be paid and applied towards defraying the interest to grow due upon the said sum of 250,000 *l.*, or such portions thereof as shall be raised on loan as aforesaid.

Passed the General Assembly, 24th June 1846.

(signed) *John Kent*, Speaker.

(signed) *J. Harvey*, Governor.

Governor's Assent given on the same day.

—No. 14.—

(No. 7.)

No. 14. Earl Grey to Governor Sir J. Harvey. 27 July 1846.

COPY of a DESPATCH from Earl *Grey* to Governor Sir *John Harvey*, K.C.B.

Sir, Downing-street, 27 July 1846.

I HAVE to acknowledge the receipt of your despatches, Nos. 45* and 46,† of the 23d and 24th of June, accompanying the transcripts of two Acts passed in the month of June last by the Governor, Council, and Assembly of Newfoundland in Legislative Session convened (and distinguished in the records of this Department by the numbers 58 and 59), intituled,—

* Page 21.
† Page 23.

No. 58. "An Act to raise by Loan a Sum of Money for the Rebuilding and Improvement of the Town of St. John's."

No. 59. "An Act to make further Provision for securing the due Payment of the Interest that shall become due and payable upon a certain Loan to be raised under authority of an Act passed in the present Session, intituled, 'An Act to raise by Loan a Sum of Money for the Rebuilding and Improvement of the Town of St. John's.'"

The operation of the Act, No. 58, is suspended for the signification of Her Majesty's pleasure.

Her Majesty's Government have already given the most conclusive proof in their power of the regret and sympathy with which they have regarded the calamitous conflagration which has destroyed so large a part of the city of St. John's, Newfoundland; but their anxiety to mitigate that disaster would not justify their advising the Queen to assent to an Act framed on the assumption that the guarantee of the British Treasury will be given to a loan to be raised in this country for rebuilding and improving the city. If the local Legislature should see fit to pass a law for raising such a loan on the single security

security of the local revenue, I foresee no objection to such a measure. But the Act No. 58 will not be confirmed, and consequently, the Act No. 59 will not come into operation. It ought therefore to be repealed.

I have, &c.
(signed) *Grey.*

— No. 15. —

(No. 47.)

No. 15.
Governor Sir J. Harvey to Mr. Secretary Gladstone.
26 June 1846.

COPY of a DESPATCH from Governor Sir *John Harvey*, K.C.B., to the Right honourable *W. E. Gladstone.*

Newfoundland, Government House, St. John's,
Sir, 26 June 1846.

WITH reference to my despatches, Nos. 38, 39, 45, 46, of 10th, 18th, 23d, and 24th instant, I avail myself of a running ship, expected to make a quick passage to Cork, to transmit to you copies of the speech with which I opened, on the 16th instant, the session of the local Legislature specially convened by me, in consequence of the great calamity which had so suddenly befallen this colony, in the destruction of its capital by fire, of the address in answer, with my reply, and of two Acts since passed, assigning the whole of the revenues of the colony for the ultimate repayment of the principal, and hypothecating a certain portion thereof for the punctual payment of the interest of the loan of 250,000 *l.*, proposed to be raised through the aid and intervention of the Imperial Government and Parliament for the rebuilding of this town on a more secure plan.

For Sir J. Harvey's speech, *vide* pages 18 and 19.

For Acts Nos. 58, and 59, *vide* pages 21 and 23.

I have, &c.
(signed) *J. Harvey.*

— No. 16. —

(No. 50.)

No. 16.
Governor Sir J. Harvey to Mr. Secretary Gladstone.
6 July 1846.

COPY of a DESPATCH from Governor Sir *John Harvey*, K.C.B., to the Right honourable *W. E. Gladstone.*

Newfoundland, Government House, St. John's,
Sir, 6 July 1846.

IN compliance with the wishes of the General Assembly, I have the honour herewith to transmit the copy of an address which has this day been presented to me by a deputation of that body, of which the object is to solicit a grant from the Imperial Parliament for the reconstruction of certain of the public offices in this city destroyed by the recent conflagration.

The buildings referred to, were all (except the custom-house) of wood, and I would propose that the court-house, police-office, gaol and record-office, should be reconstructed of brick or stone, and all included in one building, of which the cost need not, I should imagine, exceed from 8,000 *l.* to 10,000 *l.*

With respect to the custom-house, the collector has obtained my leave to proceed to England for the purpose of submitting to his own department a plan and estimate for the reconstruction of that office, and in which I would recommend to be included accommodation for the offices (so intimately mixed up in their transactions) of the colonial treasurer and the postmaster, an arrangement in which the collector fully concurs.

I have, &c.
(signed) *J. Harvey.*

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Encl. in No. 16.

Enclosure in No. 16.

To his Excellency Major-General Sir *John Harvey*, K.C.B. and K.C.H., Governor and Commander-in-Chief, &c. &c.

May it please your Excellency,

THE House of Assembly beg leave respectfully to acquaint your Excellency that they are humbly of opinion, that in the general depression arising from the effects of the late conflagration, by which more than two-thirds of St. John's, the capital of the island, were swept away, it would greatly conduce to allay the apprehensions of the industrious classes, and retain them in the colony, if those buildings essentially necessary to the administration of the Government were speedily to be erected.

They, therefore, respectfully pray your Excellency, that, in order to remove the fears of the population by the diffusion of employment, as soon as possible, your Excellency will please to represent to Her Majesty's Government the importance of ordering the erection of a court-house, police-office, gaol, record-office, custom-house, treasury and post-office, to replace those that have been destroyed.

(signed) *John Kent*,
Speaker.

House of Assembly,
3 July 1846.

— No. 17. —

(No. 9.)

No. 17.
Earl Grey to Governor Sir J. Harvey.
30 July 1846.
* Page 25.

COPY of a DESPATCH from Earl *Grey* to Governor Sir *John Harvey*, K.C.B.

Sir, Downing-street, 30 July 1846.

I HAVE to acknowledge the receipt of your despatch, No. 50,* of the 6th of July, in which you enclose an address presented to you by the General Assembly of Newfoundland, praying that you would submit to Her Majesty's Government the importance of directing the reconstruction of the public buildings in the city of St. John's which have been destroyed by the recent conflagration at that place.

I have to inform you that Her Majesty's Government are unable to comply with the wishes of the General Assembly of Newfoundland on this occasion, as they are not prepared to recommend the Imperial Parliament to make the pecuniary provision which would be requisite for the re-erection of the public buildings in the colony, in addition to the late grant of 30,000 *l.*

I have, &c.
(signed) *Grey.*

— No. 18. —

No. 18.
Governor Sir J. Harvey to Mr. Secretary Gladstone.
3 August 1846.
† Page 8.

(No. 59.)

COPY of a DESPATCH from Governor Sir *John Harvey*, K.C.B., to the Right honourable *W. E. Gladstone.*

Newfoundland, Government House, St. John's,
Sir, 3 August 1846.

WITH reference to your despatch, No. 27,† of 3d ultimo, authorizing me to call upon the commissariat chest to the extent of 5,000 *l.* in aid of relief to the sufferers by the late conflagration, it cannot be otherwise than gratifying that that donation was most opportune, as I had occasion almost immediately to avail myself of it to the extent of 2,000 *l.*, principally for the purpose of meeting the demands of the "relief committee."

I have the honour to enclose the copy of a resolution adopted by the General Assembly with reference to this donation.

I have, &c.
(signed) *J. Harvey.*

Enclosure in No. 18.

Encl. in No. 18.

To his Excellency Major-General Sir *John Harvey*, K.C.B. and K.C.H., &c. &c.

May it please your Excellency,

THE House of Assembly beg leave to thank your Excellency for your Excellency's message of the 21st ultimo, transmitting to the House a copy of a despatch from the Right

Right honourable W. E. Gladstone, Her Majesty's Principal Secretary of State for the Colonial Department, bearing date the 3d day of July, acquainting your Excellency of the measures adopted by Her Majesty's Government for the relief of the sufferers by the late conflagration, and of the donation of 5,000 *l.* from the Imperial Treasury towards meeting the more pressing demands growing out of that calamitous event.

The House humbly beg leave, through your Excellency, to express the grateful sense they entertain of the prompt and generous assistance afforded to the colony by Her Majesty's Government in the late afflicting emergency, as well as for the kind and considerate terms in which the Right honourable Secretary has conveyed this pledge of the sympathy of the mother country.

Passed the General Assembly 1st August 1846.

(signed) *John Kent*,
Speaker.

— No. 19. —

(No. 17.)

No. 19.
Earl Grey to Governor Sir J. Harvey.
18 August 1846.

Copy of a DESPATCH from Earl *Grey* to Governor Sir *John Harvey*, K. C. B.

Sir, Downing-street, 18 August 1846.

In my despatch, No. 1,* of the 18th July, I gave you instructions to apply the grant made by Parliament for the relief of the inhabitants of St. John's, Newfoundland, to the service only of those persons who had been rendered destitute by the fire at that place. It has, however, been suggested to me, that as the subscriptions which are being raised in this country, and in the North American colonies, will amount to a considerable sum, it would be a very desirable mode of applying a part of the grant already placed at your disposal in the re-erection of the official buildings of the colony, which must, in consequence of the decision of Her Majesty's Government upon the application made by you for further assistance towards this object, otherwise be replaced by resources derived from taxation. I have, therefore, to instruct you, unless it would interfere with arrangements which you have already made, to reserve at least a portion of the Parliamentary grant until the expediency of such an application as I have now mentioned can be further considered.

* Page 20.

I have, &c.
(signed) *Grey*.

— No. 20. —

(No. 61.)

No. 20.
Governor Sir J. Harvey to Earl Grey.
6 August 1846.

Copy of a DESPATCH from Governor Sir *John Harvey*, K.C.B., to Earl *Grey*.

Newfoundland, Government House, St. John's,
My Lord, 6 August 1846.

I hasten to acknowledge your Lordship's despatch, No. 1,† of the 18th ultimo, transmitting an additional sum of 25,000 *l.*, making a total amount of 30,000 *l.*, as a donation from Her Majesty's Government to the sufferers by the late conflagration in this city.

† Page 20.

Not only will it be my duty to cause the necessary arrangements to be made for the strict application of this munificent gift to the objects for which it has been granted, but I have satisfaction in expressing to your Lordship my entire conviction that this noble donation, added to the contributions which we are daily receiving from the neighbouring colonies with those expected from the mother country, all apprehension of any serious amount of distress during the ensuing winter, arising out of the consequences of the late fire, may be regarded as entirely at an end.

I now advert to that portion of your Lordship's despatch which conveys to me the expression of a desire on the part of certain gentlemen and merchants in London connected with this island, that I should continue in the adminis-

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tration of its government until the next spring. In reply, I beg to observe that in proportion to the satisfaction with which I regard the expression of this wish is the regret which I feel that, with a due regard to my own health and that of other members of my family, and to other most weighty considerations partly explained by me to your Lordship's predecessor, I am unable to meet the wishes of these gentlemen by remaining another winter in Newfoundland. In deference, however, to those wishes, and to what your Lordship has said in their support, my departure from hence (which I had intended to have taken by the present steamer, three-fourths of my effects being already at Halifax) shall be deferred for one month, or until the arrival in the colony of Mr. Crowdy, the Colonial Secretary, to whose presence here, particularly during a provisional administration, I certainly attach considerable importance.

Mr. Crowdy is an old and experienced as well as a very valuable public servant, possessing my entire confidence, and with whom I shall have no difficulty in making such arrangements and leaving such instructions as shall guard, as far as may be possible, against any misapplication of the funds so munificently bestowed upon the sufferers by the late calamity by the Queen's Government, as well as of those received from other sources.

In the meantime it is very gratifying to me to be able to inform your Lordship, that while the extent of the calamity, as respects the loss of property, has been by no means over-rated, but on the contrary, exceeds the estimate assumed in my despatch of the 10th June (No. 38.*) by nearly 100,000 *l.*, having been ascertained by the Commissioners who were appointed for that purpose to amount to 888,156 *l.* instead of from 600,000 *l.* to 800,000 *l.* as stated by me, the distress among the labouring and mechanical classes has actually almost ceased, in consequence of the full demand for labour. The real sufferers are, as I at first stated, to be found among the middle and humbler classes, and to them accordingly it will be my earnest endeavour to ensure the extension of effectual relief (either by gratuitous donations or nominal loans) before I leave the island. For many of the lower classes shelter has been provided in huts and tents which will answer tolerably well during the summer months; but I remain of the opinion that the presence of one or more large and capacious ships of war in this harbour during the ensuing winter would be a great blessing in respect to shelter to many who will then need it, particularly as fuel and warm clothing can be provided for them from the funds already so liberally contributed.

* Page 1.

I have, &c.
(signed) *J. Harvey.*

— No. 21. —

No. 21.
Earl Grey to Governor Sir J. Harvey.
3 Sept. 1846.

(No. 19.)

COPY of a DESPATCH from Earl *Grey* to Governor Sir *John Harvey*, K.C.B.

Sir, Downing-street, 3 September 1846.

I HAVE received your despatch, No. 61,† of the 6th August.

† Page 27.

Although it would have been extremely satisfactory if you could have deferred your departure for Nova Scotia until the termination of the winter, I am ready to admit the cogency of the reasons which have precluded you from complying with the wishes of the gentlemen connected with Newfoundland, which I expressed in their behalf in my despatch, No. 1, of the 18th of July. I am glad to be able to state that the recent arrival in this country of Mr. Bruce, who was not expected till the spring, and his probable departure for Newfoundland within the course of a short time, removes all difficulty in respect to the embarrassment which was apprehended from your own departure from that colony.

The proceedings which you have adopted and still contemplate for the relief of the different classes of the community of St. John's, who have been subjected to privations and distress in consequence of the late calamity in that town, obtain my entire approval; but I regret to inform you that it is totally

totally out of the power of Her Majesty's Government to station either one or more men of war in the harbour of St. John's during the ensuing winter, with the view of affording accommodation to persons who may require shelter during that period of the year. But I trust that the means which have been placed at your disposal both by the Government and private subscriptions will enable you to make such arrangements as will prevent in a great degree any additional suffering from the inability of the Government to comply with your suggestion. NEWFOUNDLAND.

I am, &c.
(signed) *Grey.*

— No. 22.—

(No. 62.) No. 22.

Copy of a DESPATCH from Governor Sir *John Harvey*, K.C.B., to Earl *Grey*. Governor Sir J. Harvey to Earl Grey.

Newfoundland, Government House, St. John's,
My Lord, 7 August 1846. 7 August 1846.

I have the honour herewith to transmit copy of the speech with which I closed the special session of the General Assembly of this colony on the 4th instant. To this is added a copy of the only Act of any importance which was passed during the session, and for which indeed they were convened. Copies of a few other Bills will be transmitted by the next mail.

I have, &c.
(signed) *J. Harvey.*

P. S.—To the foregoing documents I venture to add the copy of an address from the whole of the inhabitants of this city and community, which has this day been presented to me, with that of my answer.

J. H.

Enclosure 1, in No. 22.

Copy of the Speech of His Excellency Sir *John Harvey*, on closing the Special Session of the General Assembly on the 4th instant. Encl. 1, in No. 22.

Mr. Speaker, Honourable Gentlemen, and Gentlemen,

In releasing you from further attendance upon your legislative labours, it is my pleasing duty again to tender to you, in the name of the Sovereign, my cordial acknowledgments of the assiduity which you have bestowed upon the great objects for which you were specially convened, and my congratulations upon the completion of a measure which I gratify myself in believing to be fraught with more important and beneficial consequences, as regards the future interests and prosperity of your commercial capital, than any which has ever engaged the attention of its local legislature at any period since a constitutional form of government was conferred upon Newfoundland.

With the gratifying feelings which this reflection is calculated to inspire, you will return to your constituency and your ordinary avocations, while I on my part shall not cease to cherish the recollection that as our united and most earnest endeavours have been unceasingly used to mitigate the severity and to repair the injuries inflicted by the great calamity with which it has pleased the Almighty Disposer of events to visit this city, it has also pleased Him thus far to direct and prosper those endeavours.

In connexion with this subject it cannot fail to be interesting to you to be informed that the total amount of property, real and personal, destroyed by the late fire, has been estimated by the Commissioners appointed for the purpose of obtaining that information (in their report just received) at the sum of 888,356*l.*

Towards the paternal Government of Her Majesty, and for the benevolent acts and intentions of neighbouring colonies, we are bound to record our most grateful acknowledgments, which I therefore feel a pride in doing, as the last act of that form of government which, marked throughout its proceedings by the best understanding and feelings, has been the instrument of conferring many advantages on this colony, among the chiefest of which I cannot but regard the having, as I fervently trust, laid the foundation of future legislative harmony.

I have further to thank you for having, in compliance with my suggestions, abstained from diverting your attention during the session from the great object for which you were specially convened by engaging in the consideration of other subjects.

You will therefore, I trust, receive from me with your wonted indulgence the intimation that, with respect to the measure which constitutes the only exception (and in which I find no suspending clause), I have felt myself restrained by the very important constitutional principles

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principles which are therein involved, and to which, under the present hurried circumstances, I have not had the means or leisure to give that degree of attention which they demanded, to reserve that Bill for future consideration, and for communication with Her Majesty's Government.

Mr. Speaker, Honourable Gentlemen, and Gentlemen,

It has too often been my pleasing duty to advert in my communications with you to the harmonious and satisfactory course of your legislative proceedings to render it necessary for me again to refer to that subject; but I deem this, the moment of my departure from your shores, a fitting occasion upon which to place upon public record an opinion which a residence of five years among them has led me to form of the character of the great body of Her Majesty's loyal subjects in Newfoundland; not only has it not been found necessary to resort to the extreme rigour of the law in any instance during that period, but I feel that I should do less than justice to them if I were to withhold the declaration, that it has never been my fortune to be connected with a community in which there has been less of crime committed, or disposition to turbulence or opposition to the law evinced, than in this island.

Again I invoke the Divine blessing and protection on the inhabitants and interests of this ancient, loyal, and most important colony.

Enclosure 2, in No. 22.

ADDRESS.

Encl. 2, in No. 22.

To his Excellency Major-General Sir *John Harvey*, Knight Commander of the Most Honourable Military Order of the Bath, Knight Commander of the Royal Hanoverian Guelphic Order, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. &c.

May it please your Excellency,

We, the clergy, magistrates, merchants and other inhabitants of St. John's, beg leave to approach your Excellency with sentiments of sincere respect and esteem, to express our feelings of deep regret at the termination of your Excellency's administration of the public affairs of this colony; and to testify our sense of the benefits conferred upon this community during the period of your Excellency's government.

Called to preside over the councils of the colony at a time when a new and untried form of constitution was deemed necessary, your Excellency's task was one of no ordinary magnitude, and one which required the exercise of the greatest judgment. Within the short period, however, during which your Excellency has conducted the Government of the colony, we have had the satisfaction of witnessing the establishment throughout the island of a liberal system of academical and general education; the encouragement and extension of agriculture beyond the expectations of its most sanguine advocates; the accomplishment of communication by steam vessels with England and the neighbouring colonies; and the extensive construction and improvement of public works, especially the more important ones of roads and bridges; these and many other blessings have been, in no small degree, attributable to the personal interest taken by your Excellency in the public welfare; and to the unwearied assiduity with which you have, at all times, devoted yourself to its promotion, aided by the valuable experience of your Excellency in previous colonial governments; whilst, at the same time, it is to the wise and liberal policy by which your Excellency has ever been guided, that we have now the happiness of attributing the feelings of general harmony which are now diffused throughout this community.

On the occasion of the recent calamitous event which reduced our once flourishing town to ashes, the prompt and humane exertions of your Excellency to alleviate the distresses of the sufferers, and the successful endeavours of your Excellency to awaken the sympathies of the mother country and the surrounding colonies in our behalf, have been such as to demand the expression of our deepest gratitude.

Neither can we omit this opportunity of recording the grateful sense we entertain of the kind and affable deportment which your Excellency has invariably displayed towards all who have had personal intercourse with your Excellency; and of thanking your Excellency for the fostering patronage, as well as liberal support, which you have uniformly bestowed upon all our public and private charitable institutions.

We beg to be permitted at the same time respectfully to tender to the Honourable Lady Harvey our liveliest sentiments of esteem and regard; and to assure her that whilst her amiable and most estimable qualities of heart and mind have endeared her to all who have enjoyed the pleasure of her acquaintance, she will never cease to be remembered in the prayers of the widow and the orphan, whose wants and distresses have at all times occupied her thoughts, and to the relief of whose sufferings she has been so munificent a contributor.

Whilst, however, we regret the loss which this colony will suffer by the severance of your Excellency's connexion with it, and more particularly at this important crisis, we beg leave at the same time to offer to your Excellency our hearty congratulations on the

mark

mark of royal favour which our gracious Queen has been pleased to bestow upon you in appointing you to the government of the neighbouring province of Nova Scotia; and, in conclusion, we beg to assure your Excellency, that to whatever portion of Her Majesty's dominions your high duties may call you, in leaving our shores you carry with you the cordial esteem of all classes of this community.

On behalf of the Meeting.
(signed) *B. G. Garrett*, High Sheriff,
Chairman.

ANSWER.

My Lord, Reverend and Honourable Gentlemen, and Gentlemen,

IF not the highest, yet assuredly one of the most gratifying testimonials which a public man can receive is the publicly expressed approbation of those of his fellow subjects over whom he has presided (for a period sufficient to confer its due value on the sentiment) in the endearing (so suffer me to call it) relation of the representative of a beneficent and paternal sovereign; that reward it has pleased you this day to confer upon me, and although it is not the first (by many) of a similar character to which it has been my grateful duty to respond for myself, and for her who has been the beloved confidante of my bosom, the solacer of all my cares, for a period fast advancing to half a century, and to whose worth you have been pleased to pay so affecting a tribute, yet are there circumstances which connect themselves with this particular address which confer a value upon it in our estimation which I should ill attempt to describe. We arrived in this community entire strangers to you all; we have passed five years of our lives among you, a period which at our age constitutes a large portion of our waning existence; we have lived in the interchange of mutually kind feelings; we have during that period experienced our trials and domestic afflictions, and you have sympathized and mourned with us as friends and brethren; finally, you have presented to us a testimonial of your good-will which has deeply affected our hearts. And how have we earned all this? Simply by following the line of conduct prescribed alike by a sense of Christian duty and natural disposition; by being just to all, and showing a little kindness to those who needed it, without distinction of creed, according to our limited opportunities and means.

Gentlemen, in one of my first addresses to you, I told you that unless you would give me your confidence and support, any efforts on my part to promote your interests must be unavailing; you frankly met my appeal; in other words, you did justice to the sincerity of the professions of my desire to devote myself to your service, and to identify myself with all your interests; and if the result has been satisfactory to you, to you belongs the merit in a far higher degree than any to which I can lay claim. I told you that while it was contrary to my duty, as well towards my Sovereign as yourselves, to attach myself exclusively to any party, or even to recognize its existence, yet, that that duty required of me to identify myself with all classes, doing equal justice to each; in these views you, gentlemen, have sustained me, and whatever of credit may attach to the result is yours.

You have been pleased to offer me your congratulations upon the transfer of my services to a more extended sphere of action. To your fellow subjects of that noble province I shall feel a pride in bearing this your testimonial, in the most entire conviction that the principles (few and simple) by which my public conduct has been uniformly governed, and which have proved not otherwise than satisfactory to three of the five North American Colonies, will not be found to fail in their application to the fourth.

My Lord, Reverend and Honourable Gentlemen, and Gentlemen,

For myself, Lady Harvey and my family, I bid you all an affectionate farewell, and I entreat you to believe that our fervent prayers for the renewal of that prosperity which it has seemed good to the Almighty to interrupt for a season may again return to you and be long enjoyed.

Government House, St. John's, (signed) *J. Harvey.*
7 August 1846.

Enclosure 3, in No. 22.

Anno Nono & Decimo *Victoriæ* Reginæ. Encl. 3, in No. 22.

CAP. III.

AN ACT to regulate the rebuilding of the Town of St. John's, and the Drainage and Sewerage of the same, and to repeal certain Acts therein mentioned.—[Passed 4 August 1846.]

WHEREAS it is expedient to regulate the rebuilding of the Town of St. John's: Preamble.

1. Be it therefore enacted, by the Governor, Council and Assembly, in Legislative Session convened, that Water-street, in the said town of St. John's, shall extend from the eastern side of Quidi Vidi Firebreak on the east to Job's Bridge on the west, and shall Water-street.

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be 60 feet in width from the south line of the said street; which said line shall be as follows:

South Line.

Commencing at station No. 1. on the plan of the Commissioners appointed by his Excellency the Governor, certified under the hands of the said Commissioners, and presented to the House of Assembly, and running thence to station No. 4, according to the line described on the said plan; thence in a straight line to a point three feet north of the north-west angle of Messrs. Dunscomb & Harvey's premises; thence in a straight line to the north-west angle of Mr. Nicholas Gill's premises; thence in a straight line to the north-east angle of Mr. Patrick Morris's premises; thence in a straight line to the north-east angle of the house lately occupied by Mrs. Beck; thence according to the existing line of street to Prescott-street Firebreak, as hereinafter described; then from a point 10 feet south of the north-east angle of the house lately occupied by Mr. Henry Earle to the north-east angle of Messrs. John M. Rendell & Co.'s premises; thence through a point 10 feet south of the north-west angle of Messrs. William and Henry Thomas & Co.'s premises to the north-west angle of the stone house lately occupied by Mr. R. F. Trimingham; then from the north-east angle of the house lately occupied by Mr. Patrick Maher, by the existing line of street, to Beck's Cove; then from a point 15 feet south of the north-east angle of Messrs. E. and N. Stabb's late premises in a straight line to the north-east angle of Messrs. Shea & Murphy's stone house; thence to the north-west angle of the dwelling-house lately occupied by Mr. W. E. Taylor; thence in a straight line to a point in the middle of Codner's Cove, 15 feet south of the existing south line of Water-street; thence in a straight line to the north-west angle of the premises of Mr. John H. Warren; thence by the existing line of street to the north-west angle of Messrs. James and William Stewart's premises; thence by the line described on the aforesaid plan to the north-east angle of Messrs. Stuart and Rennie's stone buildings; thence by the existing line of street to the north-east angle of Pie Corner Cove; thence in a straight line to the north-east angle of Mr. P. Morris's brick buildings; thence to the north-west angle of the same; thence to station No. 19, according to the line laid down and described on the said plan, being the north-east angle of the entrance of Job's Bridge; thence by a line 60 feet distant from and parallel to the north line of street as laid down and described on the aforesaid plan, to station No. 21.

Duckworth-street.

II. And be it enacted, that Duckworth-street in the said town shall extend from the eastern side of Quidi Vidi Firebreak on the east to Flower-hill Firebreak on the west; and shall be 60 feet in width from the south line of the said street, which said line shall be as follows:

South Line.

Commencing at a point opposite station No. 1. in the said street, as marked and described in the said plan, and running thence to the north-east angle of Woodley's-lane according to the line laid down and described in the said plan; thence in a straight line to the north-east angle of Mr. John Stears's house, west of the Hill of Chips; thence by the existing line of street to a point five feet north of the north-east angle of the house lately occupied by Jeremiah Hayes at the head of the King's Beach; thence in a straight line to the north-east angle of Mr. Thomas Bearns's stone buildings; thence along the same and in a straight line to the north-east angle of Mr. William Flynn's brick house; thence by the existing line of street to the north-west angle of the Commercial Building; thence in a straight line to the north-east angle of Market-square; thence by the existing line of street to Beck's Cove Firebreak; and thence to Flower-hill Firebreak, by a line parallel to and 20 feet south of the southern line as laid down by the said Commissioners for the south line of the continuation of Duckworth-street.

Eleven Firebreaks.

III. And be it enacted, that there shall be laid down in the said town and suburbs, 11 cross streets or firebreaks, as follows: that is to say:—

Church-hill.

Church Hill Firebreak.—Which shall be according to the lines laid down and described for the same, on the aforesaid plan of the Commissioners.

Prescott-street.

Prescott-street Firebreak.—The existing western boundary of which, between Water-street and Duckworth-street, shall be the western boundary thereof, and a space equal to the breadth of M'Larty's-lane shall be added to the width of the same, the proprietors of ground encroached on for this purpose occupying the said lane in lieu of the ground so encroached on. Between Duckworth-street and the northern terminus of the said firebreak, the eastern side of Cantwell's-lane, until it is intersected by the eastern side line of Prescott-street, as laid down upon the said plan, and thence to the said terminus, the eastern side line of the said street, as described upon the said plan, shall be the eastern side line of the said firebreak and street; and that a line parallel thereto at 60 feet distance shall be the western boundary.

King's Beach Firebreak.

King's Beach Firebreak.—Commencing at the north-west angle of Mr. Nicholas Gill's house in Water-street; thence running in a straight line to the south-west angle of Mr. Michael Dealy's house in Duckworth-street; thence running in a straight line to a point 17½ feet east of the north-east angle of the King's-road in Gower-street; thence in a straight line to the south-east angle of the Ordnance Limekiln Ground; and thence by the eastern boundary of the said ground to the Military-road; which said lines shall

shall form the eastern boundary of the said firebreak; and that a line or lines parallel thereto at a distance of 70 feet shall form the western boundary of the said firebreak to the said Limekiln Ground; and that from thence the said firebreak shall be bounded on the west by the western side of the King's-road.

Hill of Chips Firebreak.

Hill of Chips Firebreak.—The western side of the said firebreak shall be bounded by a straight line commencing in Water-street and running along the north-eastern foundation wall of Mr. Patrick Kough's house (the late billiard room) to Duckworth-street, and a line parallel thereto at 70 feet distance shall be the eastern boundary thereof.

Quidi Vidi Firebreak.

Quidi Vidi Firebreak.—The western side of the said firebreak shall be bounded by a straight line running from the Harbour along the foundation wall of Mr. James Brine's premises to Duckworth-street, and a line parallel thereto at 60 feet distance shall be the eastern boundary.

M'Bride's Cove Firebreak.

M'Bride's Cove Firebreak.—That from the north side of Water-street to Duckworth-street, the existing western boundary shall remain, and that a line parallel thereto at 80 feet distance shall be the eastern boundary thereof.

Beck's Cove Firebreak.

Beck's Cove Firebreak.—That the existing boundary lines of the said cove and firebreak between the Harbour and Duckworth-street remain unaltered, and that from the northern extremity of the eastern boundary of the said firebreak a straight line be extended to the north-west angle of William Shea's house in Gower-street, and that a line parallel thereto, at 60 feet distance, form the western boundary of the continuation of the said firebreak.

Codner's Cove Firebreak.

Codner's Cove Firebreak.—A line drawn from the Harbour along the eastern foundation walls of Mr. John H. Warren's late dwelling-house to Water-street, and the existing western side line of Adelaide-street to Duckworth-street, shall form the western boundary; and that the eastern side of Codner's Cove, and a line 60 feet distant from and parallel to the western side of Adelaide-street, be the eastern boundary thereof.

Queen-street Firebreak.

Queen-street.—The existing western line of Queen-street, and a line drawn from the south-west angle of Barter's Hill-road, through the north-east angle of the house at the first turn of the said road to the westward, and thence to the rear line of the town, shall form the western boundary of the said street; and lines parallel thereto, at 60 feet distance, shall be the eastern boundary thereof.

Stuart and Rennie's Cove.

Stuart and Rennie's Cove.—The eastern boundary of Messrs. Stuart and Rennie's premises shall be the western boundary of the said cove; and a line parallel thereto, at 60 feet distance, shall be the eastern boundary thereof.

Flower Hill Firebreak.

Flower Hill Firebreak.—A line drawn from the Harbour along the western side of the bonding store of Messrs. Newman and Co., to the corner of Mr. Jonas Barter's house, where it is touched by the eastern line as laid down and described upon the aforesaid plan, and thence to the rear line of the town, the said eastern line shall form the eastern boundary of the said firebreak; and a line parallel thereto, at a distance of 80 feet, shall form the western boundary of the same.

Gas Work Firebreak.

Gas Works Firebreak.—The eastern line of the said firebreak as laid down and described on the said plan of the Commissioners shall be the eastern boundary of the said firebreak; and a line parallel thereto, at 60 feet distance, shall be the western boundary thereof.

River Head Firebreak.

River Head Firebreak.—The eastern line, as laid down and described on the aforesaid plan, shall be the eastern boundary of the said firebreak; and a line parallel thereto, at 60 feet distance, shall be the western boundary thereof.

New Gower-street.

And be it enacted, that New Gower-street shall be laid down as follows: commencing at the south-east angle of Philip Duggan's house; thence running in a straight line, touching the south-west angle of Stephen Ryan's house to a point 60 feet beyond the boundary of James Fergus's ground; thence in a straight line to a point north of the north-west angle of Waldegrave-street; and thence to a point north of the north-west angle of Cuddihy's house, being the western extremity of the burnt district; and further, that the square laid down and described on the aforesaid plan as Harvey-square, be reserved and named Harvey-square, and that the streets which form the north-east and south-west boundaries thereof shall be of the widths and courses laid down and described for the same in the aforesaid plan of the Commissioners.

Streets and Firebreaks, how opened and laid out.

IV. And be it enacted, that from and after such time as the streets and firebreaks aforesaid shall be laid out, in manner hereinafter directed, and compensation shall be made or tendered for the property necessarily appropriated for such purposes, and notice thereof shall have been given by publication in the "Royal Gazette," the ground included in the said streets and firebreaks shall be and become public property; and all buildings and erections whatsoever, which now are or may hereafter be placed or erected upon any part of the said streets or firebreaks so laid out, and which shall be suffered to remain thereon until the 1st day of May 1849, shall be and shall be deemed public nuisances, and may be abated accordingly by order of two or more stipendiary justices of the peace for the central district,

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who, after hearing the party complained of, shall, if such nuisance be proved, make an order for the abatement thereof, and shall furnish such assistance of constables and others as may be necessary for that purpose; and every person or persons continuing or erecting any of such buildings or erections shall be subject to such punishment as is by law in such case provided with respect to common or public nuisances, or as shall be prescribed by this Act.

No buildings other than of brick or stone to be built within certain limits.

V. And be it enacted, that from and after the 1st day of May, anno Domini 1849, it shall not be lawful for any person or persons whomsoever to build, erect, or put up any building or erection whatsoever, other than such as shall be built of brick or stone or other uninflammable materials, in any part of the said town southward of a line drawn parallel to, and 60 feet to the northward of the north side of Duckworth-street in the said town; and all houses, stores and other buildings south of the said line shall be roofed or covered with iron, slate or other uninflammable material; and that all buildings and erections which, since the fire in the said town on the 9th of June last, have been or which may be hereafter built or erected to the southward of the said line of materials, or roofed or covered with materials, or in a manner other than such as are by this Act prescribed, shall be, after the 1st day of May, anno Domini 1849, deemed public nuisances, and the like proceedings shall be and may be had with respect to the same, and with respect to the person or persons continuing, building or erecting any of the same, as are herein provided with respect to any building placed or erected upon any street, lane or firebreak aforesaid: Provided nevertheless, that nothing in this Act shall operate to prevent any person now occupying, or that may hereafter occupy any fishing room situate to the eastward of Woodley's Cove, or to the westward of Newman & Co.'s premises, from building of wood, if he shall see fit, any house, store, stage, flake or other erection to be used by him or his servants employed by him exclusively for the purpose of carrying on the fishery upon such fishing room.

Proviso.

No buildings to be erected within 25 feet of the centres of certain streets:

VI. And be it enacted, that it shall not be lawful for any person or persons to build or erect in Gower-street, Queen's-road, the Military-road and the Circular-road, or in any other lane or street within the said town or suburbs, which the Governor and Council shall declare to be a main street, any house or other building nearer to the centre of such lane or street than 25 feet; and all houses or other buildings erected on any of the said streets or lanes nearer to the centre thereof than 25 feet, shall be deemed public nuisances, and the like proceedings shall be and may be had with respect to the same, and with respect to any person or persons building or erecting the same, as are hereinbefore provided with respect to other public nuisances of a like nature.

Nor within 30 feet of the centres of certain firebreaks beyond certain limits, beyond which such firebreaks are not at present to be opened:

VII. And whereas, by reason of the expense of making compensation in such behalf, it is inexpedient that the following firebreaks should at present be opened beyond the limits hereinafter mentioned, but it is expedient that no buildings should be erected on the sides of such firebreaks beyond such limits; be it therefore enacted, that it shall not be lawful for any person or persons to build or put up any building or erection whatsoever within 30 feet of the centre of Quidi Vidi Firebreak to the northward of Duckworth-street, within 30 feet of the centre of the Hill of Chips Firebreak to the northward of the Government Bakehouse, within 30 feet of the centre of Prescott-street, and within 50 feet of the centre of Church Hill Firebreak to the northward of the Military-road, within 30 feet of the centres of Queen-street and Flower Hill Firebreaks to the northward of Gower-street, and within 30 feet of the centres of Gas Works and River Head Firebreaks to the northward of Water-street; and all buildings and erections made or built within the distances aforesaid of the centres of the said firebreaks respectively to the northward of the limits aforesaid shall be deemed public nuisances, and may be abated accordingly.

Nor at all on firebreaks within the burnt district.

VIII. And be it enacted, that from and after the passing of this Act it shall not be lawful for any person or persons whomsoever to construct or erect or cause to be constructed or erected, any building or erection of any kind or nature whatsoever within the limits of the firebreaks hereinbefore laid down and described, within that portion of the town of St. John's recently devastated by fire; and that every building or erection which after the time aforesaid shall be constructed or erected within the said limits shall be deemed a public nuisance, and may be abated accordingly.

Supervisor to be appointed by the Governor.

His Duties.

Office to continue for five years.

IX. And be it enacted, that it shall be lawful for the Governor or administrator of the Government for the time being to nominate and appoint one fit and competent person to be a general supervisor of streets within the said town and suburbs, who shall superintend the carrying into effect the provisions of this Act; which supervisor shall, before he enters upon the duties of his said office, be sworn before one of the Judges of the Supreme Court faithfully to discharge the duties of his office, without fear, favour or affection; and such supervisor shall lay down, upon such plan and in such manner as may be directed by the Governor in Council, such common drains and sewers throughout the said town as may be necessary for cleansing and draining the same; and there shall be paid to the said supervisor an annual salary of 300 *l.*: provided that such office of supervisor shall continue for a period of five years and no longer.

X. And

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Mode of compensating parties whose interests may be affected.

X. And be it enacted, that all persons, proprietors of lands or tenements within the said town, whose interests shall be in any way affected by the carrying into effect the provisions of this Act, shall, before such lands or tenements be appropriated for public uses, be paid compensation for any damage they may sustain in that behalf; and that for the purpose of ascertaining the amount of compensation to be made in any case wherein the said proprietors and supervisor shall not agree, or wherein the Governor and Council may not approve of the awards of the said supervisor, it shall be lawful for the party or parties interested in the property affected to name one arbitrator, and the supervisor to be appointed under this Act to name another arbitrator, and such two arbitrators shall name a third, and the award of any two of them shall be final and binding; and in case any party interested in such property as aforesaid, shall refuse or neglect to appoint an arbitrator within three days after notice shall be given him, her or them by such supervisor, or in case the arbitrators shall disagree in the choice of such third arbitrator, in either case it shall be lawful for the Governor in Council to nominate and appoint an arbitrator, and the award of any two of such arbitrators shall be of the like effect as if one of such arbitrators had been appointed by the party, and the third had been chosen by such arbitrators; and such arbitrators shall, before they proceed in the execution of their duty, be sworn before a justice of the peace faithfully and without favour to either party to discharge their duties as such arbitrators: Provided, that it shall be lawful for any party who shall claim on oath any amount of compensation beyond 100*l.*, and who shall be dissatisfied with any such award, to appeal therefrom to the Judges of the Supreme Court by petition, within one week from the making of such award, in term time or vacation, and it shall be lawful for such Judges to summon all necessary parties and witnesses, and to inquire into the merits of such petition, and to make such award and decision thereon as shall be just and equitable, which decision and award shall be final; and provided further, that in ascertaining the amount of compensation under this Act, the additional value derived to the several proprietors from the convenience and security afforded by the improvement of the streets shall always be taken into account.

Arbitration.

Appeal.

Proviso.

Amounts for compensation under 25 *l.* paid by warrants on the Treasury; above 25 *l.* by Treasury notes.

XI. And be it enacted, that the Governor or administrator of the Government for the time being shall be authorized to draw warrants on the colonial treasurer for the payment of compensation to be awarded under this Act, which compensation shall not exceed in the whole the sum of 20,000*l.*; and that in discharge of such warrants for any amount not less than 25*l.*, as may from time to time be drawn upon him for such purpose by the Governor for the time being, it shall be lawful for the treasurer, in discharge of such warrants, to pay to parties in whose favour such warrants may be drawn the amount of compensation to which he, she or they may be respectively entitled, by treasury notes payable within 10 years from the date thereof, and bearing interest at the rate of five per cent. per annum, which shall be redeemable on three months' notice being given in the "Royal Gazette," at the expiration of which notice all interest on such notes mentioned therein shall cease.

Expenses of drains, &c. and supervisor's salary to be raised by assessment.

XII. And be it enacted, that in order to defray the expense of laying down and constructing such common drains and sewers as aforesaid, and of paying the salary of the supervisor, and for defraying the cost for the raising and collection of the assessment hereinafter mentioned, it shall be lawful for the Justices in session of the district of St. John's, upon the presentments of the grand jury of such sessions of the amount required for such purposes, to make orders under their hands and seals for the raising and levying of an assessment or assessments, at a rate in the pound on the rents or appraised values of all houses and buildings and lands within the limits of the said town; all which assessments shall be raised, levied and collected from all landlords, lessees, or other persons owning such lands or buildings, or deriving a profit rent thereupon.

Appraisers to be appointed by Justices.

Mode of recovering assessment.

XIII. And be it enacted, that it shall be lawful for the said Justices to appoint three competent persons to appraise the value of all such lands, houses and buildings as aforesaid, and upon appeal, in a summary manner, at the instance of any party interested, to decide upon the correctness of such appraisement, and also to appoint a receiver for the collection of such assessments; and in case any person or persons liable to contribute towards such assessment shall refuse or neglect to pay, upon demand, the amount for which such person or persons shall be assessed, such amount shall and may be recovered in a summary manner, with costs, by a suit to be brought before any two or more Justices of the said district in the name of the receiver (in which action service of process upon the agent of any person absent from the country shall be service upon the principal), and by sale of the defendant or defendants lands or effects; and the amount of such assessments, when received, shall, after deducting the costs of collection, be paid over to the colonial treasurer for the purposes of this Act.

All drains and sewers under this Act to be constructed on contract by tender.

XIV. And be it enacted, that it shall not be lawful for the said supervisor to proceed in the opening or laying down such common drains and sewers as aforesaid in any other way than by contract or tender, having first given public notice for such intended contract for the space of ten days at the least, and all such contracts shall be in writing, and shall be signed by the contractor, and subject to all the conditions and restrictions

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for regulating contracts for opening and making roads under the Act to regulate the making and repairing of roads, streets and bridges within this colony; and that all payments on contracts and other charges shall be made by warrant of the Governor.

Supervisor may give proprietor of front ground land in the rear in certain cases.

XV. And be it enacted, that if the supervisor or arbitrators so to be appointed as aforesaid, shall be of opinion that any proprietor or proprietors of any ground required for any street or firebreak as aforesaid may be indemnified at a less expense to the public by having an equal portion of ground assigned to him, her or them from any ground adjoining, and that such adjoining ground may be taken without material injury to the proprietor thereof, it shall be lawful for the said supervisor to mark off so much of the adjoining ground as he shall think sufficient to replace the ground required for such street or firebreak, and the same so marked off shall belong to the first-mentioned proprietor from whom the same was taken, and shall be as a full satisfaction and release of the same, and all right and title thereto: Provided, that if the land so to be given shall not be deemed an equivalent for the land dedicated to the street or firebreak, it shall be lawful to pay the said proprietor such sum as may be, with the land so to be given, a full satisfaction for the land so dedicated.

Certain Acts repealed.

XVI. And be it enacted, that from and after the passing of this Act the following Acts shall be and the same are hereby repealed; that is to say, an Act passed in the fourth year of the reign of his late Majesty, intituled, " An Act to regulate the Building of Houses in Water-street, in the Town of St. John's;" an Act passed in the fourth year of the reign of his late Majesty, intituled, " An Act to provide for the Management of a certain public Wharf and Landing in the Town of St. John's;" an Act passed in the third year of the reign of Her present Majesty, intituled, " An Act to repeal part of an Act passed in the Second Session of the First General Assembly of this Island, intituled, ' An Act to regulate the Building of Houses in Water-street in the Town of St. John's;' " an Act passed in the third year of the reign of his late Majesty, intituled, " An Act for the Establishment and Regulation of Fire Companies in the Town of St. John's; " and an Act passed in the fifth year of the reign of his late Majesty, intituled, " An Act to amend an Act of the Parliament of this Colony, intituled, ' An Act for the Establishment and Regulation of Fire Companies in the Town of St. John's.' "

No buildings to be commenced without notice to supervisor.

XVII. And be it enacted, that no person whatsoever shall excavate or build upon the front line of any street, lane or firebreak within the town of St. John's until he, she or they shall have given or left at the office of the said supervisor a notice in writing at least two days before the commencement of such intended excavation or erection; and thereupon it shall be the duty of the said supervisor to examine the said projected work and see that it conform to the line and levels of such street, lane or firebreak; and that any person neglecting to give such notice, or acting contrary to the directions in writing of such supervisor, according to the provisions of this Act, touching the said work, shall be

Penalty.

liable to a fine not exceeding the sum of 5*l.*, to be recovered in a summary manner before any justice of the peace for the central district, and levied by distress and sale of the offender's goods and chattels; and any work done contrary to such written directions shall be deemed and taken to be a public nuisance, and abated accordingly as other nuisances under this Act.

Supervisor to regulate party-walls.

XVIII. And be it enacted, that in case of dispute it shall be lawful for the said supervisor to regulate the building of party-walls, and the rateable contribution to the expenses thereof to be paid by the adjoining proprietors or tenants who may use the same, prescribing the extent which such party-wall shall occupy upon the land of such proprietors respectively.

Levels of streets, &c. to be taken.

XIX. And be it enacted, that the Governor for the time being is hereby authorized to cause suitable levels to be taken of the several streets, lanes and firebreaks within the said town, by which levels all parties shall be required to govern themselves.

Regulations respecting party-walls, chimneys, &c.

XX. And be it enacted, that every party-wall within the limits prescribed for the erection of buildings of stone, brick or other uninflammable materials, shall project above and beyond the roof at least 12 inches; and that no wood or inflammable material of any description, except doors, door frames, window sashes, window frames and roof boarding shall be placed within four and a half inches of the outside of the said building; and that every chimney shall extend to a height not less than two feet above the ridgepole.

Parapets, balconies, &c.

XXI. And be it enacted, that all copings, parapets, cornices to overhang roofs, blocking courses, cornices, piers, columns, pilasters, entablatures, facias, door and window dressings, balconies at least 10 feet above the level of the street, or other architectural improvements, may project beyond the general line of fronts in any street, lane or firebreak; provided that within the limits prescribed for the erection of buildings of stone, brick or other uninflammable materials, they be wholly composed of such uninflammable materials.

Ladders.

XXII. And be it enacted, that a substantial ladder shall be fixed to the roof of every dwelling-house, and kept in good repair, except where a regular access to the roof from the inside is provided.

XXIII. And

Side paths to be 10 feet wide.

XXIII. And be it enacted, that the paths appropriated for the use of foot passengers on each side of Water-street and Duckworth-street be 10 feet wide.

Defective chimneys.

XXIV. And be it enacted, that it shall be the duty of the said supervisor to inspect the several chimneys and external stove-pipes throughout the town, and that the tenant of every house who shall not, within two days after he, she or they be notified of the defective state of such chimney or stove-pipe, cause the same to be properly repaired, shall be liable to a fine of not less than 10*s.* nor exceeding 40*s.*, with costs of suit, to be recovered in a summary manner before any justice of the peace for the central district, and levied by distress and sale of the offender's goods and chattels.

Penalty.

No buildings to obstruct the line of fire from Forts William and George.

XXV. And be it enacted, that no building shall be erected to interfere with the line of fire from Fort William and Fort George towards the Harbour, provided that the officers of Her Majesty's Board of Ordnance shall pay or tender to the proprietors and tenants of land situate in the line of fire compensation for such rights as would be interfered with by preventing the erection of such building, which compensation shall be ascertained in manner hereinbefore prescribed for ascertaining the value of land taken for the purposes of the streets and firebreaks.

No alterations to be made in lines of streets, except, &c.

XXVI. And be it enacted, that the lines of streets and firebreaks laid out by this Act shall not be departed from, excepting in such cases as the description by the points of the compass may be erroneous; and such departures in such cases shall be first determined upon by the supervisor, and approved of by the Governor in Council.

Supervisor may administer oath to party claiming compensation.

XXVII. And be it enacted, that it shall be lawful for such supervisor to administer an oath to any person claiming compensation under this Act as to his, her or their belief of the reasonableness of the said claim.

Compensation to be made to tenants by landlords in certain cases.

XXVIII. And be it enacted, that in every case wherein any tenant holding under a lease commencing previously to the 9th day of June last, and not surrendered in consequence of the fire which occurred in the said town on that day, shall, under the provisions of this Act, independently of any former law, or of any covenant or agreement, be compelled to build of brick, stone or any other uninflammable material, where such tenant might otherwise have built of wood, such tenant shall, at the expiration of such lease, receive from his landlord compensation, either by an extension of his lease for such period as shall not (including the unexpired term) exceed 40 years in the whole, or by payment of a sum of money, as may be determined by any two of three arbitrators, of whom one shall be appointed by the landlord, one by the tenant, and the third by the arbitrators already chosen.

Mode of recovering compensation.

XXIX. And be it enacted, that in the event of any such intended arbitration not being carried into effect, either from the refusal of the landlord to appoint an arbitrator, or from the disagreement of the arbitrators, or from any cause other than the refusal of the tenant to appoint an arbitrator, such compensation as aforesaid may be recovered in an action of assumpsit as for money paid, to be brought against the landlord in any court of record.

Limits of the town prescribed.

XXX. And be it enacted, that for the purposes of this Act, the boundaries and limits of the said town of St. John's shall be as follows: commencing at the Harbour, and running along the eastern side line of the Gas-works Firebreak, as laid down and described upon the aforesaid plan, until it is intersected by the Monday Pond-road; thence in a straight line to Rennie's Mill Bridge, on the old Portugal Cove-road; thence by the courses of the stream running into Quidi Vidi Lake; thence from the mouth of the said stream in a straight line to the Ordnance boundary line, where it is intersected by the main road leading to Signal-hill; thence by the Ordnance boundary line to the Harbour of St. John's, and thence by the waters of the Harbour to the place of beginning: Provided, that all Government buildings, churches, chapels and places of public worship, all public school-houses, and the buildings of public charitable institutions, shall be exempted from the rates and assessments hereinbefore mentioned.

Certain houses now in lines of street permitted to stand.

XXXI. And whereas the house lately built upon the north side of Duckworth-street by Robert Prowse, the house lately built on the north side of Water-street by James Cullen, and the house lately erected on the north side of Water-street by Walter Dillon, fall within the lines of the said streets respectively, but the said houses, being built of uninflammable materials, and the expense which would be occasioned by their removal being considerable, it is expedient that the said houses should be made exceptions to the lines hereinbefore laid down; be it therefore enacted, that the said houses, being finished and completed in the manner hereinbefore prescribed with respect to houses to be erected on Water and Duckworth streets, may lawfully continue and be within the lines of the said streets, at the option of the said several parties, or any future proprietors of the same, as such houses now stand thereon, anything hereinbefore contained to the contrary thereof notwithstanding.

— No. 23. —

No. 23.
Earl Grey to Governor Sir J. Harvey.
3 September 1846.

(No. 21.)

COPY of a DESPATCH from Earl *Grey* to Governor Sir *John Harvey*.

Sir, Downing-street, 3 September 1846.

I HAVE to acknowledge the receipt of your despatch, No. 62, of the 7th ultimo, announcing the close of the Special Session of the Legislature of Newfoundland, and I have to signify to you my approval of the speech which you delivered on that occasion.

The Act, of which you transmit a copy, for regulating the rebuilding of the town of St. John's, is at present under the consideration of Her Majesty's Government.

I have, &c.
(signed) *Grey*.

— No. 24. —

No. 24.
Earl Grey to the Officer administering the Government of Newfoundland.
6 November 1846.

(No. 38.)

COPY of a DESPATCH from Earl *Grey* to the Officer administering the Government of Newfoundland.

Sir, Downing-street, 6 November 1846.

AN Act passed by the Legislature of Newfoundland, in the month of August 1846, intituled, "An Act to regulate the rebuilding of the Town of St. John's, and the Drainage and Sewerage of the same, and to repeal certain Acts therein mentioned," having been referred by the Queen in Council to the Lords of the Committee of Privy Council for Trade and Foreign Plantations, that Committee have reported to Her Majesty in Council their opinion that the said Act should be left to its operation.

I have the honour to transmit to you herewith an Order of Her Majesty in Council, dated 30th October, approving that report.

30 October.

I also transmit a copy of a letter received from the Secretary to the Master-general and Board of Ordnance, by which you will perceive that the Master-general and Board desire that a provision should be added to this Act, with special reference to Ordnance premises.

I do not doubt that the Assembly will readily adopt the suggestion of the Master-general and Board, and the more so, as it has not been made the occasion of delaying the Queen's confirmation of the Act. I have, therefore, to desire that you will take early steps to procure the passing of a law for this purpose.

I have, &c.
(signed) *Grey*.

Enclosure in No. 24.

Sir, Office of Ordnance, 30 October 1846.

Encl. in No. 24.

HAVING submitted to the Master-general and Board of Ordnance your letter, dated the 22d instant, transmitting, by desire of Earl Grey, a copy of an Act, No. 60, passed by the Legislature of Newfoundland on the 4th of August 1846, for the rebuilding of the town of St. John's, and observing that the 25th clause enacts that no building shall be erected to interfere with the "line of fire from Fort William to Fort George towards the Harbour," provided that the persons so deprived of their right of building shall be compensated for their loss by the Board of Ordnance.

I have the honour, by the Master-general and Board's commands, to acquaint you, for his Lordship's information, that the locality named Fort George is not identified in the plans in this office, but they are not aware of any objection to what is proposed to be enacted. The Master-general and Board beg, however, to suggest that there should be a clause to prevent any interference with the boundaries of or the communications leading to any Ordnance premises, without the permission in writing of the Master-general and Board, and that all expenses attendant thereon, if required, should be defrayed out of the local funds referred to in the 11th and 12th clauses.

I have, &c.
(signed) *R. Byham*.

Jas. Stephen, Esq.
&c. &c.

— No. 25.—

(No. 68.)

No. 25.
Governor Sir J. Harvey to Earl Grey.
16 August 1846.

Copy of a DESPATCH from Governor Sir *J. Harvey*, K.C.B., to Earl *Grey*.

Newfoundland, Government House, St. John's,
16 August 1846.

My Lord,

Herewith I have the honour to transmit the copy of a resolution of thanks to Her Majesty's Government, adopted at a general meeting of the inhabitants of this city for its munificent donation of 30,000 *l.* for the relief of those who have been rendered destitute by the effects of the late awful and calamitous conflagration. A similar address would have proceeded from the General Assembly had the mail packet arrived one day sooner.

I have, &c.
(signed) *J. Harvey.*

Enclosure in No. 25.

Copy of a Resolution proposed at a Public Meeting of the Citizens of St. John's, and held in the Commercial Room on the 7th instant. Encl. in No. 25.

Proposed by the Honourable Judge Desbarres, and seconded by the Honourable William Thomas,—

That the inhabitants of St. John's are deeply sensible of the liberal aid afforded to them by Her Majesty's Government, and that his Excellency the Governor be respectfully requested to convey to Her Majesty's Principal Secretary of State for the Colonies their heartfelt gratitude for the munificent grant of 30,000 *l.*

— No. 26.—

(No. 69.)

No. 26.
Governor Sir J. Harvey to Earl Grey.
18 August 1846.

Copy of a DESPATCH from Governor Sir *J. Harvey*, K. C. B., to Earl *Grey*.

Newfoundland, Government House, St. John's,
18 August 1846.

My Lord,

Having selected Lieutenant R. Carter, a native of this island (in which his father held the office of Judge of the Admiralty Court to the period of his death), a member of the General Assembly, and who also holds the rank and receives the half-pay of a Lieutenant in the Royal Navy, as a highly fit and proper person to whom to entrust the execution of the very important duties of "supervisor" for superintending the rebuilding of the burnt part of this city, and to which office a salary of 300 *l.* per annum is attached, but which, depending upon future assessments, and including heads of expenditure by which it may possibly be reduced considerably below that amount, I cannot safely assume as above 250 *l.*, I have the honour to request that your Lordship will be pleased to move the Lords Commissioners of the Admiralty to cause a notification to be made to Mr. Carter of their Lordships' consent to his performance for the term of five years, if the necessity for them should continue so long, of the duties attached to the office to which I have adverted, without prejudice to the receipt by him of the half-pay which he at present receives, and which I understand to be 103 *l.* per annum, considerably more than one-third of the salary of supervisor.

I have, &c.
(signed) *J. Harvey.*

— No. 27.—

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— No. 27. —

No. 27.
Earl Grey to the Officer administering the Government of Newfoundland.
12 October 1846.

(No. 29.)

COPY of a DESPATCH from Earl *Grey* to the Officer administering the Government of Newfoundland.

Sir, Downing-street, 12 October 1846.

I HAVE received Sir John Harvey's despatch, No. 69, of the 18th August, reporting that he had selected Lieutenant R. Carter of the Royal Navy for the appointment of supervisor to superintend the rebuilding of the burnt part of the city of St. John's, Newfoundland. Having referred this despatch to the Lords Commissioners of the Admiralty, their Lordships have apprized me that orders have been given for Lieutenant Carter to be allowed his half-pay upon his making the usual declaration.

I have, &c.
(signed) *Grey.*

—No. 28. —

No. 28.
Governor Sir J. Harvey to Earl Grey.
18 August 1846.
* Page 20.

(No. 70.)

COPY of a DESPATCH from Governor Sir *John Harvey*, K. C. B., to Earl *Grey*.

Newfoundland, Government House, St. John's,
My Lord, 18 August 1846.

HAVING, with reference to your Lordship's despatch, No. 1,* of the 18th ultimo, given my anxious consideration to the very important subject of endeavouring to ensure the due application of the funds so munificently placed at my disposal, "to the service of those who have been rendered destitute (or severe sufferers) by the consequences of the late calamitous fire," I have now the honour to place before you and to invite your Lordship's attention to a memorandum which I yesterday addressed to the chairman of the General Relief Committee, apprizing him of my ideas, wishes and intentions on this subject, and which I do not entertain any doubt will be readily acquiesced in by that body.

With a machinery thus constituted, the ultimate operations of which, it will be perceived, are made to depend wholly upon the Governor and Council, I shall be enabled to quit the colony under the satisfactory conviction that, with an ordinary degree of supervision on the part of the Executive Government, no serious maladministration of those funds can occur.

As the members of the commission will be nominated to-morrow, and their operations be immediately commenced, they will have begun them before I quit the colony, which I expect to do on this day week, supposing Mr. Crowdy to arrive by the packet now expected.

I have, &c.
(signed) *J. Harvey.*

P. S.—It will be seen that I have calculated the expense of administering this fund of 30,000 *l.* at two and a half per cent., and I trust your Lordship will be of opinion that I have made as economical an arrangement as was practicable, consistently with the object which I had in view, of enlisting the earnest endeavours of the members of the commission in the cause.

Two and a half per cent. on 30,000 *l.* is 750 *l.* Four commissioners at 100 *l.*, with a chairman and two secretaries at 150 *l.* each, equals 700 *l.*, leaving 50 *l.* for contingent expenses.

J. H.

N. B.—The reasons why I have found it necessary to resort to a paid commission are, that the unpaid committees had gradually relaxed their exertions, (their whole time and attention being naturally engrossed by their own private concerns), so as at length to have devolved the management of all their relief operations upon one irresponsible because unpaid individual, and thereby to have given cause for much dissatisfaction, which I do not doubt that the commission, as now constituted, will speedily remove, the small amount of stipend attached by me to their offices rendering them as far *de facto* responsible as is in the power of the government to make them.

J. H.

Enclosure in No. 28.

MEMORANDUM for the Chairman of the General Relief Committee, and also to serve as Instructions for the Pecuniary Relief Commissioners.

Encl. in No. 28.

FROM both the letter and spirit as well of the despatch of the Right honourable the Secretary of State, announcing the munificent donation of 30,000 *l.*, by which I am required to take effectual means for securing its due application to the service of the persons who have been rendered destitute by the late calamitous fire, as those from the Governor-general and the Lieutenant-governors of the neighbouring colonies, it is sufficiently apparent that the contemplated recipients are to be sought, not among the higher and more wealthy sufferers, but among those who have been reduced to severe distress or entire destitution. In aid of such of the former class as may need it, application has been made to Her Majesty's Government for a loan to the colony to such an amount as may enable the local Government to make advances, secured upon the property itself, in aid of the reconstruction of houses, &c. of uninflammable materials; beyond this, it appears to me that it would be as uncalled for to offer public relief to that class, as to expect them to accept it.

In order therefore to effect the great object of so administering the funds which have been so munificently contributed, as to accord with the intentions of the donors and afford general satisfaction, I propose to appoint a Board of Commissioners for the purpose of aiding and assisting me in the administration of the funds which have been received by me from Her Majesty's Government and other sources for the relief of those who have been reduced to severe distress by the late fire, of which two members may be recommended by the Chairman and Board of the Relief Committee, the three others, with the secretary, being appointed by me.

2d. The duty of this Board will be to receive and strictly to inquire into the merits of all applications for pecuniary aid, and, after due consideration, to recommend not only the amount of relief proper to be afforded, but the mode of that relief; that is, whether by loan or donation.

3d. The Board so constituted will immediately proceed to provide itself with a suitable office, in which there should be a separate room with a separate access, exclusive of the Board or office room, but communicating with it.

4th. To the door of the Board room should be affixed a "receiving box," which will remain open for the reception of letters until 10 o'clock in the morning on Tuesdays, Wednesdays, Thursdays and Fridays, at which hour it will be closed by the secretary in order to afford the necessary time for him to examine and arrange (alphabetically) the contents of the "receiver" previous to the daily meeting of the Board at 12 o'clock.

5th. When assembled, the Board will apply itself to the consideration of the several claims, and will adopt such measures as it may deem best adapted for obtaining a thorough knowledge of the merits of each case, whether by personal visits to the parties, or by requiring their attendance at the private or public office.

6th. The out-door inquiries to be conducted at the discretion of the Board, whether singly by the members or by sub-committees, as may be most convenient.

7th. In all discussions at the Board the secretary is permitted and invited to take a part, but not in voting.

8th. At the rising of the Board each day the "receiver" to be again opened for the reception of applications, and in like manner closed at 10 o'clock the following morning, but during the whole of Saturdays, Sundays and Mondays it will remain closed.

9th. On each Saturday before the meeting of the Board, the secretary will be prepared with a précis of all the applications of the past week, which, after the results of the investigation shall have been compared, and the merits of each application duly deliberated upon, will be embodied by the secretary in a "weekly report," addressed to the Governor or officer administrating the government, but to be forwarded by the chairman of the Board of Commissioners to the chairman of the general relief committee at its weekly meeting on Monday, by whom it is to be transmitted, with any observations, suggestions or recommendations which that body may wish to offer, to the secretary of the colony, to be by him laid before the Governor at or before 12 o'clock every Tuesday, by whom it will be taken into immediate consideration (who will consult the members of Her Majesty's Council upon it, if he should deem it necessary to do so), so that no unnecessary delay will occur on his part in the issue of his warrants for such sums as may be approved by him, whether as donations or loans.

10th. As in the present relief committee that class of persons is not fully represented on whom the losses sustained by the late fire have fallen with the greatest severity, I should approve of the addition to such existing committee of those gentlemen whose names will be found in the accompanying list.

11th. It will be seen from the foregoing outline that the duties, in-door and out-door, to be performed by the members of this committee will occupy much of their time and attention, especially will they be onerous upon the secretary, whose qualifications must include, not

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only quickness, method, arrangement and classification, but also the capability of expressing himself on paper, so as to present the weekly and all other reports of the Board in a clear and forcible shape.

12th. Animated, as I am sure all concerned will be by a disinterested desire to make their services useful in this cause of charity and benevolence, I must nevertheless require, as the condition of the acceptance by me of services at this Board, that its members shall consent to receive the sum of 100*l.* sterling each per annum, with an addition of 50*l.* each to the chairman and secretary, exclusive of a reasonable allowance to the latter for office-rent, printing, stationery, and other incidental expenses.

13th. I would express my anxious desire that the operations of the Board may commence so soon as a suitable office can be procured, by due public notice given.

14th. It will be perceived that I have confined myself in the foregoing scheme altogether to the subject of pecuniary relief from funds now at my disposal. The distribution of provisions and clothing, and providing shelter, &c., I regard as within the more immediate province of the general relief committee, with this reservation, however, that no provisions, clothing, or any other description of stores, contributed by other colonies or communities (except so specified by the contributors) be sold or converted into money without the previous concurrence and sanction of the Governor or officer administering the Government.

15th. I recommend that all monies which are now or that may hereafter come into possession of the relief committee should be thrown into one general fund, by being paid into the military chest or lodged in the bank, for the express object of meeting the wants of the Governor under the arrangement now communicated.

16th. Finally, that as the sum at present at the disposal of the Government can scarcely be said to exceed 25,000*l.* (it being my intention to reserve 5,000*l.* to meet future unforeseen contingencies and demands), I should not therefore approve of the relief, whether by loans or donations, to be recommended, exceeding in any case 100*l.*

Government House, 17 August 1846.

MEMORANDUM for the Chairman of the Relief Committee.

LIST of Names to be added to the Relief Committee.

Mr. Henry Winton, Mr. Patrick L. Power, Mr. Peter Duchemin, Mr. Patrick Mallowney, Mr. Alexander M'Auslan, Mr. James Callen, Mr. Richard Perchard.

The Honourable the Colonial Secretary, the Honourable Patrick Morris, the Honourable the Surveyor-general, the Honourable Walter Greene.

Dr. Kielley, Dr. Carson, Mr. Patrick Keogh, Mr. J. H. Warren, Mr. A. Shea, Mr. Douglas.

— No. 29. —

No. 29.
Lieut.-Col. Law to Earl Grey, 8 September 1846.

(No. 4.)

COPY of a DESPATCH from Lieutenant-Colonel *Law*, administering the Government of Newfoundland, to Earl *Grey*.

Government House, Newfoundland,
8 September 1846.

My Lord,

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 18th ultimo*, instructing me, if it should not interfere with arrangements already made, to reserve a portion of the grant of 30,000*l.* for the relief of the destitute poor, to be applied in the re-erection of the official buildings of the colony.

* Page 27.

In reply I beg to acquaint your Lordship, that previous to his departure for Nova Scotia, Sir John Harvey reserved 5,000*l.* of the 30,000*l.* to meet any unforeseen demands. Of the remaining 25,000*l.* a considerable sum has been already distributed, or is in course of distribution amongst the poor, but I hope to be enabled to add some portion of it to the 5,000*l.* already reserved, to be made available in the manner contemplated by your Lordship.

I have, &c.
(signed) *Robert Law.*

— No. 30. —

(No. 20.)

No. 30.
Earl Grey to the Officer administering the Government of Newfoundland.
3 Sept. 1846.

COPY of a DESPATCH from Earl *Grey* to the Officer administering the Government of Newfoundland.

Sir, Downing-street, 3 September 1846.

I HAVE to acquaint you that Her Majesty has been pleased to issue Her Royal Letters to the Archbishops of Canterbury and York, authorizing their Graces to adopt proper measures for promoting subscriptions in their respective provinces for the relief of the sufferers by the recent fires at St. John's, Newfoundland. Arrangements have been made at the Bank of England for the receipt of these subscriptions, of which I shall have the opportunity from time to time of reporting to you the amount collected.

I have, &c.
(signed) *Grey.*

— No. 31. —

(No. 22.)

No. 31.
Earl Grey to the Officer administering the Government of Newfoundland.
3 Sept. 1846.

COPY of a DESPATCH from Earl *Grey* to the Officer administering the Government of Newfoundland.

Sir, Downing-street, 3 September 1846.

SINCE my despatch, No. 17, of the 18th ultimo,* I have been led to consider the best mode of distributing those funds which have been placed at your command by Her Majesty's Government, as well as by the generosity of several of the North American colonies, and private individuals.

* Page 27.

I desire especially to call your attention to the subject, in order that the relief to be given may, whilst it meets pressing cases of urgent distress by immediate pecuniary aid or food, or both, be so administered as to confer the largest amount of permanent benefit upon the colony, and in the least objectionable manner.

In order the more clearly to explain to you the views I entertain, I shall divide the sufferers by the late destructive fire into three classes, and then consider the respective claims of each class to relief, and the best mode of affording it.

1st. The superior class of merchants, in which I am informed there are many individuals whose losses are great, are, I imagine, either accustomed to insure against the risk of fire or possess resources of their own, which will prevent probably any application from any of this body for relief to the Committee.

2d. The middle class, comprehending those engaged in the retail trade, shopkeepers and others, will, I have reason to think, furnish the largest number of applicants for assistance, and which will require both judgment and discrimination in the administration of it. In this class the losses have been extensive and keenly felt; but it does not appear to me as a general rule that by the aid of pecuniary assistance alone their application for relief would be best provided for; and further, if in rendering assistance to this class it may be made serviceable to the class below and to the colony generally, it becomes of great importance to consider well the mode of affording it. The great injury inflicted upon this class by the fire has arisen from the destruction of their houses; and hence, if the relief afforded be such as will enable them to commence the rebuilding of their dwellings at the earliest period which the season will permit, it will not only directly meet this source of suffering and distress, but, by annexing the conditions I propose, a means of employment will be provided for the labouring population, which also will tend to relieve the latter, free from all the objections to temporary and charitable donations.

I am of opinion that, for the purpose of rebuilding the dwellings of the class of which I am now speaking, it would be desirable to make the sums to be contributed out of the funds placed at your disposal contingent upon an equal amount being contributed by the individuals applying for assistance, the consent of the parties being previously obtained to the application of the joint sum thus appropriated to the reconstruction of the dwellings of the parties, with materials

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to be determined upon by the Local Committee, under the advice of the officer who will be appointed to assist the Committee. By adopting this view the Relief Committee will not only secure the rebuilding of the city with materials calculated to resist such destructive conflagrations as of late have unhappily fallen to the lot of the city of St. John's, but extensive employment, and for a considerable time, will be given, and at the earliest possible period, to the labouring population. With reference to this class, which has not, as I am informed, suffered so severely as that to which I have just referred, I think the relief that may be necessary may be given in money or food, or both, including some provision for their shelter, if required, during the winter. I am happy to learn that generally they are well off, and aided as they will be by the employment thus to be provided, I hope and believe their sufferings may be in as great a degree as possible mitigated.

By thus wisely economizing and applying the fund as I have pointed out, there will probably be a large surplus which may be devoted to the erection of public buildings, and thus still further increase the means of employing the working classes.

To assist in the construction of these buildings, to determine upon the plan, to select the site, Her Majesty's Government propose to send out an engineer officer of experience in the construction of public works and buildings.

It will be no part of his duty to interfere with the plans of private houses, which (the materials for their reconstruction being decided on by the Committee) may be properly left to the parties interested. But after conferring with the authorities of the colony upon all the details of the buildings in which public business has to be transacted, this officer will be empowered to decide upon the site, materials, and the plan finally to be adopted, for the special objects I have adverted to; and he will be instructed for this purpose to put himself into communication with the officers of the principal departments, and endeavour cordially to act in conjunction with their advice and experience, subject to the approbation of the Lieutenant-governor.

These views, I trust, will be acceptable to the Relief Committee and those for whom they act. They are dictated by a sincere desire to mitigate, as far as practicable, the distress and suffering consequent upon the calamity which has befallen the city, and to attain that most desirable object, the reconstruction of the city upon a plan, and with materials calculated to prevent the recurrence of such a calamity, and generally in the least injurious manner, to distribute that fund which the liberality of the Government, of the neighbouring colonies, and private parties have contributed to the relief of the sufferers from the recent destruction of the city.

I have, &c.
(signed) *Grey.*

— No. 32. —

No. 32.
Earl Grey to the Officer administering the Government of Newfoundland.
24 Sept. 1846.

(No. 24.)

COPY of a DESPATCH from Earl *Grey* to the Officer administering the Government of Newfoundland.

Sir, Downing-street, 24 September 1846.

I HAVE to acquaint you, that Her Majesty's Government have decided upon devolving upon Major Robe, R.E., the task of reconstructing the public buildings at St. John's, Newfoundland, instead of sending to that country an officer of engineers especially for that duty. You will, therefore, communicate this decision to Major Robe, though he will probably receive a similar communication from the Master-general and Board of Ordnance; and you will direct him to give his immediate attention to the preparation of plans for the buildings in question, in order that they may be submitted to Mr. Bruce on his arrival in the colony.

I have, &c.
(signed) *Grey.*

— No. 33.—

(No. 32.)

COPY of a DESPATCH from Earl *Grey* to the Officer administering the Government of Newfoundland.

No. 33.
Earl Grey to the Officer administering the Government of Newfoundland.
17 October 1846.
* Page 40.

Sir, Downing-street, 17 October 1846.

I HAVE to acknowledge the receipt of a despatch from Sir John Harvey, dated the 18th August*, from Newfoundland, reporting his proceedings in regard to the distribution of the Parliamentary Grant intended for the relief of the sufferers by the late fire at St. John's; adverting to the fact, that when Sir John Harvey wrote this despatch he was not in possession of my instruction to reserve a portion of the grant for the purpose of rebuilding the town of St. John's, and that he acted upon the only instruction which he had at that time received from me on this subject, I can have no hesitation in approving his proceedings as now reported to me.

I have, &c.
(signed) *Grey.*

— No. 34.—

(No. 41.)

COPY of a DESPATCH from Earl *Grey* to the Officer administering the Government of Newfoundland.

No. 34.
Earl Grey to the Officer administering the Government of Newfoundland.
16 Nov. 1846.
† Page 43.

Sir, Downing-street, 16 November 1846.

I HAVE to inform you, that since my despatch, No. 20†, of 3d September, the Lords Commissioners of the Treasury have communicated to me that subscriptions for the relief of the sufferers by the late fire at St. John's, Newfoundland, amounting, on the 24th October inclusive, to 14,917*l.* 14*s.* 6*d.*, have been raised and paid into the Bank of England, and that their Lordships have instructed the officer in charge of the commissariat on that station to hold that sum at your disposal for the purposes of the intended relief.

I have, &c.
(signed) *Grey.*

— No. 35.—

(No. 7.)

COPY of a DESPATCH from Lieutenant-Colonel *Law*, administering the Government of Newfoundland, to Earl *Grey*.

No. 35.
Lieut.-Col. Law to Earl Grey.
10 Sept. 1846.

Government House, Newfoundland,
My Lord, 10 September 1846.

AT the request of the Lord Bishop and the other subscribers thereto, I have the honour to transmit to your Lordship the accompanying memorial, addressed to the Secretary of State for the Home Department.

The severe loss sustained by the Protestant Episcopalians of this city in the destruction of their principal church, the impossibility of their finding sufficient funds for its rebuilding, and the strong fact of all monies raised under the Queen's Letter being contributed by members of that communion, induce me most respectfully to entreat your Lordship's favourable consideration and recommendation of the object sought in this memorial.

I have, &c.
(signed) *Robert Law.*

Enclosure in No. 35.

Encl. in No. 35.

To the Right honourable Sir *George Grey*, Bart., M. P., Her Majesty's Principal Secretary of State for the Home Department, &c.

The Memorial of the Bishop of *Newfoundland*, and of the Rector, Churchwardens, and other Parishioners of *St. John's*, in the said Island;

Humbly showeth,

THAT your memorialists have learned, with feelings of the deepest gratitude, that Her Majesty the Queen has been graciously pleased to issue Her Royal Letter, authorising a

collection in the churches of the Establishment throughout England for the relief of the distress occasioned by the calamitous fire by which the greater part of this city was desolated on the 9th of June last.

That during that conflagration the only place of public worship destroyed in the town was the church of St. John the Baptist, which served as well for the cathedral of the diocese of Newfoundland as for the parish church.

That the heavy losses which have fallen on the members of the Church of England have, through that visitation, precluded all hope of the church being restored by local contributions.

That the special appeal made in England on this behalf is necessarily prejudiced to a considerable extent by the appeal made there simultaneously on behalf of those who have suffered temporal loss by the fire.

That the collections to be made under the authority of the Queen's Letter will be gathered wholly from members of the Church of England, whilst a very large majority of those to whose benefit they will be applied here will not be of that communion.

All which premises your memorialists respectfully solicit you to take into your favourable consideration; and, as in duty bound, they will ever pray.

(signed) *Edward Newfoundland.*
Thomas F. H. Bridge, Rector.
Thos. Row, Churchwarden.
Wm. Rendell, Jun. Churchwarden.
E. Bennett.
Geo. H. Wilson, jun.

No. 36.
Earl Grey to the Officer administering the Government of Newfoundland.
17 Nov. 1846.

— No. 36. —

(No. 42.)

COPY of a DESPATCH from Earl *Grey* to the Officer administering the Government of Newfoundland.

Sir, Downing-street, 17 November 1846.

Home Office, 9th Nov.
Bishop of London, 13th Nov.
Lord Grey, 16th Nov.

IN pursuance of the wish expressed in your despatch, No. 7, of the 10th September, I transmitted to the Secretary of State for the Home Department the petition addressed to him by the Bishop of Newfoundland, and by the rector, churchwardens and other inhabitants of the town of St. John's, on the subject of rebuilding the parish church, which has been destroyed by the late fire; and I transmit to you for your information, a copy of the answer which Sir George Grey has returned to me upon the subject. I also enclose the copy of a correspondence which has passed between the Bishop of London and myself in reference to the appropriation of a portion of the fund raised by the subscriptions in consequence of the Queen's Letter to the rebuilding of this church; and I have to inform you that I entertain no objection to a limited portion of the fund being applied in the manner desired by the committee in London, at whose request the Queen's Letter was issued.

I take this opportunity of stating, that if it be the fact, as it is alleged to be, that the relief committee by whom the Parliamentary Grant has been distributed did not comprise amongst its number any member of the Church of England, it would be scarcely consistent with the respect due to the Established Church to leave to a committee so constituted the distribution of the funds raised under the Queen's Letter, and consequently it is to be presumed contributed entirely by members of that church. If, therefore, you should find it expedient to entrust the distribution of the money thus raised to the same committee which was appointed for the apportionment of the Parliamentary Grant, you will take care to place upon it, in addition to its present members, one of the clergy of the Church of England, or one of the churchwardens of the parish.

I am, &c.
(signed) *Grey.*

Enclosure 1, in No. 36.

Encl. 1, in No. 36.

Sir, Whitehall, 9 November 1846.

I AM directed by Secretary Sir George Grey to acquaint you, for the information of Earl Grey, with reference to your letter of the 15th ultimo, transmitting the copy of a despatch from the officer administering the government of Newfoundland, and of a memorial on the subject of rebuilding the church of St. John the Baptist in the city of St. John's, that it appears to Sir George Grey to be right that means should be adopted for securing the application of a portion of the funds lately collected in pursuance of the Queen's Letter for the relief of the sufferers by fire at St. John's, Newfoundland, towards the rebuilding of the church. It was intimated to Sir George Grey by the Lord Mayor of the City of London on the part of the committee for the collection of subscriptions for the relief of the sufferers, and at whose request the Queen's Letter was issued, that the committee would willingly concur in such an appropriation of a portion of the proceeds; and Sir George Grey has reason to believe that an expectation that such would be the case was entertained by the bishops and clergy through whom the collections in pursuance of the Queen's Letter were made. He therefore trusts that arrangements will be made by which the rebuilding of the church may be included among the objects to which the sum so collected will be applied.

I am, &c.

Jas. Stephen, Esquire, (signed) *S. M. Phillipps.*
Colonial Office.

Enclosure 2, in No. 36.

My Lord, Fulham, 13 November 1846.

A SHORT time before the issuing of the Queen's Letter, directing collections to be made for the relief of the sufferers in St. John's, Newfoundland, I wrote to Sir George Grey, stating my opinion, which was that of the clergy in general, that as the money would be collected exclusively from members of the Church of England, a reasonable proportion of it ought to be applied to the rebuilding of the parish church of St. John's, the only place of worship destroyed by the fire, and that some mention of this might be very properly made in the Queen's Letter. Encl. 2, in No. 36.

Sir George Grey stated in reply, that no alteration could be conveniently made in the form of the Queen's Letter, but that the arrangement suggested by me might be made by the London committee, with whom would rest the appropriation of the money collected under the authority of the Queen's Letter; and that he would communicate with the Lord Mayor, as chairman of that committee, who would no doubt give me the assurance which I desired.

Accordingly I received a letter from the Lord Mayor, assuring me, on the part of the committee, that a considerable portion of the collection should be applied as I had suggested.

I am now informed, that the London committee will not be entrusted with the appropriation of any part of the money so collected, but that it is to be paid over to a committee in Newfoundland, appointed by the Governor, not one member of which, as it is stated, belongs to the Church of England, or of which, at all events, a large majority are of other communions; and that no part of the money can be applied to the rebuilding of the church.

If this should be the case, I shall feel myself bound to protest in the strongest manner against such an arrangement, considering both the equity of the case and the fact of a distinct pledge having been given me by Sir George Grey, that it would be left to the London committee to determine what part of the collection should be employed in the manner which I had suggested.

There is a very strong feeling on the subject amongst the parochial clergy, not a few of whom have urged, as a reason for increased liberality on the part of their parishioners, the necessity of providing for the rebuilding of the parish church of St. John's, which will also be the cathedral church of the diocese of Newfoundland.

I trust that your Lordship will be able to give me such an assurance on this head as may remove the anxiety occasioned to many others as well as myself by the statement to which I have referred.

I have, &c.

The Earl Grey, (signed) *C. J. London.*
&c. &c.

Enclosure 3, in No. 36.

My Lord, Downing-street, 16 November 1846.

I HAVE had the honour of receiving your Lordship's letter of the 13th. My attention had already been called to the subject to which it relates by Sir G. Grey, and I had in consequence given directions for the preparation of a despatch to the officer administering the government of Newfoundland, directing him to apply a portion of the money raised by Encl. 3, in No. 36.

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the collection which was made in consequence of the Queen's Letter to the rebuilding of the cathedral church of St. John's.

With this despatch, which will be sent by the next mail, I will forward a copy of your Lordship's letter to the officer administering the government, in order that he may be fully aware of what appear to be the wishes of many of the persons by whom this money was given, as to the use to be made of it.

I have, &c.
(signed) *Grey.*

The Right hon. and Right Rev.
The Lord Bishop of London.

—No. 37.—

(No. 13.)

No. 37.
Lieut.-Col. Law to Earl Grey.
25 Sept. 1846.

COPY of a DESPATCH from Lieutenant-Colonel *Law*, administering the Government of Newfoundland, to Earl *Grey*.

Government House, Newfoundland,
25 September 1846.

My Lord,

I HAVE the honour to acknowledge the receipt of your Lordship's despatch, No. 22,* of the 3d instant, suggesting the mode in which your Lordship deems it desirable that the relief afforded by the Government grant and by private subscriptions should be administered to the sufferers by the late fire in this city; and in reply I would respectfully beg permission to offer the following observations:

* Page 43.

A considerable part (upwards of 9,000*l.* sterling) of the Government grant has been already expended in the relief of the sufferers, under the direction of two bodies constituted by Sir John Harvey for this service. The first, selected for their business habits and their knowledge generally of this community, consists of five members and a secretary, who sit every day to receive applications, and who, on due and full inquiry, award to each applicant such an amount as the circumstances of his case and the funds at their disposal will in the opinion of these commissioners justify. These awards are submitted once a week to a committee of relief, consisting of 40 members, chosen from various classes, and are by them, after careful examination, either sanctioned or objected to; they are then forwarded by this committee to the Governor, who either of himself, or in council, as he may deem necessary, gives his assent to them, and they are then paid. Your Lordship will see that by this course of proceeding a rigid scrutiny is instituted into every case, and the result has been the extension of the larger amount of relief to those cases coming under No. 2 of your Lordship's classification.

This system, as now in operation, could not without great complaint be interfered with. It is, I think, the best that could be devised; and I would, with the utmost deference, express my opinion, that the plan suggested by your Lordship of relief being in some instances made contingent on an equal amount being contributed by individuals applying for assistance, the whole sum to be employed in the reconstruction of the dwellings of the parties with such materials as may be prescribed by the committee, although very good in theory, is quite unsuited to our circumstances. The great point, as respects the recipients of relief, is an early and prompt distribution of the funds to assist them in erecting houses before our inclement winter comes on; but with the exception of the two principal streets, in which, in accordance with the provisions of the Building Act now under the consideration of the Government, the houses must be built of stone, the buildings will be altogether, or nearly so, of wood.

The lower classes, and especially the mechanics, have at this period abundant and profitable employment, but in consequence of many having been deprived of their houses and clothing, it has been necessary to give them the latter as well as food and money, and to have shelter provided for them for the winter.

I avail myself of this occasion respectfully to urge on your Lordship the necessity of an early signification of Her Majesty's pleasure on the Act before referred to, "for regulating the rebuilding of the town of St. John's," as many matters growing out of it require a speedy adjustment.

I have, &c.
(signed) *Robert Law.*

— No. 38. —

(No. 34.)

COPY of a DESPATCH from Earl *Grey* to the Officer administering the Government of Newfoundland.

No. 38.
Earl Grey to the Officer administering the Government of Newfoundland.
27 October 1846.

Sir, Downing-street, 27 October 1846.

I HAVE received your despatch, No. 13, of the 25th September, on the subject of the distribution of the Parliamentary grant for the relief of the inhabitants of St. John's, Newfoundland.

I am aware that Sir John Harvey had appointed the committee (of whose proceedings you now furnish me with an account) previously to the receipt of my instructions of the 3d September, explaining the mode which appeared to me to be the best calculated for affording immediate and substantial benefit to the inhabitants of St. John's. I am not, therefore, surprised to learn that a considerable part of the grant having been already expended in the relief of the sufferers, under the direction of two committees constituted by Sir John Harvey for this service, upon a system which you describe to me, this system of relief, as it is actually in operation, could not now be interfered with without occasioning great dissatisfaction. Such being the case, although I must confess that I am not satisfied that the plan on which the committee is now acting is in itself the best that could have been adopted, and although I retain the opinion I have already expressed, that the grant which has been made for the relief of the inhabitants of St. John's would have been productive of greater permanent benefit if so applied as to secure the reconstruction of the town in a solid and durable manner, still I am not prepared to overrule the proceedings of the local authorities, who ought to be the best judges upon such a subject. It is right, however, that I should remind you that if this opportunity of rebuilding the town in a more solid manner is not taken advantage of, and if it should be determined to reconstruct it of perishable materials, it cannot be expected, in the event of another fire, that the same liberal assistance which has been granted by the Parliament of this country will be again afforded.

Adverting to your wish that Her Majesty's decision upon the Act regulating the rebuilding of the town of St. John's should be signified without delay, I have to inform you that Her Majesty was pleased, on the 30th ultimo, to leave the Act in question to its operation.

I have, &c.
(signed) *Grey.*

— No. 39. —

No. 39.
The Lord Bishop of Newfoundland to Earl Grey.
24 November 1846.

COPY of a LETTER from the Lord Bishop of *Newfoundland* to Earl *Grey*.

My Lord, Exeter College, Oxford, 24 November 1846.

I HAVE the honour to inform your Lordship that it is my wish and intention to return to Newfoundland by the steamer on the 4th of next month, *viâ* Halifax, if I can by that time arrange the business which brought me to England.

But I cannot fix on a plan, or engage a builder, for the new church in St. John's, until I know what portion of the monies collected under the authority of the Queen's Letter will be placed at our disposal.

Your Lordship is, I presume, aware that the Episcopal Church was the only place of public worship destroyed in the late conflagration, and that the committee of gentlemen who petitioned for the Queen's Letter distinctly named in their petition the restoration of this church as one of the objects contemplated and to be provided for. Several of the Bishops applied to Secretary Sir George Grey for information and satisfaction on this point (whether, I mean, the church would be rebuilt from the funds so to be collected), who by him were referred to the late Lord Mayor, as chairman of the committee who had applied for and obtained the Queen's Letter. The Lord Mayor, in reply, informed them that the committee had included this object in their petition to Her Majesty, and that it was their intention that two-thirds or three-fourths of the amount collected should be devoted to that purpose. This was sup-

 posed,

posed, through Sir George Grey's reference, to be authoritative and conclusive. Some of the Bishops informed their clergy to this effect, who again urged the consideration on their congregations, and much larger alms in many parishes were received in consequence. The wish of the Relief Committee is still as stated above, and as declared by the Lord Mayor on their behalf. I can venture to add that such an appropriation will be in accordance with the expectations of the inhabitants generally of St. John's.

A very large sum of money will be required to build the plainest church of stone.

As I cannot arrange my plans to leave England before I am certified in this matter, and am very anxious not to make unnecessary delay, may I ask your Lordship to allow me the honour of an interview for information on this point and several others of importance, either on Wednesday or Thursday.

I have, &c.
(signed) *Edward Newfoundland.*

— No. 40. —

No. 40.
Earl Grey to the Lord Bishop of Newfoundland.
26 Nov. 1846.

COPY of a LETTER from Earl *Grey* to the Lord Bishop of *Newfoundland.*

My Lord, Downing-street, 26 November 1846.

I HAVE the honour to acknowledge the receipt of your Lordship's letter of the 24th instant, and to acquaint you, in answer, that it is not in my power, from the information which can be obtained in this country, to determine what proportion of the sum raised by the collection made in virtue of the Queen's Letter should be applied in rebuilding the church of St. John in Newfoundland; this must depend upon the nature and extent of other demands upon the fund, of which the local authorities have alone the means of judging.

I have, however, instructed the Acting Governor of the colony to apply a portion of the fund to this object, and I regret that it is not in my power to do more.

I have, &c.
(signed) *Grey.*

P.S.—I enclose the information respecting the amount of the collection made under the Queen's Letter, for which, after this letter had been written, your Lordship applied to me.

Amount already placed at the Governor's disposal - -	14,917	14	6
Subsequently paid into the Bank of England - - -	11,436	3	9
£.	26,353	18	3

— No. 41. —

No. 41.
Earl Grey to the Officer administering the Government of Newfoundland.
3 December 1846.

30 Nov. 1846.
3 Dec. 1846.

(No. 46.)

COPY of a DESPATCH from Earl *Grey* to the Officer administering the Government of Newfoundland.

Sir, Downing-street, 3 December 1846.

I TRANSMIT for your information the enclosed copy of a letter from the Bishop of Newfoundland, together with a copy of the answer I have returned to it, on the subject of the appropriation, to the rebuilding of St. John's Church, of that portion of the sum collected by virtue of the Queen's Letter, which has been paid into the Bank of England since the date of my despatch, No. 41,* of the 16th of November.

I take this opportunity of informing you that the Lords Commissioners of the Treasury have apprized me, that they have instructed the officer in charge of the Commissariat on the station to hold the further sum of 11,436*l.* 3*s.* 9*d.* at your disposal, for the purposes of the intended relief.

I have, &c.
(signed) *Grey.*

* Page 45.

Enclosure 1, in No. 41.

Encl. 1, in No. 41.

My Lord, 79, Pall Mall, 30 November 1846.

I HAVE the honour to acknowledge the receipt of your Lordship's letter of the 26th instant, which followed me into the country.

I trust I may be allowed to hope, and to ask, that that portion of the collection made under the authority of the Queen's Letter, now remaining in England, may be devoted to the rebuilding of the Episcopal church in St. John's.

This division will not answer the assurance which the late Lord Mayor, as Chairman of the Relief Committee, was allowed to give the Bishops; nor will it enable us to build such a church as we had hoped and intended; but with the assistance of private subscriptions we may increase the amount to 15,000*l.* or 16,000*l.*, which would only complete such a church as in England would cost 11,000*l.* or 12,000*l.* If the remainder be assigned to Church purposes, we should be glad that the whole sum forwarded to St. John's should be applied to the general relief of the suffering poor in temporal things. It will not be forgotten that the members of the Church of England in St. John's are the only parties suffering in their religious concerns through the fire, and that the money collected under the authority of the Queen's Letter was obtained almost exclusively from members of the Church; they also having otherwise contributed to the general fund.

Your Lordship will, I doubt not, provide that no more of the money leaves the country without your Lordship's knowledge and approval.

I have, &c.

The Earl Grey, &c. &c. (signed) *Ed. Newfoundland.*

Enclosure 2, in No. 41.

Encl. 2, in No. 41.

My Lord, Downing-street, 3 December 1846.

I HAVE the honour to acknowledge the receipt of your letter of the 30th ultimo, expressing your hope that that portion of the collections made under the authority of the Queen's Letter now remaining in this country may be appropriated to the rebuilding of the Episcopal church in St. John's, Newfoundland.

In reply, I have to acquaint your Lordship that I am not prepared, without further information as to the extent to which distress may be felt in Newfoundland, to give any positive instructions to the acting Governor as to the application of this money to the rebuilding of St. John's Church, though I shall be glad to find that it can be so appropriated without inconvenience.

I have, &c.

The Right Rev. (signed) *Grey.*
The Lord Bishop of Newfoundland.

— No. 42. —

No. 42.
The Lord Bishop of Newfoundland to Earl Grey.
4 December 1846.

COPY of a LETTER from the Lord Bishop of *Newfoundland* to Earl *Grey.*

My Lord, 26, Bury-street, 4 December 1846.

I HAVE the honour to acknowledge the receipt of your Lordship's letter of the 3d instant, in which your Lordship states, that, without further information as to the extent to which distress may be felt in Newfoundland, you are not prepared to give any positive instructions to the acting Governor as to the application of this money (that portion of the collections made under authority of the Queen's Letter now remaining in this country) to the rebuilding of St. John's Church.

I am most unwilling to be or appear importunate and troublesome, especially after the kind manner in which your Lordship has noticed my former applications. But as my letters from St. John's seem to supply the required, and I trust sufficient, information, and which, though it cannot be regarded as official, may I think be relied on as correct, I venture to trouble your Lordship with some extracts. It is right to add that my correspondent is a clergyman, and a member of the Relief Committee, but as he never intended or expected that his information would meet any eye but mine, it could not be framed to persuade, or with any object but simply to narrate facts. He says, "Our labours are nearly at an end. To-day we went through the last précis of the Commissioners. The sum expended in awards for compensation amounts to about 32,000*l.* currency; in meeting which, half the Government grant of 30,000*l.*

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has been expended, and about 14,000*l.* of private subscriptions. Of these latter there is a balance in hand of about 5,000*l.* The question now to be settled, is, *What is to be done with the surplus?* It is generally considered that the unexpended residue of private subscriptions will be more than enough to satisfy the claims of those who are entitled to a further instalment. The Government, both local and home, intend, I believe, to appropriate the remaining moiety of the Imperial grant (which has just arrived in hard sovereigns) to the restoration of official buildings. Then comes the question, *What is to be done with the Queen's Letter collections?*"

I do not like to trouble your Lordship with further extracts, though there are several other matters I should be glad to bring under your notice. The above extract is verbatim from the letter, and it seems to show that (independently of the 14,000*l.* and upwards sent, as your Lordship informed me, from the Queen's Letter Fund) there are two sums of 15,000*l.* and 5,000*l.* (the former the moiety of the Government grant, and the latter the surplus of private subscriptions,) actually in St. John's; making in all nearly 35,000*l.* unemployed, and almost, it would seem, uncalled for. My friend thinks, "with many others, that if any additional large sum be appropriated to the sufferers by the fire, it will do more harm than good." He gives reasons which I am unwilling to quote. I cannot but hope, therefore, that your Lordship will find and grant (as you have kindly expressed a wish might be the case) that the whole residue of the Queen's Letter Fund now remaining in this country may be appropriated without inconvenience to the rebuilding of our church.

I would respectfully ask, whether there is any necessity of putting the monies collected through the Queen's Letter into the acting Governor's hands; I would humbly suggest that the Government at home might more conveniently direct the application, and prescribe the guarantees or certificates, if it might not be put under my control. I allude, of course, to the residue reserved for rebuilding the church.

I have, &c.
(signed) *Edwd. Newfoundland.*

— No. 43. —

No. 43.
Earl Grey to the Lord Bishop of Newfoundland.
15 Dec. 1846.

COPY of a LETTER from Earl *Grey* to the Lord Bishop of *Newfoundland.*

My Lord, Downing-street, 15 December 1846.

I HAVE to acknowledge the receipt of your Lordship's letter of the 4th instant, on the subject of the appropriation of the remaining portion of the collections made under the authority of the Queen's Letter. It will not be in my power, in compliance with the request contained in that letter, to issue any directions respecting the appropriation of these funds until I shall be in possession of the report which I am expecting on the subject from the officer administering the Government of Newfoundland.

I have, &c.
(signed) *Grey.*

— No. 44. —

No. 44.
Lieut.-Col. Law to Earl Grey.
26 Nov. 1846.

(No. 25.)

COPY of a DESPATCH from Lieutenant-Colonel *Law*, administering the Government of Newfoundland, to Earl *Grey.*

Government House, Newfoundland,
My Lord, 26 November 1846.

THE Assistant Commissary-general in charge on this station having apprized me that he had received from the Lords of the Treasury authority to draw for a sum of 14,917*l.* 14*s.* 6*d.*, which has been paid into the Bank of England on account of the collection under the Queen's Letter for the sufferers by the fire of the 9th June, I deem it my duty to bring under your Lordship's consideration some circumstances connected with the funds derived from the Government, and from other sources, for the same object.

Concurring

Concurring strongly in your Lordship's view of the advantage to be derived from a portion of the Government grant being reserved for the re-erection of official buildings, or other public purpose connected with the general interests of the colony, I have, since the receipt of your Lordship's despatch of 18th August, No. 17, taken every step which I thought likely to effect this object.

The Commissioners appointed by Sir John Harvey entertained, after rigid scrutiny, upwards of 2,000 cases, which, after being subjected to examination by the Relief Committee, were relieved to the extent recommended by those two bodies—the maximum allowance being 50 *l.*

The whole amount expended on these cases was nearly 32,000 *l.* currency, leaving of the grants in the hands of the local Government about 15,000 *l.* sterling, and in those of the Relief Committee about 10,000 *l.* currency. At a recent meeting of this body, comprising in itself many recipients and many expectants of some of the money received from the Government and from individuals, it was determined that the Commissioners should again go over all the cases previously relieved and award additional sums, so as to make an allowance of 15 per cent. to all persons who had sustained a less loss than 500 *l.*, and 10 per cent. to the sufferers beyond that amount,—the extent in no case to exceed 300 *l.*

As it is contemplated that this is to be paid out of Government as well as private funds, and as Sir John Harvey, on appointing the Commissioners, limited their grants to 100 *l.*, I purpose, to avoid mixing up the Government in this transaction, to put an end to the Commission; but as the Commissioners will still form a part of the general Relief Committee, they can give the same assistance in that capacity as they could do as Commissioners in appropriating the money at the disposal of the Committee, with which appropriation it is not my intention to interfere.

My object in laying before your Lordship this statement of existing circumstances is to request that your Lordship will give an absolute direction that the 15,000 *l.* sterling remaining of the Government money be retained to await your Lordship's final instructions. I am induced to request your Lordship will assume this duty, for the following reasons, which, in my opinion, would make it a very difficult task for the head of the local Government.

The natural anxiety of the unfortunate sufferers by the late fire to obtain relief, has, under the influence of the liberal aid afforded to us, grown into a demand, the tendency of which appears to be of a demoralizing character. An idea is very generally prevalent that as long as any money remains of public or private grants, the sufferers, whether in poverty or not, have a right to it; and this has led many to be applicants, who, in the first instance, did not think of it.

The consequence is that those who have been relieved yet look for more; and those who have not yet received, but think they have a right to do so, form a most powerful combination, comprising a large portion of the inhabitants of St. John's.

The merchants, and others of the better classes, would, I believe, with a few exceptions, be glad if a portion of the grant were reserved for public purposes. Our pecuniary prospects are of a very painful character; the fearful distress in the out-ports of the colony will absorb a large sum of money, and the revenue for the quarter ending in October, notwithstanding the necessity of replacing many articles liable to duty which were burnt, fell considerably short of that of the corresponding quarter of the previous year. So that we have the colony suffering most severely, and the relief fund, with its present and prospective receipts, most flourishing.

Under these circumstances, I trust that I may receive from your Lordship the direction that I retain the balance of the Government grant now in the commissariat chest to await your Lordship's further instructions.

I have, &c.

(signed) *Robert Law.*

— No. 45.—

No. 45.
Earl Grey to the Officer administering the Government of Newfoundland, 23 December 1846.

(No. 55.)

COPY of a DESPATCH from Earl *Grey* to the Officer administering the Government of Newfoundland.

Sir, Downing-street, 23 December 1846.

I HAVE received your despatch, No. 25,* of the 26th November, bringing under my notice the state of the funds for the relief of the sufferers by the fire at St. John's, Newfoundland, at present in the hands of the local Government and in those of the Relief Committee.

Under the circumstances stated by you, I feel no difficulty in complying with your request, by authorizing you to retain in your hands the remaining portion of the Government fund, amounting to the sum of 15,000 *l.*, until you shall receive my final instructions for its appropriation.

I have, &c.
(signed) *Grey.*

* Page 52.

— No. 46.—

No. 46.
The Lord Bishop of Newfoundland to Earl Grey. 17 December 1846.

COPY of a LETTER from the Lord Bishop of *Newfoundland* to Earl *Grey*.

My Lord, 26, Bury-street, 17 December 1846.

I HAVE the honour to communicate to your Lordship the following intelligence, received this day from St. John's, Newfoundland, which seems of importance, as well generally as in reference to the particular case on which I have had occasion to trouble your Lordship.

"The payment of an instalment to those whose losses exceed 500 *l.* has been determined on by the Relief Committee, at the same rate of 10 *l.* per cent., at which sufferers from that amount downwards have already been compensated.

"And as some of those whose losses are less than 500 *l.* are in great difficulties, it is intended to assist them further with not more than an additional 5 *l.* per cent., the maximum of relief to be 300 *l.* The 10 *l.* per cent. will consume about 10,000 *l.*, and the Committee have at their disposal upwards of 11,000 *l.* of private subscriptions. The second instalment of 5 *l.* per cent. or less to losers of 500 *l.* or less, will require about 4,000 *l.* or 5,000 *l.* currency; so that even of the Government grant there will be a large balance, exclusive of the Queen's Letter collections."

I earnestly hope the despatches addressed officially to your Lordship may be of a similar nature, and enable your Lordship to appropriate the sum for rebuilding the Episcopal church without delay, that I may make the necessary arrangements before my departure.

I may be pardoned, I trust, in a matter of so much importance to myself and my friends, if I respectfully remind your Lordship that two objects were mentioned in the petition for the Queen's Letter, viz., the relief of the sufferers, and the rebuilding of the Episcopal church; the former of those objects has been provided for by the remittance of nearly 15,000 *l.* from the collections; surely the residue ought in reason and justice to be applied to the latter. It was the wish of the petitioners, and a declaration was made to the clergy that a much larger portion should be so applied.

I have, &c.
(signed) *Ed. Newfoundland.*

— No. 47.—

No. 47.
Earl Grey to the Officer administering the Government of Newfoundland. 25 December 1846.

(No. 57.)

COPY of a DESPATCH from Earl *Grey* to the Officer administering the Government of Newfoundland.

Sir, Downing-street, 25 December 1846.

WITH reference to my despatch, No. 55, of 23d instant, I transmit for your information and guidance the copy of a letter I have addressed to the Bishop of Newfoundland respecting the appropriation of the fund collected under the authority of the Queen's Letter for the relief of the sufferers by the fire at St. John's; and, in accordance with the terms of that letter, I have to authorize you to reserve one-half of the total amount of these collections, to be applied to the rebuilding of the church of St. John.

I have, &c.
(signed) *Grey.*

22 December 1846.

Enclosure in No. 47.

My Lord, Downing-street, 22 December 1846. Encl. in No. 47.

In reply to your Lordship's letter of the 17th instant, I have to acquaint you that I have, by the last mail, received a despatch from the acting Governor of Newfoundland, to the same effect as the statement contained in your letter, and that, under these circumstances, as I am aware that the parties who applied for the Queen's Letter did mention the rebuilding of the church of St. John as one of the objects for which the collection was desired, and also that it was one particularly referred to by many clergymen in their sermons preceding the collection, I shall think it right to direct the Governor to reserve for this purpose one-half of the total amount of the collections.

I have, &c.
(signed) *Grey.*

To the Right Rev.
The Lord Bishop of Newfoundland.

— No. 48. —

(No. 27.)

Copy of a DESPATCH from Lieutenant-Colonel *Law*, administering the Government of Newfoundland, to Earl *Grey*.

No. 48.
Lieut.-Col. Law to Earl Grey.
10 December 1846.

Government House, Newfoundland,
My Lord, 10 December 1846.

I have the honour to acknowledge the receipt of your Lordship's despatch of the 17 November, No. 42,* on the subject of a portion of the funds raised by the subscriptions from the Queen's Letter being appropriated to the rebuilding of the parish church.

* Page 46.

I have little doubt that nearly every disinterested person in the colony would agree in the propriety of such an appropriation, but, for the reasons detailed in my despatch to your Lordship, No. 25,† of the 26th ultimo, I would most respectfully beg leave to suggest that your Lordship should direct that a certain proportion of the fund in question, either one-third or one-fourth, be devoted to the reconstruction of the church.

† Page 52.

Such a proceeding on the part of the local Government might lead to complaint, whilst, as your Lordship's act, it would not, in my opinion, meet with any objection.

With reference to the concluding part of your Lordship's despatch, I beg to state that the Right Reverend the Lord Bishop of London is in error in stating that there is not a member of the Church of England on the Relief Committee, as the rector of the parish and several of the principal members of that church are on this Committee. The body to which his Lordship must have alluded was the Board of Commissioners (consisting of six) appointed by Sir John Harvey, on which, I believe entirely by accident, there was no Protestant Episcopalian, but which Board has discharged its arduous duties in such a manner as to give general satisfaction.

I have, &c.
(signed) *Robert Law.*

— No. 49. —

Copy of a LETTER from Earl *Grey* to the Lord Bishop of *London*.

No. 49.
Earl Grey to the Lord Bishop of London.
8 January 1847.

My Lord, Downing-street, 8 January 1847.

With reference to the letter which I had the honour to receive from your Lordship on the 13th of November last, relative to the appropriation of a portion of the funds collected under the authority of the Queen's Letter to the rebuilding of the church of St. John's, Newfoundland, I transmit for your information an extract from a despatch which I have received from the officer administering the government of that colony, from which your Lordship will perceive that the rector of the parish of St. John's and several members of that church are on the Relief Committee to whom the distribution of the funds in question is entrusted.

No. 27.
10 Dec. 1846.

I have, &c.
(signed) *Grey.*

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No. 50.
Lieut.-Col Law to Earl Grey.
10 December 1846.

— No. 50. —

(No. 28.)

COPY of a DESPATCH from Lieutenant-Colonel *Law*, administering the Government of Newfoundland, to Earl *Grey*.

Government House, Newfoundland,
10 December 1846.

My Lord.

I HAVE the honour to forward herewith to your Lordship a copy of the speech with which on the 1st instant I opened the sixth session of the General Assembly of this island, together with the address of the House in answer thereto, and my reply.

I have, &c.
(signed) *Robert Law.*

Enclosure in No. 50.

(Extract.)

Encl. in No. 50.

SPEECH of his Honor the Administrator of the Government on opening the Sixth Session of the Third General Assembly, 1st December 1846.

Mr. Speaker, Honourable Gentlemen, and Gentlemen,

IN the expectation of the early arrival of our Governor, and with the knowledge that the season at which I have called you together may to some prove an inconvenient one, I should have abstained from assembling you on this occasion could I have done so consistently with what I deem my duty; but the pressing necessities of the poor of the outports, arising out of the various calamities with which the colony has been afflicted during the present year,—the apparent necessity of some amendments in the St. John's Building Act, and the fact that, according to the opinion of the law officers of the Crown, the present Assembly (which has been continued in its amalgamated form by an Act of the Imperial Parliament) cannot, under the operation of the Quadrennial Act, sit after the 14th of next month, render it indispensable that I should have recourse to your counsel and advice at the earliest possible period.

I shall cause to be laid before you statements of the sums expended for the relief of distress originating in deficient seal and cod fisheries, as also in a partial failure in the potato crop; together with a report by a Committee of the Council on claims induced by the destructive ravages of the tempest of the 19th of September last.

I have directed a Bill to be prepared introducing such amendments as are deemed advisable in the St. John's Building Act. To a subject so important it is unnecessary to request your earnest attention; and it appears to me that whilst the great object to be attained, at whatever cost, is the re-construction of this city of materials of an incombustible and permanent nature, our financial condition unfortunately does not admit of an extensive expenditure for alterations or improvements of an ornamental character.

I must also call your attention to the absence of any Act for the re-establishment of fire companies in this community, than which nothing is of more paramount importance.

Since the awful calamity of the 9th June, two superior fire engines, the gift of the Phœnix Insurance Company, attached *pro tempore* to the garrison, together with those belonging to Government, have been our only resource; but if to these, others worked by equally efficient and well-organized bodies, were added, as also an auxiliary, in the shape of a powerful floating fire engine, stationed on the harbour, and available at all times for the extinction of fire on the water-side premises, or to afford to other engines a constant supply of water, coupled with the establishment of the projected water company, I conceive that we shall, so far as human precaution goes, have not only provided against the repetition of such a frightful visitation, but that the heavy premiums now demanded on insurance may, in consequence of the increased security, be materially reduced.

* * * * * * * * * *

Copies of despatches from the Right honourable the Secretary of State for the Colonies, upon various subjects of interest, amongst which is one disallowing the Act for raising a loan to be guaranteed by the Imperial Government, will be laid before you.

I cannot deny myself the gratification of expressing, on this occasion, my deep sense of gratitude, in which I am sure you will warmly participate, towards the parent Government, as well as to the other generous donors of the munificent contributions which have been remitted for the relief of the sufferers of this city, and which have afforded support and comfort to many poor and drooping families. The sums of money so received and applied, in conjunction with the existing high rate of wages to mechanics and labourers, have tended much to abate the demands which would otherwise have been made upon the Government for the relief of the poor of this district, and which, notwithstanding, I regret to say, have been considerably increased as compared with former years.

* * * * *

ADDRESS of the Assembly, in reply.

* * * * *

PASSED as the St. John's Building Act was, upon the pressing exigency of the occasion, without sufficient time being afforded for such consideration as their importance deserved of the details of an Act in itself voluminous and difficult, we are not surprised that alterations in some of its provisions should have been found necessary; and we shall endeavour, during the present Session, to render it as perfect as possible, by the adoption of such amendments as the intended permanency of its operation, and the great extent, importance, and variety of the interests involved in its enactments, certainly require.

The providing, by the establishment and maintenance of efficient fire companies, of some means for the preservation of the town from fire, other than such as are found in the proper regulation of the structure of the buildings, is a subject which shall engage our early attention; and we coincide in the views expressed by your Honor as to the mode in which an end so desirable can best be attained.

* * * * *

There is, we trust, but little necessity for the assurance, that we do indeed feel with your Honor deeply grateful for the assistance afforded us under our great calamity of the 9th of June last, by the munificent donations of the mother country, and of our sister colonies, donations the more highly valued from the sincere expressions of heartfelt sympathy in our distress with which they were invariably accompanied.

— No. 51. —

(No. 58.)

No. 51.
Earl Grey to the Officer administering the Government of Newfoundland.
2 January 1847.

COPY of a DESPATCH from Earl *Grey* to the Officer administering the Government of Newfoundland.

Sir, Downing-street, 2 January 1847.

WITH reference to my despatch, No. 57, of 25th ultimo, respecting the appropriation of the funds collected under the Queen's Letter for the relief of the sufferers by the fire at St. John's, I have now to instruct you that that portion of the contributions which I directed to be appropriated to the rebuilding of the church of St. John should only be drawn for from time to time as funds may be required for the purpose.

I have, &c.
(signed) *Grey.*

— No. 52. —

(No. 61.)

No. 52.
Earl Grey to the Officer administering the Government of Newfoundland.
19 January 1847.

COPY of a DESPATCH from Earl *Grey* to the Officer administering the Government of Newfoundland.

Sir, Downing-street, 19 January 1847.

FOR your own information, and for the information of the Bishop of Newfoundland, I transmit to you the accompanying copy of a correspondence which has taken place between this department and the office of the Lords Commissioners of Her Majesty's Treasury, respecting the investment of the sums received on account of the relief subscriptions under the Queen's Letter, and respecting the latest receipts on that account at the Bank of England.

I have, &c.
(signed) *Grey.*

Enclosure 1, in No. 52.

Sir, Downing-street, 2 January 1847.

I AM directed by Earl Grey to transmit to you, for the consideration of the Lords Commissioners of the Treasury, an extract from a letter addressed to his Lordship by the Bishop of Newfoundland, on the subject of the subscriptions collected under the Queen's Letter for the relief of the sufferers by the fire at St. John's, Newfoundland. Lord Grey has directed the officer administering the Government to appropriate one-half of the total amount thus collected to rebuilding the church of St. John's; and I am to request you will state to the Lords Commissioners that it would, in Lord Grey's opinion, be advisable that, in conformity with the Bishop's suggestion, this portion of the fund should only be drawn for in the colony as it is wanted to pay for the work, and that in the meantime it should, if possible, be temporarily invested, so as to bear interest.

Encl. 1, in No. 52.
29th Dec.

I have, &c.
C. E. Trevelyan, Esq. (signed) *J. Stephen.*

Enclosure 2, in No. 52.

Encl. 2, in No. 52.

My Lord, 26, Bury-street, 29 December 1846.

As I intend to leave for Newfoundland by the next steamer, I would respectfully beg to be informed by whom and in what way the money for the church in St. John's shall be drawn.

If it be necessary that the total amount should pass through the Governor's hands, I can of course make no objection; but there are several reasons why it might with more advantage be retained in this country; among others, that it might bear interest while the work is in progress.

I presume the collections have now been generally made, and your Lordship may be able to inform me what the half will amount to, which would be all I should need to enable me to choose my plans, or to leave necessary directions. I reckon upon nearly 15,000 *l.*

I should feel grateful for the honour of an interview before my departure, either to-morrow or Thursday, at any hour your Lordship will kindly name.

I have, &c.

The Right hon. Earl Grey. (signed) *E. Newfoundland.*

Enclosure 3, in No. 52.

Encl. 3, in No. 52.

My Lord, Downing-street, 2 January 1847.

I HAVE the honour to acquaint you, in reply to your Lordship's letter of the 29th ultimo, that the Commissary on the Newfoundland station was authorized, on the 30th October and the 24th November last, to pay over to the local Government the respective sums of 14,917 *l.* 14 *s.* 6 *d.* and 11,436 *l.* 3 *s.* 9 *d.*, on account of the subscriptions collected under the Queen's Letter for the relief of the sufferers by the fire at St. John's, and that a further sum of 2,379 *l.* 2 *s.* 10 *d.* has since been received by the Lords Commissioners of the Treasury, and is now available in this country.

It appears, from inquiries which I have caused to be made at their Lordships' office, that, with the exception of any liabilities which may have been incurred in the colony, there is probably the whole of this sum in hand, the Commissary on the station not having had the means, it is supposed, of issuing any portion of it.

I shall endeavour to meet your Lordship's wishes as to the retention in this country until it is wanted of that part of the produce of the collection which is to be set apart for rebuilding St. John's church.

I have, &c.

To the Right Rev. (signed) *Grey.*
The Lord Bishop of Newfoundland.

Enclosure 4, in No. 52.

Encl. 4, in No. 52.

Sir, Treasury Chambers, 13 January 1847.

WITH reference to your communication, dated the 2d instant, I am commanded by the Lords Commissioners of Her Majesty's Treasury to request you will state to Earl Grey, that my Lords having, as his Lordship is aware, already authorized the Commissary in Newfoundland to pay over, upon requisitions from the Governor of the colony, the whole of the sums received on account of the relief subscriptions under the Queen's Letter up to the 21st November last, amounting to 26,353 *l.* 18 *s.* 3 *d.*, defer giving any directions respecting the investment suggested by the Bishop of Newfoundland until they shall have been apprised of the extent to which the Governor may have availed himself of the credit thus given to him on the commissariat chest in the colony.

I am further to request you will state to Lord Grey, that an additional amount of 2,784 *l.* 17 *s.* 1 *d.* has been received at the Bank of England on account of the subscriptions in question, which will be subject to deduction for expenses of postage on the communications to and from the clergy throughout the country relating to the Queen's Letter, but that my Lords will await the receipt of information regarding the proceedings in the colony, in the respect above adverted to, before they give any further directions for the disposal of the residue of the subscription fund.

I am, &c.

James Stephen, Esq. (signed) *C. E. Trevelyan.*
&c. &c. &c.

— No. 53. —

(No. 38.)

No. 53.
Lieut.-Col. Law to Earl Grey. 28 January 1847.

COPY of a DESPATCH from Lieut.-Colonel *Law*, administering the Government of Newfoundland, to Earl *Grey*.

Government House, St. John's, Newfoundland,
28 January 1847.

My Lord,

I HAVE the honour to transmit for your Lordship's information a copy of the speech with which on the 14th instant I closed the final session of the General Assembly of this Island.

I have, &c.
(signed) *Robert Law.*

Enclosure in No. 53.

Encl. in No. 53.

EXTRACT from Lieut.-Colonel *Law*'s Speech on closing the Session of the General Assembly.

I TRUST that the Act for amending the St. John's Building Act, whilst providing security against the fearful element by which this city has been destroyed, will be found to involve much less of cost in its operation than the previously existing law.

COPIES of CORRESPONDENCE between the Secretary of State for the Home Department and the Committee for raising Subscriptions for the Relief of the Distress occasioned by the Fire at *St. John's, Newfoundland.*

— No. 54. —

No. 54.
Petition from Committee for Relief of Sufferers at Newfoundland to Her Majesty.

COPY of a PETITION from the Committee for the Relief of the Sufferers at the late Conflagration at *St. John's, Newfoundland*, to Her Majesty.

To the QUEEN'S most Excellent MAJESTY.

The dutiful Petition of the undersigned Members of a Committee appointed at a Public Meeting in London on the 15th instant, to promote Subscriptions in aid of the Sufferers by the late Conflagration at St. John's, Newfoundland. The Right honourable the Lord Mayor in the Chair.

Most humbly showeth,

THAT on the 9th day of last month a fire broke out at St. John's, the capital of Your Majesty's most ancient colony of Newfoundland, which, notwithstanding the most strenuous efforts of the inhabitants, assisted by the local authorities and the garrison, destroyed nearly the whole of the town, including all the mercantile establishments, except one, many of the public buildings, and the episcopal church, leaving upwards of 10,000 persons houseless and destitute.

That owing to the large destruction of property, estimated at a million sterling, no adequate means existed on the spot to afford relief in a case of such general suffering and distress, and that it is of the utmost importance that

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prompt assistance should be afforded before the approach of winter overtakes the inhabitants in a state of extreme destitution.

Your Majesty's Petitioners therefore most humbly pray, that Your Majesty will be graciously pleased to command that a collection may be made in all churches and chapels for the relief of the sufferers, and for rebuilding the episcopal church.

And Your Majesty's petitioners, as in duty bound, will ever pray.

(signed) *John Johnson*, Mayor.

(*Here follow other Signatures.*)

Committee-room, 11, Leadenhall-street,
27 July 1846.

Sir G. Grey to Committee for Relief of Sufferers at Newfoundland.

COPY of a LETTER from the Right honourable Sir *George Grey*, Bart., to the Committee for the Relief of the Sufferers at the late Conflagration at *St. John's, Newfoundland.*

My Lord, and Gentlemen, Whitehall, 6 August 1846.

I HAVE laid before the Queen your petition praying that Her Majesty would be pleased to issue Her Royal Letters for a collection for the relief of the sufferers by the recent calamitous fire at St. John's, Newfoundland, and I have the satisfaction of acquainting you that Her Majesty has been graciously pleased to consent thereto, and that the necessary instruments will be forthwith issued for that purpose.

I have, &c.
(signed) *G. Grey.*

— No. 55.—

No. 55. Lieut.-Col. Law to Earl Grey. 27 January 1847.

(No. 34.)

COPY of a DESPATCH from Lieutenant-Colonel *Law*, administering the Government of Newfoundland, to Earl *Grey*.

Government House, Newfoundland, 27 January 1847.
(Received, 17 March 1847.)

My Lord, (Answered, 22 March 1847, No. 65, page 61.)

I HAVE the honour to acknowledge the receipt of your Lordship's despatch, No. 55,* of 23d December, directing me to retain 15,000*l.* of the remaining portion of the Government Fund granted for the relief of the sufferers by fire, for your Lordship's final instructions for its appropriation.

* Page 54.

I have already brought under your Lordship's notice the general state of suffering to which the people of this colony have been reduced by the failure of the fisheries, the partial destruction of their potatoes, and the severe effects of the tempest of the 19th September last, to which has been added great injury to the remaining potatoes by an unusually severe frost. I felt it my duty to extend relief on my own responsibility, before the meeting of the Legislature, to many of these sufferers; and I requested the House when in session, to place at my disposal a further sum of 1,500*l.* for this purpose. The House, in reply, requested me to expend any additional amount I thought necessary, not exceeding 6,000*l.*; and the demands, of themselves sufficiently urgent before this appropriation, were much increased when it became known. I have, however, been enabled to confine the expenditure, including that portion made previously to the meeting of the House, to the grant of 6,000*l.*

As a considerable part of this distress was occasioned indirectly by the fire in the capital, which, by limiting the means of the merchants, prevented them furnishing the usual supplies to their dealers in the outports for the winter; and as our revenue is not at this time in a condition to meet any extraordinary demands on it, I have ventured to transfer to the treasury of this colony 6,000*l.* of the Government Fund which your Lordship has directed to be reserved subject to your Lordship's approval, which I earnestly trust I may have the honour of

of receiving; as I can assure your Lordship that nothing but the fear of the colony being involved in pecuniary difficulties would have induced me to take this step without having previously obtained your Lordship's sanction.

I have, &c.
(signed) *Robert Law.*

— No. 56. —

(No. 65.)

COPY of a DESPATCH from Earl *Grey* to the Officer administering the Government of Newfoundland.

No. 56.
Earl Grey to the Officer administering the Government of Newfoundland.
22 March 1847.

Sir, Downing-street, 22 March 1847.

I HAVE to acknowledge the receipt of your despatch, No. 34,* of the 27th January, in which you report the circumstances which have induced you to transfer to the local treasury the sum of 6,000*l.* from the Parliamentary grant, in repayment of an advance which you had been compelled to make, to relieve the distress prevailing in Newfoundland amongst the indigent class of the community.

Although I cannot but regret the necessity which obliged you to draw upon the fund which I had especially instructed you to reserve for other purposes, I will not withhold my sanction from the step which you have taken, concluding that the circumstances of the colony left you no alternative.

* Page 60.

I have, &c.
(signed) *Grey.*

— No. 57. —

(No. 50.)

COPY of a DESPATCH from Lieutenant-Colonel *Law*, administering the Government of Newfoundland, to Earl *Grey*.

No. 57.
Lieut.-Col. Law to Earl Grey.
1 March 1847.

Government House, Newfoundland, 1 March 1847.
(Received, 16 April 1847.)
(Answered, 1 May 1847, No. 7, page 63.)

My Lord,

I DO myself the honour to transmit herewith, at the request of the Roman Catholic Bishop of Newfoundland a letter addressed by him to your Lordship on the subject of the losses sustained by him and his flock in consequence of the destructive ravages of the fire of the 9th June last, and requesting your Lordship's favourable consideration towards granting him such pecuniary aid for the reconstruction of the convent and school-house referred to, as to your Lordship may seem meet. 26 February 1847.

The losses sustained by Dr. Fleming on the occasion referred to were certainly most severe, and will doubtless tend to retard the education of the Roman Catholic children of this community until these buildings shall have been restored, towards which the Legislature of this colony in its late session voted the sum of 500*l.*; but as that amount is totally inadequate for the purpose, I beg to submit the Bishop's request for your Lordship's decision thereon.

I have, &c.
(signed) *Robert Law.*

Enclosure in No. 57.

Episcopal Residence, St. John's, Newfoundland,
26 February 1847.

My Lord,

PRESUMING on the kind feelings and warm sympathy repeatedly expressed by your Lordship, and not only expressed, but well testified by your Lordship's acts towards the sufferers by the fire which so lately desolated this town, I beg leave to solicit your Lordship's attention while I trespass upon your Lordship with a detail, as brief as possible, of the circumstances under which I labour, or rather, through me, the female poor of St. John's, and to pray your Lordship to take the circumstances under your kind consideration. Encl. in No. 57.

In 1839, I was, from the humble condition of a curate here, which office I had endeavoured to discharge for several years, raised to the episcopacy, and at all times solicitous

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for the promotion of education, it had, during the whole period of my missionary labours, been a source of affliction to me that there was not in the colony a school exclusively for females, but that in every one both sexes were indiscriminately huddled together in a manner greatly calculated to endanger the virtue of both.

To the remedying this evil was my earliest attention bestowed on reaching the vicariat; but as a considerable outlay was necessary, and as I had no means of accomplishing my object but by reducing my expenditure even below what had been my wont during my curacy, four years elapsed before my savings enabled me to lay the foundation of an institution that was destined to bestow a moral, a virtuous, a religious education to the female poor of the country, and in 1833 I established a convent of the order of the Presentation, bringing out eight professed nuns of that order from Ireland, ladies of family and of superior education, who sacrificed their country and their kindred to serve the poor of Newfoundland.

From the moment they left their convent in Ireland, all their expenses were defrayed by me alone, and on their landing I built a school-house for them that cost me nearly 500 *l.*, but as the place that then offered for them was not eligible in situation, and a more suitable one shortly after offered, I removed them in a few months, and had to build a new school-house, and here they remained up to a recent period.

Both of these places had been subject to an exorbitant rent, and I was long desirous of giving the institution more permanency of character, and of relieving myself at the same time from the heavy burthen of this rent; for which purpose I purchased a piece of ground in the rear of the town, and commenced the erection of a very beautiful and extensive dwelling, to which I also built a school-house to accommodate 2,000 children, and in 1845 I was able to introduce the pious teachers to their habitation, where, from its extreme isolated position, I had every reason to hope for their security; and these buildings, including the purchase fee for the ground, cost about 5,000 *l.*

My Lord, the desolating fire of the 9th of June swept away these buildings, which had been regarded as the great embellishments of our town, and drove from their peaceful home, without a moment's notice, eight ladies whose lives had been devoted to the instruction of the poor, and deprived 2,000 children of all means of education.

I am aware, my Lord, that through the charitable feeling of Her Majesty a sum of money has been collected for the re-erection of the Protestant church, which has also been consumed, and for the relief of the sufferers by this fire, and it is generally understood here, that of this sum one-half, being about 14,000 *l.*, has been placed for the former purpose in the hands of his Lordship the Right Rev. Dr. Field, while the remainder has been placed at your Lordship's disposal; and it is for this reason that an humble hope has been awakened within me, that my prayer in behalf of the female poor of St. John's will not be unavailing, when it is taken into consideration, that of all the religious establishments in this town two only have been destroyed, the one an unsightly building, condemned as unsuited to its purpose, and the whole materials of which were not worth 200 *l.*; the other, one of recent construction, admitted by all to be an edifice truly beautiful, and which, with the schools adjacent, cost nearly 5,000 *l.*: the one belonging to a congregation which includes almost all the mercantile community, the officers of the Government, and indeed, with one or two exceptions, all the men of wealth in the island; the other belonging to a congregation of humble fishermen, at present in a state of pauperism.

This institution, my Lord, has been now 14 years in existence, and has already sent abroad into the world not fewer than 7,000 young women, with well-informed and virtuous minds, to fill the social offices of wife and mother and servant. It has cost me, from the first day those pious ladies left their parent house in Galway, including the expense of the erection of the house and schools last alluded to, nearly 8,000 *l.*, and by the fire I lost not only all my furniture and library and plate, together with altar furniture and habiliments (only a few weeks previously imported, for the chapels of the whole island, at a cost of 900 *l.*), together with all the funds reserved for the prosecution of the works of my cathedral, a building not second in elegance of design and beauty of construction to any in British North America; and it is under these distressing circumstances, my Lord, I presume to present my prayer, that your Lordship would deign, in your appropriation of any money that may be at your Lordship's disposal on account of the fire, to devote such sum as your Lordship may deem advisable, to enable me to supply the poor of my congregation their great loss, and to enable the ladies of this institution to continue their services to the public in an efficient manner.

The population of St. John's, my Lord, is now nearly double what it was when they first commenced their labours, being upwards of 22,000, and not only in St. John's, but throughout the island. The Government of England have never expended a shilling in the education of the people, rich or poor; surely then, my Lord, it is not unreasonable if I, with the deepest respect and in all the humility of sad suffering, pray your Lordship to extend here a kind and helping hand to enable me once more to open a school, to which no fewer than 3,000 children are now in vain looking for instruction; for, believe me, so reduced are my own means by my own personal losses, that I am unable to do so, and I therefore throw myself on your Lordship's consideration.

I have, &c.

(signed) + *Michl. Anthony Fleming*,
Roman Catholic Bishop.

The Right hon. the Earl Grey,
&c. &c. &c.

— No. 58.—

(No. 7.)

No. 58.
Earl Grey to Governor Sir G. Le Marchant.
1 May 1847.
* Page 61.

COPY of a DESPATCH from Earl *Grey* to Governor Sir *G. Le Marchant*.

Sir, Downing-street, 1 May 1847.

I HAVE to acknowledge the receipt ofColonel Law's despatch, No. 50,* of 1st March last, transmitting a letter from the Roman Catholic Bishop of Newfoundland, in which he requests that some pecuniary aid may be granted towards rebuilding the convent and school-house, which were destroyed in the late fire at St. John's.

You will express to Dr. Fleming my regret that it is not in my power to accede to his application. The only ground upon which I thought it right to order that half of the collection under the Queen's Letter should be applied to rebuilding the Protestant church was, that this money had been raised by a collection from members of the same church in this country, and it appeared clearly to have been the desire and expectation of the donors, that a part of their contribution should be so applied. No such reason can be assigned for ordering the application of any part of the money still in hand in the manner desired by Bishop Fleming; if, however, upon considering how the sum reserved ought to be applied, you should think it proper to recommend that a portion of that which is intended for the restoration of the public buildings, should be applied in rebuilding the Catholic school, I am not aware of any reason for objecting to such an appropriation of the money.

I have, &c.
(signed) *Grey*.

— No. 59.—

(No. 10.)

No. 59.
Earl Grey to Governor Sir G. Le Marchant.
18 May 1847

COPY of a DESPATCH from Earl *Grey* to Governor Sir *G. Le Marchant*.

Sir, Downing-street, 18 May 1847.

MR. J. O'CONNELL has communicated to me a letter received by him from the Roman Catholic Bishop of Newfoundland, in which I find the following statement respecting the Protestant church at St. John's, which was destroyed in the late fire at that place:

"The older church of the Episcopalians was burned, but it had long been condemned, and the erection of a new one had been determined on even before the appointment of Dr. Field, the Protestant Bishop, and this house that was burned was not intrinsically worth 200 *l.* Her Majesty's benevolence induced her to issue her Letter to the people of England for the relief of the sufferers, and some 29,000 *l.* were raised upon its influence, and of this sum, the wealthy Protestants, for the loss of their church, not worth 200 *l.*, have got 14,000 *l.* placed in the hands of their Bishop to replace this loss."

You will ascertain and report to me to what extent the information received by Bishop Fleming, and by him transmitted to Mr. O'Connell, is accurate or erroneous, and you will afford to the Bishop of Newfoundland every necessary opportunity for controverting or correcting Bishop Fleming's statements.

I have, &c.
(signed) *Grey*.

— No. 60.—

(No. 52.)

No. 60.
Lieut.-Col. Law to Earl Grey.
1 March 1847.

COPY of a DESPATCH from Lieut.-Colonel *Law*, administering the Government of Newfoundland, to Earl *Grey*.

Government House, Newfoundland, 1 March 1847.
(Received, 16 April 1847.

Answered { 10 May 1847, No. 9, page 64.
26 May 1847, No. 16, page 64.

My Lord,

WITH reference to your Lordship's despatch of the 19th January, No. 61,† I have the honour to apprise your Lordship for the information of the Lords of the Treasury, that no part of that portion of the collection under the Queen's

† Page 57.

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Letter, which is to be expended in the reconstruction of the Protestant cathedral, has been drawn for.

I have the honour to inform your Lordship that the Lord Bishop of Newfoundland is desirous that, of the sum so applied, 10,000 *l.* should be invested, as his Lordship will have occasion to draw for the remainder to defray the current expenses of the building during the approaching summer.

I have, &c.
(signed) *Robert Law.*

— No. 61.—

No. 61.
Earl Grey to Governor Sir G. Le Marchant. 10 May 1847.

(No. 9.)

COPY of a DESPATCH from Earl *Grey* to Governor Sir *G. Le Marchant.*

Sir, Downing-street, 10 May 1847.

I HAVE the honour to acquaint you, with reference to your despatch, No. 52, of 1st March, that the Lords Commissioners of Her Majesty's Treasury have, in compliance with the wish expressed by the Bishop of Newfoundland, given directions for the purchase of Exchequer bills to the amount of 10,000 *l.*, and for the deposit of the same at the Bank of England, in the joint names of William Sargent, Esq., Paymaster of Civil Services, and Peter Smith, Esq., Chief Clerk of this office, as trustees of a fund to be set apart for rebuilding the church at St. John's, Newfoundland.

I have, &c.
(signed) *Grey.*

—No. 62.—

No. 62.
Earl Grey to Governor Sir G. Le Marchant. 26 May 1847.

(No. 16.)

COPY of a DESPATCH from Earl *Grey* to Governor Sir *G. Le Marchant.*

Sir, Downing-street, 26 May 1847.

WITH reference to my despatch, No. 9, of 10th May, I have to acquaint you that the Lords Commissioners of Her Majesty's Treasury have apprised me that the purchase of Exchequer bills for 10,000 *l.* as a fund to be set apart for rebuilding the church at St. John's, Newfoundland, has been effected, and that a sum of 6,771 *l.* 3 *s.* 7 *d.* out of the amount which had previously been placed at the disposal of the Local Government, through the commissariat chest on the station, has been applied to this purpose, reducing by so much the amount you are authorized to draw from that chest.

I have, &c.
(signed) *Grey.*

—No. 63.—

No. 63.
Lieut.-Col. Law to Earl Grey. 20 April 1847.

(No. 60.)

COPY of a DESPATCH from Lieutenant-Colonel *Law*, administering the Government of Newfoundland, to Earl *Grey.*

Government House, Newfoundland, 20 April 1847.
(Received, 15 May 1847.)

My Lord, (Answered, 21 May 1847, No. 12, page 65.)

I HAVE the honour to transmit to your Lordship, to be laid at the foot of the Throne, the accompanying petition to Her Majesty from certain inhabitants of this colony, who state themselves to have been sufferers by the fire of the 9th of June last, praying that no portion of the sum granted by Parliament, or of that raised by Her Majesty's Letter for the relief of those who suffered by that fire, should be diverted to any other purpose than the relief of such suffering.

In transmitting this petition, I feel it to be my duty to state to your Lordship, that I have always understood that the class of persons to which the far greater number of its subscribers belong, have not only received a very large proportion of the relief which has been distributed, but, in many instances, more than the loss actually sustained; and this opinion will, I believe, be supported by the record of the proceedings of the Relief Committee; and I would also state, in addition to the ordinary

ordinary occupations of the colony, the extensive employment which will be given during the approaching summer, by rebuilding of the city, will tend to place industrious mechanics and labourers in a better position than that in which they were previous to the fire.

It is unnecessary for me to remark to your Lordship on the facility with which petitions of this character are got up where the signatures, as in the present instance, are written by a comparatively small number of persons, and many whose names are attached are probably in entire ignorance of the nature of the document to which they are so appended; and I must also observe, that they consist almost entirely of Roman Catholics.

I beg to apprise your Lordship that a sum of about 8,000 *l.* sterling remains at the disposal of the Local Government for the relief of the sufferers by the fire, and will be dispensed as circumstances may make it necessary.

I have, &c.
(signed) *Robert Law.*

Enclosure in No. 63.

To the QUEEN'S most Excellent MAJESTY.

May it please your Majesty,

The Petition of your Majesty's dutiful and loyal subjects, sufferers by the Fire of 9th June, in *Newfoundland*, Encl. in No. 63.

Humbly showeth,

THAT your Majesty's petitioners are impressed with the deepest sentiments of loyalty and devotion for your Majesty's throne and person.

That your Majesty's petitioners are further impressed with feelings of the most profound gratitude for the extension of your Majesty's royal bounty to us in our great distress, by the munificent grant out of the Imperial Treasury of 30,000 *l.*, as also for the large sums raised by virtue of your Majesty's letter patent addressed to the churches.

That it is with feelings of surprise that your petitioners understand, that a part of the Imperial grant (believed to be solely intended for the sufferers), with a part of the funds raised by virtue of your Majesty's letter patent, is to be applied to the purposes of erecting public buildings in this town as contemplated by the authorities who have the power of distributing these charitable funds, to the great disappointment of your Majesty's still suffering subjects by that dreadful calamity.

That your Majesty's petitioners, were subject to a great many privations and wants since the event of that catastrophe, principally owing to the nature of the temporary erections they were obliged to build, in many instances being previous to the inclemency of the weather, during an unusually cold winter, coupled with the very high price of provisions.

That your Majesty's petitioners, who are in the expectation of receiving further relief from the munificent funds at the disposal of the Government here, are dismayed to find that a large portion of them is to be applied to purposes foreign to the intentions of your most gracious Majesty and the donors.

And, therefore, your Majesty's petitioners most humbly implore that your most gracious Majesty will take into your royal consideration petitioners' sufferings, and be graciously pleased to grant your royal order, that the aforesaid sums shall be solely applied to the purposes for which your Majesty's petitioners believe they were originally intended, thereby affording that relief to your Majesty's suffering petitioners which they so much require.

And your petitioners, as in duty bound, shall ever pray

St. John's, Newfoundland, 26 March 1847.

—No. 64.—

(No. 12.)

No. 64.
Earl Grey to Governor Sir G. Le Marchant.
21 May 1847.
* Page 64.

COPY of a DESPATCH from Earl *Grey* to Governor Sir *G. Le Marchant.*

Sir, Downing-street, 21 May 1847,

I HAVE to acknowledge the receipt of Lieutenant-colonel Law's despatch, No. 60,* of the 20th April, in which he transmits a petition addressed to the Queen by certain inhabitants of Newfoundland, praying that no portion of the sum granted by Parliament, or of that raised by the Queen's Letter, may be applied to any other purpose than the relief of those persons who suffered by the fire at St. John's, on the 9th of last June.

NEWFOUNDLAND.

You will acquaint the petitioners that I have laid their petition before the Queen, but that I have not been able to advise Her Majesty to comply with the prayer contained in it.

I have, &c.
(signed) *Grey.*

No. 65.
Governor Sir G. Le Marchant to Earl Grey.
26 April 1847.

—No. 65.—

(No. 4.)

COPY of a DESPATCH from Governor Sir *G. Le Marchant* to Earl *Grey*.

Government House, St. John's, Newfoundland,
26 April 1847.
(Received, 15 May 1847.)

My Lord, (Answered, 25 May 1847, No. 14, page 67.)

24 April 1847.

I HAVE the honour to transmit to your Lordship the enclosed letter from the Right Reverend Lord Bishop of Newfoundland, with the accompanying memorial from the rector and churchwardens of St. John's, tendering their respectful acknowledgments of your Lordship's consideration in allowing the appropriation of half the amount of the money collected in the churches, under the authority of the Queen's Letter, for the relief of the sufferers by the fire of the 9th June, towards the rebuilding of the parish church.

I have, &c.
(signed) *J. Gaspard Le Marchant.*

Encl. 1, in No. 65.

Enclosure 1, in No. 65.

My Lord, St. John's, Newfoundland, 24 April 1847.

I HAVE the honour to forward to your Lordship a copy of a letter addressed to me by the rector and churchwardens of St. John's, in their own name, and that of the parishioners generally, assembled in their annual meeting on Easter Tuesday.

Your Lordship will perceive that I am desired to tender their respectful acknowledgments of your Lordship's consideration in allowing the appropriation of half the amount of the money collected in the churches, under the authority of the Queen's Letter, for the relief of the sufferers by the fire of the 9th June, towards the rebuilding of the parish church.

Your Lordship, I trust, will not be displeased by this expression of their joyful and grateful feelings.

Allow me further to inform your Lordship, that I have made contracts with Messrs. Scott & Moffatt for a church, which will be, I devoutly hope, for generations to come, a public ornament as well as a public blessing.

I have, &c.
(signed) *Edward Newfoundland.*

The Right hon. the Earl Grey,
&c. &c. &c.

Enclosure 2, in No. 65.

May it please your Lordship, St. John's, 19 April 1847.

Encl. 2, in No. 65.

WE, the rector and churchwardens of St. John's, have been deputed by our parishioners to tender to your Lordship their thanks for the communication made to them at their annual meeting on Easter Tuesday, respecting the appropriation, by the Right honourable the Secretary of State for the Colonies, of one-half of the fund collected in England under a Queen's Letter, for the restoration of the parish church of this city; and further to request your Lordship to convey to Lord Grey their respectful acknowledgments.

Although, from the known intentions of the Relief Committee in London, who applied for the Queen's Letter, as declared by their chairman to several of the bishops at home, and from the fact of the clergy having made the restoration of our parish church a ground of their appeal to their congregations, some had been led to expect that a larger portion of the money, contributed by our brother churchmen in England, might have been appropriated to that object, yet we are sincerely grateful for the assistance which has been extended to us.

We rejoice to find that your Lordship has been enabled to take the requisite steps for supplying our great and pressing religious wants; and we now look forward with a confident hope to the time, when we shall be again permitted to offer up our devotions in a temple duly consecrated to the service of Almighty God, and both your Lordship's exertions will be crowned with success, and the benevolent intentions of our brethren at home realized.

We have, &c.
(signed) *Thomas F. H. Bridge,*
Rector of St. John's.
Bryan Robinson, } Acting Churchwardens.
Wm. Rendell, jun., }

The Right. Rev. the Lord Bishop
of Newfoundland.

— No. 66. —

No. 66.
Earl Grey to Governor Sir G. Le Marchant.
25 May 1847.

(No. 4)

Copy of a DESPATCH from Earl *Grey* to Governor Sir *G. Le Marchant*.

Sir, Downing-street, 25 May 1847.

I have to acknowledge the receipt of your despatch, No. 4, of the 26th April, transmitting a letter from the Bishop of Newfoundland, together with a memorial from the rector and churchwardens of St. John's, expressing their thanks for the appropriation which has been made of half the sum collected under the authority of the Queen's Letter to the rebuilding of the parish church.

I have, &c.
(signed) *Grey*.

— No. 67. —

No. 67.
Governor Sir G. Le Marchant to Earl Grey.
10 May 1847.

(No. 5.)

Copy of a DESPATCH form Governor Sir *G. Le Marchant* to Earl *Grey*.

Government House, St. John's, Newfoundland,
10 May 1847.
(Received, 31 May 1847.)

My Lord, (Answered, 17 June 1847, No. 19, page 68.)

In transmitting herewith, for your Lordship's information, my report on the present aspect and probable condition of the finances of this colony, as well as a statement, showing the actual amount of debt now incurred, and that about to be raised under votes already passed by the Legislature, it is not my intention, on the present occasion, so much to dwell on the pecuniary resources of this island, as to lay before your Lordship, in a succinct and clear manner, the condition of the colony at the time of my assumption of its government.

It appears, by the financial statements that have been laid before me, that for the year ending 30 June last, the probable amount of income was estimated between 51,000*l.* and 52,000*l.*

The expenditure for the self-same year, between 55,000*l.* and 56,000*l.*, the excess in the expenditure over the income being about 4,000*l.*; this sum has, however, been increased, in consequence of the losses sustained by the island from the fire, and subsequent hurricane in the past year, and on the 30th June next, the deficiency is calculated at 6,200*l.*

The revenue for the ensuing year ending the 30th June 1848, is estimated at 52,500*l.*, and the expenditure at 56,455*l.*, leaving a deficiency for that year of nearly 4,000*l.*

The amount of debt already incurred by the colony may be thus arranged:

Lighthouses	£. 5,450
Road loan	18,000
Loan for general purposes	18,500
Colonial buildings	9,559
Total	£. 51,509

In addition to this, the foregoing sums have been voted to be raised under Acts of the Provincial Legislature:

Colonial buildings and market-house	£. 12,441
Academy	3,000
Compensation for ground under St. John's Building Act, and for improving the town and harbour of Grace	23,000
Total	£. 38,441

Making, therefore, the debt already incurred, and that about to be raised, to amount to the sum of 89,950*l.*

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Of the foregoing items, it may be necessary to thus briefly remark, that in the case of the amount of 5,450*l.* for the lighthouse, the dues pay the expense of light and the interest of the debt, and have a small surplus.

Of the road loan, now amounting to 18,000*l.*, the sum originally was 20,000*l.*, of which 2,000*l.* has been paid off, and the sum of 6,000*l.* will have to be repaid in the course of the present year, and the remainder in two years.

Of the sum of 18,500*l.* for general purposes, the sum has to be repaid in five or ten years from the time of borrowing.

With regard to the erection of the colonial building and market-house, the sum of 22,000*l.* was authorized to be borrowed, and the amount to be repaid in ten years if demanded; of this sum 9,559*l.* has been already raised.

All these foregoing amounts are borrowed at six per cent.

With regard to the amount of 23,000*l.* paid for compensation for land, &c. in rebuilding the town of St. John's and improvements in the town and harbour of Grace, debentures are to be issued at 5*l.* per cent., and paid off at the option of Government.

In addition to the afore-named sums, an Act was passed in the last session, but has not yet received the royal assent, for raising a loan of 200,000*l.*

In submitting this report to your Lordship, I would desire to draw your Lordship's attention to the facts, not only of the expenditure greatly exceeding the revenues of the colony, but of there being no available sources of income whatever in the treasurer's hands, either for carrying out any internal improvements in the island, or of meeting any of those unforeseen occurrences, such as failures of the fisheries or blights of the potato crops: for on such calamities befalling this island, the population resident in the outports, who are verging on pauperism, will be again thrown, as was the case in the past winter, on the resources of the Government for their own and families' sustenance.

With regard to the estimates made for the erection of the public buildings above alluded to, I greatly fear they will be found very inadequate; and in addition to these, for which no provision has yet been thought of, or even calculated on, there is a lunatic asylum and a public gaol to be erected, the prisoners at present being confined in a condemned barrack. Nor has any provision been made for the sewerage and drainage of the town, although a Bill has been passed by the Legislature for their immediate execution.

I much fear from the elements which compose the Legislative Assemblies in Newfoundland, that difficulties would attend any immediate efforts in bringing forward measures for relieving the present straitened circumstances in which we are now placed, either by direct taxation or local assessments, which have always been particularly unpopular here; but at the same time, I do assure your Lordship, that my most unwearied exertions and the strictest economy in the administration of affairs shall be employed in endeavouring to surmount our present financial condition.

I have, &c.

(signed) *J. Gaspard Le Marchant.*

— No. 68. —

No. 68.
Earl Grey to Governor Sir G. Le Marchant.
17 June 1847.
* Page 67.

(No. 19.)

COPY of a DESPATCH from Earl *Grey* to Governor Sir *G. Le Marchant.*

Sir, Downing-street, 17 June 1847.

I HAVE to acknowledge the receipt of your despatch, No. 5,* of the 10th May, containing a report of your views upon the financial condition of Newfoundland. I have to thank you for your clear exposition of this subject. I much regret that the expenditure of Newfoundland should at present exceed its resources, but I trust that by a prudent course on the part of the Legislature, the revenue may soon regain its former prosperous condition.

From

From your observations respecting the composition of the Legislative Assembly, I can understand that there may be difficulties in readjusting the finances of the colony, but I rely on your best exertions to surmount those difficulties. Much may be done by pointing out to the members of the Assembly, both collectively and individually, the urgent necessity of maintaining the public credit unimpaired, by making provision against the continuance of the existing debt, and by guarding against future deficiencies.

To this end I should wish you to direct the attention of the Assembly to the propriety of relieving the general revenue of the colony, by charging the expenses of a purely local character upon the rates to be levied on the towns.

I have, &c.
(signed) *Grey.*

— No. 69. —

No. 69.
Governor Sir G. Le Marchant to Earl Grey.
10 May 1847.

(No. 6.)

COPY of a DESPATCH from Governor Sir *G. Le Marchant* to Earl *Grey*.

Government House, St. John's, Newfoundland,
10 May 1847.
(Received, 31 May 1847.)
(Answered, 3 June 1847, No. 17, page 77.)

My Lord,

HAVING devoted my time and most anxious attention, since assuming the government of this colony, to the consideration of the social as well as general condition and interest of the town of St. John's with the inhabitants generally of this island, I now do myself the honour of submitting to your Lordship my opinions on this very important subject; and intimately connected as such subject is in its general bearings with my despatch of this date, No. 5,* on the present financial difficulties of this colony, I am assured such report will invite your Lordship's best consideration.

* Page 67.

The present population of the town and environs of St. John's may fairly be computed at upwards of 20,000 inhabitants. This community may be divided, with very slight exceptions, into two classes; the merchants, who are occupied partly in the fisheries and partly in superintending their trading establishments; these form the first and highest order of society in the colony: the second consists of the planters or middlemen and their assistant fishermen, who live under the control and influence of the merchants, and are with their families dependent on them for the necessaries of life and the means of procuring subsistence.

After the destruction of the town of St. John's by the fire that occurred on the 9th of June last, a short session of the Legislature was held, during which an Act was passed on the 4th August 1846, called, "An Act for Rebuilding the Town of St. John's, and for the establishment of a proper system of Drainage and Sewerage;" this enactment was made with a view of restoring the capital of this colony in a manner as conducive as possible to the health and security of the town by substantial buildings, as likewise, by the regularity of the streets and general improvement in architecture and design, to render it ornamental in appearance.

This Act further provided that the two principal streets, Water-street and Duckworth-street, should be built either of stone or brick, and its width to be about 80 feet: Water-street commanding the whole frontage of the harbour, and running from right to left through the entire city; Duckworth-street being immediately above it in a parallel line.

But on the meeting of the next and last session of their Legislature, popular feeling and conflicting interests became too strong for carrying this enactment into execution; and the members, some swayed by their own personal interests, and others by the representation of their constituents, were influenced to pass on the 14th January last another Bill, amending the clauses in the former Act, that regulated the materials with which one side of Duckworth-street should be constructed; and now the houses on the north side of that street are permitted to be as of old, made of wood, and the south side only of stone or brick; the consequence of such Act being inevitably to deter parties from building in stone,

NEWFOUNDLAND. both from the expense of materials and the advanced rate of insurance, the rate having been greatly increased in consequence of this amendment, and the danger apprehended from the contiguity of the wooden buildings.

The rate of insurance at present in St. John's is raised to 4 per cent. on stone buildings, and between 7 and 8 per cent. on those constructed of wood in certain quarters; in other quarters of the town no insurance can be effected on houses at all.

In adverting on the state of the other parts of St. John's, I regret much not having it in my power to report favourably either of the mode in which the buildings are erected, or the material with which they are constructed, for instead of adopting the plan for laying out their town, which was ably drawn out by the Commanding Officer of the Engineer Department, whose report however was only read to be laid aside; the town is being built with no regard, I may say, to any regularity whatever, neither parallel lines or right angles to streets are in any way regarded, considered or observed.

The houses are densely crowded together, made of wood, and run up merely for temporary purposes, and with the exception of the two principal streets, there is no order or regularity in the building allotment, but the town is, if I may so express it, situated on the declivity of a hill, with the houses thrown on it, wherever a vacant spot can be seen.

The two extremities of the town, comprising the chief population, represent in all its deformity and squalid dirt the very worst description of an Irish town.

Even of the two principal streets, few houses have been erected of stone, and a vast number of wooden houses serving temporary purposes have grown up. The Building Act will not come into operation for the next three years, and it is the opinion of the best-informed here, that at the expiration of such period, parties will plead their inability to build in stone, and the Local Government will not have sufficient power without immense difficulties to enforce its authority.

Thus the lesson of the late destructive fire will entirely be thrown away, and the town of St. John's, instead of profiting by the opportunity presented to it of having streets and buildings erected in a manner suitable to its importance as the capital of this colony, will be in a condition very little, if at all, superior to that in which it was prior to the visitation on the 9th June last.

The sanitary condition of the town is much to be deplored, when from its site every natural advantage is offered both for the promotion of the health and for the encouragement of cleanliness among the inhabitants.

There are no under-drains or sewers, with one slight exception, throughout the whole town, and no sewerage whatever from houses connected with such drains; I also regret to remark that not one house in 20 in the town is provided with the ordinary and necessary means of cleanliness, and from the absence of sewerage, all the filth of the houses is thrown from necessity into the surface drains where they exist; generally, however, everything from the houses is cast before the doors, and there collected throughout the whole winter, forms a mass of putrid matter, obnoxious as well as discreditable to any town, and this is only carried away for their gardens during the spring.

Such has been the toleration of the authorities here, and which I am endeavouring now to counteract.

The town is, I may observe, generally destitute of public pumps, there not being six in number, and the water is only obtained from sunken wells in the town, which in reality are nothing more than small barrels fed by springs from the bottom, and though useful for washing and household purposes, are quite inapplicable to meet the dangers arising from the fires that are constantly occurring here, of which we have had two instances during even the few days that have elapsed from my arrival, on the last of which no water could be procured, so few in number and so widely scattered are even these small wells; and had not the night been perfectly calm, not a breath of air stirring, all the exertions of the military force stationed here, on whom the inhabitants on such occasions almost solely depend for assistance, could not have prevented the whole city being again laid in ashes.

And I would here wish to draw the attention of your Lordship to the fact of the large seal vats, full of oil, and constructed of wood, being again placed in the very centre of the town, within a few yards of the chief houses and stores in Water-street, and also within a few yards of the wharfs crowded with shipping.

These

These vats are as dangerous to the town as if they were filled with gunpowder.

The water running from the heights above is carried over the worst and filthiest parts of the town, and it likewise receives the discharge of two densely crowded burial-grounds situated in the very heart of the city, which not only pollute the streams, but from the opinion given me in the course of the last few days by the chief medical officer, Dr. Carson, it appears that frequently, if not invariably, at certain seasons of the year deposits of ammonia and animal matter are found in the vessels used for household purposes, after subjecting the water to the action of fire.

From a conversation I have had with the agent who has arrived here from Scotland with a view to the carrying out the waterage of this town, I have learnt that he apprehends the scheme at present in contemplation for that purpose cannot be accomplished under the sum of 20,000 *l.*, a sum exceeding by 14,000 *l.* the estimated expense, and which therefore, I fear, offers but little prospect of being carried out. In the meantime, the town is left wholly destitute of any adequate supply available in the case of fire.

The circumstance of this town being free from the visitations of fever and illness to the same extent as that with which other cities destitute of drainage and sewerage are afflicted, may be ascribed to the hand of Providence, that gives her one of the finest and most salubrious of climates, for there is no other city in the empire in which is displayed a more total disregard to all those advantages generally considered essential both to the health and morals of a population.

The town is wholly unprovided with a fire brigade, or any such organized company as might be expected in a city of 20,000 inhabitants, and now labouring under the distresses occasioned by the late visitation, which, however extraordinary it may seem, appears to have created no wish or even desire on the part of the community at large to take those measures for guarding against the recurrence of a like calamity which have long been established in all other parts of our North American colonies ; viz., the establishment of efficient fire societies, and which one would have supposed to be the first and engrossing object of a population resident in a wooden town.

The engines at present belonging to the town are locked up in the forts, under the care of the officers of the garrison ; but no systematic arrangement has yet been made by the inhabitants for working them, with the exception of one which is manned by a volunteer company, which, though well intentioned, has proved quite inefficient for the members in the time of general need, or thinking, and perhaps naturally enough, of the preservation of their own respective properties rather than the public welfare. Thus, from the general apathy displayed on this most vital and important subject, the town of St. John's will be unequal to offer any organized resistance to that most destructive element that only a few months back laid the city in ashes.

With regard to the public buildings, the entire of them were destroyed at the time of the late fire.

As yet no commencement has been made relative to their being re-erected, with the exception of the Custom-house and Colonial buildings, and a lengthened period must elapse before they will be in a state fit for occupation.

Respecting the erection of the other public edifices, so essential to the welfare of this town, I fear that the financial difficulties of the colony will offer a most serious obstacle to our carrying out, but most slowly, the wishes of the Government.

The social condition of the poorer inhabitants of St. John's I consider generally better, and further removed from extreme poverty and destitution than most cities of the British empire ; the recognized poor of this town do not exceed 500, and in that number the outports are included, and these are supported by the public chest, at an expense of about 5,000 *l.* a year.

The wages received by those engaged in the prosecution of the fisheries will, in seasons of tolerable success, support them, in most instances, throughout the winter, coupled with the additional aid they usually receive from the merchants in the shape of supplies for their own and families' subsistence, a practice which for a lengthened period has been carried on in this island.

But throughout the whole of last winter the inhabitants of the several outports and small bays with which the coast of this island is indented have been suffering great privations and distress, in consequence of a violent hurricane that swept

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along the shores of this island in September last, and created so great a havoc amongst their boats and nets, &c., in addition to the great loss of life, that the fishery proved a most disastrous failure, and this misfortune, connected with a partial blight in the potato crop, and the inability of the merchants, in consequence of their losses by the fire, to furnish the accustomed supplies, has prostrated the whole population inhabiting these various outports, and they have been solely dependent on the Local Government for their own and families' subsistence.

With regard, however, to the inhabitants of St. John's, destitution and want of means did not prevail during the season just passed to nearly the same extent as in the outports, nor would the sufferings of the lower classes have been nearly so great, except from the fact of these people, from their seafaring habits and migratory disposition, being averse to any kind of labour to which they are unaccustomed.

For the purpose of demonstrating the fact of the demand for labour at the present time being great, and at highly remunerative rates, I need only here mention that able-bodied men, to any number that may offer, obtain 3*s*., and the mechanics no less than 10*s*. a day for their labour.

And since my assumption of the government, I have been at all times and all hours throughout this town, and in no one instance have I seen the direct appearance of poverty, all being uniformly well clothed, and I have not met a single beggar in the streets appealing to the hand of charity, and this opinion has been fully confirmed in my interviews with the members of the relief committee.

It is much to be regretted that the promotion of agriculture has been not only neglected, but for so many years discouraged in this island.

However, from my intercourse with the labouring population in my visits in the vicinity of this town and the adjacent bays, I find an opinion spreading among them, that with families to rear and support, the earning of the fisheries is inadequate, the population exceeding the demand for such labour.

An impetus has accordingly been given to the cultivation of the soil, and among the lower orders there is a growing desire to obtain grants of land near their cottages, where they may grow a sufficient quantity of potatoes for their support, and a small crop of hay and oats for the keep of the few cattle they may afford to have.

This opinion is also happily extending itself among the classes of the community, who for many years were its chief opponents, and it is one which I shall use my utmost endeavours to extend, being fully satisfied that on the developement of agriculture, the future welfare and happiness of a large portion of the population of this island will depend.

This is another point which I conceive highly important to draw your Lordship's attention to, viz. the great difficulty in which the Executive Government is here placed from their total inability to obtain full and perfect information as to the correctness of the numerous petitions which are poured in upon us from the several outports, all of which are certified by the merchants and leading inhabitants of the several localities, and whose interest it is to obtain for the petitioners as large a grant as they can from the public chest, thereby relieving themselves from the burthen of contributing anything from their own resources towards the maintenance of the poor resident among them; these difficulties become further increased by the clergymen and stipendiary magistrates in these outports, being men of narrow means and mainly dependent on the merchants for the supplies necessary for the support of their families, and who by the influence of the merchants are induced to lend their utmost support to these petitions, and thus no power is left in our hands of testing their proper value.

Having carefully considered the whole of the circumstances of the case, and it also appearing very desirable that a personal inspection should be made into the state of society dwelling in these several out-houses and bays, I have addressed a letter to the Admiral on this station, requesting that he would place a steamer at my disposal for a few weeks in the course of the ensuing summer, if he can do so with convenience to the public service, and to which request I trust your Lordship will be pleased to call the attention of the Admiralty at home. For many great and important advantages to the administration of the government of this colony will, I am confident, result from a personal tour along the coast, and the information it will enable me to collect on the spot.

As

As I am of opinion that without such personal observation, before the next winter it will be wholly impossible for me to know their actual condition, or to depend on the reports from such distant points, swayed so powerfully as these parties are by their own personal and local interests, and in the event of the fisheries proving unsuccessful, or a partial failure of the potato crop, even to the same extent as last year, the Government in the financial difficulty in which it now stands would be placed in a most embarrassing, painful and unexampled position, and indeed without any apparent means of extricating themselves.

Since my assumption of the Government, I have met with but one feeling from the merchants and the more respectable classes of the community, who all express their readiness to give me their entire support in remedying the various ills under which this population is labouring, and furthering the happiness and welfare of the community at large.

My earnest endeavours have been directed to awaken the more intelligent class residing in St. John's to the general wants of the town, and the benefits which will accrue to them in forwarding its best interests, and but few days have passed since my arrival without my receiving addresses from the clergy and almost every society in this town, offering me their aid, influence and support.

A public meeting will be held in the course of the ensuing week, convened by the high sheriff and mercantile body in this town, for the purpose of drawing public attention to the total and entire absence of organized fire societies, and for adopting such resolutions and preliminary measures as may lead to their speedy formation.

To ensure drainage, sewerage and waterage to the town of St. John's, I have formed a commission, in which I have placed the men most qualified by their talents and previous education in such matters, as the colony could produce, and as soon as I have received their report, pointing out the way in which the same can be most effectually carried out, I will take immediate steps for commencing this work, and likewise establishing those sanitary regulations which are now so beneficially operating in the large towns of England, and which have been so long neglected in this city.

I have likewise instructed the attorney-general to prepare a Bill, with the advice of the chief justice, to be submitted to the Legislature for the establishment either of a corporation or a commission, as may be judged most expedient for managing the local affairs of the town, and of which it is at present wholly destitute. Also Bills for the better regulation of the poor and the establishment of some system to suspend the loose and unsatisfactory way in which the out-door relief is at present administered, and for the registration of births, deaths and marriages.

I have been induced to enter thus into details with regard to the different matters connected both with this town and the colony generally, from the directions I received from your Lordship previous to my leaving London, and which I trust will meet with your Lordship's wishes and approbation.

I have, &c.
(signed) *J. Gaspard Le Marchant.*

—No. 70.—

(No. 7.)

No. 70.
Governor Sir G. Le Marchant to Earl Grey.
10 May 1847.

Copy of a DESPATCH from Governor Sir *G. Le Marchant* to Earl *Grey.*

Government House, St. John's, Newfoundland,
10 May 1847.
(Received, 31 May 1847.)
(Answered, 3 June 1847, No. 17, page 77.)

My Lord,

I have the honour herewith to transmit for your Lordship's information and future consideration, my report, both with respect to the sums voted for the relief of this colony by the Imperial Parliament, as likewise the amount raised in the United Kingdom under the authority of the Queen's Letter, together with the various subscriptions raised for the same purposes at home, by the local Government here, and in the other North American provinces; and in the following details I propose to lay before your Lordship the amount expended previous to my arrival here, and the residue which is now at the disposal of the local Government.

Imperial Grant £. 30,000

	£.
Expended	15,000
	6,000
In hand	9,000
	£. 30,000

Of the 30,000*l.* voted by the Imperial Parliament, it would appear that 15,000*l.* has already, under your Lordship's sanction, been expended in the relief of the sufferers by the fire that visited this town on the 9th June last; in this account is included the charge of 800*l.* which was incurred in defraying the expenses of the commission appointed by Sir John Harvey for investigating the claims of such applicants.

A further sum of 6,000*l.* out of the above Imperial grant has also, under your Lordship's sanction, been expended in the various outports and bays of this island for the relief of the destitute poor, the total of the sums so expended being 21,000*l.*, leaving out of the grant of 30,000*l.* by the Imperial Parliament a remainder of 9,000*l.* in the treasurer's hands for further disposal.

Queen's Letter £. 29,000

The sum raised under the authority of the Queen's Letter amounted to 29,000*l.*

	£.
Protestant Church	14,500
Sufferers by Fire	6,000
In hand	8,500
	£. 29,000

And this grant has been allocated in the following manner; viz.:

£. 14,000 set apart for the rebuilding of the Protestant church, and

£. 6,000 expended for the relief of the sufferers by fire, leaving, therefore, out of the aggregate sum of 29,000*l.* a residue of 8,500*l.* available to Government in the colonial treasurer's hands.

	£.
Imperial Grant	30,000
Queen's Letter	29,000
Subscription from home	40,000
Nova Scotia	1,000
Local Government	2,500
	£. 102,500

The amount received from the other sources adverted to in the commencement of my despatch may be thus arranged:

£. 40,000 subscribed and remitted to the colony from various parts of the United Kingdom; 15,000*l.* from the Government of Nova Scotia; and 2,500*l.* from the local Government; in all making a total of 102,500*l.*

And here I would particularly wish to draw your Lordship's attention to the fact of the town of St. John's having within the last year derived and enjoyed the benefit, out of the sum just before mentioned, of the enormous amount of 64,000*l.* sterling, or 76,000*l.* currency.

This munificent donation it would appear, by a report now before me from the secretary of the committee appointed by Sir John Harvey for distributing the relief to the sufferers by fire, has actually been allotted to 2,700 separate applications, and according to the estimate made by such committee, those applications will embrace about 8,000 souls. From the further information which has just reached me from the committee, about 1,700*l.* remains in their hands, and will shortly be in course of distribution.

It is impossible for me, in reviewing the effects of these great subscriptions on the colony generally, to overlook the fact of the very small amount of real benefit that has accrued to the population resident either in the town or the outports.

From my own personal observations, and from the opinions which have been freely expressed to me, not only by the clergy of all persuasions, but even by every respectable individual with whom I have come in contact, it cannot but be admitted, that although the middle and lower classes have more than redeemed their losses (in fact, it is asserted that during the fire plunder was carried on to a great extent, and many small shops were established out of such spoil), dissatisfaction and a spirit of discontent prevail to a great degree; and this is not confined to this town alone, but great demoralization has likewise extended to several of the outports.

And a body of pauper poor have grown up out of these large subscriptions, intended as they were for a benefit to the colony, and which state of things never before existed in the same districts.

It must appear incredible to your Lordship that destitution to any great extent should prevail after the hand of charity has been so unsparingly dealt out to the lower classes of this community; and here I would wish to draw your Lordship's attention to the praiseworthy and laudable example set by the merchants of this city, the real and true sufferers by the fire, and whose losses in many instances were enormous; who one and all refused any compensation, leaving the contributions to their humbler and more indigent fellow-citizens; and with that striking energy of character for which the British merchant stands pre-eminent, devoted their best exertions to retrieving their losses, and the restoring the trade and credit of the town; and it is a most pleasing duty for me further to invite your Lordship's notice to the fact of not one mercantile house having failed in consequence of the late calamity; and there is every reason to hope that their labours will be crowned with success to themselves and advantage to the other parts of the community, whose interests are in so remarkable a degree interwoven with their prosperity.

I must

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I must not, however, disguise from your Lordship that the whole of the middling and lower classes in this colony are of opinion that the sums granted by the Imperial Parliament, as well as those raised by the Queen's Letter, are theirs by right, and there are not wanting troublesome spirits even, I regret to say, among the better educated and more intelligent portion of the community, to disseminate these doctrines; and I am quite assured, that until your Lordship firmly decides on the distinct and positive appropriation of the residue of the two grants, viz., the 9,000*l.* from the Imperial Parliament, and the 8,500*l.* from the Queen's Letter, much discontent and dissatisfaction will continue to exist.

And in the confirmation of which opinion, I must here observe that I have received an address from the same body and character of people who drew up the memorial forwarded to your Lordship by Colonel Law, such class being composed of the broken-down mechanics of this town; and, in reply to such address, I acquainted them that, in my own opinion, and the opinion of my Council, relief more than enough had been already afforded to the fire sufferers of this town; and with the summer season and its resources now before them, I did not consider it advisable or expedient, except under very peculiar circumstances, to afford further aid; that I interpreted the Queen's Letter totally different from what they had done, which was intended for the general relief and benefit of the colony, and that I should await the further instructions of the Home Government on the subject. And I still adhere to my opinion, that more has been given them than there was occasion for; and the issue of these sums at this season of the year to the inhabitants of St. John's would only increase that demoralization which I have adverted to in a former part of my despatch.

I am disposed to hope that your Lordship will agree with me in the opinion that distress ought scarcely, if ever, to press heavily on the lower classes either of this town or the colony generally.

In the spring of the year, for five and six weeks, the seal fishery employs about 12,000 persons, and their gains for that short period average about 15*l.* a man, during the whole of which time they are not only well but profusely fed.

I may here remark that the seal fishery has not yet terminated sufficiently as to admit of my stating the effect of such trade on the colony for the present season; but I am justified in saying the amount is not likely to be under 200,000*l.*, and which is more than an average year.

The seal fishery terminates generally early in May, at the end of which month until the month of October, the cod fishery occupies about 50,000 persons, and at the expiration of this fishery, their gains average from 12*l.* to 15*l.* a man; during the whole of their employment in the cod fishery, as in the seal fishery, they are supplied, not only with a greater quantity of provisions, but those of a far superior quality than I believe any body of men in the same class of life ever enjoy in the other parts of the world.

In the winter season the wide forests supply firing to the cottages, and a most ample return to the able-bodied who desire to seek it, the merchants at the outports taking at high prices the wood so collected for building and other purposes.

It is much to be regretted, however, that they squander their earnings as rapidly as they are gained, and out of their ships, and off the seas, are idle and averse to any description of hard labour; and, therefore, to the extreme prodigality of the people must oftentimes their distress be described.

As great privation and suffering is at present experienced at the outports, in consequence of the hurricane with which the whole coast was visited in September last, and a partial blight having afflicted the potato crop of the southern part of the island, I have, under the advice of my Council, purchased a certain quantity of potato seed, for which I intend to exact a return either in remunerative labour on the roads, or an equal supply in kind; and by such latter restriction I hope to teach the poor a sense of prudence; as likewise it is not the intention of Government wholly to support them during their winters and seasons of adversity, but to only assist, as far as the resources of the colony will admit of, in ameliorating their condition.

Under these circumstances, and the great uncertainty which as yet overhangs the approaching season, I would suggest to your Lordship's consideration the reservation of a portion of the amount raised by the Queen's Letter, to meet any

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unforeseen exigencies which may arise either from a shortness of the fisheries, or a repetition in the failure in the crop, more especially in the outports, as in the present crippled state of the finances of the colony, the Government would have no resources to fall back on.

I would further, under the especial advice and full concurrence of my Council, venture strongly to recommend to your Lordship the reservation of the residue of the Imperial grant, in order that it may at our discretion be devoted for the purposes of erecting those Public Buildings which may be most conducive to the interests of this town, and the advantage of the colony at large.

I have, &c.
(signed) *J. G. Le Marchant.*

The above statement of the disposal of the sums arising from the Imperial grants, Queen's Letter, &c., have been taken from documents and extracts furnished by the Colonial Secretary.

(signed) *J. G. Le M.*

— No. 71. —

No. 71.
Governor Sir G. Le Marchant to Earl Grey.
10 May 1847.

(No. 8.)

Copy of a DESPATCH from Governor Sir *G. Le Marchant* to Earl *Grey*.

Government House, St. John's, Newfoundland,
10 May 1847.
(Received, 31 May 1847.)

My Lord, (Answered, 3 June 1847, No. 17, page 77.)

With reference to the conversation which I had the honour to hold with your Lordship, previous to my departure from England, on the subject of the erection of a new Government House, and the appropriation of the present building for a Colonial House of Assembly, I have now the honour to transmit for your Lordship's consideration the enclosed report of the officer commanding the Engineers on this station.

The present Government House, as will be shown by such report, is in a very dilapidated state, and from the insecurity of its roof during the winter season, admits of water throughout the principal rooms to an extent to render it no less unhealthy, as in a great degree, in fact, uninhabitable, thereby causing an annual expense to the Colonial Government of between 500 *l.* and 600 *l.* a year, which, in the opinion of the architects, will be very much increased, unless a thorough repair be now made good.

In the present state of the finances of the colony, I wholly despair of the Legislature ever consenting to the building a new Government House.

The site of the colonial building was previous to my arrival decided on, the contracts taken, and is now in the course of erection.

A market-house, lunatic asylum and new courts of justice have to be built, and further, the drainage and sewerage of the town is in operation; therefore, under such adverse circumstances I am firmly of opinion that the safest and wisest course to pursue, both with regard to the financial position of the colony, as well as the comfort of the Governor, is to adopt the proposed plan of the officer of the Engineers, and render, by the outlay of between 3,000 *l.* and 4,000 *l.*, the Government House a desirable as well as suitable residence.

There has always been a strong predilection in this colony in favour of the present Government House, as also a strong feeling among all classes against its alienation, and, under the advice and with the full concurrence of my Council, who have given the subject their mature consideration, I beg to represent to your Lordship that, in our opinion, the course most advisable to adopt, and in which its best interests would be consulted, is the setting aside for this purpose a portion of the Imperial grant, which measure will not only facilitate the immediate renewal of the building, but such appropriation greatly tend to relieve the pressure on the finances of this island arising from the erection of so many public buildings.

Waiting your Lordship's commands on this subject,

I have, &c.
(signed) *J. Gaspard Le Marchant.*

Enclosure in No. 71.

Royal Engineers' Office, St. John's,
7 May 1847.

Sir,

I HAVE the honour to state that, in obedience to your Excellency's commands, I directed the clerk of the works in this department, in conjunction with the inspector of public buildings, to make a survey of the state of Government House; and I have to report, that I consider the damp state of the interior is chiefly to be attributed to the condition of the parapet and gutters of the roof, which, from the numerous joints and cracks, admit the wet throughout the whole extent of the building. To remedy this defect, it is proposed to remove the parapet wall and the slates of the present roof, and to construct a new light roof or covering over it, projecting over the whole of the exterior walls, the top of the cornice being overlaid with a wooden water shoot covered with lead, whereby the whole of the openings which now admit wet would be protected. The expense of this part of the work would be probably about 1,200 *l.* This measure was also proposed by my two immediate predecessors as the most effectual means at the least cost of securing the building from wet. In addition to this, the whole of the walls must be well pointed with cement. Encl. in No. 71.

The area wall is in a very ruinous condition, and would require to be rebuilt at an expense of about 800 *l.* A large portion of the pavement must also be relaid and partly renewed, and the sewers opened and cleansed; most of the interior requires painting, and some of the rooms require papering; none but partial work of this nature having been performed since the completion of the building, 17 years ago. Besides the above, there are sundry repairs required of a general character, but of minor importance, such as bells, locks, fastenings, &c.

The time afforded has not enabled me to have measurements taken with sufficient accuracy to form an exact estimate of the expense of these repairs and alterations, but from the rough calculations, it appears by the joint estimate of the two surveyors above named, that from 2,600 *l.* to 2,800 *l.* would cover the amount, though, in my own opinion, considering the present very high price of labour and materials, I do not think it would be safe to calculate on a less expenditure than 3,000 *l.*

With regard to the conversion of the Government House into a colonial building for the House of Assembly, Law Courts, &c., and the erection of distinct buildings for the Governor's residence, and offices for the Colonial Secretary, Treasurer and Surveyor-general, I am not prepared to give any but a general opinion.

There is no room in Government House sufficiently large for the House of Assembly, and any alterations in the present party walls to obtain the necessary space would be unadvisable, both on the score of expense and risk to the stability of the building.

The same objection applies to the courts of law; without specific plans and detail, it is impossible to form any but a vague idea of the expense attendant on this project, but I should not think it could be carried out for a less sum than 35,000 *l.* or 40,000 *l.*, in addition to the expenses already entailed towards the erection of a colonial building, and the compensation which the contractor might be entitled to. No time will be lost by the clerk of the works, consistent with his other duties, in preparing a detailed estimate of the work required to put Government House in proper repair, which I shall have the honour of submitting to your Excellency as soon as it is completed.

I have, &c.
(signed) *A. W. Robe*, Lieut.-col.
Commanding Royal Engineers.

His Excellency Sir G. Le Marchant,
&c. &c. &c.

— No. 72. —

(No. 17.)

No. 72.
Earl Grey to Governor Sir G. Le Marchant, 3 June 1847.

COPY of a DESPATCH from Earl *Grey* to Governor Sir *G. Le Marchant*.

Sir,

Downing-street, 3 June 1847.

I HAVE to acknowledge the receipt by the last North American packet of your three despatches, Nos. 6,* 7,* 8,* dated the 10th ultimo, reporting upon the state of affairs in Newfoundland. * Pages 69. 73. 76.

The interval between the arrival and the departure of the North American mails is so short, and the demands on my time at this season of the year are so numerous, that I must postpone for a short time the attentive examination which I should wish to give to these despatches. But I trust that I shall be enabled to convey to you by the next packet the opinions which I shall have formed by that time upon the various important topics you have brought under my notice. I will not, however, allow the present opportunity to pass, without informing you that I entirely approve of your proposal to devote no more money to individuals, but to apply the residue of the sum voted by the Imperial Parliament for the relief of Newfoundland (and I would even add, any other fund raised for the same purpose, either in this kingdom or elsewhere over which you are at

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liberty to exercise any control) to the erection of such public buildings and works as are most urgently required, and will be most conducive to the interests of the town of St. John's, and its security against the recurrence of a similar calamity to that from which it has just suffered. Such a mode of using this money I conceive will be that calculated most effectively to relieve the mercantile class, which you describe as being the one which has in reality suffered most by the fire.

The only object of this nature, which with the information now before me I am prepared to specify as one which should be immediately undertaken, is that of putting the Government House into a thorough state of repair, and you have accordingly my authority for taking measures without loss of time for that purpose. I must leave it to your own judgment to determine what other objects of the same kind should next be selected, reporting of course to me for my sanction the works you may purpose to undertake.

I have requested the Lords Commissioners of the Admiralty to comply with your application for a vessel to convey you on a tour to the outports of your government; but I am apprehensive that there will be great difficulties in acceding to your application.

In conclusion, I have to inform you that the despatches which you have addressed to me on the affairs of the colony are entitled, from their clearness and fullness, to my entire approval, and that the general views which you have expressed in them appear to me most judicious, and obtain my concurrence.

I have, &c.
(signed) *Grey.*

— No. 73.—

No. 73.
Earl Grey to Governor Sir G. Le Marchant.
17 June 1847.

(No. 20.)

Copy of a DESPATCH from Earl *Grey* to Governor Sir *G. Le Marchant.*

Sir, Downing-street, 17 June 1847.

No. 6, 10 May, page 69.
No. 7, 10 May, page 73.
No. 8, 10 May, page 76.

In pursuance of the intimation contained in my despatch of the 3d instant, I have reconsidered your despatches of the dates mentioned in the margin, and I do not find, notwithstanding the importance of their contents, that they require any very material additions to the answer which I have already returned to them. They certainly disclose the existence of very serious evils, affecting in some degree the colony generally, but more especially the town of St. John's. Those evils, however, are of such a kind, that the application of appropriate remedies appears to be rather within the province of the Local Legislature than in that of Her Majesty's Government. It is satisfactory to me to derive from these despatches a full assurance that the Legislature, in considering what those remedies ought to be, will receive from you the most judicious advice, which will, I trust, meet with the attention it deserves.

I can hardly doubt, from the information now afforded to me, that very unfortunate errors have been committed in the measures adopted for the restoration of the town. I greatly regret that the plan for rebuilding the town which was furnished by Major Robe should have been so entirely neglected, and the alteration of the laws originally passed upon this subject, by the subsequent Act passed in January, appears to have been highly injudicious; but as the officer administering the Government did not at the time explain to me either the nature of these alterations, or the grounds upon which he was led to assent to them, I have not the means of judging whether he had any sufficient reason for taking that course, and the Act itself having only reached me on the 15th instant, I have not yet had an opportunity of submitting to Her Majesty my advice, either for its disallowance or confirmation. It further appears to me that there is good ground for the apprehension which you state to be entertained, that in consequence of the law requiring houses in certain situations to be built of stone instead of wood not coming into operation for three years, it will then be very difficult to enforce the provisions of the law, but it will deserve the consideration of the Legislature whether, if it should be found absolutely necessary to relax the law, the alteration ought not to be effected in such a manner as to make it the interest of the parties gradually to substitute houses of a better for those

those of an inferior description; and I would suggest to you whether this might not be accomplished by subjecting to double rates houses built of materials not sanctioned by the law as it at present stands. Notwithstanding the dislike which you state to exist to the adoption of local taxation for the purpose of providing for local charges, I trust that the Legislature will be induced to agree to the introduction of a system which, I am convinced, must be the first step towards any real improvement, and of which the advantages are so clearly shown by the experience both of this country and of the United States. Should a system of local assessment for local objects be adopted, nothing could be more reasonable than to subject to a higher rate of payment houses built of a material which renders them a cause of so much danger to the town. The necessity of adopting all the precautionary measures in their power in order to guard against the recurrence of such a calamity as that from which they have so lately suffered, cannot be too strongly pressed upon the inhabitants of St. John's, since, if owing to a want of this ordinary prudence they should again be exposed to another disaster of the same sort, they must not expect again to receive the assistance which upon the last occasion was so generously afforded to them. In considering the means by which such a calamity might be guarded against, there is none which appears to be of greater importance, and at the same time more calculated to be of advantage in other respects to the inhabitants of the town, than undertaking works for procuring and distributing to all parts of St. John's an ample supply of water. I am therefore of opinion that there is no purpose to which the balance still in hand of the money raised for the relief of the sufferers by the fire could so fitly be applied. NEWFOUNDLAND

I concur in the opinion expressed by you as to the importance of directing more attention to agriculture, and in order to encourage it, roads should be extended as much as possible. I trust, however, you will, so far as possible, discourage a too great reliance upon potatoes, a crop the uncertainty of which seems to have been experienced in Newfoundland, though hitherto only in a trifling degree as compared to this country.

I have, &c.
(signed) *Grey.*

— No. 74. —

(No. 17.)

Copy of a DESPATCH from Governor Sir *G. Le Marchant* to Earl *Grey*.

No. 74.
Governor Sir G. Le Marchant to Earl Grey.
24 June 1847.

Government House, St. John's, Newfoundland,
24 June 1847.

(Received, 14 July 1847.)

(Answered, 19 July 1847, No. 29, page 83.)

My Lord,

I have the honour to acknowledge your Lordship's despatch, No. 17,* of the 3d instant, acquainting me of your Lordship's approval of my three despatches, Nos. 6, 7 and 8, of the 10th ultimo, as well as your Lordship's concurrence in the general views taken and therein expressed by me on the present state of affairs in Newfoundland, together with your Lordship's instructions respecting the disposal of the residue both of the vote granted by the Imperial Parliament for the relief of this colony, and the funds raised for the same purpose in the United Kingdom and elsewhere.

* Page 77.

In reply, I can assure your Lordship that your entire approval of the views which I had the honour of submitting to your Lordship in those despatches is peculiarly gratifying to myself, and neither time nor labour on my part shall be spared in carrying out, to the fullest extent, your Lordship's wishes and views.

As your Lordship has been pleased to assent to my recommendation of the Government House being put in a thorough state of repair, the business has at once been placed in the hands of Colonel Robe, the officer commanding the Royal Engineers on the station, with directions to proceed with the work forthwith.

Contracts have already been prepared by him and taken for a portion of the work, and which will be carried out under his personal inspection and the superintendence of the Ordnance Department.

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The entire cost of the perfect re-establishment of the building, with other necessary conveniences and comforts connected with such residence, is estimated at or about 3,500*l.*

And the appropriation of such monies is viewed by the more respectable inhabitants of St. John's as most just and proper; and in like manner it is impossible to disguise the fact, that without such appropriation by your Lordship, the building would soon fall into a ruin, and the Governor's family this winter be exposed to every sort of discomfort from the inclemencies of the season; and, further, in the present financial condition of the colony, it would be quite impossible to obtain the necessary funds beyond the most ordinary repair.

With reference to that part of your Lordship's despatch stating that you must leave it to my own judgment to determine what other objects of the same kind should next be selected, your Lordship's sanction of course being obtained previous to their being undertaken, I now proceed to submit to your Lordship the measures which, in my opinion, I consider should be adopted.

In the first place, the want of a fish market is much complained of, as well as greatly felt by the inhabitants generally, and it would be a building of not only of very great utility to all classes of this community, but would also very essentially conduce to the cleanliness and comfort of the town; for it is scarcely to be believed that in a population of 20,000, there is not only not one fishmonger's shop, but not even a stall; the fish at present are laid in rows in the gutters of the streets, and in that filthy state are exposed for sale.

The estimated cost of such buildings as I should propose to erect would be about 1,000*l.*, and which I calculate, by leasing out every season, would bring into the Government at least 5 per cent. on such outlay.

I have already undertaken one tank of 25 feet by 30, and 10 feet deep, for which a certain sum has already been voted by the Legislature of this country; I would now propose the erection of a second in an opposite direction of the town; the water thus supplied will be an incalculable blessing to the people, which at this season they can only attain with the very greatest difficulty, from the springs being chiefly dried up; as likewise in the case of fire, it would afford immediate assistance and relief.

These tanks will be both frost-proof and fire-proof, and would be constructed at the cost of about 250*l.* each.

I would further desire to press on your Lordship's notice the state of the burial-grounds of this town, not only placed in the very heart of the city, but crowded to a disgusting excess; and from the two chief springs of the town percolating through them, they are the sources of great distress to the inhabitants, and at any moment are liable to originate the most infectious diseases; I would, therefore, propose that a certain sum be set aside for the purchase of fresh burial-grounds; that is so generally felt, that I am convinced your Lordship's sanction of such measures would be received with true satisfaction, and the amount of which should not exceed 500*l.*

Scarcely a day passes but that the press of this country is not loudly calling on the Executive for their direct interference for the closing of these grounds.

The town of St. John's is unprovided, as in other cities in Europe and elsewhere, with any sort of walk or public ground for the health as well as the recreation of the people; I have, therefore, after full consideration of the subject, desired that a line of road, a quarter of a mile in extent, running along each side of the river, be granted to the inhabitants for such purposes.

It is the chief outlet of the town to the country, and also being the only part of the town lining the banks of the river not publicly disposed of, may be regarded as the lungs of the city.

This ground, at an expense of less than 500*l.*, might be converted into an admirable promenade; and during the winter season I would propose to make all able-bodied applicants for relief repay, by their labour on such work, the amount of assistance given.

The residue of the Imperial grant I would most strongly and urgently recommend to be exclusively devoted to the improvement of the old lines of road, as likewise to the formation of such others as will open a new country to the enterprising; and in the support of which view, I herewith transmit, for your Lordship's perusal, a letter that this day has been addressed to me by the chairman of the Board of the Road Commissioners for the district of St. John's, pointing out the great and manifold advantages which would result in the uniting many

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of the distant bays and harbours from which the capital is at present entirely cut off, and thus enabling the markets of the city to be supplied from these points, now wholly beyond reach.

In adverting to your Lordship's recommendation, that the Imperial grant should be devoted to the erection of public buildings, I would here observe, that the number now in the course of erection (with such as I have in this despatch proposed) would render it difficult, if not impracticable, to commence others before the spring of the ensuing year.

And, further, the residue of the Imperial grant, after the re-establishment of Government House, even without any reference to the suggestions I have drawn your Lordship's attention to in this despatch, would in itself constitute a sum wholly inadequate for such purpose, as no public building could be erected much short of 7,000*l.* or 9,000*l.* sterling.

And though the colony may decidedly be in want of halls of justice, a lunatic asylum and a public gaol, yet I am of opinion that, under existing circumstances, such temporary accommodations as they now have, may, without any very great inconvenience to the community, fully meet the desired ends until the colony be in a condition equal to incur the expenses arising out of the increased demand for the erection of such public buildings.

After a full consideration of your Lordship's despatch, I have come to the conclusion, that the chief object your Lordship has in view, in the distribution of this money, is the diffusion thereby of the greatest amount of relief, happiness, comfort and general utility to the inhabitants of this town, as also to the colony of Newfoundland at large.

Embracing therefore, as I do, this opinion, I would desire to impress on your Lordship's attention, that the erection of public buildings, as also the relief arising thereout, must necessarily be confined to the inhabitants of St. John's; and this to the exclusion of the population of the outports, amounting to 80,000 souls, which are the chief seats of indigence.

I, therefore, am most deliberately of opinion, that by opening new roads, and employing on these works all the able-bodied destitute for the winter season, we shall be conferring far greater and more lasting benefits on the inhabitants generally, as well as bestowing an inestimable blessing on Newfoundland at large by the adoption of such measure, rather than by limiting the advantages to the town of St. John's, by the erection of public buildings; though I regret to be obliged to state, that the jealousy between the town of St. John's and the out-harbours of the island is so great, that the conferring a boon to the one is considered by the other as an act of injustice towards their side, to the like extent.

Until the results of the harvests in this country, as well as in America and Europe, have become known, it is quite impossible to form or convey to your Lordship any real or accurate opinion as to the probable condition of this colony during the next winter.

But as it is an ascertained fact, that provisions are at this moment 100 per cent. higher than they were this time last year, they may, unless Providence does most abundantly, and even profusely, bless the approaching seasons, reach prices far beyond the means of the mass of the population.

No grain of any kind worth mentioning is grown in this country, and but few cattle are reared in it. Thus on foreign markets the population are dependent for the chief articles of food, their land being almost confined to the culture of the potato, and the setting of which is estimated to be, this season, short by one-third, if not more, than last year.

I, therefore, with your Lordship's sanction and approval, would propose investing in the autumn such sums from the Queen's Letter money as I might deem desirable or expedient, in the purchase of large supplies of provisions from America, instead of obtaining them at the enormous retail prices of this town, as has heretofore been the practice in administering relief.

I would then suggest that such supplies should be sent into the country, and depôts of provisions formed on the various lines of roads about to be put in operation.

That such depôts should be placed under the superintendence of the Road Commissioners, and a clerk employed for keeping the proper books of detail, and accounting to the Government for the receipt and expenditure of all provisions.

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A portion of the Queen's Letter money I would also suggest being devoted to the construction of new roads and new lines, and that all demands of relief from the strong and able-bodied should at once be firmly, as well as decidedly, met by the Commissioners, offering them labour on such public roads in exchange for the provisions necessary for their support.

And I would also recommend that a portion should be expended in procuring large supplies of corn, seed and potatoes, to be stored in our granaries this winter, so that on the approach of next spring Government, at a very small price, would be able widely to distribute seed for the culture of the lands, thus affording opportunities, which the inhabitants have never before possessed, of trying the experiment of raising corn and oats for their own consumption, and which I have every reason to believe would grow as well here as in most of our other North American colonies.

Such supply of seed would not only effectually secure the subsistence of the people at the outports for the following winter, but give an impetus to all classes in raising new food, and creating in themselves fresh sources for their own maintenance and independence, which before have never been resorted to; the merchant and his stores being their only support, their only hope and dependence.

I see no other plan of relief that I could conscientiously recommend to your Lordship for the distribution of such public monies, except that of entrusting it, as was the case last year, to the discretion of the Relief Committees.

My knowledge of the people of St. John's, confirmed as it has been by the well-grounded opinion of the best and most influential class here, satisfies me that the adoption of such latter measure would in no way and in no manner conduce to the happiness, welfare or the improvement of the population of this town.

And I further consider it my duty to acquaint your Lordship of the fact, of the vast sums distributed by such committees last year having left such a craving and insatiable desire for the entire appropriation of the residue of these monies among themselves, that the diversion of any part of it into any other channel is regarded as a direct misappropriation of the principle on which it was raised.

To avoid labour and enjoy in idleness the fruits of these sums, is the evident desire of the multitude ; and, owing to the intrigues of certain people (which are totally unconnected with the higher classes of this community), nothing but the entire surrender of the public money to them, according to their own ideas, will please or satisfy the people and the popular leaders of this town ; and any other course, or even the measures suggested by me, will, I am assured, on the approaching meeting of the Legislature, encounter the most rancorous opposition; and I am informed I may anticipate, in accordance with their constant practice, frequent deputations from the House, demanding copies of the correspondence that has passed between the Home Government and myself on this subject.

I have further to report to your Lordship the arrival of Her Majesty's steam sloop " Vesuvius," at St. John's, together with a letter from the admiral on the station, stating that his services have been placed at my disposal in accordance with my request.

On the departure of this mail I shall avail myself of her services for the purpose of visiting the different districts and out-harbours of my government ; at the same time care shall be so taken in the management of my plans, that the performance of her duties connected with the fisheries shall in no way be interfered with.

My course will first be directed to the southern and western coast of the island, and I purpose devoting special attention to the careful investigation of the settlements at Great Codroy River, St. George's Bay and the Bay of Islands; and on my return a full report shall be prepared for your Lordship's information, describing the existing state of that part of Newfoundland, together with the measures which should in my opinion be undertaken for the more extensive development of the natural resources of this portion of my government.

This tour most probably will occasion my absence from St. John's for about a fortnight; however, in the present state of affairs here, I do not anticipate any inconvenience arising to the public service therefrom.

I further propose towards the latter end of July, when the potato-crops are well advanced, to visit the whole of the north-east coast, and personally examine into

into the social as well as the general condition of the inhabitants of this island, so that by the close of the summer I shall propose to myself the duty of laying before your Lordship a full and general report on the state of this country.

I have, &c.
(signed) *J. G. Le Marchant.*

Enclosure in No. 74.

Sir, St. John's, 24 June 1847.

I AM specially directed by the Road Commissioners for this district to bring the unfinished state of the main lines of road under the notice of the Governor, in hopes that his Excellency may devise some way in which the necessary work in such lines may be continued. Encl. in No. 74.

To make such roads as the Commissioners have in view passable, would have the effect of opening a communication between the capital and some of the more important and distant settlements of the island, of developing the agricultural capabilities of the colony, and afford an opportunity of bringing to market not only every product of the soil, but also the surplus stock of cattle, butter, &c. which is pretty abundant on the western coast, and which, whilst the main roads are left in their present condition, cannot be accomplished.

The roads which claim particular attention are those from Topsail to Holy-Rood, thence to Salmonier and Placentia; also from Salmonier to St. Mary's, the opening and making of which could hardly fail to be productive of vast benefit to the trade and agriculture of the colony; these roads are intended to connect the Bays of Placentia and St. Mary's with Conception Bay and St. John's, the accomplishment of which is most desirable.

The Bay Bulls Road, which is the main (indeed the only) outlet to all the southern settlements of the colony, claims equal consideration; and to complete it, especially between the settlements of Bay Bulls and St. John's is of paramount importance. It is also of much consequence to keep in good repair the road and bridges from St. John's to Portugal Cove.

The sums appropriated by the Legislature for the above objects have been almost wholly expended, and the work must therefore of necessity cease, unless some further means can be appropriated for the same service. To suspend operations on roads which have been opened and partially made, would in its effects be very injurious, as such work could only be resumed at a future period under great disadvantages; and the Commissioners would respectfully urge the expediency of prosecuting the work they have named as soon after the termination of the fishery as possible, when employment to the poor would be most beneficial, and better performed at a less cost.

On the road from St. John's to Bay Bulls there is five miles on which little has been done beyond opening and draining; to make this passable for carts would take 600 *l.*

To make the main road from Topsail to Salmonier, and thence to Placentia, in the same state, would require a sum equal to 4,000 *l.*

The road from Salmonier to St. Mary's is now being opened. To complete this preliminary work will absorb nearly the whole sum appropriated for that part of the country. The making of this road passable is essentially necessary to the establishment of a continuance of the main line between St. John's and the settlement of St. Mary's, and would require a sum of 1,600 *l.*

I have, &c.
(signed) *James Douglas,*
Chairman.

The Hon. the Colonial Secretary.

RECAPITULATION.

	£.	*s.*	*d.*
Bay Bulls	600	–	–
Topsail to Salmonier	4,000	–	–
St. Mary's	1,600	–	–
	£. 6,200	–	–

— No. 75.—

No. 75.
Earl Grey to Governor Sir G. Le Marchant. 19 July 1847.

(No. 29.)

COPY of a DESPATCH from Earl *Grey* to Governor Sir *G. Le Marchant.*

Sir, Downing-street, 19 July 1847.

I HAVE received your despatch, No. 17,* of the 24th June, in which you enumerate the various public works which it would, in your opinion, be most conducive to the interests of the inhabitants of St. John, and to the advantage of

* Page 79.

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Newfoundland generally, to undertake with the money still at the disposal of Government for the relief of the sufferers from the fire of last year.

I am happy to be enabled to convey to you the expression of my approval as to the different works which you recommend for adoption, and to inform you that the reasons which you have assigned for not undertaking the erection at present of any public building besides the Government House are quite conclusive.

I entirely concur with you in thinking that there is no mode of applying the funds still at your disposal which is likely to be so effectual, both in relieving present distress by the employment afforded, and in promoting the permanent welfare of the community, as that of undertaking the formation of roads, which will facilitate the intercourse between the capital and other parts of the colony.

The question, whether any part of the imperial grant could, with propriety, be appropriated to the restoration of the Roman Catholic convent and school, has probably not escaped your attention, but as I do not observe any allusion in your despatch to such an application of the public money, I have to request that you will inform me what is the view you have taken of the claims for assistance towards this object, which have been preferred by Dr. Fleming, and which I brought under your consideration in my despatch of 1st May 1847.

The only part of the measures which you propose to adopt on which I entertain some doubt is, that which relates to the importation and sale of provisions on the Government account. In general I consider it better to leave arrangements for the supply of food to the private trader, whose interests will induce him to take adequate precautions against such deficiencies as you apprehend. But even upon this point it is not my wish to impose any restrictions upon your discretion to act as you may think proper, as I am satisfied that I may safely rely upon your judgment, and that you have means, which at this distance I cannot possess, of deciding whether the peculiar circumstances of Newfoundland do not at this moment justify a partial departure from the rules which should usually be followed by the Government in matters of this description.

I have, &c.
(signed) *Grey.*

— No. 76. —

(No. 18.)

No. 76.
Governor Sir G. Le Marchant to Earl Grey.
25 June 1847.

COPY of a DESPATCH from Governor Sir *G. Le Marchant* to Earl *Grey.*

Government House, St. John's, Newfoundland,
My Lord, 25 June 1847.
(Received, 14 July 1847.)

WITH reference to your Lordship's despatch, No. 10,* of the 18th ultimo, I have the honour to transmit herewith to your Lordship the enclosed letter from the Right Rev. Lord Bishop of Newfoundland, in reply to the statement of Dr. Fleming, the Roman Catholic Bishop, with respect to the value of the Protestant church at St. John's, destroyed in the late fire, and which was communicated in letter to your Lordship by Mr. John O'Connell.

* Page 63.

I have, &c.
(signed) *J. Gaspard Le Marchant.*

Enclosure in No. 76.

Encl. in No. 76.

My Lord, St. John's, New Brunswick, 25 June 1847.

HIS Excellency the Governor has, by your Lordship's desire, made me acquainted with the contents of a despatch dated 18th May, addressed to his Excellency, on the subject of Dr. Fleming's letter to Mr. John O'Connell.

I hardly think Dr. Fleming would have written as he did to Mr. O'Connell had he been aware that the rebuilding of the Episcopal church was one of the objects contemplated and named by the committee who applied for the Queen's Letter. I have been informed that several Roman Catholics were ignorant of that fact, and withdrew their objections on being made acquainted with it.

I presume Dr. Fleming would do the same, as I cannot suppose he would interfere except under the idea that there has been a misappropriation.

To

To prove that there has been no misappropriation, I need only refer to the official Correspondence printed by order of the House of Lords, and the Petition of the London Committee appended thereto.

It is quite true, as Dr. Fleming remarks, that the erection of a new church had been determined on, and several thousand pounds had been subscribed: these subscriptions would have been enlarged if the fire had not crippled the means of most of our wealthy merchants and other members who were principal sufferers by the fire—still it would have been necessary to appeal to our friends in England for further assistance, I mean, even if the fire had not occurred. Nobody knows better than Dr. Fleming that 14,000*l.* or 20,000*l.* would not suffice to erect a handsome and capacious stone church in this country, even in much less expensive times. I need not say that the appeal to our friends in England, which I was desired to make, was effectually hindered, and I am thankful to say, rendered unnecessary by the application of the London Committee for a Queen's Letter.

It is not true that our old church was not worth 200*l.* This statement is very far indeed from being a correct one. To prove that it is not correct, it may suffice to say that the church accommodated with decent and sufficient pews and sittings 800 persons, and was supplied with all usual and necessary appendages and furniture. I had myself expended nearly half that sum a short time before on some internal fittings and alterations.

As the object of Dr. Fleming's letter is not revealed, it is difficult to know how to meet it, and I forbear all imputations of unkind motives and recriminatory assertions. I would rather hope that the appended statement (addressed soon after my return to Lieutenant-colonel Law, then administering this government) may be satisfactory to him and his friends in Ireland, as it has proved to many here.

I have, &c.

The Right honourable the Earl Grey, &c. &c. &c. (signed) *Edward Newfoundland.*

Sub-Enclosure to Enclosure in No. 76.

Sir, St. John's, 17 April 1847.

May I be allowed to take this opportunity of stating, for the better information of your Honor, the circumstances under which a moiety of the collections, made by authority of the Queen's Letter, was granted towards the rebuilding of St. John's Church.

The committee of gentlemen who applied for the Queen's Letter, expressly mentioned in their application the rebuilding of the Episcopal Church in St. John's as one of the objects contemplated in the appropriation of the proceeds: the only other object being the relief of the sufferers.

When it was understood, that a Queen's Letter would be granted, several bishops, before directing the clergy to preach and make collections, applied to Sir George Grey to know whether any part of the proceeds would be so devoted to the building of the church: urging that the money would be gathered from Church people, and through the sole agency of the Church clergy, after they had in many cases already subscribed to the general relief of the sufferers. Sir George Grey, in reply, said he quite approved of such an appropriation, and referred the bishops to the Lord Mayor of London as the chairman of the committee, on whose application the letter was granted for further satisfaction. The Lord Mayor informed the bishops that it was the wish and intention of the committee, that a considerable proportion of the proceeds (at least three-fourths) should be given to the Church. Accordingly, one at least of the bishops (whose printed circular addressed to his clergy I saw) declared that he was authorized to state, that three-fourths of the collections would be so given and employed. All this was done and settled before I reached England, and without any communication to or from me.

When I arrived in England I was so far gratified by this intelligence, that I felt relieved of the necessity of making collections, as I had intended, through the clergy and in the churches.

But it should be considered at the same time, that had I been permitted to make my own appeal (which was effectually prevented by the Queen's Letter), it would have resulted in very large contributions, nearly approaching, if not equalling, the proportion assigned to me of the Queen's Letter fund. This I certainly infer from the sympathy manifested, and the declarations made to me.

Soon after my arrival in London I waited on the Lord Mayor, who confirmed to me by word of mouth the above statement, referring to the large sum subscribed in London and elsewhere, as well as the Parliamentary grant for general relief.

On applying to Sir George Grey, I was answered by a letter from himself in these words: "On my representation to the late Lord Mayor as chairman of the committee, &c., his Lordship gave me an assurance, which I believe he also conveyed, at my suggestion, to the Bishop of London, that the committee would include the rebuilding of the church among the objects to which the funds should be applied. I have officially acquainted Lord Grey with the fact, &c. &c. &c."

Lord Grey recognized our claim to a share of the collections, but thought fit to retain half the amount for the general relief of the sufferers. It will, I trust, be understood from the above statements, that the Queen's Letter was solicited with a view to the

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rebuilding of the Episcopal Church; that Sir George Grey, who granted the letter in Her Majesty's name, assented to such an appropriation; that the Lord Mayor and Committee who obtained the letter assured the bishops that a very large proportion of the amount collected would be so appropriated; that these bishops instructed their clergy accordingly, and so the collections were made—made, let it be repeated, through the sole agency of the Church clergy in their churches, and from their parishioners. Yet, even so, one-half of the sums collected has been granted to the relief of persons, of whom the far greater number are of other denominations. Is it too much to expect, that the persons so assisted should show some gratitude towards the Church, which has been so large and unreserved in her bounty towards them, &c.

Allow me to add in conclusion, that the church to be built will be no place of party or private property. All may, all are invited to attend her services, and partake of her blessings. We shall not be unmindful of the sacred injunction, "Freely ye have received, freely give."

I have, &c.
(signed) *Edwd. Newfoundland.*

His Honor the Administrator of the Government,
&c. &c. &c.

—No. 77.—

No, 77. (No. 31.)
Governor Sir G. Le Marchant to Earl Grey. 9 August 1847.

COPY of a DESPATCH from Governor Sir *G. Le Marchant* to Earl *Grey*.

Government House, St. John's, Newfoundland,
9 August 1847.

My Lord, (Received, 30 August 1847.)

I HAVE the honour to acknowledge the receipt of your Lordship's despatch, No. 29,* of the 19th ultimo, conveying therein your Lordship's approval and sanction of the different works recommended by me in my despatch (No. 17, of the 24th June), to be undertaken with the residue of the money still at the disposal of Government for the relief of the sufferers from the fire of last year.

* Page 83.

With regard to the observation of your Lordship, "whether in consequence of no allusion having been made by me in my despatches, of applying part of the Imperial Grant to the restoration of the Roman-catholic convent and school, the question has not probably escaped my attention;" I can assure your Lordship that such has not been the case, as the subject has received my fullest consideration; and had it not been for Dr. Fleming's absence from Newfoundland, my views upon your Lordship's recommendation in the despatch (No. 7,† of the 1st May) "of applying a portion of the sum intended for the restoration of the public buildings in rebuilding the Catholic school," would have been expressed to your Lordship in my despatch of the 24th June.‡

† Page 63.

‡ Page 79.

But I deemed it more expedient to await Dr. Fleming's return, who is shortly expected back in the colony, when, from a personal interview, I might become better acquainted with his wishes and intentions upon the subject.

And then I confidently hope to have it in my power to inform your Lordship, that a sum of money has been appropriated for such purpose as will not only meet the fair and reasonable expectations of both Dr. Fleming and the Roman-catholic portion of the community, but also will in amount be such as to accord with your Lordship's views on the subject, as I am convinced that such measure will tend very much to soften the bitterness and ill-feeling that is now existing among that party, from the exclusion hitherto of their participation, as far as public edifices are concerned, in the benefits arising from the distribution of these grants.

With regard to the other observation of your Lordship, that you entertain some doubt on the expediency of adopting that portion of my measure which relates to the importation and sale of provisions on the Government account, I must confess, that on a more full deliberation on this subject, I cannot but agree in the views which your Lordship has taken, "that in general it is better to leave arrangements for the supply of food to the private trader, whose interests will induce him to take adequate precautions against such deficiencies," as were adverted to in my despatch proposing these measures.

And further, I may add, that my acquiescence in your Lordship's views is much strengthened from the information that I have been enabled to collect during my late visit to the various out-ports of this island. In the first place, the machinery for carrying into operation the plan recommended by me, could not

not be arranged without great difficulty and expense; and, in the second place, its working successfully is very doubtful, as the several individuals in the out-ports who from necessity the Government would be obliged to entrust with the care and distribution of these provisions, are not safely to be depended upon.

In the application therefore, of the funds remaining at the disposal of the Government, it is my intention, together with the carrying out these different public works already approved of by your Lordship, to adopt those measures for the relief of the present distress, and the promotion of the permanent welfare of the community, which have been pointed out by your Lordship in your several despatches; viz. by the employment of all the able-bodied paupers on the formation and reconstruction of those various lines of road that may be most beneficial to the interests of the colony at large.

And further to guard against the recurrence of those evils arising from an indiscriminate mode of relief, it is my determination that the rate of wages for this work shall not exceed 2 *s.* per diem.

This, with the sum I propose devoting to the purchase of various descriptions of seed, together with a few models of agricultural implements, which are almost entirely unknown in the out-harbours (in all not exceeding 600 *l.*), I confidently anticipate will not only relieve the distress now spreading over the land, but will eventually be the means of improving the general resources of the country, by the additional stimulus given to agriculture, and the greater encouragement afforded to independence on the part of the working classes of the colony, from their having at command fresh means of subsistence, which to the industrious will always be capable of very considerable increase; and also, in my opinion, it will further operate most beneficially on the majority of the inhabitants of this colony, by turning their attention from the potato plant, now almost their exclusive dependence, to the cultivation of corn crops, which are less liable to the destructive blights that have of late years visited Europe, and from which this island in the last year has not been exempt.

In the hope of adding some encouragement to this plan, I have generally made known my intention of bestowing, from my own income, at the meeting of the Agricultural Society next year, a silver cup to the person who for two successive years has raised the most corn, as likewise two smaller prizes for the improved breed of cattle, and the man who has brought the greatest extent of ground into cultivation within the year.

I merely mention these facts to your Lordship as tending to prove that every encouragement, both public and private, on my part, shall be given to the advancement of the interests and welfare of the colony, and I do earnestly hope, that my efforts may not only exercise beneficial influence on society generally, but at the same time may be the means of ameliorating the distress occasioned by the calamities of last year, and also eventually ensure plenty and abundance to this land.

By the next mail I trust to be able to forward to your Lordship a detailed report on the general state of the out-harbours and settlements of this country, which I have had the opportunity of visiting and inspecting in H. M. S. "Vesuvius," and from which duty I only returned the day before yesterday.

My report will be accompanied with one from the Surveyor-general on the entire West Coast of the island, pointing out its several capabilities, resources and fitness for extensive colonization.

I have, &c.
(signed) *J. G. Le Marchant.*

— No. 78. —

(No. 36.)

No. 78.
Earl Grey to Governor Sir G. Le Marchant.
14 Sept. 1847.

COPY of a DESPATCH from Earl *Grey* to Governor Sir *G. Le Marchant.*

Sir, Downing-street, 14 September 1847.

I HAVE to acknowledge the receipt of your despatch, No. 31,* of the 9th of August, respecting the appropriation of the residue of the fund still at the disposal of the local Government, for the relief of the sufferers from the recent fire at St. John's.

* Page 86.

I have read with much satisfaction the luminous and judicious exposition which this despatch contains of your views on a subject of no light difficulty; I subscribe

scribe to those views as sound and accurate, and I fully participate in the hope which you express, that the proposed measures will tend to alleviate the distress at present prevailing in the island.

I have, &c.
(signed) *Grey.*

No. 79.
Governor Sir G. Le Marchant to Earl Grey.
19 August 1847.

— No. 79.—

(No. 33.)

EXTRACT of a DESPATCH from Governor Sir *G. Le Marchant* to Earl *Grey*; dated Government House, St. John's, Newfoundland, 19 August 1847.

(Received, 14 September 1847.)

(Answered, 6 October 1847, No. 39, page 96.)

"IT is with feelings of much regret that I am again obliged to intrude on your Lordship's notice another petition on the subject of the Queen's letter-money, which has been placed in my hands by a deputation from the Relief Committee.

As no comments have as yet been made by me to your Lordship with regard to the proceedings of this body, I consider it my duty to call your Lordship's attention to a few facts in connexion with its original constitution, as also with the manner in which its functions have from the outset been discharged, which are clearly indicative of the disposition and character of the majority, who exercise uncontrolled sway in this Assembly.

This committee was formed by Sir John Harvey, at a meeting of the principal inhabitants, convened at Government House on the day after the fire.

In a short time, however, Sir John Harvey found it necessary to resort to a paid commission, from the fact of the unpaid committee having gradually relaxed in their exertions, "their whole time," as he observes in his despatch to your Lordship, No. 70,* of the 18th August 1846, "being naturally engrossed by their own private concerns."

* Page 40.

The first committee was not, however, broken up, but the two bodies both continued to discharge their respective duties till the paid committee was dissolved by Colonel Law, and which circumstance he reported to your Lordship in his despatch, No. 25,† of the 26th November 1846, and at the same time he observed, that "these commissioners will still form a part of the General Relief Committee, and they can give the same assistance in that capacity as they would do as commissioners in appropriating the money at the disposal of the committee, with which appropriation it is not my intention to interfere."

† Page 52.

From that period this body, comprising within its number many recipients and also many expectants for a share in the distribution, have continued to hold their meetings, and they have had at their disposal very large subscriptions remitted to them, both from the United Kingdom and elsewhere, and there is still remaining in their hands the sum of 1,700 *l.*, which as yet they have not thought proper to distribute.

I think it but just to apprize your Lordship, that the meeting in question who drew up the petition, the subject of my present despatch, was convened on the 2d of this month, and consisted of 11 members only out of 40, which number comprised the entire committee, and on the resolution being put to the vote, they were passed by nine against two, all the nine being either Roman-catholics or Dissenters. This petition, with the signature of the acting chairman, Mr. Prowse, alone attached to it, was then delivered to me to be forwarded to your Lordship.

But as I had every reason to believe that the resolution was not one that spoke the general sense of the entire body, and also that at the instigation of some of the popular party it had been hurried through, without giving a fair notice to the members generally of the real object of the meeting; and further that even of the nine who voted in favour of the resolution accompanying the petition not one had the moral courage openly to affix his name to the document, but each endeavoured to cloak himself behind the signature of the chairman, a very common practice with persons of this stamp and class here; at the advice of the Attorney-general I requested that the subject, before I transmitted the petition to your Lordship, should be brought before a full meeting of the committee

mittee specially convened for this purpose, and that the parties agreeing in the views set forth in their report, should then and there affix their names to the document.

This, however, on being put to the vote, was lost by a majority of six in a meeting consisting of 26 members.

* * * * * * * *

Owing to its composition, the proceedings of this Board have usually been marked with much violence, indeed so much so, that for a considerable time past, nearly all the leading merchants and influential parties of this town have withdrawn themselves from their meetings.

Since my arrival in this country, I have given my very best attention to the consideration of this money question, and especially to the distinct characters which in the minds of the public are in general assigned here to each particular grant, and so far from seeing anything to change or alter the view I originally took and expressed to your Lordship on this subject, I daily find this opinion strengthened, and am firmly convinced that the course hitherto pursued is not only strictly just, but planted on grounds which are unassailable.

At the hazard of troubling your Lordship with a subject, I believe, more than once adverted to in my former despatches, I will now venture to take up the particular points dwelt on by these petitioners in their present memorial; and even for arguments sake conceding to them that their views regarding the disposal of the Queen's letter-money is just, I think I can show to your Lordship that by their own admissions and reasonings, they not only confute themselves, but bear out in the fullest sense the course adopted by the home Government in the appropriation of their several grants.

In the first instance, a grant of 30,000*l.* was made by the Imperial Parliament for the relief of the colony. And afterwards the sum of 29,000*l.* was raised under the authority of the Queen's letter in England, for the relief of the sufferers by the fire, and the rebuilding of the Protestant church.

These two separate grants were evidently made to meet distresses of every character, class and kind, and to be apportioned in the manner and way most conducive to the ameliorating that distress under which the town and population were suffering, and also most in accordance with the general views and wisdom of the Executive, the Assembly and the people, the sanction and approval of the Home Government being of course obtained thereto.

These two grants should therefore have been kept distinct, instead of which, they were almost blended from the first, and thrown into one common fund.

By the official returns of the distribution of these monies, the sum of 21,000*l.* has been placed by the Executive at the disposal of this committee, and which amount may fairly be asserted to have been given to carry out the intent and meaning of the Queen's letter.

The petitioners do not question the right or justice of a certain portion of the monies raised under such letter being applied to the rebuilding of a church, but they object to so large an appropriation as one-half of the amount collected.

In order to make your Lordship comprehend the view taken by me of the question, and the basis of my present argument raised in defence of the course adopted by the Government, and in opposition to the prayer of these petitioners, I would wish to place the matter thus: supposing a surrender of the Queen's letter-money had been made to these parties, they make no claim, nor have they, I contend, any right so to do; with regard to the appropriation of the Imperial Grant, they must admit having received from the public chest 21,000*l.* to be distributed at their own discretion, thus only leaving 8,000*l.* remaining out of the sum of 29,000*l.*, the total of the Queen's letter-money, which amount they cannot fairly object to as being too large for the rebuilding of the Protestant church.

In a former part of my despatch I adverted to the original necessity of keeping those two grants distinct, which hitherto has not been the case; for 15,000*l.*, the larger portion of the sum as yet devoted to the relief of the fire sufferers, has been drawn from the Imperial grant, and not the Queen's letter-money; and admitting my argument to be a fair one, the Executive here would have a right to claim the reimbursement of that amount from the latter fund.

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See page 26 of this Paper.

And to strengthen further this argument, I would refer your Lordship to the enclosed Address from the House of Assembly, dated the 3d July 1846, requesting that the then Governor, Sir John Harvey, would appeal to the Imperial Parliament for a sum to be given to St. John's, the capital of the island, for the prompt erection of certain public buildings and public works; such Address goes on to state that such relief is not only necessary to allay the apprehensions of the industrious classes, as well as actually to retain them in the colony, but such buildings are essentially necessary for the administration of the Government, thus evidently showing, that in the month of July 1846, whatever they may now say to the contrary, the erection of public buildings and the undertaking of public works for the restoration of the town, was considered of the most vital importance by the inhabitants of the whole island, speaking their sense through their House of Assembly.

* Page 73.

In despatch No. 7* (of the 10th May), I drew your Lordship's attention to the fact of 64,000*l.* sterling, or 76,000*l.* currency, having been distributed in actual relief to the fire sufferers of St. John's, a sum in itself of vast amount, and most certainly far exceeding the hopes or expectations of either the people or House of Assembly when they first applied to the Government for assistance.

Up to the present moment no sum has been expended for public works, and the necessity for the reconstruction of such works so forcibly recommended in the Address above alluded to, has not been lessened either by time or circumstances.

Moreover, I do further assert, that after so large a sum having been expended on the poor, to the utter exclusion of the merchants, who are the chief sufferers, it is but fair and just that the residue of the sums now at the disposal of the Government should be applied to relieve that pressure from taxation in the erection of public buildings, and the undertaking of those public works essential to the welfare of the colony at large, which otherwise would fall on the merchants alone.

And holding these opinions, I have considered it my duty to point out to the various deputations that have waited on me, as also to the leaders of the popular party, the views which I entertain on the subject, and which I have had the honour of expressing to your Lordship; and upon the fullest deliberation I can only arrive at the conclusion, that after the sums expended in St. John's for the relief of the necessitous and the rebuilding of the church, the appropriation of the residue of those several monies by your Lordship in the erection of public buildings and in the construction of roads, is not only in strict accordance with the Address of the House of Assembly of the 3d of July 1846 now before me, but is even the mode of relief specified, detailed and laid down by the very House itself, as the way of all others the most conducive to allay the painful apprehensions of the industrious classes, and to diffuse lasting benefits throughout the town of St. John's and the colony generally. And any other course but that prescribed by your Lordship, would evidently have been not only at variance, but in direct opposition to the voice of the people so calmly and so deliberately expressed in the Address of the House to Sir John Harvey."

Enclosure 1, in No. 79.

MEMORIAL.

Encl. 1, in No. 79.

To the Right Honourable Earl *Grey*, Her Majesty's Principal Secretary of State for the Colonies.

The Memorial of the Committee at St. John's, Newfoundland, for the distribution of the Funds raised for the Relief of the Sufferers by the Fire which laid waste the principal part of the Town on the 9th June 1846,

Humbly showeth,

THAT your memorialists have learnt with deep concern that your Lordship has acceded to a recommendation from the Executive Government here, that a considerable portion of the monies granted by the Imperial Parliament and by the Local Governments of our neighbouring colonies, as well as what was collected in England under the sanction of the Queen's letter, shall be expended in the erection of public buildings in this town; and your

your memorialists feel assured, from the tenor of your Lordship's communication of the 3d September last to the Administrator of the Government here, that your Lordship would never have sanctioned such an appropriation had your Lordship been made acquainted with the real condition of a great number of the sufferers, by whom the loss has been, and still continues to be, felt most severely.

Your memorialists lament exceedingly their not having been made acquainted with the views your Lordship entertained and expressed in the communication above referred to, views in every way consonant with those of your memorialists, and the valuable suggestions offered by your Lordship would, doubtless, have been acted upon, had your memorialists been aware of them at the time; but it was not until it appeared in the public prints here, some 10 days or a fortnight since, that your memorialists had the slightest information upon the subject.

Your memorialists have carefully reviewed the correspondence and documents having reference to the sufferers by the fire here, published by order of the House of Lords, and they most respectfully solicit your Lordship's perusal of their report upon the same, feeling assured that your Lordship will approve of the sentiments therein set forth; and they therefore pray that your Lordship will be pleased to cause the benevolent intentions of Her Majesty's Government, and those who subscribed to the relief fund, to be carried into effect, by directing the monies to be applied for the relief of the sufferers, instead of to the erection of public buildings.

And, as in duty bound, your memorialists will ever pray.

On behalf of the Committee,

St. John's, Newfoundland, 2 August 1847. (signed) *Robt. Prowse*, Chairman.

Enclosure 2, in No. 79.

REPORT.

Encl. 2, in No. 79.

The General Committee appointed for the relief of the sufferers by the calamitous fire of the 9th of June 1846, have had under their notice, since the report of their proceedings was made up and sent to the press, certain copies or extracts of correspondence between the Secretary of State and the Governor, or Administrator of the Government of Newfoundland, and the measures adopted for the relief of the sufferers, and they acknowledge, with great pleasure and satisfaction, the gratifying testimony which has been exhibited of the parental sympathy of the British Government towards a portion of its subjects resident in this colony, under circumstances of great privation and distress, in the munificent donation of the sum of 30,000 *l.*, to which has been added, under the sanction of the Queen's letter addressed to the Archbishops of Canterbury and York, the further sum of 31,516 *l.*, making a total of 61,516 *l.*

But there are one or two topics embraced in the correspondence to which they advert, which, in the opinion of the committee, have especial claims upon their consideration, and which they proceed to notice, not only with a view to set themselves right with the community on those points contained in the correspondence which have a tendency unwarrantably to prejudice them, but with a view also of affording to the parent Government some information upon other topics, on which they venture to think that the Government have been permitted to fall into error, a result which might happily have been avoided if the relief committee had in the course of these transactions been made acquainted with the nature of the correspondence then subsisting between the Government and the Executive here. Besides all this, the ultimate appropriation of a considerable amount of money, the residue of the Parliamentary grant and of the contributions under the Queen's letter, is involved in so much mystery and concealment, that in justice to themselves, and to those for whose benefit a committee was appointed at all, they entertain a very natural anxiety to have explained.

Before the committee proceed to an examination of the correspondence which follows, they think it due to themselves to state, with reference to a note appended to a despatch of Sir John Harvey to Earl Grey, under date the 18th August, intimating the appointment of a commission, and the reason assigned for that appointment, that they stand in no *chargeable with the imputation laid upon them by Sir John, unconscious as they totally are of the smallest dereliction in the discharge of the duties assigned them.

* So in copy.

Referring to the public proceedings which have taken place, and in the order in which they have occurred, since the period of the awful calamity which has given birth to them, the attention of the committee is first drawn to the fact, that on the 3d day of July 1846, the House of Assembly, then in session, presented an address to Sir John Harvey, requesting his Excellency to represent to the Home Government the importance of ordering the erection of public buildings for the purpose of allaying the apprehensions of the population as to the diffusion of employment. The object was to solicit a grant from the Imperial Government towards the erection of such buildings.—*See* pages 29, 30, of the Correspondence.

And by a despatch, dated 18 August, Earl Grey states to Sir John Harvey, that it has been

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been suggested to him, that as the whole amount of subscriptions at home and in the colonies will be considerable, it would be desirable to apply a part of the grant already at the Governor's disposal, to the re-erection of the official buildings, which must otherwise be replaced by taxation. Sir John is, therefore, instructed, unless it would interfere with his previous arrangements, to reserve a portion of the Parliamentary grant until the expediency of the application just mentioned can be further considered.—Page 31.

Here, then, it is, that the committee observe the first oblique tendency; the first attempt to diverge from the original and straight-forward intention of appropriating the whole public contribution towards the relief of the sufferers by fire.

They acquit the House of Assembly, in their appeal through Sir John Harvey to the Home Government for an Imperial grant in aid of the public buildings, from any attempt to mislead the Government; but they perceive that the application itself, coupled with the prospect of a very large amount of contributions, suggested the idea, that in the erection of the public works, the labouring classes and the mechanics would find ample employment, and a sufficient recompense for their labour.

On the 8th September, Colonel Law replied to the foregoing despatch by stating, that Sir John had reserved 5,000*l.* out of the Government grant of 30,000*l.* to meet unforeseen demands; that of the remaining 25,000*l.*, a considerable sum had already been, or was in the course of distribution; but the Colonel hoped to be enabled to add some portion of it to the 5,000*l.* already reserved, to be made available in the manner contemplated by his Lordship.—Page 46.

On the 3d September, Earl Grey communicated his views as to the proper mode of distribution, and recommends that the middle classes should be provided with means (of which they themselves were to contribute one-half) of rebuilding their houses, thus affording employment for the labouring population. He thinks, that by thus economizing and applying the funds, there would be a large surplus, which may be devoted to the erection of public buildings, thus further increasing the means of employing the working classes.—Pages 47, 48.

To the foregoing, Colonel Law replied on the 25th September, stating that 9,000*l.* sterling of the Government grant, had already been distributed. Stated also, the system which had been adopted for agreeing upon the awards by the Commission and Relief Committee, which system could not, without much complaint, be interfered with; and that the plan suggested of relief being in some instances made contingent on an equal amount being contributed by individuals, although good in theory, is not suited to our circumstances.—Page 52.

Thus, then, so far as anything in the correspondence appears to the contrary, the intention of applying any part of the relief funds to the erection of public buildings, appears virtually to have been almost abandoned. The committee employ the term virtually, because there exists a very general apprehension, that the still unappropriated monies are, at least in part, to be devoted to that purpose, a measure which the committee hope to make appear, would be unjust towards a class of sufferers, who have as yet, shared either not at all, or but comparatively trifling in any of the Government bounty.

None can more deeply lament than the committee do, the painful fact, that the Episcopal church in this town became a prey to the devouring element, upon the deplorable occurrence which they all so vividly recollect. It is remarkable, that this was the only place of public worship which fell in the general catastrophe, and there was, and still is, a kindly desire on the part of the inhabitants, of whatever denominational creed, to see it restored, at least in all its original simplicity. It was a plain, unpretending edifice constructed of wood, as all other places of worship were. It was commodious and convenient, but it was an old building, rapidly approaching to decay, so much so, that measures had been taken for the construction of a new one of more durable materials. Subscriptions had been raised, and a large quantity of cut stone had been imported and deposited upon the ground for the purpose of proceeding with the erection, and the foundation stone had been already laid. In exactly this condition of affairs, the fire occurred. With these preliminary observations upon this part of the subject, the committee desire to draw public attention to that portion of the correspondence under their review which has immediate bearing upon it.

They find that on the 10th September last, Colonel the Hon. Robert Law, then administering the Government of the colony, transmitted a despatch to Earl Grey, enclosing a memorial from the Lord Bishop and others to the Secretary for the Home Department, for which he entreats the favourable consideration of the noble Earl, in consequence of the severe loss sustained by the Protestant Episcopalians, the destruction of their church, the impossibility of their rebuilding it, and the strong fact of all the monies raised under the Queen's letter being contributed by members of that communion. (It should be observed, that the intimation of the Queen's letter having been issued to the Archbishops of Canterbury and York, authorizing them to cause subscriptions to be made in the churches throughout the country on behalf of the sufferers by the fire, was contained in a despatch from Earl Grey to the Administrator of the Government, under date the 3d September (p. 47). The memorial sets forth, that memorialists had heard with feelings of the deepest gratitude, that Her Majesty had been graciously pleased to issue Her Royal letter, authorizing a collection in the churches of the establishment throughout England, for the relief of the distress occasioned by the calamitous fire; that the only place of public worship destroyed was the church of St. John; that the losses which had fallen on the members of the Church of England, precluded all hope of the church being restored by local contributions; but the special appeal made in England on this behalf, was necessarily prejudiced by the simultaneous appeal on behalf of those who had suffered temporal loss, and that the collections under the Queen's letter would be gathered wholly from the members

members of the church, whilst a very large majority of those to whose benefit they will be applied here, will not be of that communion, which memorialists pray may be taken into favourable consideration.—Pages 49, 50.

There seems to be one fact disclosed in this memorial, which was either wholly unknown, or, at least, lost sight of—that the especial appeal to the people of England on behalf of the new church in St. John's was still kept alive, and existed contemporaneously with the general appeal which was made last year on behalf of the sufferers by the fire, to which, as it will be seen by and by, a claim is set up for one half for the same identical purpose with that for which the special appeal was then going forward. Upon this circumstance the committee refrain from all comment, but they proceed with the facts of the case.

Despatch dated November 17th, from Earl Grey to Colonel Law, contains copy of Sir George Grey's answer to the foregoing, together with correspondence between the Bishop of London and Earl Grey, in reference to the appropriation of a portion of the fund raised under the Queen's letter to the rebuilding of the church; Earl Grey has no objection to a limited portion of the fund being applied in the manner desired by the committee in London, at whose request the Queen's letter was issued. Colonel Law is instructed to place one of the clergy of the Church of England, or one of the churchwardens, upon the relief committee, in addition to the present committee, if it was the fact, as it had been alleged, that it did not comprise any member of the church.—Page 50.

By whom, or with what especial object in view, the misrepresentation was made to Earl Grey, that there was no member of the Episcopal Church upon the relief committee, the committee decline to express their opinion. Not only was the rector of the church, but so also were several of his most respectable parishioners placed upon that body; indeed, the gentleman who presided at all the meetings is an Episcopalian himself, and so also is the secretary. If, in answer to this, it is attempted to shift the ground, by stating that instead of the relief committee, the Government commission was meant, there is again an untruth, for among the five or six commissioners one at least was a member of the church.

On the 17th November Earl Grey acknowledged the receipt of the Lord Bishop's memorial, and stated that he had forwarded the same to the Secretary of State for the Home department. The noble Earl himself entertained no objection to a limited portion of the fund being applied in the manner desired by the committee in London, at whose instance the Queen's letter was issued. This despatch contained an enclosure, being copy of a letter from Sir George Grey, for the information of Earl Grey, in which Sir George expresses himself to the effect that he thinks it right that arrangements should be made, by which the rebuilding of the church may be among the objects to which the sum so collected will be applied, Sir George having reason to believe that an expectation that such would be the case was entertained by the bishops and clergy through whom the collections has been made.—Page 51.

A letter from the Lord Bishop of London, 13 November, to Earl Grey, states that before the issuing of the Queen's letter, he had written to Sir George Grey, stating his opinion, and that of the clergy generally, that as the money would be collected exclusively from members of the Church of England, a reasonable proportion ought to be applied to the rebuilding of the church; that Sir George stated that no alteration could be conveniently made in the form of the Queen's letter, but that the arrangement suggested might be made by the London Committee, with whom would rest the appropriation of the money. That a subsequent letter from the Lord Mayor had assured him that a considerable part of the collection should be applied in the manner proposed. He had now been informed that the London Committee would not be entrusted with the appropriation, which would be handed over to a committee in Newfoundland, not one of which, it is stated, belongs to the church, or of which a large majority are of other communions, and that no part of the money can be applied to the rebuilding of the church. He (the Bishop of London) felt himself bound, if such should be the case, to protest in the strongest manner against it; begs that Earl Grey would give him such an assurance upon the subject as may remove the anxiety occasioned to many by the statement referred to.—Page 51.

The Committee do not for a moment entertain the belief that all the funds raised under the authority of the Queen's letter were contributed exclusively by members of the Church of England; they suppose, and with some grounds for the supposition, that very many dissenters from the Church contributed largely towards the common fund, and aided in the one great object of benevolence towards their fellow subjects in this colony, without any regard to the particular religious denomination to which they belonged. But admitting, for the sake of argument, that the funds which have been so handsomely contributed were raised from the pockets of the members of the Church of England exclusively, is it proper and christian-like that such a circumstance should dam up the current of public charity, or in any degree impede the full tide of it?

To the Lord Bishop's letter, Earl Grey replied on the 16th November, stating that he was about to transmit a despatch, directing the administrator of the Government to apply a portion of the money raised under the Queen's letter to the rebuilding of the church.—Page 52.

On the 24th November the Lord Bishop of Newfoundland again wrote to Earl Grey, desiring to know what portion of the collections would be placed at his disposal. The Lord Mayor had stated to several of the Bishops that it was the intention that two-thirds or three-fourths of the amount collected should be devoted to that purpose, and this had been thought to be conclusive.

Such an appropriation would be in accordance with the expectation of the inhabitants generally of St. John's. Prays to be certified in this matter, as he is desirous to make no further delay in his return to St. John's. Begs an interview.—Pages 53, 54.

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The Committee are utterly at a loss to conceive upon what possible grounds it could be assumed that two-thirds or three-fourths of a sum raised ostensibly for the purpose of relieving the sufferings endured by a people under such an afflicting dispensation; how so large a portion of it, not devoted to the construction of a parish church suitable and necessary for religious worship, but to a magnificent cathedral, could be considered as in accordance with the expectations of the general inhabitants of this town. So far were the inhabitants generally from any expectation of the sort, that there is a strong and almost universal feeling adverse to the Lord Bishop's views. Had the recommendation of Colonel Law, contained in his despatch of the 10th December, been acted upon, and one-fourth of the whole amount been appropriated for this purpose, no serious objection would have been urged.

But Earl Grey, on the 26th November, to the Lord Bishop, replies, that it was not then in his power, from the information that could be obtained in that country, to determine what proportion of the amount raised should be applied to the rebuilding of the church; that must depend upon the nature and extent of other demands, of which the local authorities alone had the means of judging. He had instructed the application of a portion of the funds, and could do no more.—Page 54.

The Lord Bishop of Newfoundland again to Earl Grey, December 4, declares himself unwilling to appear importunate or troublesome, but his own letters from St. John's, seemed to supply the required, and he trusted sufficient information, and which may be relied on as correct. His correspondent was a clergyman, and member of the Relief Committee. He says, that on that day "they had gone through the last precis of the commission. The sum expended amounted to about 32,000 *l.* currency, in meeting which, half the Government grant of 30,000 *l.* had been expended, and about 14,000 *l.* of private subscriptions, and of the latter there was a balance in hand of 5,000 *l.* It was considered that the unexpended residue of private subscriptions would be more than enough to satisfy the claims of those who were entitled to a further instalment. The Government, both local and home, intend, I believe, to apprepriate the remaining moiety of the Imperial grant, (which has just arrived in hard sovereigns) to the restoration of official buildings. Then comes the question, What is to be done with the Queen's letter collections?" The Bishop does not like to trouble Earl Grey with further extracts, but the above seems to show that there are actually in St. John's nearly 35,000 *l.* unemployed, and almost it would seem uncalled for. His (the Lord Bishop's) friend thought with many others, that if any additional large sum be appropriated to the sufferers by the fire, it would do more harm than good. The Lord Bishop therefore hopes that Earl Grey will find, and grant that the whole residue of the Queen's letter fund now remaining in England, may be appropriated without inconvenience, to the rebuilding of the church. His Lordship asks whether there is any necessity of putting the monies collected through the Queen's letter, into the acting Governor's hands? He would suggest that the Government at home might more conveniently direct the application, and prescribe the guarantees or certificates, if it might not be put under his control. He alluded to the residue reserved for rebuilding the church.—Page 56.

Letter from Earl Grey to the Lord Bishop, dated 15th December: it was not in the power of Earl Grey to issue any directions respecting the appropriation of these funds until he had been in possession of the report which he was expecting on the subject from the Officer administering the Government of Newfoundland.—Page 56.

Colonel Law to Earl Grey 26th November, in explanation of some circumstances connected with the funds derived from the Government and other sources. He concurs in the advantage to be derived from a portion of the Government grant being reserved for the re-erection of official buildings, or other public purposes connected with the general interests of the colony, and had taken every step which he had thought likely to effect it. Wished directions to retain the balance of the Government grant now in the Commissariat chest, to await his Lordship's further instructions.—Page 57.

In reply, 23d December, Colonel Law is authorized to retain in his hands the remaining portion of the Government fund (15,000 *l.*) until the receipt of final instructions for its appropriation.—Page 58.

Another application from the Lord Bishop to Earl Grey (17th December) states, that after the second instalment to the sufferers, there will be a large balance of the Government grant, exclusive of the Queen's letter collections. Hopes the appropriation for the Episcopal church will be made without delay. The residue from the Queen's letter might in reason and justice be applied to the rebuilding of the church.—Page 58.

To which, on the 22d December the Noble Earl replied, that he had received by the last mail a despatch from the acting Governor of Newfoundland, confirming certain statements (as to the payments which had been made, and the funds remaining) and that he (Earl Grey) had thought it right to direct the Governor to reserve for the purpose of rebuilding the church, one-half of the total amount of collections.

It is proper to state, that between the date of the foregoing despatch and its reception here, Colonel Law replied to Earl Grey's despatch of the 17th December, and recommended one-third or one-fourth of the money collected under the sanction of the Queen's letter to be appropriated to the church. He also stated the error into which the Lord Bishop had fallen with respect to being no member of the Church of England on the committee; although he believes, entirely by accident, that was the case in the commission, which had performed its arduous duties in such a manner as to give general satisfaction.—Page 59.

Before the committee leave this part of the subject, they cannot refrain from remarking upon the exceeding zeal and assiduity with which the applications for so large a portion as one-half (say 15,758*l.* sterling) of the collections under the Queen's letter have been followed

followed up, and to express their regret that these repeated appeals should finally have been successful; a regret in which they think the subscribers to the relief fund, as well as the whole British public, would readily participate.

Adverting to the first of the despatches under the head of General Correspondence, that of his Excellency Sir John Harvey to the then Secretary of State, there is this significant passage: "Much as the hopes of the mercantile and the sufferings of the labouring classes claim our sympathies, yet should our deepest commisseration rest upon the middle classes, who accustomed to comparative ease and comfort, find themselves and their helpless families suddenly reduced to a state of the most absolute destitution."—Page 5.

In despatch No. 1, from Earl Grey to Sir John Harvey, 18th July, the first intimation is given of the extension of the Government aid to the sum of 30,000 *l.*, and in that despatch his Lordship observes, "It is scarcely necessary for me to express my conviction, that you will make every arrangement which may be expedient and effectual for ensuring the due application of this money to the service of the persons who have been rendered destitute by this calamitous event."—Page 24.

And in the memorandum of Sir John Harvey for the Chairman of the General Relief Committee, and also to serve as instructions for the Pecuniary Relief Commissioners, Sir John Harvey observes, that both from the letter and spirit as well of the despatch of the Right honourable the Secretary of State announcing the munificient donation of 30,000 *l.* by which he is required to take effectual means for securing its due application to the service of the persons who have been rendered destitute by the late calamitous fire, as those from the Governor-general and the Lieutenant-governors of the neighbouring colonies, it is sufficiently apparent that the contemplated recipients are to be sought, not among the higher and more wealthy sufferers, but among those who have been reduced to severe distress or entire destitution; and the reason for this is stated, that in aid of such of the former class as may need it, application had been made to Her Majesty's Government for a loan to the colony to such an amount as may enable the local Government to make advances, secured upon the property itself, in aid of the reconstruction of houses, &c.—Page 45.

But it will be remembered that Her Majesty's Government refused to accede to the application for the loan spoken of, and therefore the higher and more wealthy classes of sufferers were either not relieved at all, or but in a very scanty measure. They waited patiently in the expectation that their cases would be entertained after the humbler, but scarcely more needy classes had been disposed of, and thus in some instances were altogether deprived of any assistance, and in others, of any thing but a fair proportion of that to which they were entitled. It is true that in his despatch of the 25th September, the administrator of the Government, in detailing to Lord Grey the system by which the awards to each applicant was made up, Colonel Law stated that under that system the greatest amount of relief was afforded to No. 2 (that is the middle class) in Earl Grey's classification; but this is only true in a certain sense, for if 50 *l.* then and 100 *l.* afterwards were the maximum allowed to any applicant, however great his loss may have been, it is clear that the relief so extended could have but little effect in reducing heavy liabilities, in addition to actual loss in property of from 2,000 *l.* to 3,000 *l*, and upwards; whereas the sum of 5 *l.* or 10 *l.* to some of class No. 3 was a very large compensation.

Again, under this division of the subject the committee would refer to Earl Grey's despatch to the Officer administering the Government, dated 3d September, in which dividing the sufferers into three classes, his Lordship says, "The middle class, comprehending those engaged in the retail trade, shopkeepers and others, will, I have reason to think, furnish the largest number of applicants for assistance, and which will require both judgment and discrimination in the administration of it. In this class," his Lordship truly says, "the losses have been extensively and keenly felt," and elsewhere his Lordship intimates that by relieving them, after the manner which his Lordship points out, means of employment would be provided for the labouring population.—Page 47.

But the fact is, that while the labouring and humbler classes have been provided for to a very ample extent, and in numerous instances placed in more comfortable circumstances than they were before the fire occurred; for in Sir John Harvey's despatch to Earl Grey, dated so far back as August last, he stated that distress among the labouring and mechanical classes had actually almost ceased in consequence of the full demand for labour, and that the real sufferers were to be found among the middle and humbler classes (pp. 31, 32); it is undeniable that the middle, and some of the wealthier portion of the sufferers stand at this moment in need of all the funds remaining from the Government and general contributions that can possibly be made available to them. They are aware that the main object of all the contributions was the relief of those who were reduced to needy circumstances in consequence of the fire; that no such object was originally contemplated as the reconstruction of public buildings, or the erection of a magnificent cathedral out of the funds so subscribed, or any part of them. That, as respects the former of these, it is but just that, if the expense is to be borne by the colony, the burthen of it should fall alike upon the whole of its inhabitants; and that, as it respects the latter, that as the majority of them are not Episcopalians, it is not just that monies which were intended for the relief of their necessities should be expended in the construction of a splendid edifice for the public worship of God, when a building in every way adequate for the purpose may be erected for a reasonable sum, and towards which they would have acquiesced in the appropriation of 5,000 *l.* or even 6,000 *l.*

That upon a review of all the circumstances, if it should be found that the decision of the Government as to the appropriation of one-half of the amount raised under the Queen's letter is irrevocable, then they are of opinion that a memorial to Her Majesty's Government

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may with great justice and propriety be made, the prayer of which should be, that Her most gracious Majesty may be pleased to direct the immediate distribution of the remaining funds at the disposal of the Government, with especial reference to that class of the sufferers which has either not been considered at all, or to whom the award given has fallen far short of relieving them from their pressing necessities. In this view of the matter the committee feel themselves fortified by the concurrently expressed opinions of the noble Earl at the head of the Colonial Department, and his Excellency Sir John Harvey, the late head of of the Executive here.

— No. 80. —

No. 80.
Earl Grey to Governor Sir G. Le Marchant.
6 October 1847.

(No. 39.)

COPY of a DESPATCH from Earl *Grey* to Governor Sir *G. Le Marchant.*

Sir, Downing-street, 6 October 1847.

I HAVE given my careful consideration to the memorial enclosed in your despatch dated the 19th August 1847 (No. 33)* and purporting to proceed from the committee at St. John's, Newfoundland, for the distribution of the funds raised for the relief of the sufferers by the fire of the 9th June 1846. As, however, that memorial is signed only by Mr. Prowse, the chairman of the committee, and as there is nothing to indicate which (if any) of the members of that body have assented to it, I can regard it only as proceeding from that gentleman individually.

* Page 88.

I have been unable to find in Mr. Prowse's memorial, or in the annexures to it, any statement or argument, which (as it appears to me) requires or would justify a change in the decision which I have already communicated to you on the question to which his memorial refers. You will accordingly acquaint Mr. Prowse, that in sanctioning half the amount of the collection under the Queen's letter to be applied to rebuilding the Protestant Cathedral, I consider that I have only fulfilled the expectation of those by whom that money was collected and given, while the application to the contemplated public works of the sums reserved for that purpose will prove, I am convinced, the most effectual mode of relieving those classes who, after the relief which has already been granted to many of the inhabitants of St. John's, now possess the strongest claim to assistance, and upon whom the pressure of the taxation which must otherwise have been imposed to provide for these objects would have fallen with the greatest weight. Such an application of the money will further have the great advantage of being entirely free from the danger of producing those demoralizing effects which grants of money to individuals, however carefully distributed, seldom fail to occasion.

For these reasons I must decline to make any alteration in the instructions I have already given with regard to the application of the sums still remaining at the disposal of the local Government.

I have, &c.
(signed) *Grey.*

— No. 81. —

No. 81.
Governor Sir G. Le Marchant to Earl Grey.
24 August 1847.

(No. 34.)

COPY of a DESPATCH from Governor Sir *G. Le Marchant* to Earl *Grey.*

Government House, St. John's, Newfoundland,
24 August 1847.
(Received, 14 September 1847.)

My Lord, (Answered, 7 October 1847, No. 40, page 106.)

† Page 88.

SUBSEQUENT to my despatch of the 19th instant (No. 33)† two other petitions have been placed in my hands, on the subject of the disposal of the residue of the monies remaining in the hands of the Government here, for the relief of the sufferers by the fire of St. John's last year and which I now have the honour of forwarding to your Lordship.

Having on former occasions entered so fully into the subject of the appropriation of the residue of these monies, I consider it is not incumbent for me to do more than briefly state to your Lordship the class of persons, who are parties to the present petitions.

The one addressed to Her Majesty is from the same body who in the month of April last forwarded through Colonel Law, the then administrator of the Government, a like memorial to be laid at the foot of the Throne (despatch No. 60,

No. 60* of the 20th April 1847) and which your Lordship replied to in despatch No. 12† of the 21st May.

The other petition addressed to your Lordship is from "certain middle classes in St. John's" who describe themselves "as sufferers by the conflagration of the 9th June."

There is only one observation in this latter memorial, to which I deem it requisite to draw your Lordship's attention, viz. "if the idea prevailed that all the sufferers, whether in poverty or not, had a right to it; there was high authority for the opinion, for the only Judge in the land in October enunciated the principle from the Bench, that all who had suffered by the fire had an equal right to the share of the money, and that they might sue for it."

The Judge here adverted to is Judge Des Barres, and being desirous of ascertaining the truth of this statement, I placed myself in communication with him, and his reply is annexed, as well as a counter-statement by Mr. Kent, in support of that set forth by the petitioners.

I have, &c.
(signed) *J. Gaspard Le Marchant.*

* Page 64.
† Page 65.

Enclosure 1, in No. 81.

To the QUEEN'S most Excellent MAJESTY.

May it please Your Majesty—

The humble Petition of the Sufferers by the Fire of 9th June 1846, at *St. John's, Newfoundland.*

Showeth,

THAT your petitioners are desirous of expressing their heartfelt thanks to your most gracious Majesty for your Majesty's great kindness and philanthropy in causing your Majesty's letter to be written, whereby the sum of nearly 50,000 *l.* was collected for our benefit; and also we desire to pour out our grateful acknowledgments for the munificent grant of 30,000 *l.* by Parliament for the same purpose, namely, to prevent that destitution and misery to which the fire had reduced the entire population of St. John's, with, comparatively speaking, a very few exceptions. Encl. 1, in No. 81.

That your petitioners have learned with dismay, that your Majesty's Secretary for the Colonies, the Right honourable Earl Grey, has retained one half of the sums so granted and collected, advised by certain information contained in a despatch of a late administrator of the Government of Newfoundland, Colonel Law, to the effect that your petitioners had become "demoralized" from the distribution of one-half of the Parliamentary Vote, and requesting that the rest of the funds might be placed and kept in the hands of the Secretary for the Colonies, to be appropriated as the Honourable Lord thought fit; and, in particular, recommending that 14,000 *l.* of it should be applied to the rebuilding of the Episcopal Church, because the small shopkeepers, on whom the expense of re-erecting the church would principally fall, had not, like others, received the amount of their losses.

May it please your Majesty,

Your petitioners have ever been celebrated for their marked loyalty to your Majesty's Crown, and they have always been anxious to pay implicit respect and obedience to your Majesty's representative in this colony; but they cannot suffer imputations of the kind above stated to go to your Majesty without explanation, from what quarter soever they may emanate; and they therefore promptly and most emphatically deny the statements of the despatch referred to by Earl Grey; they deny that the distribution had a tendency in the remotest degree to demoralize the people; they deny that the sufferers "had received almost the whole amount of their losses;" they deny that the "small shopkeepers" have any connexion with the restoration of the church, because almost the entire of them are of a different faith; that the church was never intended to be restored, as it had been condemned, and a cathedral church commenced long before the conflagration; they deny all these statements of that despatch (which caused your Majesty's Minister for the Colonies to change his views) which must have been made upon the most groundless and erroneous data.

That your Majesty's petitioners have been grievously injured by the erroneous statements contained in that despatch of Colonel Law; that many, very many of your petitioners have contracted debts and other liabilities in the full belief that your Majesty's Right honourable Secretary would have carried out the intention of Parliament in granting the 30,000 *l.*, and that the funds collected under your gracious Majesty's Royal letter would have been distributed in accordance with the desire of the donors, namely, to relieve the destitution of the sufferers by the fire, many of whom, to the extent of hundreds, are now compelled to still live in sheds scarcely screened from the weather, unable to procure better shelter whilst death by typhus is daily carrying numbers to the tomb.

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May it please your Majesty,

Your petitioners humbly pray, that your Majesty will interpose your Royal Authority in behalf of your loyal people of Newfoundland, and cause an instant investigation to be made into the truth of the despatch dated the 26th November 1846, signed by Colonel Robert Law, which had the effect of withholding from your suffering subjects the stream of charity which your gracious Majesty had caused to flow towards them; to ascertain whether the statements therein be true or false; if they be true, your petitioners are satisfied to be deprived; but if they be found to be false, false in every particular, your petitioners humbly pray, that the monies now retained by the Colonial Secretary and by the local Executive, be, by your Majesty's Royal Order, devoted to the purpose originally intended, distributed among your injured subjects of St. John's, sufferers by the fire of the 9th June 1846.

And, as in duty bound, petitioners shall ever pray.

St. John's, Newfoundland,
9 August 1846.

COPY of RESOLUTIONS unanimously passed at a Meeting of the Fire Sufferers.

1. *Resolved*, THAT it is the opinion of this meeting, that Her Majesty's loyal subjects, sufferers by the late fire in Newfoundland, are desirous of expressing their heartfelt thanks to the parent Government, for the munificent grant of 30,000 *l.* sterling, so promptly voted and handsomely placed at the disposal of Sir John Harvey, to enable the sufferers again to resume, to some extent, their usual avocations, and so provide against the rigours of a coming winter.

2. *Resolved*, That this meeting have heard with feelings of indescribable anguish and indignation, that one-half of the amount granted by the British Parliament, as well as a large portion of other money collected in Britain and the colonies for the relief of the sufferers by the late fire, in all, amounting to 50,000 *l.*, have, through a false and malicious libel upon the people of St. John's, contained in a despatch of the Administrator of the Government, Colonel Law, to Earl Grey, the Secretary for the Colonies, been withheld from the sufferers, and to be appropriated to objects vastly different in their nature and tendency.

3. *Resolved*, That the assertion contained in the despatch of Colonel Law of 26th November, that "the grant of money that had been already made, had had a demoralizing tendency," is a false, calumnious and insidious charge, invented for the purpose of despoiling us, poor and unfortunate sufferers, of the funds charitably intended by the British Government and people to sustain us under the great and overwhelming calamity to which Providence had subjected us; on the contrary, that the distribution of the small amounts doled out had the most beneficial effects, effects visible everywhere on the entire population of the town.

4. *Resolved*, That the assertion of the Administrator of the Government, Colonel Law, that "the principal sufferers had received almost the whole amount of their loss," and that "the expense of restoring the Episcopal church would fall upon the small shopkeepers, who had not received" almost the whole amount of their loss; does not contain one word of truth; not one in every ten of the "small shopkeepers" has any connexion with or interest in the church to which their proportion of the money is intended to be improperly and most unjustly applied.

5. *Resolved*, That it is due to the loyal people of Newfoundland, a large proportion of whom had been so infamously accused, secretly scandalized, and deeply injured by the Executive Government, which is irresponsible to the people, by the Imperial Government of Britain, that an immediate, strict and impartial investigation be made into the conduct of the local authorities in this matter, with a view to the punishment of those who dared to trepan the British Minister into an act so unjust and inexcusable as to agree to deprive the sufferers by the fire of the charities collected for their relief; and for the purpose of blotting out the foul stain which Colonel Law's despatch has inflicted on the character of the people of the colony; the oldest and loyalist, and freest from crime, belonging to the British Crown.

6. *Resolved*, That the conduct of the head of the Executive, and of the whole Exetive body, who had any alliance with the despatch containing these false, scandalous and malicious statements, merits the strongest condemnation of this meeting of citizens and sufferers, whom they have so deeply injured.

7. *Resolved*, That petitions to both Houses of Parliament, containing the spirit of these resolves, accompany the petition to the Queen.

8. *Resolved*, That this meeting are further of opinion, that in consequence of the local Government withholding from the sufferers the monies granted by the Legislatures of the sister colonies for their relief, petitions be prepared and transmitted to the different Legislatures, praying them to interpose their influence in causing the Government to distribute their monies as originally intended.

Enclosure 2, in No. 81.

To the Right Honourable Earl *Grey*, Her Majesty's Principal Secretary of State for the Colonies, &c. &c. &c.

The Memorial of certain of the Middle Class in St. John's, Sufferers by the "Conflagration of 9th June."

Humbly showeth,

THAT your memorialists are deeply and gratefully impressed with the liberality so kindly and promptly extended to them in their distress, by the munificent grant of 30,000 *l.* sterling from the paternal Government; and further (if it were possible), their loyalty to the Crown and affection to the person of Her Majesty have been increased by Her Majesty's most gracious letter to the churches, authorizing additional subscriptions to be made for their relief. Encl. 2, in No. 81

That your memorialists beg to refer to the following quotation from your Lordship's despatch (No. 11 in the printed Correspondence), 18th July 1846, to Sir John Harvey, "It is scarcely necessary for me to express my conviction, that you will make every arrangement which may be expedient and effectual for ensuring due application of this money (the 30,000 *l.* sterling), to the service of the persons who have been rendered destitute by this calamitous event."

That your memorialists beg to refer to the despatch (No. 28) 18th August, from Sir John Harvey, informing the Government that he had appointed a commission at an expense of 750 *l.* or 2½ per cent. on the amount, for the sole and express purpose of administering the Government grant to the sufferers.

That your memorialists beg to refer to the Address of the House of Assembly contained in Sir John Harvey's despatch No. 16, 16th July, soliciting a grant from the Imperial Parliament for the re-erection of public offices; they urge that that Address and other measures of that session, were passed while the public mind, intensely occupied with its own sufferings and difficulties, could not interpose the wholesome check of public opinion against measures which they saw would operate to their disadvantage; they urge also that no necessity existed for such an application; that the duties from the bare replacing of the destroyed stock and property which will be realized within five years may fairly be estimated at 40,000 *l.* over the ordinary revenue; and they most humbly submit, that if an estimate of one-fourth this sum had been laid before your Lordship, your Lordship would never have sanctioned a diversion of any portion of the government grant from the original intention, respecting which your Lordship expressed yourself so emphatically in the despatch quoted above; in compliance with which despatch Sir John Harvey appointed the paid commission above alluded to; and which grant of 30,000 *l.* by these means became morally if not legally the sole right and property of the unfortunate sufferers.

That your memorialists submit that the Address of the Legislature which they have now adverted to, drew forth from your Lordship the very guarded and conditional despatch No. 19, 18th August, in which you instruct the Governor "unless it would interfere with arrangements which you have already made, to reserve at least a portion of the Parliamentary grant until the expediency of such an application as I have now mentioned can be further considered." Your memorialists submit that the administrator of the Government, in reply to the despatch just quoted, considerably exceeded the spirit and letter of his instructions, he says, Sir John Harvey reserved 5,000 *l.* of the 30,000 *l.* to meet any unforeseen demands. Sir John directed the commission to distribute 25,000 *l.* sterling, reserving 5,000 *l.* to defray expenses and meet unforeseen contingencies of distress during the winter. The administrator continues, "of the remaining 25,000 *l.*, a considerable sum has been already distributed, but I hope to be enabled to add some portion of it to the 5,000 *l.* already reserved to be made available in the manner contemplated by your Lordship." Your memorialists submit that the setting aside of even the 5,000 *l.* was an interference with "arrangements already made," arrangements which received the approval of your Lordship in the despatch No. 33, 17th October, while the hope expressed of being "enabled to add some portion" of the 25,000 *l.* "to the 5,000 *l.* already reserved," and so extensively acted upon, was a proceeding neither required nor expected of his honor the administrator; a proceeding too which only succeeded by levying a contribution from the funds of the Relief Committee under the pretext of a loan, till the arrival of the second moiety of the Government grant, which has never been refunded.

Your memorialists beg to refer to the despatch from your Lordship, No. 31, 3d September, for the purpose of expressing equally their admiration and regret; admiration for the kindness, benevolence and sound statesmanship which prompted the terms of that despatch, and regret that no disposition was ever evinced by the local Government to act in accordance with it; not even so far as submitting the despatch to the Relief Committee for an opinion as to its practicability. Your memorialists urge, that if that despatch had been acted upon, many of them would have stone or brick houses in course of erection, which now they have no reasonable prospect of, for they have expended sums for comfortless temporary erections which must be taken down within two years, which sums, if aided by an equal gratuity or larger loan, would have gone far towards erecting permanent dwellings, would have diminished the risk of fire and rate of insurance, and have aided the permanent improvement and prosperity of the colony.

Your memorialists have now the unpleasant task of remarking upon the extraordinary procedure of the Episcopal Bishop of St. John's, in reference to the monies raised under the Queen's letter. They premise that Her gracious Majesty is never advised to issue such letters, except in cases of extraordinary distress; that the simple destruction of a

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church, or cathedral, even if that had involved the loss of surrounding property to a large extent, would not have elicited those "letters" if there had not been such an overwhelming amount of suffering and distress; that the replacing of an old wooden building overvalued at 500*l.*, which was to have been taken down within a year or two, by a stone cathedral, the foundation-stone of which was laid nearly three years before the fire, at which time Bishop Spencer returned thanks to the Almighty for inclining the hearts of his church to contribute the means for its erection, the materials for which were paid for and on the spot; that Bishop Field, should, under these circumstances, have placed the distress of 12,000 persons in equal balance with the object of his ambition, is matter of surprise to all, of injustice to many of his own denomination, and of serious injury to the cause of religion he is sworn to protect. The declaration contained in his letter of the 24th November, to your Lordship, "I can venture to add, that such an appropriation will be in accordance with the expectations of the inhabitants generally of St. John's," your memorialists unequivocally characterize as unauthorized.

Your memorialists submit, that the diversion of a portion of the Government grant and of the Queen's letter collections from the original intention, has been sanctioned by your Lordship upon imperfect and inaccurate information of the circumstances—imperfect and inaccurate on the part of communications from the Bishop—inasmuch as one-sided reasoning, special and importunate pleading, and a total suppression of all the previous facts in connection with the cathedral, have made out a stronger case than a plain and simple statement of all the facts would have warranted, imperfect and inaccurate on the part of the despatch, No. 44, 26th November, from the Administrator of the Government, inasmuch as the despatch conveys a higher idea of the relief intended than was actaally afforded—the greatest amount given, instead of 300*l.*, being only 150*l.* or 125*l.* sterling. With reference to the reasons which accompanied the Administrator's request for reserving 15,000*l.* of the Government grant, your memorialists would observe, that they never demanded assistance, either from the Government or from private benevolence, but that large sums having been contributed from both sources, and deposited with the local authorities for their relief, it is not to be wondered at, if after five months, with the near approach of an inclement winter, the natural desire to receive what should not have been so long withheld, should have appeared something like a demand. As to its "demoralizing tendency" your memorialists submit that the idea of continued privation and distress, while the means of relief were withheld, was infinitely more demoralizing than if the sufferers were raised at once to their former degree of comfort. If the idea prevailed that all the sufferers, "whether in poverty or not, had a right to it," there was high authority for the opinion, for the only Judge in the land in October enunciated the principle from the Bench, that all who had suffered by the fire had an equal right to a share of the money, and that they might sue for it. With reference to the statement made by your Lordship in the House of Lords, May 28th, as reported, "that the principal sufferers had received almost the whole amount of their loss," whilst those who had not "received the amount of their losses, were the small shopkeepers, on whom the expense of restoring the church would principally fall," your memorialists beg to refer your Lordship to the Schedule of Loss, &c., annexed to their signatures, observing that there is no such class of shopkeepers as referred to in connection with the church.

Your memorialists beg now respectfully to draw your Lordship's attention to their present and prospective condition, the greater number, with the moral certainty before them of enlarged assistance, have either commenced erections in the wooden district which they are unable to finish, or have erected comfortless sheds, which by local enactment, must come down within two years, hoping by a loan, which was expected to be raised on the faith of the colony, with what other means they might command, to be enabled to replace them with permanent buildings. Of the Loan Bill they have not the remotest hope; while 50,000*l.* which was absolutely granted and contributed for their relief, and which would have materially assisted a large number, even if restricted for building purposes, has been reserved or misappropriated.

Your memorialists, therefore, respectfully solicit your Lordship's consideration of all these circumstances, and pray that your Lordship will be pleased to resume the control of the whole of the Queen's Letter Fund, and of the 15,000*l.* reserved of the Government grant, and order their application in accordance with the suggestions contained in your Lordship's despatch of the 3d September last, or in any other way your Lordship may consider most conducive to the relief of the sufferers.

And your memorialists, as in duty bound, will ever pray.

Wm. Walsh.	Wm. T. Parsons.
Thomas M'Murdo.	James Murray.
William Morrison.	James Mulloy.
Thomas Grace.	Wm. M. Blake.
Alex. M'Austan.	Patrick Walsh.
Samuel Knight.	Patrick Jordan.

St. John's Newfoundland,
24 August 1847.

NAME.	OCCUPATION.	DENOMINATION,					Amount of Loss.			Amount received.		
		Catholics.	Wesleyans.	Presbyterians.	Episcopalians.	Congregational.	£.	s.	d.	£.	s.	d.
Thomas M'Murdo & Co.	druggist	–	–	1	–	–	4,200	–	–	150	–	–
Laurence Macassey	shopkeeper	1	–	–	–	–	3,687	–	–	150	–	–
James Cullen	- ditto	1	–	–	–	–	4,400	–	–	150	–	–
John Dillon	- ditto	1	–	–	–	–	4,700	–	–	150	–	–
Mary Ann Mullowny (John P.)	- ditto	1	–	–	–	–	3,000	–	–	150	–	–
Peirce Grace	- ditto	1	–	–	–	–	2,000	–	–	150	–	–
Thomas Grace	tailor	1	–	–	–	–	2,103	–	–	150	–	–
Archibald Kerr	general merchant	–	–	1	–	–	2,400	–	–	150	–	–
John Harding	house proprietor	1	–	–	–	–	2,200	–	–	150	–	–
Patrick L. Power	shopkeeper	1	–	–	–	–	1,850	–	–	150	–	–
Edward Brennan	- ditto	1	–	–	–	–	1,950	–	–	150	–	–
Richard Trelegan	- ditto	–	–	–	1	–	1,670	–	–	150	–	–
William Walsh	planter	1	–	–	–	–	1,500	–	–	150	–	–
Patrick Jordan	clothier	1	–	–	–	–	1,100	–	–	110	–	–
John Reanouf	shopkeeper	–	–	–	1	–	3,634	–	–	150	–	–
George Pendergast	cooper	1	–	–	–	–	1,479	–	–	147	–	–
Peter Aspel	house proprietor	1	–	–	–	–	1,000	–	–	80	–	–
Michael Grace	cooper	1	–	–	–	–	1,000	–	–	100	–	–
William Flinn	shopkeeper	1	–	–	–	–	1,020	–	–	100	–	–
John Power	blacksmith	1	–	–	–	–	1,813	–	–	150	–	–
Charles Loughnan	shopkeeper	1	–	–	–	–	1,175	–	–	50	–	–
Michael Foaley	- ditto	1	–	–	–	–	2,400	16	6	150	–	–
James Mulloy	blacksmith	1	–	–	–	–	1,550	–	–	150	–	–
John Kirkham	carpenter	1	–	–	–	–	1,300	–	–	100	–	–
James Tubrid	house proprietor	1	–	–	–	–	1,500	–	–	150	–	–
Edmond Byrne	mason	1	–	–	–	–	1,400	–	–	107	–	–
William Ash	shopkeeper	–	–	–	1	–	1,000	–	–	120	–	–
Edward St. John	baker	1	–	–	–	–	1,035	–	–	100	–	–
James Byrne	shopkeeper	1	–	–	–	–	954	–	–	95	–	–
Margaret Mahon (widow)	house proprietress	1	–	–	–	–	1,000	–	–	30	–	–
John Tucker	house proprietor	–	–	–	–	1	1,100	–	–	112	–	–
Michael M'Carthy	shopkeeper	1	–	–	–	–	356	–	–	37	10	–
Boyd & M'Dougall	supplying merchants	–	–	1	–	–	1,005	–	–	100	–	–
Walter Dillon	- ditto	1	–	–	–	–	1,700	–	–	150	–	–
Parker & Gleeson	merchants	1	–	–	–	–	1,500	–	–	—		
John Kelly	butcher	1	–	–	–	–	3,200	–	–	50	–	–
Catharine Burke (widow)	shopkeeper	1	–	–	–	–	1,200	–	–	120	–	–
Morrison & Sons	bootmakers	1	–	–	–	–	1,200	–	–	120	–	–
Henry Adams	Deist, English proprietor	–	–	–	–	–	3,500	–	–	—		
James Power	cooper	1	–	–	–	–	999	11	8	99	–	–
Patrick Walsh	butcher	1	–	–	–	–	900	–	–	90	–	–
William Coyell	builder	–	1	–	–	–	883	–	–	83	–	–
Stephen Ryan	shopkeeper	1	–	–	–	–	900	–	–	83	–	–
James Fogarty	butcher	1	–	–	–	–	800	–	–	75	–	–
Mary Prendergast	shopkeeper	1	–	–	–	–	830	–	–	83	–	–
John M'Lellan	house proprietor	–	–	–	1	–	950	–	–	55	–	–
Edward Lauler	cooper	1	–	–	–	–	719	2	6	66	–	–
John Maher	blacksmith	1	–	–	–	–	750	–	–	75	–	–
William Power	shopkeeper	1	–	–	–	–	687	–	–	68	–	–
Edmund Nowlan	- ditto	1	–	–	–	–	600	–	–	60	–	–
John Tuhan	cooper	1	–	–	–	–	757	–	–	88	–	–
Patrick Tarehir	shopkeeper	1	–	–	–	–	900	–	–	—		
Matthew Prim	cooper	1	–	–	–	–	675	–	–	45	–	–
Clement Carew	- ditto	1	–	–	–	–	1,051	5	–	83	–	–
Thomas Bearns	house proprietor	–	–	–	1	–	550	–	–	—		
John Surlong	- ditto	1	–	–	–	–	840	–	–	52	–	–
Michael Meehan	tailor	1	–	–	–	–	854	–	–	84	–	–
Patrick Bremcock	house proprietor	1	–	–	–	–	700	–	–	44	–	–
David Morley	blockmaker	1	–	–	–	–	900	–	–	90	–	–
Thomas Byrne	shoemaker	1	–	–	–	–	750	–	–	67	–	–
A. & R. Blackwood	hairdressers	–	–	1	–	–	586	–	–	72	–	–
Elizabeth English (widow)	house proprietress	–	–	–	1	–	830	–	–	84	–	–
Thomas Long	house proprietor	1	–	–	–	–	700	–	–	74	–	–
Honor Mackey (widow)	shopkeeper	1	–	–	–	–	325	–	–	44	–	–
James Cantwell	printer	1	–	–	–	–	500	–	–	40	–	–
Mary Ferris	house proprietress	–	–	–	1	–	650	–	–	75	–	–
Edward Smith	shopkeeper	–	–	–	1	–	790	–	–	79	–	–
James Murray	- ditto	–	–	1	–	–	800	–	–	30	–	–
Mary Barron (widow)	house proprietress	1	–	–	–	–	750	–	–	75	–	–
W. Branscombe	accountant	–	–	–	1	–	860	–	–	117	–	–
Thomas Murphy	blacksmith	1	–	–	–	–	600	–	–	59	–	–

(continued)

NAME.	OCCUPATION.	DENOMINATION.					Amount of Loss.			Amount Received.		
		Catholics.	Wesleyans.	Presbyterians.	Episcopalians.	Congregational.	£.	s.	d.	£.	s.	d.
James K. Moore	painter	–	1	–	–	–	616	–	–	57	10	–
John O'Flanagan	trader	1	–	–	–	–	360	–	–	54	–	–
James Trasy	shopkeeper	1	–	–	–	–	780	–	–	70	–	–
Catherine Flavin & Mary Power	- ditto	1	–	–	–	–	534	–	–	52	10	–
George G. Geddes	- ditto	–	–	1	–	–	516	–	–	55	–	–
Duncan Thomson	accountant	–	–	1	–	–	560	–	–	55	–	–
Thomas Blake	tinsmith	1	–	–	–	–	1,400	–	–	140	–	–
Samuel Knight	shopkeeper	–	–	–	–	1	660	–	–	63	–	–
James Fox & Co.	- ditto	1	–	–	–	–	683	4	7	68	–	–
John Coady, per P. Hayes, Memorial bearer.	sailmaker	1	–	–	–	–	775	–	–	45	–	–
William Foaly, per P. Hayes	baker	1	–	–	–	–	600	–	–	57	–	–
M. Cummins	mariner	1	–	–	–	–	992	–	–	99	–	–
Valentine Merchant	tailor	1	–	–	–	–	765	–	–	50	–	–
William Hogan	saddler	1	–	–	–	–	450	–	–	55	–	–
John Power	cooper	1	–	–	–	–	500	–	–	30	–	–
Patrick Brazee	house proprietor	1	–	–	–	–	550	–	–	50	–	–
Patrick Doutney	- ditto	1	–	–	–	–	450	–	–	37	10	–
Alexander M'Ausland	smith	–	–	1	–	–	475	–	–	67	–	–
Laurence Geran	shipmaster	1	–	–	–	–	775	–	–	63	–	–
Hilliard & Osbourn	fishermen	1	–	1	–	–	463	–	–	53	8	–
Daniel Henesy	shopkeeper	1	–	–	–	–	675	–	–	67	10	–
Richard Cudipy	trader	1	–	–	–	–	420	–	–	50	–	–
James Collins	shopkeeper	1	–	–	–	–	428	–	–	50	–	–
Thomas Rendle	- ditto	–	–	–	1	–	147	–	–	21	–	–
James Deady	baker	1	–	–	–	–	490	–	–	50	–	–
John Walsh	house proprietor	1	–	–	–	–	400	–	–	50	–	–
Patrick Scanlan	copier and grocer	1	–	–	–	–	400	–	–	50	–	–
Michael Gallivan	cooper	1	–	–	–	–	540	–	–	52	10	–
James Linnegar	house proprietor	1	–	–	–	–	495	–	–	65	–	–
Charles Ryan	- ditto	1	–	–	–	–	415	–	–	42	–	–
James Hanlan	cooper	1	–	–	–	–	400	–	–	45	–	–
Edward Hanlan	shoemaker	1	–	–	–	–	447	–	–	50	–	–
Patrick Tobin	cooper	1	–	–	–	–	600	–	–	58	–	–
John Walsh	master mariner	1	–	–	–	–	500	–	–	37	10	–
Patrick Maher	shopkeeper	1	–	–	–	–	550	–	–	55	–	–
John Funcheon	farmer	1	–	–	–	–	400	–	–	50	–	–
John Gallishen	house proprietor	1	–	–	–	–	368	–	–	40	–	–
Redmond Colbert	butcher	1	–	–	–	–	450	–	–	50	–	–
Edward Moran	shopkeeper	1	–	–	–	–	425	–	–	42	–	–
Thomas O'Brien	- ditto	1	–	–	–	–	300	–	–	22	–	–
Michael Phelan	house proprietor	1	–	–	–	–	408	–	–	49	–	–
John Griffin	- ditto	1	–	–	–	–	300	–	–	44	–	–
Anatta Power (widow)	- ditto	1	–	–	–	–	420	–	–	46	–	–
Patrick Flood	blacksmith	1	–	–	–	–	500	–	–	60	–	–
Thomas Duder	butcher	–	–	–	–	1	490	–	–	35	–	–
John Franey	house proprietor	1	–	–	–	–	480	–	–	45	–	–
Patrick Durphy	cooper	1	–	–	–	–	640	–	–	62	–	–
John Bovey	shopkeeper	–	1	–	–	–	350	–	–	47	–	–
Patrick M'Carthy	- ditto	1	–	–	–	–	285	–	–	28	–	–
Mark Coxson	blacksmith	–	1	–	–	–	350	–	–	22	10	–
William Doyle	shopkeeper	1	–	–	–	–	200	–	–	30	–	–
Thomas Allen	planter	1	–	–	–	–	350	–	–	45	–	–
William Walsh	cooper	1	–	–	–	–	420	–	–	51	–	–
Michael Harding	- ditto	1	–	–	–	–	290	–	–	35	–	–
John Buckley	blacksmith	1	–	–	–	–	375	–	–	50	–	–
Thomas S. Selby	shopkeeper	–	–	–	1	–	210	–	–	30	–	–
George Dousley	- ditto	1	–	–	–	–	250	–	–	30	–	–
Philip Knight	- ditto	–	–	–	–	1	275	–	–	37	10	–
Denis O'Reardon	- ditto	1	–	–	–	–	699	10	–	69	–	–
Margaret Connell	publican	1	–	–	–	–	310	–	–	42	10	–
Widow Dwyer	dressmaker	1	–	–	–	–	280	–	–	42	–	–
Johanna Bourke	shopkeeper	1	–	–	–	–	300	–	–	21	10	–
William Tobin	- ditto	1	–	–	–	–	530	–	–	43	–	–
Richard Mainwaring	shoemaker	1	–	–	–	–	347	–	–	30	–	–
Widow M'Donald	house proprietress	1	–	–	–	–	250	–	–	25	–	–
Charles Dendry	tailor	1	–	–	–	–	240	–	–	34	–	–
Joseph Murphy	carpenter	1	–	–	–	–	250	–	–	37	10	–
James Clooney	wheelwright	1	–	–	–	–	320	–	–	43	–	–
Thomas Cuddehy	labourer	1	–	–	–	–	220	–	–	37	10	–

NAME.	OCCUPATION.	DENOMINATION.					Amount of Loss.			Amount Received.		
		Catholics.	Wesleyans.	Presbyterians.	Episcopalians.	Congregational.	£.	s.	d.	£.	s.	d.
Peter Allen	fisherman	1	–	–	–	–	250	–	–	30	–	–
Thomas Flahoran	tailor	1	–	–	–	–	250	–	–	37	10	–
William Birch	painter	1	–	–	–	–	289	–	–	24	–	–
John Branel	cooper	1	–	–	–	–	360	–	–	45	–	–
Mary Walsh, Elizabeth Walsh	shopkeepers	1	–	–	–	–	330	–	–	43	–	–
Patrick Duggan	shipwright	1	–	–	–	–	230	–	–	33	–	–
John O'Donnell	fisherman	1	–	–	–	–	215	–	–	15	–	–
Andrew Power	shopkeeper	1	–	–	–	–	390	–	–	42	10	–
Thomas Zandler	- ditto	1	–	–	–	–	265	–	–	30	–	–
Lawrence Maccassey	cooper	1	–	–	–	–	230	–	–	22	10	–
Thomas Howlett	- ditto	1	–	–	–	–	306	–	–	42	–	–
William Barnes	carpenter	–	–	–	–	1	150	–	–	35	–	–
Thomas Morton	house proprietor	1	–	–	–	–	196	–	–	37	10	–
James Condon	shopkeeper	1	–	–	–	–	140	–	–	27	10	–
William Quinn	- ditto	1	–	–	–	–	200	–	–	11	5	–
Thomas Dammerall	shoemaker	–	–	–	1	–	260	–	–	37	10	–
Thomas Murphy	carpenter	1	–	–	–	–	303	–	–	33	–	–
James Wiseman	storekeeper	–	1	–	–	–	260	–	–	45	–	–
James Brine	carpenter	1	–	–	–	–	360	–	–	55	–	–
John Jynan	shoemaker	1	–	–	–	–	350	–	–	40	–	–
John Blundon	tailor	1	–	–	–	–	400	–	–	37	10	–
C. M'Manus	blacksmith	1	–	–	–	–	550	–	–	52	10	–
John Maden	cooper	1	–	–	–	–	330	–	–	45	–	–
John Egan	shopkeeper	1	–	–	–	–	250	–	–	42	–	–
Richard Comerford	cooper	1	–	–	–	–	400	–	–	45	–	–
William Hennesey	publican	1	–	–	–	–	360	–	–	40	–	–
William Parsons	watchmaker	–	1	–	–	–	400	–	–	52	–	–
John Nowlan	publican	1	–	–	–	–	450	–	–	50	–	–
C. H. Renou	surgeon	1	–	–	–	–	350	–	–	35	–	–
John Connor	butcher	1	–	–	–	–	250	–	–	25	–	–
W. B. Dryer	accountant	–	–	–	1	–	350	–	–	45	–	–
John Woods	shipwright	–	1	–	–	–	200	–	–	28	–	–
William Kielley	house proprietor	1	–	–	–	–	488	–	–	34	10	–
Thomas Costello	- ditto	1	–	–	–	–	450	–	–	37	10	–
Alice Maher (widow)	sempstress	1	–	–	–	–	120	–	–	26	5	–
Rose Hearne (widow)	house proprietress	1	–	–	–	–	350	–	–	35	–	–
Anna Murphy (widow)	- ditto	1	–	–	–	–	410	–	–	50	–	–
Widow M'Donald	- ditto	1	–	–	–	–	450	–	–	55	–	–
Patrick Canning	tinsmith	1	–	–	–	–	414	–	–	42	10	–
Thomas D. Quinn	trader	1	–	–	–	–	500	–	–	50	–	–
John Berrigan	tailor	1	–	–	–	–	450	–	–	53	–	–
Richard Collins	carpenter	1	–	–	–	–	315	–	–	42	10	–
Henry Earle	tailor	–	–	–	1	–	343	–	–	42	10	–
Samuel Creed	cabinet-maker	–	1	–	–	–	380	–	–	50	–	–
Elizabeth Wiley (widow)	house proprietress	1	–	–	–	–	320	–	–	37	10	–
Thomas M'Grath	blacksmith	1	–	–	–	–	450	–	–	27	10	–
James Bergin	carpenter	1	–	–	–	–	450	–	–	30	–	–
William Joy	fisherman	1	–	–	–	–	400	–	–	42	10	–
Felix Dowsley	druggist	1	–	–	–	–	501	5	7	55	–	–
James Kielley	householder	1	–	–	–	–	450	–	–	45	–	–
Matthew Johnson and T. Packer	carpenters	–	–	–	1	–	340	–	–	45	–	–
Ann Eagan (widow)	house proprietress	1	–	–	–	–	500	–	–	45	–	–
Denis Sullivan	dealer	1	–	–	–	–	437	–	–	52	10	–
Philip Moore	planter	1	–	–	–	–	500	–	–	62	–	–
William Byrne	house proprietor	1	–	–	–	–	380	–	–	45	–	–
William Webber	planter	–	–	–	1	–	369	–	–	46	–	–
Patrick Lynch	master mariner	1	–	–	–	–	380	–	–	45	–	–
Mary Thomson (widow)	housekeeper	–	–	1	–	–	313	–	–	42	10	–
James Cummins	house proprietor	1	–	–	–	–	300	–	–	42	10	–
Edward Power	- ditto	1	–	–	–	–	380	–	–	35	–	–
John Carter	shopkeeper	1	–	–	–	–	423	–	–	50	–	–
Joseph English	tailor	1	–	–	–	–	250	–	–	22	10	–
Edmond Power	house proprietor	1	–	–	–	–	240	–	–	35	–	–
John O'Donnell	shopkeeper	1	–	–	–	–	350	–	–	44	–	–
William Dalton	cooper	1	–	–	–	–	250	–	–	37	10	–
Richard Cummins	shopkeeper	1	–	–	–	–	304	–	–	42	10	–
James Fogarty	dealer	1	–	–	–	–	350	–	–	42	10	–
Matthew Doyle	tailor	1	–	–	–	–	300	–	–	37	10	–
Solomon Goss	house proprietor	1	–	–	–	–	220	–	–	19	10	–
John Warren	master mariner	–	–	–	1	–	450	–	–	49	–	–
Patrick Dohenny	fisherman	1	–	–	–	–	250	–	–	45	–	–

(continued)

NAME.	OCCUPATION.	DENOMINATION.					Amount of Loss.	Amount Received.
		Catholics.	Wesleyans.	Presbyterians.	Episcopalians.	Congregational.		
							£. s. d.	£. s. d.
Ambrose Rossdyne	publican	1	–	–	–	–	380 – –	27 – –
Patrick Kulty	innkeeper	1	–	–	–	–	997 – –	50 – –
John Pinnell	house proprietor	1	–	–	–	–	500 – –	52 10 –
William Parker	merchant	1	–	–	–	–	400 – –	—
John Donnelly	house proprietor	1	–	–	–	–	480 – –	53 – –
Thomas Murray	tailor	1	–	–	–	–	500 – –	55 – –
Thomas Power	carpenter	1	–	–	–	–	450 – –	51 – –
Robert Finlay	broker	–	–	–	–	1	440 – –	57 10 –
Thomas Doyle	shopkeeper	1	–	–	–	–	– – –	25 – –
Patrick Breen	blacksmith	1	–	–	–	–	240 – –	30 – –
Mary Ann Moran	publican	1	–	–	–	–	300 – –	45 – –
John Long	carpenter	1	–	–	–	–	600 – –	60 – –
John D. Ryland	accountant	–	–	–	1	–	945 – –	50 – –
John D. Ryland and Brothers	gentlemen	–	–	–	1	–	1,022 – –	100 – –
Dicks and Brace	stationers	–	1	–	1	–	348 – –	42 – –
John Condon	fisherman	1	–	–	–	–	380 – –	45 – –
James St. John	tailor	1	–	–	–	–	250 – –	37 – –
Margaret Mickelmore	house proprietor	1	–	–	–	–	333 – –	50 – –

NAME.	OCCUPATION.	RELIGION.			Amount of Loss.	Amount Received.
		Roman Catholics.	Episcopalians.	Dissenters.		
					£. s. d.	£. s. d.
Patt Burnett	butcher	1	–	–	104 – –	35 – –
William Scott	trader	1	–	–	100 – –	30 – –
Thomas Cashen	shopkeeper	1	–	–	120 – –	22 10 –
W. Collier (not insured)	sailmaker	–	–	–	97 – –	30 – –
Laurence Doutney (not insured)	master tailor	1	–	–	170 – –	30 – –
Pat. Doutney (not insured)	baker	1	–	–	120 – –	18 – –
Bartholomew Doutney (not insured)	teacher	1	–	–	210 – –	15 – –
Robert Meany	fisherman	1	–	–	100 – –	24 – –
Martin Daly	ditto	1	–	–	82 – –	15 – –
Henry Chafe	ditto	–	1	–	140 – –	30 – –
Daniel Murphy	ditto	1	–	–	150 – –	22 10 –
Phebe Undrey	house proprietress	–	1	–	120 – –	30 – –
Arch. Graham	dealer	–	–	1	120 – –	22 10 –
John Breen	fisherman	1	–	–	90 – –	24 – –
Margaret Doherty	house proprietress	1	–	–	140 – –	24 10 –
Edward Lascombe	carpenter	–	–	1	98 – –	30 – –
Michael Coady	fisherman	1	–	–	190 – –	28 – –
Patrick Fennessey	cooper	1	–	–	180 – –	37 10 –
Elizabeth Kenny (widow)	shopkeeper	1	–	–	105 – –	25 15 –
James O'Mara	shoemaker	1	–	–	100 – –	25 – –
Stephen O'Mara	ditto	1	–	–	167 – –	25 10 –
Patrick Howlet	labourer	1	–	–	150 – –	30 – –
John Ryan	pilot	1	–	–	180 – –	37 – –
John Brown	fisherman	1	–	–	100 – –	26 – –
Robert Dealy	labourer	1	–	–	125 – –	30 – –
Peter Kelly	ditto	1	–	–	195 – –	22 10 –
Richard Mullowney	shopkeeper	1	–	–	126 – –	22 10 –
John Cunningham	fisherman	1	–	–	160 – –	22 10 –
Dennis O'Neail	tailor	1	–	–	100 – –	15 – –
John Gleeson	blacksmith	1	–	–	185 – –	27 – –
John Delahunty	tailor	1	–	–	120 – –	26 5 –
Alice Mullowney	widow	1	–	–	150 – –	26 5 –
Patrick Furlong	shopkeeper	1	–	–	200 – –	35 – –
Catherine Kenny	dealer	1	–	–	164 – –	25 – –
James English	shoemaker	–	–	1	220 – –	30 – –
John Fitzgerald	labourer	1	–	–	163 – –	24 – –
Elenor Bolenor (widow)	house proprietress	1	–	–	190 – –	35 – –
Wm. Armstrong	sailmaker	1	–	–	190 – –	22 10 –
Patrick Morris	house proprietor	1	–	–	100 – –	26 5 –
W. Postlethwaite	shopkeeper	1	–	–	200 – –	30 – –
William Foley	cooper	1	–	–	112 – –	25 – –

NAME.	OCCUPATION.	RELIGION.			Amount of Loss.			Amount Received.		
		Roman Catholics.	Episcopalians.	Dissenters.	£.	s.	d.	£.	s.	d.
John Lannigan	fisherman	1	–	–	180	–	–	30	–	–
Christiana Morley	teacher	1	–	–	150	–	–	15	–	–
Henry Geary	cooper	1	–	–	165	–	–	22	10	–
Thomas Fahy	carpenter	1	–	–	180	–	–	30	–	–
Luke Bryan	- ditto	1	–	–	120	–	–	25	–	–
Michael Wall	- ditto	1	–	–	137	–	–	20	10	–
Mathew Leary	baker	1	–	–	133	–	–	25	–	–
Nicholas Wadden	labourer	1	–	–	150	–	–	25	–	–
William Kennedy	fisherman	1	–	–	131	–	–	30	–	–
Patrick Dwyer	- ditto	1	–	–	156	–	–	22	10	–
W. S. Pope	blacksmith	–	1	–	213	–	–	31	10	–
Peter Webber	tailor	–	1	–	130	–	–	37	10	–
Elizabeth Prowse	house proprietress	–	1	–	200	–	–	36	–	–
John Perrin	cooper	–	1	–	130	–	–	25	–	–
Patrick M'Namara	house proprietor	1	–	–	250	–	–	51	–	–
James Harvey	shipwright	–	1	–	225	–	–	*125	–	–
John Woods	- ditto	–	1	–	160	–	–	22	10	–
Nicholas Coady	fisherman	1	–	–	180	–	–	37	10	–
Jane Angle (widow)	house proprietress	–	1	–	120	–	–	22	10	–
Sarah Hanley (widow)	- ditto	–	1	–	111	–	–	22	10	–
Michael Cahill	tailor	1	–	–	109	6	3	25	–	–
James M'Creath	shopkeeper	–	–	1	109	–	–	27	10	–
William Cashin	tailor	1	–	–	110	–	–	15	–	–
William Maxwell	- ditto	1	–	–	100	–	–	15	–	–
Joseph Dicks	sailmaker	–	–	1	175	10	–	28	10	–
Wm. M. Blake	copper and tinsmith	1	–	–	1,300	–	–	114	–	–
Laurence Dennahy	fisherman	1	–	–	200	–	–	30	–	–
Thomas Ryan	- ditto	1	–	–	188	–	–	27	10	–
Joseph Byrne	- ditto	1	–	–	180	–	–	22	10	–
Richard Quin	butcher	1	–	–	250	–	–	22	10	–
William Mitchelmore	carpenter	–	1	–	212	–	–	24	–	–
Patrick Wiley	cooper	–	–	–	164	–	–	24	–	–
John M'Grath	blacksmith	1	–	–	250	–	–	22	10	–
Wm. M. Davis	carpenter	–	1	–	250	–	–	37	10	–
Thomas Kelly	butcher	1	–	–	130	–	–	30	–	–
George Hamlin	cooper	–	1	–	180	–	–	23	10	–
Hugh Hamlin	farmer	–	1	–	480	–	–	55	10	–
Thomas Pine	fisherman	1	–	–	80	–	–	24	–	–
Joseph Kavanagh	cooper	1	–	–	113	–	–	18	15	–
Samuel Shamler	shipwright	–	1	–	150	–	–	30	–	–
John Chafe	fisherman	–	1	–	140	–	–	30	–	–
John Moore	sailmaker	–	1	–	160	–	–	26	10	–
James Mullay	carpenter	1	–	–	192	–	–	30	–	–
Michael Magee	cooper	1	–	–	210	–	–	30	–	–
Thomas Curran	tailor	1	–	–	200	–	–	30	–	–
Patrick Power	carpenter	1	–	–	190	–	–	28	–	–
John Hurley	cooper	1	–	–	158	–	–	24	–	–
Patrick Donovan	tinsmith	1	–	–	110	–	–	18	15	–
James M'Donnell	fisherman	1	–	–	130	–	–	26	5	–
Michael Loughnan	house proprietor	1	–	–	120	–	–	18	–	–
William Coughlan	farmer	1	–	–	120	–	–	19	10	–
John O'Brien	tailor	1	–	–	180	–	–	32	10	–
Honora Shea (Patrick)	fisherman	1	–	–	110	–	–	25	–	–
James Gallinon	fisherman, 75 years old	1	–	–	100	–	–	35	–	–
Edward Leary	house proprietor	1	–	–	130	–	–	20	–	–
Martin Deady	- ditto	1	–	–	175	–	–	25	–	–
Richard Fleming	shoemaker	1	–	–	100	–	–	22	10	–
George Martin	tailor	–	–	1	120	–	–	25	10	–
Ann Knight	widow	–	–	1	200	–	–	25	–	–
John Nurse	pilot	1	–	–	223	–	–	33	–	–
Patrick Byrne	publican	1	–	–	144	–	–	22	–	–
George Marshall	fisherman	–	1	–	125	–	–	37	10	–
Thomas Lynch	house proprietor	1	–	–	117	–	–	26	5	–
Charlotte Grimstead	house proprietress	–	1	–	150	–	–	22	10	–
Edward Walsh	shoemaker	1	–	–	190	–	–	30	–	–
William Westcott	fisherman	–	1	–	100	–	–	22	10	–
John Quin	publican	1	–	–	159	–	–	26	5	–
James English	cooper	1	–	–	125	–	–	33	–	–

* £.100 Compensation for House pulled down to stop the Fire.

(*continued*)

NAME.	OCCUPATION.	RELIGION.			Amount of Loss.	Amount Received.
		Roman Catholics.	Episcopalians.	Dissenters.		
					£. s. d.	£. s. d.
Michael Power	cooper	1	–	–	114 – –	26 5 –
Michael Leary	fisherman	1	–	–	130 – –	19 10 –
Michael Hayes	house proprietor	1	–	–	150 – –	22 10 –
John Whelan	publican	1	–	–	150 – –	27 10 –
Thomas Whelan	fisherman	1	–	–	190 – –	28 10 –
James Cody	shopkeeper	1	–	–	116 – –	34 – –
Thomas Nurse	fisherman	–	1	–	160 – –	22 10 –
Martin Smart	mariner	–	1	–	150 – –	10 – –
Andrew Clooney	cooper	1	–	–	101 – –	22 10 –
Joseph Walsh	fisherman	1	–	–	174 – –	22 10 –
John Nurse	- ditto -	–	1	–	105 – –	26 5 –
George M'Lennan	cooper	1	–	–	165 – –	25 – –
Patrick Fitzgerald	fisherman	1	–	–	166 – –	27 10 –
George Hatchett	shoemaker	1	–	–	170 – –	35 – –
John Kenny	fisherman	1	–	–	120 – –	18 – –
Richard Power	butcher	1	–	–	187 – –	25 – –
Ann Burke	house proprietor	1	–	–	200 – –	22 10 –
Ellen Burke	feesimple estate	1	–	–	150 – –	—
Edward Johnson	innkeeper	1	–	–	250 – –	30 – –
David Hayes	cooper	1	–	–	142 – –	26 5 –
Thomas M'Donald	labourer	1	–	–	170 – –	26 5 –
Michael Grey	seaman	1	–	–	150 – –	22 10 –
James Power	shipowner	1	–	–	150 – –	26 5 –
Garret Dooly	innkeeper	1	–	–	112 13 –	34 – –

Enclosure 3, in No. 81.

St. John's, Newfoundland,
23 August 1847.

Sir,

Encl. 3, in No. 81. I BEG to thank his Excellency the Governor for the opportunity you have afforded me of seeing a paragraph contained in a memorial addressed to Lord Grey by persons representing themselves to be sufferers by the fire of 9 June 1846, which is to the following effect: "there was high authority for the opinion, for the only Judge in the land in October enunciated the principle from the Bench, that all who had suffered by the fire had an equal right to a share of the money, and that they might sue for it." The memorial in question has reference to the grant made by the Imperial Parliament, and the money collected in the churches under the Queen's letter, and as any observations I may have made had reference solely to the private contributions of individuals; the statement in the paragraph must have been made under misapprehension, as it is entirely without foundation.

I have &c.
(signed) *A. W. Desbarres.*

The Honourable James Crowdy,
&c. &c. &c.

Tuesday, 24 August 1847.

Messrs. M'Auslan, Knight & Jordan, having called on me to question me as to the accuracy of a statement made in a memorial to Earl Grey, to the effect that Judge Desbarres, from the Bench, enunciated the opinion that "all who had suffered by the fire had an equal right to a share in the money, and that they might sue for it." As I was in court at the time, and as the observations of the learned Judge were principally directed to myself, I believe the report contained in the memorial, and already quoted by me, to be substantially correct.

(signed) *John Kent.*

— No. 82. —

No. 82. (No. 40.)
Earl Grey to Governor Sir G. Le Marchant. 7 October 1847.

COPY of a DESPATCH from Earl *Grey* to Governor Sir *G. Le Marchant.*

Sir, Downing-street, 7 October 1847.

I HAVE to acknowledge the receipt of your despatch No. 34*, of the 24th August, transmitting a Petition to the Queen from the inhabitants of St. John's, together with one addressed to myself, on the subject of the distribution of the residue

* Page 96.

residue of the money remaining in the hands of the Government of Newfoundland, for the relief of the sufferers by the recent fire. NEWFOUNDLAND.

You will acquaint the petitioners that I have laid their petition before the Queen, who was pleased to receive it graciously, but that for the reasons I have stated to you in my despatch No. 39,* of 6th instant, I have not been able to advise Her Majesty to comply with the prayer of it.

* Page 96.

I have, &c.
(signed) *Grey*.

— No. 83. —

(No. 49.)

No. 83.
Governor Sir G. Le Marchant to Earl Grey.
18 October 1847.

EXTRACT of a DESPATCH from Governor Sir *G. Le Marchant* to Earl *Grey*; dated St. John's, Newfoundland, 18 October 1847.

(Received, 16 November 1847.)

"ON the 9th ultimo, a strong wind blowing from the north-east, bearing with it a heavy cloud, charged apparently with electric fluid, in its rapid course over the land, changed the luxurious appearance of the crops to blighted stalks, and the opinion then generally entertained of its character and the probable results, has been but too truly verified, for the same disease of the potato, the cause of so much misery and distress in the last two years in Ireland, and which, in the past year partially attacked a few settlements in this colony, has now overspread the whole country.

A visitation of this nature would, in any country, be the occasion of much alarm, and excite the deepest apprehensions for the consequences that must inevitably result on the withdrawal of even a portion of an article of food on which the mass of the population rely for their subsistence; but here, where no other substitute exists, the culture of the soil, limited in extent as it even is, being entirely confined to this plant, such calamity befalling the land, is one that presents to my mind the most painful and the most anxious thoughts.

* * * * * *

In other years the position and prospects of the people would, under the present circumstances, have been rendered infinitely more severe from the insufficiency of the pecuniary resources at the command of the Government.

But such is not now the case, for by your Lordship's wisdom in reserving for the benefit of the colonygenerally the residue of the monies remaining in the hands of the Government here, for the relief of the sufferers by the fire of St. John's last year, we are at once enabled, with both efficiency and promptitude, to meet the necessities of the people, and without such foresight on the part of your Lordship, our wishes, however benevolent and well intentioned, must, from the absolute exhaustion of all funds at our disposal, have remained inactive and powerless.

In accordance with your Lordship's suggestions, eleemosynary aid on the part of the Government has been entirely withheld; nevertheless relief has been freely and liberally administered to every applicant, and from the recipient, reproductive labour has been exacted.

In the carrying this plan into general operation, new roads are being opened, and many of them similar to the one to Placentia, will, most assuredly contribute, as well to the general convenience as to the commerce of the country.

The distribution, even of the various implements required for the prosecution of the works along the several lines of road, has been attended with most happy results; for while in some parts they were often not procurable, so in others they were entirely unknown.

For the purpose of checking and controlling the wasteful expenditure of provisions by those labouring on the roads, directions have been issued for only one-half of the daily wages to be paid at the present time, and the remainder to be reserved until the approach of spring, when, from my experience during the late occurrences in Ireland, the pressure on the people will be most severely felt.

* * * * * *

In addition, moreover, as a like failure has occurred in Nova Scotia, and where, to us of greater consequence, in Prince Edward's Island, the granary, as it

NEWFOUNDLAND.

it may be termed, of Newfoundland, it is incumbent that the best exertions as well of the Government as of the people themselves, should be employed in providing a substitute for this plant, the staple article of food at present in this colony.

Measures have accordingly been taken for reserving out of the resources at the disposal of the Government, the sum of 800 *l.*, to be expended in the purchase of the several descriptions of corn seeds.

These will be distributed throughout the country, with but this one condition attached, that the recipients in each case after the harvest return to the Government an equal amount of seed to that originally given out, and which will again in the following season be in like manner distributed among the people."

— No. 84. —

No. 84.
Governor Sir G. Le Marchant to Earl Grey.
10 November 1847.

(No. 54.)

COPY of a DESPATCH from Governor Sir *G. Le Marchant* to Earl *Grey*.

Government House, St. John's, Newfoundland,
10 November 1847.

(Received, 30 November 1847.)

My Lord, (Answered, 13 December 1847, No. 52, page 109.)

I HAVE much satisfaction in transmitting for your Lordship's information an Address presented to me this day by a deputation of the principal merchants of this capital.

It is with much pleasure that I submit to your Lordship a document of such character and weight, proceeding as it does from the leading mercantile houses and householders, and comprising the names of the chief wealth and respectability of the town, who, although the greatest sufferers by the fire have received no portion of the funds arising out of the Queen's letter, the Imperial grant or private subscriptions.

It affords me sincere gratification to find the wealth and intelligence of the island, uniting in the expression in such full and forcible terms, not only of their entire confidence in the proceedings adopted by the local Government to meet the calamity under which the colony is suffering, but of their entire concurrence in the course pursued by your Lordship in the appropriation of the money in question, and it will, I am sure, be satisfactory to your Lordship to find, that in the unbiassed opinion of these gentlemen, the course so pursued by your Lordship is that best adapted to carry out to the fullest extent the meaning and intention of the donors to these charitable funds.

I have, &c.
(signed) *J. Gaspard Le Marchant.*

Enclosure in No. 84.

Encl. in No. 84.

To his Excellency Sir *John Gaspard Le Marchant*, Knight, and Knight Commander of the Orders of Saint Ferdinand, and of Charles the Third of Spain, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies.

May it please your Excellency,

WE the undersigned merchants and householders of the town of St. John's, having been sufferers, many of us, to a very large extent, by the disastrous fire of the 9th June 1846, feel impelled under the circumstance of the unhappy destitution which prevails among the fishing and labouring population throughout several portions of this colony, to address your Excellency, and express to you our humble tribute of approbation at the promptitude and energy with which your Excellency has taken measures to meet a crisis unprecedenetd in this colony, and especially at the judicious course which your Excellency has adopted in availing yourself of the residue of the fire funds under your control, for purposes of general relief, in preference to providing the extensive relief that must necessarily be required, in a manner to increase the heavy burthens upon the already depressed trade and fisheries of the colony.

Although such severe sufferers by the fire of last year, we have not any of us hitherto participated in the relief afforded by the distribution of the fire fund, but we conceive that if a further distribution of the residue among fire sufferers were to take place, we might reasonably establish claims to a portion, before further payments should be made to persons who have already received large sums.

Our

Our knowledge, however, of the distress and destitution prevalent, especially in some of the out-districts, and a consciousness that the imperative necessities of the greater number ought, in reason, to be paramount to the claims of the few, amply justify, in our opinion, the appropriation of these funds to the relief of the whole people of the colony wherever destitution or want may exist, and we feel satisfied that the intentions of the donors will thereby virtually and in spirit be carried out.

We have every confidence that your Excellency will adopt such measures as may be best calculated to meet any further exigencies and necessities of the colony that may arise.

St. John's Newfoundland, 8 November 1847.

(signed) Baine, Johnstone & Co.
J. Bond.
Mudge & Co.
Job Brothers & Co.
Robinson, Binking & Co.
M'Bride & Kerr.
Stubb, Row & Holmwood.
E. & N. Stubb.
Wilson & Meynell.
Wm. Warren, jun.
Wm. Griere & Co.
S. G. Archibald.
Hormsell, Schenk & Hormsell.
Robert Alsop & Co.
John Cusack & Sons.
P. &. W. Carter.
Morier W. Hutchings.
Wm. & H. Thomas & Co.
Edward Kiellery.
Brocklebank & Anthony.
Hunters & Co.
P. W. Carter, J. P.
Rennie, Stuart & Co.
Robert Carter.
Samuel Langley.
R. & J. S. Rutherford.
Thomas Cliff.
C. Bonnell & Co.
Eugenius Harvey.
Bowring, Brothers.
Matthew Stewart.
Jas. & W. Stewart.
P' pro Newman & Co.,
Thos. G. Mony.
John H. Warren.
William Lach.
P' pro Wm. E. Taylor,
Daniel Mackenzie.
G. F. Boun.
Thos. Williams.
Arch. Gill.
Warren, Brothers.
Chas. Simms.
Lewis Tessin.
Murray & Small.
Wilson & Co.
Bryan Robinson.

— No. 85. —

(No. 52.)

No. 85.
Earl Grey to Governor Sir G. Le Marchant.
13 December 1847.
* Page 108.

COPY of a DESPATCH from Earl *Grey* to Governor Sir *G. Le Marchant*.

Sir, Downing-street, 13 December 1847.

I HAVE to acknowledge the receipt of your despatch No. 54,* of 10th November last, transmitting an Address which had been presented to you by a deputation of the principal merchants of St. John's, Newfoundland, expressing their confidence in the measures adopted by the local Government to meet the calamity under which the colony is suffering.

I fully participate in the gratification which the receipt of this Address has afforded you, and you will assure the gentlemen from whom it proceeds, that Her Majesty's Government readily acknowledge and highly appreciate the liberal and disinterested motives by which they have been actuated on this occasion.

I have, &c.
(signed) *Grey*.

— No. 86. —

(No. 63.)

No. 86.
Governor Sir G. Le Marchant to Earl Grey.
31 December 1847.

EXTRACT of a DESPATCH from Governor Sir *G. Le Marchant* to Earl *Grey*; dated Government House, St. John's, Newfoundland, 31 December 1847.
(Received 27 January 1848.)

IN gratefully acknowledging this munificent contribution on the part of Her Majesty's Government towards the mitigation of the severe privations against which the labouring classes of Newfoundland are now struggling, I have much satisfaction

NEWFOUNDLAND. satisfaction in acquainting your Lordship, that by closely following the course laid down, and the rules prescribed by your Lordship in your several despatches to me since my assumption of the government of this colony, the Executive here has been enabled on every occasion that has yet arisen, to administer prompt as well as efficient relief.

Your Lordship's directions to me on the 3d of June last, to devote no more money to the relief of individuals, but to apply to the relief of the colony generally the residue of the sum voted by the Imperial Parliament, as well as that raised under the authority of the Queen's letter, placed such resources at our disposal, that we have thereby been enabled to lay in a store of provisions to the extent of 12,000 barrels of Indian meal.

This amount of provisions, paid in the shape of wages to the destitute poor employed on the various public works, will, we have every reason to hope, be found sufficient to meet the wants of the population this season, and carry them through the difficulties now hanging over them.

This large supply of food has also had a very salutary effect in checking the rise generally throughout the colony in the price of provisions, which were attaining a height likely to lead to serious consequences; and I have been informed by persons well versed in the trade, that the measures of the Government have reduced the prices some 20 or 25 per cent.

Although some dissatisfaction and show of opposition was at the outset exhibited by a part of this community who expected to participate in the distribution of these funds, yet even among this class the feelings of discontent are fast dying away, and I am happy to have it in my power to say, that the decision of your Lordship with respect to the appropriation of these monies is now very generally appreciated among all classes.

In confirmation of which fact I will merely mention, that the Relief Committee, the framers of the petition of remonstrance to your Lordship in the month of August last, signed by their chairman, Mr. Prowse, have at their final meeting held within the last few days (a copy of proceedings on the occasion is herewith transmitted), resolved to adopt the very same course as that prescribed by your Lordship to the Executive here, and accordingly they have ceased to administer any further relief to the class denominated "Fire Sufferers," but have placed the residue of their funds, about 800*l.* in the hands of the parochial clergy of this town, to be by them distributed among the really necessitous in the course of next spring, at which time the greatest amount of distress may be expected to be experienced among the poor and indigent.

The measures that we have adopted for the investigation of the various petitions and representations of distress from the different out-harbours of the colony, have been attended with most satisfactory results; and from the reports received in obedience to our instructions monthly from the stipendiary magistrates, we are enabled to test with accuracy the calls now daily made on us, even from the most distant quarters.

These demands, together with the reports, are weekly brought under the consideration of my Council, and I am happy to say that the mode as well as the extent of relief awarded in each case has always met with the unanimous concurrence of the whole body.

By the careful husbanding of our resources, as also the steady determination of rejecting the solicitations of interested parties, and confining ourselves solely to those who are in a destitute condition, we shall, with our present resources, be able, we confidently anticipate, to supply the immediate wants of the population.

Enclosure in No. 86.

COPY of the RESOLUTION passed at the last Meeting of the General Relief Committee.

Encl. in No. 86

Resolved,—That the remaining funds at the disposal of the General Relief Committee be transferred to a committee named below, with power to add to their numbers, to form part of a fund, that the committee are desirous should be hereafter increased for the relief of their fellow-countrymen in this island.

Committee nominated:—Messrs. Robert Prowse, P. Morris, P. Kough, T. Glen and G. T. Brooking.

— No. 87.—

(No. 2.)

No. 87.
Governor Sir G. Le Marchant to Earl Grey.
5 February 1848.

EXTRACT of a DESPATCH from Governor Sir *G. Le Marchant* to Earl *Grey*; dated Government House, St. John's, Newfoundland, 24 January 1848.

(Received, 5 February 1848.)

(Answered, 24 March 1848, No. 65, page 112.)

"CIRCUMSTANCES have lately arisen here that render it incumbent on me to recal your Lordship's attention to that part of my despatch of the 9th August 1847*, having reference to the propriety of appropriating part of the Imperial Grant to the restoration of the Roman-catholic Convent and School, and which had been previously adverted to by your Lordship in your despatches, Nos. 7† and 29,‡ the former dated the 1st May, and the latter the 19th July of the past year.

* Page 86.

† Page 63.

‡ Page 83.

Agreeably with my intention expressed to your Lordship in the afore-named despatch, immediately on Bishop Fleming's return to the colony last autumn, I took the opportunity in an interview with him, of acquainting him with your Lordship's views on his claims on the Government for assistance in rebuilding his school, as well as my most anxious desire to further the same to the utmost extent of my ability and means, and thereupon informed him, that out of the resources placed at my disposal, I was happy to have it my power to present him with 1,000*l.* for the accomplishment of this object.

This offer Bishop Fleming thought proper at once to decline, observing that the amount was insufficient to be of any real use for the object he had in view, and that nothing under 2,000*l.* would be of any avail. After some further conversation, and the expression of a wish on the part of the Bishop that the matter should undergo further consideration, the subject was dropped.

Being perfectly cognizant of the cost at which wooden buildings can be erected in this country, the reply of Bishop Fleming certainly surprised me; for the amount I offered, taken in conjunction with the 500*l.* voted by the House of Assembly in furtherance of the same object, was sufficient as well as ample for all requisite purposes.

In the month of November Bishop Fleming again repeated his visit, and this time on renewing his request for assistance in the erection of these buildings, applied for the sum of 1,500*l.*

During this interval, as your Lordship is aware, the position of the Executive Government here had undergone a very material change; the state of the country and the amount of distress likely to befall the lower classes in the approaching winter, was such as to leave me no other alternative but to husband with the strictest care and economy all my available resources, and to restrict myself solely to the relief of the destitute, and the supplying of food to the starving multitudes then daily importuning the Government from all quarters of the island, so that of necessity therefore any former intentions that I had expressed respecting the disposal of the monies in my hands, must for a time be suspended.

This

NEWFOUNDLAND.

This I endeavoured to impress on the mind of Bishop Fleming, and not any disinclination on my part to forward his views to the utmost extent of my ability and means, was the sole reason and cause why the matter must remain in abeyance, until the approach of spring would enable the Government clearly to perceive their true position with respect to the wants and necessities of the people; and that I earnestly hoped that the disposition I had ever displayed towards himself personally and his Roman-catholic brethren, would be a sufficient guarantee of my intention to act towards him in an honourable, fair and straightforward manner.

* * * * *

Up to the present date all the measures adopted for the relief of the people have been perfectly successful, and at the meeting of the Council the day before yesterday, when the various reports from the stipendiary magistrates on the state of their respective districts were submitted for their consideration, there appeared no reason to expect any increased amount of distress, and in those several localities, as well as in this town, the strictest attention has ever been paid to the association of the Roman-catholic clergy in equal numbers with the Protestant in the formation of every charitable board, and relief has been most impartially administered to all applicants without any respect to their separate creeds or persuasions, and I may truly say from the day of my arrival in the colony, an equal degree of attention and courtesy has ever at Government-house been manifested to the Roman-catholic as well as the Protestant; and every endeavour has been exerted on my part to remove all feelings of jealously, and to show the fixed determination of the Executive to pursue a fair and open course towards parties of all religious denominations.

* * * * *

Through some misunderstanding of the post-office authorities, the last mail of the 1st instant from England has been detained at Halifax, and consequently will not now arrive here until the middle of the next month, I therefore take the opportunity of forwarding this by a sailing vessel leaving to-morrow direct for Cork."

— No. 88. —

No. 88.
Earl Grey to Governor Sir G. Le Marchant.
24 March 1848.
* Page 111.

(No. 65.)

COPY of a DESPATCH from Earl *Grey* to Governor Sir *G. Le Marchant.*

Sir, Downing-street 24 March 1848.

I HAVE to acknowledge the receipt of your despatch No. 2,* of the 24th January last, in which you relate the purport of certain interviews which you have had with Dr. Fleming, respecting the appropriation of part of the Imperial Grant to the restoration of the Roman-catholic Convent and School in Newfoundland, and I have to signify to you my approval of the view which you have taken as to the amount of assistance which, consistently with the other claims on the grant, you could afford to give to the Bishop.

I have, &c.
(signed) *Grey.*

— No. 89. —

No. 89.
Governor Sir G. Le Marchant to Earl Grey.
23 May 1848.

(No. 19.)

EXTRACT of a DESPATCH from Governor Sir *G. Le Marchant* to Earl *Grey*; dated Government House, St. John's, Newfoundland, 4 May 1848.

(Received, 23 May 1848.)

Town of St. John's.—DURING the past year, great exertions have been made by the inhabitants of the town of St. John's, to repair their losses occasioned by the fire of the 9th June of the preceeding year. New lines of streets have been laid out on an improved plan, both as to width and regularity, and intersected at suitable distances with cross streets or fire-breaks. In several quarters of the town, new buildings have been commenced, and the works carried on with great spirit and energy.

In

In the Lower-street, Water-street, on the side commanding the frontage of the harbour, many handsome shops and substantial warehouses of stone and brick have been erected at very considerable expense, by the merchants, and this part of the town wears an improved appearance. Very many of these have been erected at a cost varying from 4,000*l.* to 8,000*l.*, and the ground-rental of the premises lining this frontage, averages 3*l.* a square foot.

The Act, however, rendering it compulsory that all buildings in this street, as well as the south side of the street lying immediately above it in a parallel line, called Duckworth-street should be either of brick or stone, does not come into operation till the next year; and it is much to be feared, that at the meeting of the local Legislature, many and strenuous attempts will be made, and those successfully, for a further postponement of this most desirable measure; for until this has been effected, in consequence of the contiguity of so many wooden buildings, serving only temporary purposes, the danger of a fire again spreading its ravages throughout the city, though to a certain degree lessened, will not be removed.

The public buildings now in the course of erection are the Custom-house, which will be completed in the spring; the Colonial Building, to be appropriated for the meetings of the local Legislature, and the Protestant Cathedral, towards which half the amount raised under the authority of the Queen's Letter for the relief of the sufferers by the fire, has been appropriated. A site has been fixed on for a Market-house, and a sum of money voted for its erection, but owing to the embarrassed condition of the finances of the colony, as yet no progress has been made with the work.

In the past year, I have, out of the funds at the disposal of the Government, formed two large tanks in the centre of the town, affording at all times a copious supply of pure and excellent water, and likewise being frost-proof, of the greatest utility in event of accidents by fire occurring in their neighbourhood.

At one of the chief outlets of the town, commanding the frontage of the river, and forming the upper part of the harbour, a public walk, affording a place of recreation to all classes, as well as contributing to the health of the inhabitants, has been commenced, and in the course of the ensuing season will be completed.

The crowded state of the burial-grounds in this town has likewise occupied my most serious attention, and for the purpose of abating, if not entirely removing this evil so loudly complained of by the inhabitants generally, I have purchased a piece of ground without the town, of nine acres in extent, and intend dividing and appropriating it as a cemetery for parties of all religious denominations, in proportion to the number composing the several creeds, and shall use my best endeavours for the closing of those within the town.

Two companies, the one for supplying the town with gas, the other for the supply of water, have been incorporated by Acts of the local Legislature, the former in the year 1844, whose works are completed and in full operation; the latter in the year 1846, whose pipes are now being laid down, and it is presumed the town will have the benefit of the undertaking in the course of the spring.

As no assessments are in force for any local or fiscal purposes, it is impossible to form any accurate estimate of the value of either household or other property in this town; the rental, however, of Water and Duckworth-streets has been by competent judges, computed at between 35,000*l.* and 40,000*l.* a year."

— No. 90. —

No. 90. (No. 23.)

Governor Sir G. Le Marchant to Earl Grey. 21 May 1848.

COPY of a DESPATCH from Governor Sir *G. LeMarchant* to Earl *Grey.*

Government House, St. John's, Newfoundland,
20 May 1848.
(Received, 15 June 1848.)

My Lord, (Answered, 14 August 1848, No. 87, page 117.)

I HAVE the honour to forward to your Lordship a copy of a letter that I have received from the Right Rev. Lord Bishop of Newfoundland, at the same time accompanied with a report on the progress of the work at the new church up to the 1st of last March.

The amount already drawn from the Queen's Letter-money up to this date, for the re-building of the church, is 6,700 *l.* (4,200 *l.* last year and 2,500 *l.* this year).

As the whole of the remaining sum that has been set apart for this purpose will be required in the progress of the works during the present year, the Lord Bishop now requests that the Exchequer bills, to the amount of 10,000 *l.*, bought in the joint names of William Sargent, Esq., Paymaster of Civil Services, and Peter Smith, Esq., Chief Clerk of the Colonial Department, may be sold and placed at his disposal through the orders of the Commissary here, to be drawn for as required.

Lord Grey, No. 41, 16 Nov. 1846, page 45. Lord Grey, No. 46, 3 Dec. 1846, page 50. Lord Grey, No. 61, 19 Jan. 1847, page 57.

Referring to the former correspondence, noted in the margin, with reference to the amounts collected under the authority of the Queen's Letter, it appears that the three following sums have been paid in on this account to the Bank of England; first, up to the 24th October 1846, 14,917 *l.* 14 *s.* 6 *d.*; second, to the 3d December, the further sum of 11,436 *l.* 3 *s.* 9 *d.*, and third, by Mr. Trevelyan's letter to Mr. Stephens on the 13th January 1847, an additional amount of 2,784 *l.* 17 *s.* 1 *d.* " which will be subject to deductions for expenses of postages, &c.," making in all 29,138 *l.* 15 *s.* 4 *d.*

Of the two first amounts, the Commissary here has been apprized, but he has received no communication with regard to the third and last instalment, and therefore I am desirous of ascertaining whether this last sum forms a part of the purchase-money of the 10,000 *l.* Exchequer bills adverted to in your Lordship's despatch, No. 9,* of the 10th May 1847.

* Page 64.

I have, &c.
(signed) *J. Gaspard Le Marchant.*

Enclosure in No. 90.

Sir, St. John's, 19 May 1848.

Encl. in No. 90.

I HAVE the honour of laying before your Excellency a Report on the progress of the work at the new church up to the 1st of March, together with an account of the expense incurred to that date, and a probable estimate of the cost of the remaining portion of the nave, and of the transepts and tower; and I request that the same may be forwarded, should your Excellency approve, to the Right honourable the Secretary for the Colonies.

I ought, perhaps, to mention that the report and estimate were prepared by Mr. Hay (the superintendent of the work) without any intention or expectation of their being submitted to his Lordship the Secretary for the Colonies, or to your Excellency.

It will be seen that the expense of building is enormous, far beyond what the architect or any of our friends in England had calculated on; that almost 5,000 *l.* had been expended up to the 1st of March in this country, besides very nearly 1,000 *l.* in England; and that it will require 15,000 *l.* currency more to finish only the nave, without seats or other fittings or glass to the windows, and at least 7,000 *l.* for the transepts and tower.

Unfortunately the freestone found in the neighbourhood of St. John's (at Bell Isle) has not answered the builder's expectations, having split with the frost. We have in consequence been obliged to take down several portions of the wall built last year, and we shall all be afraid to trust that material any more; though it is very probable, if the quarry should be further opened, the state of stone may improve, and be both less hard to work and less liable to crack.

Your Excellency is aware of the amount which has been drawn from the Queen's Letter Fund up to this date (May 19), viz., 4,200 *l.* last year, and 2,500 *l.* this year, making in all 6,700 *l.*; and I have now respectfully to request that the remainder of the sum allotted for the rebuilding of the church (which I believe has been put into Exchequer bills) may be placed at my disposal, either through your Excellency's orders on the Commissary, or in such other way as may be thought expedient by his Lordship the Secretary for the Colonies.

We

We shall probably require the whole remaining sum (which I understand to be about 8,000 *l.* besides interest) during the present year. All the piers have been contracted for in Scotland, and we shall be obliged to procure large quantities of stone from Nova Scotia. If there should be no delay in procuring materials, we hope to get up the walls this year and roof the aisles.

Any particulars which your Excellency may desire to be forwarded to Earl Grey, I shall be happy to furnish to the best of my ability.

I have, &c.
(signed) *Ed. Newfoundland.*

Mr. Hay's report will repay the trouble of perusal.

His Excellency Sir J. Gaspard Le Marchant,
&c. &c. &c.

Sub-Enclosure to Enclosure in No. 91.

Mr. *Hay*'s Report, &c.

To the Lord Bishop of Newfoundland.

My Lord, Cathedral Works, St. John's.

I have now the honour of submitting to your Lordship an account of the expense incurred at the cathedral works from the commencement of the building on the 1st of June 1847, to the 1st of March 1848, and also a probable estimate of the cost of completing the nave, transepts and tower, leaving out the choir.

The amount of work done up to this period, as your Lordship is aware, comprises the walls of south aisle and transept (extending from the west entrance to the junction of the transept with the choir), which are carried up to the level of the church floor at an average height from the ground of 16 feet.

The walls of north aisle, extending from the west entrance to the west wall of north transept, levelled from the string course under the sills of windows. The west wall of north transept levelled for the base plinth. The outer and inner doorways of north porch completed, and the side walls of the porch nearly up to the eave. The western doorway at the springing of the arches, and the foundations of the south range of nave piers, with a considerable portion of the interior walls of crypt, carried up to the springing of the vaulting.

The total expenditure up to the 1st March amounts to 4,455 *l.* (*see* the detailed statement), exclusively of sums paid in England, &c.

It is needless for me to offer any remarks on the progress of the building, as your Lordship is well aware of every circumstance connected with our past operations, which have all come under your own observation. The arrangements made for enabling the men to work during the winter, I am happy to say have succeeded very satisfactorily, by which means we have got over a large portion of the most tedious description of the work, which otherwise would have proved a serious delay to our general operations during the ensuing summer. But I do not consider we have effected any saving of money by this means; I should say rather the reverse; the expense of erecting weather-proof sheds, stores, fuel, &c., added to the circumstance of diminished hours of labour, was perhaps more than has been compensated for by the reduced rate of wages. But the advantage to the community must have been felt from the fact of such a large number of men earning from 4*s.* to 8*s.* every day during the long season of winter, in which no work of the kind had been previously attempted in the colony.

Your Lordship will excuse me from mentioning a fact that has not escaped your own observation; viz. that the money has been chiefly expended on labour and materials the produce of the colony; out of the 5,000 *l.* not more than 300 *l.* of materials have been imported; and the money paid for materials has been circulated chiefly among the poorer classes of the community, such as masters and crews of small vessels, carmen, quarriers, &c. In this respect, I should say, that the building of the cathedral will prove a greater benefit to the community than all the stone buildings yet erected, for which prepared materials have generally been imported from England and Ireland.

In the accompanying Schedules, your Lordship will find a detailed estimate of the cost of completing the different portions of the edifice, excepting the choir, an estimate of which I shall prepare at some future time. I have estimated the expense of slating only with common slate, by an estimate I have received from a slate quarrier here; for furnishing a good description of flags, one inch thick, I find that the cost (1,100 *l.*) for the slate only, would be little short of the price of a lead covering; I am of opinion that a common slate roof would be so liable in this country to get out of repair, that at the end of 20 or 30 years the expense would be more than the original cost of lead; whereas a lead covering, when well done, requires little repair afterwards, and the material deteriorates but little in value.

I have prepared the estimates from the data last years' prices of labour and materials afforded me, but I am in hopes that this year the prices will be much lower, and that I will be able to accomplish the work rather under the estimated sum.

I have, &c.
(signed) *Wm. Hay.*

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Detailed Account of Work Executed at the Cathedral up to 1st March 1848.

		£.	s.	d.	£.	s.	d.
	1,749 perches of rubble masonry, at 22*s.*				1,914	–	–
	Excavating, &c.				60	–	–
	Masonry of north porch				708	–	–
	West entrance, part built, part prepared				474	–	–
	Part of piers prepared (west wall)				20	–	–
	Inside dressings of windows				90	–	–
232	Lineal limestone, base course, at 15*s.*				174	–	–
406	„ limestone quoines, at 4*s.*				81	4	–
340	„ limestone weatherings under base, at 5*s.*				85	–	–
	Five quartrefoil windows in crypt, at 10*l.*				50	–	–
	West door of crypt	25	–	–			
	South door of crypt	30	–	–			
	East door of crypt	10	–	–			
	One double window in transept	18	–	–			
	Two single windows in transept	12	–	–			
	Chimney	8	–	–			
	Stone corbels in crypt	14	–	–			
1,220	Superficial limestone ashlar, under base, at 2*s.* per foot (this ashlar being partly prepared before)	122	–	–			
104	Lineal Belle Isle stone quoines, at 10*s.*	52	–	–			
					3,947	4	–
	500 tons rubble building stone on the ground, at 5*s.* per ton	125	–	–			
	Timber for roofing, including working	250	–	–			
	Sheds, coverings, &c.	132	16	–			
					507	16	–
					4,455	–	–
	Paid in England Mr. and Mrs. Hay (journey by steamer, salary, &c.)	335	–	–			
	Mr. Samuel, shipping men and materials	470	–	–			
	Mr. Scott, architect (on account)	100	–	–			
					905	–	–
	TOTAL to 1 March 1848 £.				5,360	–	–

Probable Estimate of Completing Transept and Tower.

Feet.		£.	s.	d.
	2,544 perches rubble-work, at 22*s.*	3,898	8	–
139	Lineal base course of transept, at 15*s.*	104	5	–
139	Lineal string course of transept, at 4*s.*	27	16	–
540	Lineal corners of buttresses, at 4*s.* 6*d.*	121	10	–
864	Lineal weatherings of buttresses, at 6*s.*	259	4	–
	Four skew corbels, at 40*s.*	8	–	–
148	Lineal skews, at 15*s.*	111	–	–
300	Lineal window rybats, at 7*s.*	105	–	–
300	Lineal window rybats inside, at 6*s.*	90	–	–
	Five window heads	8	–	–
	Two quatrefoil windows	40	–	–
	Two crosses	16	–	–
100	Lineal staircase of tower at 20*s.*	100	–	–
140	Lineal weather-course of tower at 7*s.*	49	–	–
	Four single windows at 5*l.* each	20	–	–
	Eight large windows at 15*l.* each	120	–	–
140	Lineal corbel table at 25*s.*	170	–	–
180	Lineal quoins, at 4*s.* 6*d.*	40	10	–
280	Lineal weatherings of roof, at 3*s.* 6*d.*	49	–	–
	One door, north transept	50	–	–
	Two piers and three arches of tower	760	–	–
	32 stone corbels, at 10*s.*	16	–	–
1,250	Superficial flooring and beams of tower, at 4*s.* per foot	250	–	–
	Temporary roof of tower	200	–	–
	Scaffolding for tower and transept	200	–	–
2,081	Square yards of plastering for tower and transept, at 1*s.* 6*d.* per yard	156	1	6
	£.	6,974	14	6

Probable Estimate of the Work remaining to be done with the View of Completing the Nave and Aisles, leaving out the Transept and Tower.

Feet.		£.	s.	d.
	2,892 perches in walls, &c. at 22*s.*	3,181	4	–
	West window, inner penthouse, &c.	600	–	–
	Quatrefoil windows over inner penthouse, &c.	25	–	–
504	Superficial ashler of large buttresses at west end of nave, at 4*s.*	100	16	–
30	Lineal string course, at 4*s.*	6	–	–
	Four skew corbels, at 100*s.* each	20	–	–
42	Lineal skews of aisles, at 25*s.* per foot	52	10	–
68	Lineal skews of nave, at 18*s.* per foot	61	4	–
	To complete west porch	500	–	–
	To complete north porch	300	–	–
187	Lineal base course, at 15*s.*	140	5	–
411	Lineal string course, at 7*s.*	143	17	–
1,092	Superficial weatherings of buttresses, at 6*s.*	327	12	–
468	Superficial weatherings of buttresses, at 6*s.*	140	8	–
140	Lineal corner of buttresses, at 4*s.* 6*d.*	31	10	–
60	Lineal corner of buttresses, at 4*s.* 6*d.*	13	10	–
72	Lineal corner of buttresses, at 4*s.* 6*d.*	16	4	–
206	Lineal block cornice, at 15*s.*	154	10	–
191	Lineal block cornice, at 15*s.*	143	5	–
330	Lineal ridge weathering, at 3*s.* 6*d.*	57	15	–
	Eight single windows of aisles, at 33*l.* 3*s.* 3*d.*	257	6	–
	Six double windows of aisles, at 38*l.* 16*s.* 6*d.*	232	19	–
	Twelve clear story windows, at 40*l.*	480	–	–
180	Lineal arches across aisles, at 25*s.*	225	–	–
196	Lineal string course clear story, at 6*s.*	58	16	–
196	Lineal columns, at 9*s.* per foot	88	4	–
	28 corbels and capitals for columns, at 28*s.*	39	4	–
	Probable expense of piers and arches of nave	3,000	–	–
6,000	Superficial pavement, at 2*s.* 6*d.*	750	–	–
	Two crosses, at 7*l.* 10*s.* each	15	–	–
	Steps and retaining wall in front	200	–	–
	Excavating, &c.	200	–	–
	Scaffolding, &c.	250	–	–
	For roofing aisles and nave, and carpentry of outer doors, &c.	2,500	–	–
224	Perches of temporary wall east end, at 20*s.*	224	–	–
	1,322 square yards slating (common slates), at 12*s.*	793	4	–
	1,530 square yards plastering walls of nave and aisles, at 1*s.* 6*d.* per yard	114	15	–
	£.	15,442	18	–

If the Nave and Aisles were to be covered with lead 10 lbs. to the square foot, the cost would be 1,650*l.*; covered with lead 8 lbs. to the square foot, the cost would be 1,510*l.*

—No. 91.—

(No. 87.)

COPY of a DESPATCH from Earl *Grey* to Governor Sir *G. Le Marchant.*

No. 91.
Earl Grey to Governor Sir G. Le Marchant.
14 August 1848.

Sir, Downing-street, 14 August 1848.

HAVING referred to the Lords Commissioners of the Treasury your despatch of the 20th May, No. 23,* enclosing the copy of a letter from the Bishop of Newfoundland, requesting that the Exchequer bills, in which a portion of the contributions for the relief of the inhabitants of St. John's after the fire had been invested, might be sold, in order that the produce might be applied to the reconstruction of the Protestant church, I transmit to you herewith the copy of a letter from their Lordships' Assistant Secretary, stating that the wishes of the Bishop in respect to the sale have been complied with, and that the aggregate produce of the investment and sale amounts to 10,748*l.* 16*s.* 1*d.*, which sum has been placed at the disposal of his Lordship through the Commissariat.

* Page 114.

7 August 1848.

You will likewise find, in the accompanying letter, a statement of the relief fund, with which I collected from your despatch that you were desirous of being furnished.

I have, &c.
(signed) *Grey.*

Enclosure

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Enclosure in No. 91.

Sir, Treasury Chambers, 7 August 1848.

Encl. in No. 91.

WITH reference to your letter dated the 29th of June last, I am commanded by the Lords Commissioners of Her Majesty's Treasury to state to you, for the information of Earl Grey, that the sale of the Exchequer bills, in which a portion of the contributions for the relief of the inhabitants of Newfoundland after the fire at St. John's had been invested, has been effected, and that the aggregate produce of the sale, with interest accrued on the bills, amounts to 10,748 *l.* 16 *s.* 1 *d.*, which my Lords will direct the officer in charge of the Commissariat at Newfoundland to hold at the disposal of the Governor of that colony.

I am further to state, with reference to the desire signified by Earl Grey to be furnished with the means of answering the inquiry in Governor Sir G. Le Marchant's despatch respecting the relief fund, that the collections under the authority of Her Majesty's letter amounted in all, after the deduction of expenses for printing and postage, to 29,626 *l.* 1 *s.* 4 *d.*, of which 10,043 *l.* 6 *s.* 8 *d.* was applied to the purchase of the Exchequer bills now re-sold, and the residue, 19,582 *l.* 14 *s.* 8 *d.*, remained at the disposal of the Colonial Government, being the amount of the sums of 14,917 *l.* 14 *s.* 6 *d.* and 11,436 *l.* 3 *s.* 9 *d.* mentioned in Sir G. Le Marchant's despatch, after the deduction of the sum of 6,771 *l.* 3 *s.* 7 *d.* referred to in the communication made to Earl Grey by direction of this Board on the 18th May 1847.

I am, &c.
(signed) *C. E. Trevelyan.*

— No. 92. —

No. 92. Governor Sir G. Le Marchant to Earl Grey. 27 Sept. 1848.

(No. 45.)

EXTRACT of a DESPATCH from Governor Sir *G. Le Marchant* to Earl *Grey*; dated Government House, St. John's, Newfoundland, 27 September 1848.

(Received, 18 October 1848.)

"I AM enabled, with much pride I admit, to affirm that the measures adopted by the Government here have been not only sufficient to allay and soften the misery and distress occasioned by the several calamitous visitations that within so short a period of each other spread desolation throughout the island, but also honestly to declare, that in no one instance have we, from insufficiency of means, been compelled to withhold aid from the deserving applicant.

Your Lordship's valuable suggestions in the appropriation of the funds at the disposal of the Government, as well as in the mode of their distribution, were from the first stedfastly kept in view, enabling us thereby to lay in an amount of provisions, capable in quantity of averting the horrors of famine, and of that quality so as to test the truth of the application. And although the Indian corn meal was at the outset of the distress, partly from prejudice, and partly from ignorance (it never having been imported as an article of food before into the colony), viewed with distaste and dissatisfaction by some, yet now they all do not hesitate to express their heartfelt thanks for the provision made for them by the Government, and without which they are free now to admit that thousands of their fellow-creatures must have perished; and even with the few that might have struggled through the severities of the winter, their little store of seed for the sowing of the potato this year must have been inevitably exhausted.

The mode of relief has likewise contributed much towards the advantage of the colony, as well as that of the recipients themselves. Gratuitous relief from the very outset was discarded; labour on the roads was in all cases exacted in return for the provisions given, thereby removing from the minds of the lower classes the baneful feeling of their existence being dependent on the charity of the public purse; instead of which, by the opening of various new lines of communication between the several settlements of the colony, and the repair of existing roads, the parties are enabled to profit by their own labours; and in the enjoyment of the advantages thus acquired, the remembrance of past trials and privations is now being effaced from their minds.

In such an issue from our misfortunes, no one will, I am confident, more heartily rejoice than your Lordship, to whose counsel and advice we are all so much indebted, the value of which cannot be appreciated but by a review of our condition at this time last year; and when the position of the Government at that time, with the means at their disposal, is taken into calm and impartial consideration, and then compared with the existing state of things, I am sure that the conduct of the Executive will on all sides meet with fair and honourable support."

— No. 93. —

NEWFOUNDLAND.

No. 93.
Governor Sir G. Le Marchant to Earl Grey.
20 December 1848.

(No. 53.)

COPY of a DESPATCH from Governor Sir *G. Le Marchant* to Earl *Grey*.

Government House, St. John's, Newfoundland,
20 December 1848.
(Received, 10 January 1849.)

My Lord, (Answered, 17 January 1849, No. 100, page 121.)

I HAVE the honour to forward to your Lordship the accompanying letter from the Lord Bishop of Newfoundland, together with a report on the progress made in the erection of the new Protestant Church in this town.

I have, &c.
(signed) *J. G. Le Marchant.*

Enclosure in No. 93.

My Lord, St. John's, Newfoundland, 20 December 1848.

I HAVE the honour of submitting to your Lordship a second report on the progress of the new church in St. John's, drawn up by the superintendent Mr. Hay, which I trust will meet your Lordship's approval. Encl. in No. 93.

The work may not have proceeded so quickly as our friends in England may perhaps expect, but the delay has arisen solely, I think, from the difficulty of procuring building stone, to which Mr. Hay alludes; although I have been absent from St. John's a great portion of the year, I can say with confidence that the work has not been neglected; and that all which has been done has been well done; and I have reason to think that some persons, who were once opposed to the application of the Queen's Letter Fund to the rebuilding of the church, are far better satisfied, now they see the noble structure so far advanced.

I have, &c.
(signed) *Ed. Newfoundland.*

The Earl Grey.

Sub-Enclosure to Enclosure in No. 93.

REPORT on the Progress of the Building of the Cathedral of St. John Baptist, *St. John's, Newfoundland.*

To the Right Reverend the Lord Bishop of Newfoundland.

Cathedral Works, St. John's, Newfoundland,
My Lord, 8 December 1848.

I HAVE again the honour of submitting to your Lordship a short report on the progress of the works committed to my care; but while doing so, I feel convinced that I can bring nothing under your Lordship's notice that you are not already acquainted with.

I am happy to be able to give a very favourable account of the progress of the works since we recommenced building in the spring of this year; notwithstanding the delay in getting forward the stone ordered from Nova Scotia, which caused a number of our masons to be idle for nearly six weeks, in the best part of the building season; and although the season has not, on the whole, been so favourable for building as last year, yet we have gone through a much greater proportion of work, with an equal number of hands, which I attribute to the fact of our having secured the best workmen the place could afford, by our rate of wages this year being on a par with the rates current at other buildings in the town; and I find a general disposition among the tradesmen to make the first offer of their services to the cathedral. But, in addition to our local choice, which, at the best, is but indifferent, we have had the services of another body of masons from Scotland, equal to the first, and altogether a better description of tradesmen than have hitherto emigrated to this colony.

The walls of the aisles are now ready to receive the roofs, the north porch is roofed in, and, excepting the slating, wants only the apex-stone and cross to be complete. The west window is finished, and the first course of weatherings laid on the gable, and the unfinished wall housed in for the winter. All the wall-heads are roofed over, and the ends boarded up in the same manner as they were last winter, having the space between the boarding and the masonry, well stuffed with shavings. The greater portion of the vaulting of the crypt is completed; and, being of well-built stone work, will not, I think, suffer much by being exposed to the weather through the winter. A quantity of London bricks has been purchased for completing the other part, at, what is considered here, a low rate, 3*l.* 10*s.* a thousand. The price last year was 7*l.* All the piers of the nave, and the western piers of the tower, with three courses of arch-stone on each of the nave piers have been completed by two masons in little more than three weeks, assisted only by labourers in moving and hoisting the stones. We commenced this on the 3d of last month, before all the stones were got out of the vessel, and had we got the piers, and the whole of the arches a month earlier, we should have had the whole erected by this time. The pieces have been so well

cut,

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cut, and so carefully packed in their cases, with their positions so correctly marked, that they require very little labour in erecting.

The precautions we took to save our unfinished walls from the effects of last winter's frosts and snow, succeeded beyond my expectations. We had not to remove a single stone, and the mortar was perfectly sound on the tops of the walls, without either crack or flaw. I feel the more satisfied with our success in this respect, when I remember that the walls of another building, not so carefully protected, were so much injured, that they had to be taken down in some places to a depth of some fifteen or twenty feet. The effects of the frosts and rains, however, on the sides of the building exposed to the south and west, were very striking. The mortar was loosened and washed out to the depth of an inch or more, and the general appearance was like that of a building which had stood unheeded for centuries. The horizontal joints of the stones were apparently widened by the frost, and I feel convinced that the whole mass of wall had been slightly upheaved, as well as expanded by its influence. The same effects did not appear to follow where the Nova Scotia sandstone was used. This stone, although of a very compact nature and close texture, absorbs the moisture of the mortar, and prevents the frosts from acting upon it. A wall built entirely of this stone, or of any absorbent stone, would not, in my opinion, be disturbed by the frost, as the mortar dries more rapidly; but the wall would not be so durable, not only on account of the less durable nature of the stone, but the mortar being subjected to a rapid crystallization, becomes more porous and friable, whereas with a hard, obdurate stone, like the stone of this country, which has been chiefly used in the building of this cathedral, the mortar retains its moisture for a long period, the crystallization is slower and more perfect, and when once thoroughly dry, becomes nearly as hard as the stone itself; and this, I think, must be the cause of the mortar being so hard which we find in old buildings, the enormous thickness of the walls favouring the slower crystallization.

The frost loosened the mortar near the surface, but did not appear to penetrate beyond an inch or two; and by allowing the frost to clean out the joints of the stones for one winter, it saves much trouble in preparing them to receive the cement in pointing, which is always necessary; and I find the cement we have used has completely resisted the strong frosts we have had during the last three or four days.

By the end of July next, if we get out the remainder of our arches early, I expect to have the nave ready for the roof, and to have the roofs finished by the middle of November following.

I find, from a list of the prices of slate sent me by Mr. Scott, that it will be cheaper to use the slate of this country, which we can now procure at a lower rate than when I made my former inquiries. I have procured some specimens, which I will submit to Mr. Scott for his opinion.

The money expended up to this date appears, from Mr. Bridge's entries, to amount to about 11,400 *l.* currency, but this does not include the money expended in England, which may amount to 2,400 *l.* currency.

Altogether (in Newfoundland currency) 13,800 *l.*

From this sum has to be deducted the following account, charged to the Cathedral as a temporary convenience, but belonging to other works; the detailed accounts are in the hands of Mr. Bridge.

	£.	*s.*	*d.*
	776	-	8
There has also to be deducted for stoppage made from the wages of the workmen on account of advance, and money received from the sale of stone, cement, timber, &c, an account of which I have rendered, and paid over the amount to Mr. Bridge - - - - -	390	12	11½
Therefore, Total Amount to be deducted - - - - - -	1,166	13	4½
Total cost of the Building up to this date - - - £.	12,633	6	4½

From the favourable progress of the building during the past season, I am in hopes of being able to complete the nave at a cost, less by 2,000 *l.* than what I estimated in my last report.

I cannot conclude these remarks, my Lord, without expressing my sincere thanks for the many kindnesses I have received at your Lordship's hands, since I had the good fortune of being appointed to carry out so noble an undertaking, and also for the many encouragements given to the workmen under my charge.

I have, &c.

(signed) *William Hay,*
Master of the Works.

— No. 94. —

(No. 100.)

COPY of a DESPATCH from Earl *Grey* to Governor Sir *G. Le Marchant*.

No. 94.
Earl Grey to Governor Sir G. Le Marchant.
17 January 1849.
* Page 119.

Sir, Downing-street, 17 January 1849.

I HAVE received your despatch, No. 53,* of the 20th December last, forwarding a letter from the Bishop of Newfoundland on the subject of the progress made in the erection of the new Protestant Church at St. John.

You will have the goodness to acquaint the Bishop that I have duly received his letter, and that the information which it contains of the progress made in the erection of the church, has afforded me much satisfaction.

I have, &c.
(signed) *Grey*.

— No. 95. —

(No. 11.)

COPY of a DESPATCH from Governor Sir *G. Le Marchant* to Earl *Grey*.

No. 95.
Governor Sir G. Le Marchant to Earl Grey.
16 March 1849.

Government House, St. John's, Newfoundland,
16 March 1849.
(Received, 4 April 1849.)

My Lord, (Answered, 31 May 1849, No. 112, page 122.)

THE Attorney-general of Newfoundland has lately brought under my notice the somewhat conflicting operation of the Acts of the local Legislature for regulating the rebuilding of this town (9 & 10 Vict. c. 3, and 10 Vict. c. 1), and the Act of the Imperial Parliament 1 Geo. 4, c. 51, passed for the like purpose after the destruction of the town by fire in 1818, and has suggested the propriety of my directing your Lordship's attention to the matter, as in his opinion it is essential to the operation of our local enactments, that a short Bill be introduced into the Imperial Parliament, by which the provisions of the first-recited Acts may be confirmed in respect to the width and direction of the streets and fire-breaks; and also power given to the General Assembly by any Act or Acts, further to vary, alter or repeal the provisions of the Imperial Act.

I have the honour to transmit herewith the letter from the Attorney-general, and to request your Lordship's consideration of the subject at your earliest convenience.

I have, &c.
(signed) *J. Gaspard Le Marchant*.

Enclosure in No. 95.

Sir, St. John's, Newfoundland, 15 March 1849.

I BEG leave respectfully to call your Excellency's attention to the somewhat conflicting operation of the Acts of the local Legislature for regulating the rebuilding of this town (9 & 10 Vict. c. 3, and 10 Vict. c. 1), and the Act of the Imperial Parliament 1 Geo. 4, c. 51, passed for the like purpose after the destruction of the town by fire in 1818. The last-mentioned Act is a permanent one, and no authority having been granted by Parliament to the local Legislature (as was the case with respect to the Judicature Act), to repeal, alter or vary it, its provisions are still in many cases in force, where it may be expedient for the local Legislature to substitute others; indeed, the alterations already made by the Legislature in the width and direction of the fire-breaks or cross streets, as well as of the main streets, may in some instances possibly lead to litigation by parties who consider such alterations as in contravention of the provisions of the Imperial Act, which stands as yet unrepealed; and it may be a question with a court of law, whether our Acts are not in some cases void, where their provisions conflict with those of the Imperial Statute.

Encl. in No. 95.

As it is therefore in all respects most desirable to set at rest any doubts upon this subject, and to invest the local Legislature with power to repeal or alter the Imperial Act, I beg respectfully to suggest the propriety of your Excellency's calling the attention of the Right honourable the Secretary of State for the Colonies to the matter, as I think it essential to the operation of our local enactments, that a short Bill be introduced into Parliament at the earliest possible period, reciting the Imperial and Local Acts in question, and that their provisions may in some instances be conflicting, and thereupon confirming the provisions of the

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the latter Acts in respect to the width and direction of the streets and fire-breaks. A second section should give power to the General Assembly, by any Act or Acts, further to vary, alter or repeal the provisions of the Imperial Act.

I have, &c.
(signed) *E. M. Archibald,*
H. M. Attorney-General.

His Excellency the Governor,
&c. &c. &c.

— No. 96. —

No. 96.
Earl Grey to Governor Sir G. Le Marchant.
31 May 1849.

(No. 112.)

COPY of a DESPATCH from Earl *Grey* to Governor Sir *G. Le Marchant.*

Sir, Downing-street, 31 May 1849.

I HAVE to acknowledge the receipt of your despatch, No. 11,* of the 16th of March last, bringing under my notice the conflicting operation of the Acts of the Legislature of Newfoundland for regulating the rebuilding the town of St. John, and the Imperial Act 1 Geo. 4, c. 51.

* Page 121.

I transmit herewith copies of an Act † which, in accordance with your suggestion, Her Majesty's Government introduced into Parliament, confirming the local Acts to which you refer, and enabling the Legislature of Newfoundland to make other provisions respecting the rebuilding of the town.

I have, &c.
(signed) *Grey.*

— No. 97. —

No. 97.
Governor Sir G. LeMarchant to Earl Grey.
27 July 1849.

(No. 32.)

COPY of a DESPATCH from Governor Sir *G. Le Marchant* to Earl *Grey.*

Government House, St. John's, Newfoundland,
27 July 1849.
(Received, 21 August 1849.)

My Lord, (Answered, 1 September 1849, No. 121, page 123.)

IT is with much reluctance that I am again under the necessity of troubling your Lordship with another memorial on the subject of the disposal of the monies raised for the relief of the sufferers by the fire of St. John's in the year 1846.

The present petition addressed to Her Majesty, is from certain middle classes in St. John's, who describe themselves as sufferers by the conflagration of the 9th June, and whose former petition to your Lordship was forwarded by me in my despatch No. 34,‡ of the 24th August 1847.

‡ Page 96.

I have, &c.
(signed) *J. Gaspard Le Marchant.*

Enclosure in No. 97.

To the QUEEN'S Most Gracious MAJESTY.

Encl. in No. 97.

WE, the undersigned inhabitants of the town of St. John's, in the island of Newfoundland, your Majesty's loyal subjects, beg leave to approach your Majesty with feelings of profound respect, loyalty and attachment to your person and Government, and request a gracious perusal of the following case, which we conceive to be one bearing with great hardship on your memorialists.

May it please your Majesty,

On the 9th day of June 1846, the greater portion of this city was reduced to ashes by fire, which destroyed a large amount of property, the accumulation of many years of persevering industry and frugality. Upon intelligence of this calamity reaching England, the Parliament of the United Kingdom, with that generosity for which it is so conspicuous, immediately voted for our relief the large sum of 30,000 *l.*, and your gracious Majesty exercised your Royal prerogative in our favour, and by your Letters Patent caused a subscription to be set on foot in all the churches throughout England, under which was raised the sum of 31,515 *l.*, which, together with the sum before mentioned and the subscriptions received from the neighbouring colonies, raised the fund intended for the relief of your memorialists to the sum of 63,201 *l.*, out of which large amount the actual sum distributed amongst

† 12 Vic. c. 31, "An Act to confirm certain Acts of the Legislature of Newfoundland, respecting the rebuilding of the Town of St. John, Newfoundland, and to enable the said Legislature to make other Provisions respecting the rebuilding of the said Town."

amongst the sufferers by the fire of 1846, amounts to the small portion of 24,000 *l.*, the remainder having been spent by the Executive of the colony on other purposes.

That your memorialists have learnt, that upon the assumption of the Government of this colony by his Excellency Sir Gaspard Le Marchant, your Majesty's Government placed at his disposal the sum of 30,000 *l.* for the general purposes of the colony, which sum, as we believe, he has never drawn upon, having made the outlays which he thought necessary from the fire funds

Your memorialists, therefore, humbly pray, that your Majesty will be pleased to order that the said sum of 30,000 *l.* be transmitted to this colony for distribution amongst the sufferers by the fire of 1846.

And as in duty bound will ever pray,

[1,101 signatures.]

St. John's, Newfoundland,
16 July 1849.

— No. 98. —

(No. 121.)

No. 98.
Earl Grey to Governor Sir G. Le Marchant.
1 September 1849.

COPY of a DESPATCH from Earl *Grey* to Governor Sir *G. Le Marchant*.

Sir, Downing-street, 1 September 1849.

I HAVE to acknowledge the receipt of your despatch No. 32, of the 27th of July last, enclosing a memorial from the inhabitants of St. John, on the subject of the disposal of the money raised for the relief of the sufferers by the fire in 1846.

You will acquaint the memorialists that I have laid their memorial before the Queen, and that Her Majesty was pleased to receive it very graciously, but that it was not in my power to advise Her Majesty to return any answer to their petition other than that communicated to you in my despatch No. 40,* of the 7th of October 1847.

* Page 106.

You will also inform the memorialists, that they are mistaken in supposing that any further sum beyond the grant voted by Parliament, and the subscriptions, was available for the general service of the colony.

I have, &c.
(signed) *Grey*.

— No. 99. —

(No. 1.)

No, 99.
Governor Sir G. Le Marchant to Earl Grey.
3 January 1849.

COPY of a DESPATCH from Governor Sir *G. Le Marchant* to Earl *Grey*.

Government House, St. John's, Newfoundland,
3 January 1850.
(Received, 23 January 1850.
(Answered, 30 January 1850, No. 142, page 125.)

My Lord,

I HAVE the honour, at the request of the Lord Bishop of Newfoundland, to transmit the enclosed letter to your Lordship, at the same time accompanied with a report of the architect on the state and progress made in the erection of the new cathedral.

I have, &c.
(signed) *J. Gaspard Le Marchant*.

Enclosure in No. 99.

My Lord, St. John's, Newfoundland, 31 December 1849.

I HAVE the honour to submit to your Lordship Mr. Hay's (the builder's) third report, on the progress and state of our cathedral. It seems necessary to remark, with reference to this report, that Mr. Hay is not fully acquainted with the sums expended in England, and that I am apprehensive the amount is considerably larger than he supposes. Encl. in No. 99.

It will be seen, that the whole amount expended already, exceeds the sum which your Lordship thought it right to set apart from the collections made under the authority of the Queen's letter, for the restoration of our church; and that more money is yet required to complete that portion now in progress.

The work is carried on by private bounty, and I trust funds may be supplied (though I really know not from what quarter to expect them), to put the present building in a state fit for use during the ensuing year (1850), possibly by Michaelmas. The inhabitants will then be provided with a church, which even in its unfinished state will be an ornament and honour

NEWFOUNDLAND.

honour to the capital of the colony, and for which many I trust, one at least I am sure, will always feel that we are indebted (and how much indebted!) to your Lordship's right sense of justice and charity.

I have, &c.

The Right hon. the Earl Grey, &c &c. &c.

(signed) *Edward Newfoundland.*

Sub-Enclosure to Enclosure in No. 99.

ABRIDGED REPORT on the Progress of the Cathedral of *St. John, Newfoundland.*

To the Right Reverend the Lord Bishop of Newfoundland.

My Lord, Cathedral Works, 29 December 1849.

WHEN I last had the honour of reporting to your Lordship on the progress of the works, we were waiting the arrival of hewn stone for the arches of the nave, which did not arrive until the beginning of July, when we fairly commenced the building operations of this year. The men were put on extra time, and having most of the hewn stone of the clerestory previously prepared, the nave was ready for the roof by the beginning of September.

Unfortunately, great delay and difficulty were experienced in getting to hand the timber for the roof, owing to the carelessness of the merchant from whom it was ordered, but by great exertions the nave was boarded in ready for slating before the first fall of snow. The aisles had been previously slated, but the slating of the nave has been necessarily deferred until the ensuing spring. The slates were imported from England, being disappointed in our expectations of using the slate of the colony by the uncertainty of being supplied.

The carpentry of the roof will be completed about the end of January next (1850). Two of the compartments are already partly stained with a decoction of the bark of the juniper and fir trees which gives to the wood-work a rich brown tint, besides assisting materially in its preservation.

The interior stone-work is now under process of cleaning off, and will be finished in about a fortnight.

What remains now to be done to complete the nave, independently of fittings, is—

	£.	s.	d.
1. To complete the roof, carpentry and slating, probable estimate	186	10	–
2. Paving passages with stone slabs	180	–	–
3. Flooring under benches and platform for sacrarium	70	–	–
4. Slating outside of wooden screen under great arch, removing temporary coverings, pointing with cement, and covering unfinished walls with clapboard	64	16	–
5. Plastering inside walls of church	114	14	–
6. Windows (plain glass)	90	–	–
7. Doors, with ornamental iron-work	77	–	–
8. Cutting and setting steps and parapet wall at west entrance (part being already done)	130	–	–
9. Flooring crypt with rough flags	40	–	–
10. Heating apparatus	73	–	–
11. Clearing away rubbish and lowering part of road	120	–	–
12. Erecting fence extending 465 feet	300	–	–
£.	1,446	–	–
Probable amount of account for timber due	300	–	–
Gross amount already expended, including the money paid in England	20,330	1	5
£.	22,076	1	5

Abstract of accounts to the credit of the Cathedral:—

	£.	s.	d.			
By advance of wages to workmen repaid and monies realized from sale of materials, &c.	334	13	10½			
By accounts due for work done to out-harbour churches, &c.	1,913	7	2½			
				2,258	1	1
Newfoundland Currency £.				19,818	–	4

At the commencement of the work, wages of mechanics and labourers were not only extravagantly high, and materials of every description scarce and high priced, but the amount of labour a man would produce became less, in proportion as the demand for it increased. The wages of an ordinary mason at some of the other buildings in the town, would occasionally amount with extra time to 5*l.* per week, the effect of which on workmen

men receiving only 8*s.* or 10*s.* per day, was to render them dissatisfied, considering themselves underpaid, and justified in refusing to give a fair amount of labour.

I have no doubt that had the works been delayed a year or two, a saving of at least a fifth of the cost might have been effected. But everything has been done to lessen the expense that economy or prudence could dictate; and bearing in mind the cost of work generally in the colony, the sum expended on such a building as the cathedral will not appear extravagant.

The probable cost of erecting the transepts and tower, would be about 5,000*l.*, that of the choir 10,000*l.* currency.

At any future time, when the erection of the trancepts and choir may be proceeded with, I would strongly recommend the preparation of all the hewn stone-work previous to laying a stone of the building.

Much expense might be saved, notwithstanding packing, &c. by having the stone prepared at home, as building masons will always be more easily procured here than stone-cutters, and the first cost of the stone is much less in England or Scotland than here.

I have, &c.
(signed) *William Hay.*

— No. 100. —

(No. 142.)

No. 100.
Earl Grey to Governor Sir G. Le Marchant. 30 January 1850.

COPY of a DESPATCH from Earl *Grey* to Governor Sir *G. Le Marchant.*

Sir, Downing-street, 30 January 1850.

I HAVE the honour to acknowledge the receipt of your despatch, No. 1,* of the 3d of January, enclosing a letter addressed to me by the Bishop of Newfoundland, accompanied by a report of the architect on the state and progress of the new cathedral now in the course of erection at St. John's.

* Page 123.

I have, &c.
(signed) *Grey.*

— No. 101. —

(No. 51.)

No. 101.
Governor Sir G. Le Marchant to Earl Grey. 8 October 1850.

COPY of a DESPATCH from Governor Sir *G. Le Marchant* to Earl *Grey.*

Government House, St. John's, Newfoundland,
8 October 1850.
(Received, 28 October 1850.)

My Lord, (Answered, 1 November 1850, No. 178, page 127.)

I HAVE the honour to transmit to your Lordship the enclosed letter, at the request of the Lord Bishop of Newfoundland.

I have, &c.
(signed) *J. Gaspard Le Marchant.*

Enclosure in No. 101.

My Lord, St. John's, Newfoundland, October 1850.

Encl. in No. 101.

I HAVE the honour to inform your Lordship that the cathedral church in this town was consecrated on the 21st ultimo (St. Matthew's day), and is now in constant use. It has been my earnest endeavour that the sacred building should be an ornament to the town, as well as convenient for the congregation, and suitable to its high and holy purpose.

I am, perhaps, not the proper person to report how far these objects have been realized; but I hope and believe, that with respect to the beauty of the building and its furniture, there is no difference of opinion. The cost has been very great. I believe that the last account forwarded to your Lordship, showed that the whole amount placed at my disposal by your Lordship had been expended. Considerable sums, contributed by private friends and by the Society for Promoting Christian Knowledge, have been also spent on the building, furniture and fences. I am not able to forward a detailed account of the expenditure, in consequence of several bills from England (which are paid) not having been yet furnished. I will only add, that all the sums entrusted to my disposal have been faithfully (I dare not say in every case wisely) spent.

I take the liberty of enclosing a printed account of the consecration, &c.

I feel it right to mention to your Lordship, that under authority of Her Majesty's letters patent, granted to me when appointed to this see, I have founded and constituted one archdeaconry in this diocese, by the title of the Archdeaconry of Newfoundland and Labrador, and have collated thereto the Rev. Thomas F. H. Bridge, M.A., to be the first Archdeacon of Newfoundland and Labrador.

I have

NEWFOUNDLAND.

I have further the honour to inform your Lordship, that I intend to leave Newfoundland by the present packet, *en route* for Bermuda, and that I have drawn on Her Majesty's Paymaster-general for the usual allowance of sixty pounds (60 *l.*) towards the expenses of my journey and visitation.

I have, &c.

The Right hon. the Earl Grey,
Her Majesty's Secretary for the Colonies,
&c. &c. &c.

(signed) *Edward Newfoundland.*

Sub-Enclosure to Enclosure in No. 101.

From the "Times" of Wednesday.

THE Lord Bishop of the diocese held his triennial visitation of the clergy on Saturday last, the feast of St. Matthew the Apostle. This event, always interesting and important to the ministers and members of his Lordship's flock, was rendered particularly so on this occasion, by being held in the new cathedral on the very day of its consecration. The consecration of the cathedral, immediately followed by the Bishop's installation, was celebrated in the morning, and in the afternoon his Lordship delivered his charge to the clergy.

Of the cathedral itself we do not feel competent to furnish any description in detail. We believe it to be generally admitted, that if the design of the architect were carried out and completed, no ecclesiastical edifice in British North America could rival it. The part now built consists only of the nave and aisles, and in consequence the great height is very much out of proportion. The height is increased on the south side by the sloping ground, but the whole building would be much more imposing from this circumstance. This additional elevation has given occasion for, or rather has made necessary, a fine crypt or under-croft, extending the whole length of the aisle (fully 100 feet), which might be available for schools or vestries, or any similar purpose. The unfinished state of the building is proclaimed not only by the disproportionate height, but by a clothing of clapboard on the whole eastern end, which is necessary for the protection of walls not intended to be exposed. This clapboard dress is of most unecclesiastical character, and betrays unmistakeably the abrupt stop put to the progress of the work through the want of funds. A temporary apse has been erected, sufficient for the holy table with its furniture. There are two noble porches, one at the west end, approached by a very handsome flight of steps, and another on the north side, with a beautiful groined roof; over this is the parvise.

The doors and hinges are of very beautiful workmanship, and in admirable keeping with the style of the building.

The fittings of the interior were imported ready made from England; they were designed by Mr. G. Gilbert Scott, the architect, and fully sustain his reputation for perfect knowledge of all the details of ecclesiastical art and ornament. All are of English oak; the holy table, pulpit, and seats for the clergy enriched with carving; the seats (which are all open) of the same substantial make and material, but (except the Governor's pew) with plain square ends. Seats are provided for 800 persons. The windows were furnished by Mr. Wailes, of Newcastle, and are of that kind of glass called, we believe, cathedral green, which being very thick, subdues the light, and gives some of that "dim religious" character, which the poet admires in the "richly-dight windows" of our ancient churches.

Considerable fears were entertained lest the fittings and windows should not be fixed by the Visitation, as the latter arrived little more than a fortnight, and the seats and other furniture not ten days, before the time. It was originally intended that the consecration should take place on Sunday the 15th instant, and be followed by appropriate services every day till the Visitation; but it was with great difficulty, and by working day and night, that all was finished and furnished on the 19th, and a single day left for other necessary arrangements.

The service of consecration commenced at 10 o'clock. The Bishop, preceded by his domestic chaplain (the Rev. Mr. Grey) bearing the pastoral staff, and followed by the rest of the clergy, two and two (36 in number), all in surplices, walked in procession from the crypt, and on entering at the west door, began to chant the 24th Psalm. This was continued till the Bishop reached the sacrarium, or platform at the eastern end; on either side of which are the stalls or seats of the clergy. A chair was placed in the centre for the Bishop. On his Lordship's right hand stood the registrar, and on his left the chaplain holding the staff. The deed of conveyance of the site was then presented to the Bishop, and, after an address and prayers appropriate, the sentence of consecration was read by the registrar. The sentence recited the grant of the site to the first Bishop of Newfoundland, for the uses and purposes of the Established Church, and the ceremony of laying the first stone by his Lordship in the year 1842. Then, after mention of the translation of Bishop Spencer to the See of Jamaica, and the appointment and consecration of Bishop Field, it was further stated, that by the charity of Christian friends and benevolently disposed persons, the building had been carried on to that degree of completion that the Bishop's chair might be conveniently set up, and Divine Service decently celebrated with all due and accustomed solemnities; and was now to be consecrated to the honour and service of Almighty God, by the name, title, and dignity of the Cathedral Church of "St. John the Baptist." The Bishop signed the sentence, and ordered it to be preserved in the archives of the diocese.

His Lordship was then conducted to his episcopal chair, by the Archdeacon and his chaplains, and the ceremony of installation gone through according to the ancient forms.

The

The pastoral staff was attached to the left-hand side of the Bishop's chair, and the Archdeacon and chaplains retired to their stalls.

The service of the day then commenced. The prayers were intoned with excellent effect by the precentor (that Rev. Mr. Tuckwell). Mr. Mudge, one of the theological students, presided at the organ, and (though the choir were inconveniently placed in consequence of all the seats in the sacrarium being occupied by the clergy,) the chantingof the Canticles and Psalms gave general satisfaction. The anthem was from the 150th Psalm, "O praise God in His holiness." The Sanctus, sung as an introit, was that by O. Gibbons. The organ is small, but being a great novelty in Newfoundland, was much admired; and undoubtedly gave a solemnity to the service which no other instrument can give. The Litany was sung by the Bishop's command; the Archdeacon read the Ante-Communion Service; the Bishop preached, and after dwelling upon the wonderful circumstances under which the church had been erected, and the lessons which the remembrance of these circumstances ought to teach those who frequent and use it, at least for this generation, he took occasion to explain the nature and purpose, first, of a church generally, and second, of a cathedral, and particularly insisted on the impropriety of letting or appropriating seats in that church, which is, in fact, the mother or parish church of the whole diocese. We understand that all the seats are free, and though some have been assigned to prevent confusion, no payment in the way of rent will be received. After the sermon, the Offertory sentences were read, and a collection was made from the communicants and congregation. Five of the clergy assisted his Lordship in the distribution of the sacrament. A large number of persons communicated with the clergy. The offerings amounted to 105 *l.*, in addition to 35 *l.* subscribed specially by the clergy for a painted window. The service concluded at two o'clock.

— No. 102. —

(No. 178.)

No. 102.
Earl Grey to Governor Sir G. Le Marchant.
1 November 1850.

COPY of a DESPATCH from Earl *Grey* to Governor Sir *G. Le Marchant.*

Downing-street, 1 November 1850.

I HAVE to acknowledge the receipt of your despatch No. 51, of the 8th of October, enclosing a letter addressed to me by the Bishop of Newfoundland, and to request that you will acquaint his Lordship that it afforded me much satisfaction to learn that the cathedral church at St. John's has been consecrated, and that the building, though not completed, is now in constant use.

I have, &c.
(signed) *Grey.*

NEWFOUNDLAND.

COPIES or EXTRACTS of the CORRESPONDENCE between the Governor of *Newfoundland* and the Secretary of State for the Colonies, in reference to the Appropriation of the Subscriptions raised for the Relief of the Sufferers at *St. John's* by the Fire in 1846.

(*Mr. Fagan.*)

Ordered, by The House of Commons, *to be Printed,*
8 *August* 1851.

[*Price 2 s. 4 d.*]

679.

Under 20 oz.

EMIGRATION.

(NORTH AMERICA.)

RETURN to an Address of the Honourable The House of Commons, dated 7 April 1851;—*for*,

"COPIES or EXTRACTS of any DESPATCHES relative to EMIGRATION to the NORTH AMERICAN COLONIES; in continuation of Papers presented to this House in July 1849."

Colonial Office, Downing-street, 30 May 1851.

B. HAWES.

(*Mr. Miles.*)

Ordered, by The House of Commons, *to be Printed*, 30 *May* 1851.

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2	15 Dec. -	(135.)	ANNUAL EMIGRATION RETURN, 1849. Number of Emigrants arrived, and other particulars - - - - - - - - - - - - - - -	2
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3	27 May -	(183.)	CONDITION OF EMIGRANTS ON ARRIVAL. Report of Medical Superintendent of Quarantine Station at Grosse Isle, on the excellent general health of the Emigrants, partly attributable to the IMPROVED SCALE OF DIET FIXED BY AMENDED PASSENGERS ACT - - - - - - - - - -	4
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5	27 Sept. -	(214.)	EMIGRATION OF BOYS FROM RAGGED SCHOOLS. Referring to the Chief Agent's Report thereon - - - - - - - - - - - - -	8
6	30 Oct. -	(225.)	STATISTICAL INFORMATION. Connected with Immigration into Canada from 1833 to 1850 inclusive, furnished by the Commandant of the Quarantine Station at Grosse Isle, and referring chiefly to the Health of Passengers, per-centage of Deaths, &c. - - - - - - - - - - - - - - - - -	8
	1851:			
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CANADA.

Despatches from Governor-General the Earl of Elgin.

— No. 1. —

(No. 76.)

COPY of a DESPATCH from Governor the Right Honourable the Earl of *Elgin* to Earl *Grey*.

No. 1.
Governor the Earl of Elgin to Earl Grey, 20 June 1849.

Government House, Montreal, 20 June 1849.
(Received, 11 July 1849).
(Answered, 16 August 1849, No. 411, page 36.)

My Lord,

I HAVE the honour to transmit herewith, a copy of a letter from the chief Emigrant Agent, enclosing an affidavit made by two persons, passengers in the "Faithful," Thomas Allen, master, from Limerick, and suggesting that inquiries should be instituted through the proper officer at Limerick, in order to ascertain if this vessel had been cleared at that port, according to law. 19 June.

I have, &c.
(signed) *Elgin & Kincardine.*

Enclosure in No. 1.

Emigration Department, Quebec,
19 June 1849.

Sir,

I HAVE the honour to transmit you, for the information of his Excellency the Governor-general, the enclosed affidavit of two persons, who arrived here a few days since, in a schooner, from Matan, who state that they, with 16 other persons, equal to 18 adults, came steerage passengers in a vessel called the "Faithful," Thomas Allen, master, from Limerick, and were landed at Matan, about 200 miles below this port. From their statement, which has been corroborated by five other of the passengers, all who have yet arrived at this port, there would appear to have been some irregularity on the part of the master of this vessel, and it may be deemed advisable that inquiry should be instituted through the proper officer at Limerick, in order to ascertain if this vessel had been cleared at that port according to law, with those passengers on board. Encl. in No. 1.

The vessel is now loading at Matan, with a cargo of deals, for London, and may be expected to sail in a few days. The firm she is consigned to here, Messrs. Lemesurier, Tillotson & Co., inform me, that she is of 247 tons burden, and as she would appear to have had 18 adult passengers on board, she comes within the regulations of the Imperial Passenger Act.

I have, &c.
(signed) *A. C. Buchanan,*
Chief Agent.

The Honourable James Leslie,
&c. &c. &c.

CANADA.

Sub-Enclosure to Enclosure in No. 1.

We the undersigned, late passengers on board the barque "Faithful," Thomas Allen, master, from Limerick, do herein make oath, that being desirous of emigrating from Ireland to Canada, we were brought into communication with Captain Allen, who engaged to give us a passage in his vessel from that port to Matanne, on the river St. Lawrence; which place he said was convenient to Quebec, and was a better place to afford us work than that city. He agreed to give us, the deponents, and 15 other adult persons, each a passage to the said place called Matanne, for the sum of 2*l.* sterling, we agreeing to find our own provisions. We further depone, that the whole of the passengers, 19 in number, consisted of three women and 16 men, who all, excepting one man, of the name of James M'Mahon, who worked his passage out for the amount, and one female, whose passage was to be paid for in work by her brother on arrival in Canada, and two other passengers who short paid their passage-monies, 30*s.*, paid Captain Allen, before sailing, the said sum of 2*l.* sterling each; that we did not go on board in the Port of Limerick, but at a place called Tiervoo, a short distance therefrom; that we sailed thence on the 29th of April last, and arrived at Matanne on the 31st of May; and that we received no provisions of any kind from the ship during the passage; and we further depone, that, in consequence of being disappointed of the work promised by the captain, the parties liable for the passage-money of one female, were unable to pay it in Matanne; upon which, the captain detained from the baggage of the parties, a pair of new blankets in payment of the said passage-money. And we also further depone, that being employed by Mr. Shipman, the agent of the vessel, that gentleman did, in consideration of our work, forward us in a schooner to Quebec, at which port we arrived on the 16th of June; the remainder of the passengers, with the exception of two, proceeded on foot to Quebec.

We, the undersigned, also depone and swear, that on paying our passage-money to the captain, we did not receive any contract ticket as receipt for the same, or any document whatever; but he required us to sign a paper which we understood to be an agreement; the contents of which we cannot now recollect, as we did not receive a copy of it.

(signed) *James Hilcooly*,
Parish of Cratlow, Clare.

(signed) *James O'Neill*,
Parish of Cratlow, county of Clare.

Sworn before me, at the city of Quebec, this 19th day of June 1849.

(signed) *R. Symes*, J.P.,
For the City and District of Quebec.

— No. 2. —

(No. 135.)

Copy of a DESPATCH from Governor the Right Honourable the Earl of *Elgin* to Earl *Grey*.

No. 2.
Governor the Earl of Elgin to Earl Grey, 15 December 1849.

Government House, Toronto, 15 December 1849.

My Lord, (Received, 10 January 1850.)

I have the honour to transmit herewith, the Chief Emigrant Agent's return of emigrants arrived at the Port of Quebec during the present year.

I have, &c.

(signed) *Elgin & Kincardine.*

Enclosure in No. 2.

RETURN of EMIGRANTS who have arrived in the Colony during the Year ending the 31st December 1849.

Whence Emigrating.	State Nature and Extent of Assistance afforded.	NUMBERS LANDED.									DEATHS ON THE VOYAGE.							
		14 Years and upwards.		Under 14, but not under 12 Months.		Under 12 Months.		TOTAL.			14 Years and upwards.		Under 14, but not under 12 Months.		Under 12 Months.		TOTAL.	
		M.	F.	M.	F.	M.	F.	M.	F.	Total.	M.	F.	M.	F.	M.	F.	M.	F.
UNASSISTED:																		
England		3,301	2,214	1,450	1,251	222	223	4,973	3,688	8,661	16	19	26	31	11	12	53	62
Scotland		1,754	1,409	781	703	101	89	2,636	2,201	4,837	5	6	5	2	1	1	11	9
Ireland		7,977	6,972	3,450	3,285	468	457	11,895	10,714	22,609	191	176	131	140	45	47	367	363
The rest of Europe		176	131	51	62	9	7	236	200	436	–	–	–	–	2	1	2	1
United States		–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Sierra Leone		–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
New Brunswick, Prince Edward Island, Nova Scotia, &c. &c.		332	265	163	193	6	5	501	463	964	–	–	–	–	–	–	–	–
TOTAL Unassisted Emigration		13,540	10,991	5,895	5,494	806	781	20,241	17,266	37,507	212	201	162	173	59	61	433	435

BIRTHS ON THE VOYAGE.			Number of Agricultoral Labourers.	Number of Domestic Servants.		Number of Mechanics, &c., not included in the foregoing Columns.	Amount per Head of Emigrant Tax, and under what Authority levied.	Gross Amount of Emigrant Tax received during the Year.	State the Number of Ships arrived with Emigrants.	State the Average length of the Voyage.	Whence Emigrating.
Male.	Female.	TOTAL.		M.	F.						
								£. s. d.		*Days.*	UNASSISTED:
9	7	16	1,941	28	64	539	Adults, 7 s. 6 d.	- -	135	45	England.
4	5	9	1,417	2	11	212	Children, 5 to 15 years, 5 s.	12,050 7 6	59	41¼	Scotland.
30	21	51	2,528	48	268	328	Under 5 years free.		150	45¼	Ireland.
–	–	–	159	–	- -	13	Provincial Act.	- -	4	49	The rest of Europe.
–	–	–	- -	–	- -	- -	- - -	- - -	–	–	United States.
–	–	–	- -	–	- -	- -	- - -	- - -	–	–	Sierra Leone.
–	–	–	313	–	- -	- -	Nil.	Nil.	48	18	New Brunswick, Prince Edward Island, Nova Scotia, &c. &c.
43	33	76	6,388	78	343	1,092	- - -	12,050 7 6	396	—	

Emigration Department, Quebec, December 1849.

A. C. Buchanan,
Chief Agent.

CANADA.

— No. 3. —

(No. 183.)

COPY of a DESPATCH from Governor the Right Honourable the Earl of *Elgin* to Earl *Grey*.

Government House, Toronto, 27 May 1850.

No. 3. Governor the Earl of Elgin to Earl Grey, 27 May 1850.

My Lord, (Received, 17 June 1850.)

THE enclosed Report of the Medical Superintendent at the Quarantine Station of Grosse Isle, showing the excellent general health and condition of the immigrants who have already arrived at Quebec this season, will, I have no doubt, be read with gratification by your Lordship.

I have, &c.
(signed) *Elgin & Kincardine.*

Enclosure in No. 3.

Sir, Grosse Isle, 18 May 1850.

Encl. in No. 3.

I HAVE the honour to report, for the information of his Excellency the Governor-general, the arrival, yesterday, of the large number of 39 emigrant vessels, having on board 6,034 passengers.

I have much satisfaction in being able to report, that the general health and condition of these passengers is superior to that of any passengers whom I have inspected since 1845. I attribute this marked improvement in the health of emigrants to fine weather and a short voyage—the average passage of these vessels exceeding but little 30 days—and also to the improved scale of diet as fixed by the amended Imperial Passengers Act.

Out of the large number of 6,034 passengers of all sexes, from the new-born infant to the octogenarian, subject to all the privations and confinements of a sea voyage across the North Atlantic at this early season, I found that but 27 had died; and of these 17 were children, and nine old persons over 60. I have had occasion to send only 21 to hospital, and of these eight were cases of small-pox.

I have, &c.
(signed) *G. M. Douglas*, M. D.
Med. Sup.

The Honourable James Leslie,
Provincial Secretary.

— No. 4. —

(No. 191.)

No. 4. Governor the Earl of Elgin to Earl Grey. 24 June 1850.

COPY of a DESPATCH from Governor the Right Honourable the Earl of *Elgin* to Earl *Grey*.

Government House, Toronto, 24 June 1850.

My Lord, (Received 17 July 1850.)

I HAVE the honour to transmit herewith the Emigrant Agent's return of immigrants arrived at Quebec, from the 19th to the 31st May 1850.

I have, &c.
(signed) *Elgin & Kincardine.*

Enclosure 1, in No. 4.

EXTRACT from the Emigration Agent's Return of Arrivals in Quebec, from the 19th to 31st May 1850

Encl. 1, in No. 4.

THE emigrants arrived during the period embraced in this return have all landed in excellent health. The whole number of vessels is 80, bringing 9,135 passengers. Among this number there died on the passage but 32, and 26 were reported sick on arrival at Grosse Isle; proportions so small as scarcely to require notice.

These vessels have all been fortunate in having made most favourable passages; the average of the 54 ships of which particulars are given, being but 33½ days. The averages from the chief ports were as follows:—

London	1 vessel	27 days.		Waterford	4 vessels	32 days.
Liverpool	5 vessels	31 „		New Ross	5 „	34 „
Plymouth	4 „	35 „		Sligo	3 „	30 „
Limerick	10 „	33 „				

The quickest passage was that of the "Jessie" from Limerick, 22 days; and the longest was that of the "Caledonia," from the same port, 47 days.

The male adults, exclusive of cabin passengers, number 3,494, and are classed as follows; viz. farmers, 1,575; labourers, 1,576; mechanics, 328; and servants, 15. The proportion of male adults to the women and children, is as 1 to 1½.

The number who have been sent out by their landlords, or assisted from their respective parishes, is 1,003; of these there were from Ireland, 505; England, 487. Three hundred and twenty of those from Ireland received landing-money, and 185 were provided with only a free

a free passage. From England, 460 persons received 20 *s.* sterling each adult on landing here which was paid to them through this office; and 27 appear to have received only a free passage.

The amended Passenger Act, which came into operation this spring, has so far worked most satisfactorily; not a single complaint has been made to me by the passengers of any of these vessels; and the increased scale of provisions has, no doubt, tended to the comfort and health of the passengers.

Under the increased facilities which the St. Lawrence route offers for the transport of emigrants whose destination may be Upper Canada or any of the Western States, arrangements were made last winter by the two principal London houses engaged in the emigration business, so that emigrants were enabled to secure their passage in London to any port in the west; by which means they saved themselves trouble, time and expense. On board the "Ava" and "Laurel," the following numbers were thus forwarded through:—

To Montreal	105	To Buffalo	2
Kingston	4	Cincinnatti	14
Port Hope	18	Detroit	3
Toronto	27	Milwaukie	11
Hamilton	43	Chicago	2

and from the satisfactory report received from many of these parties it is anticipated that a large number will adopt this plan next year.

Unquestionably the route of the St. Lawrence offers many advantages over that of New York to all persons whose destination may be the west; as emigrants can, under present arrangements, be carried from this to Chicago, a distance of 1,650 miles, in from 8 to 10 days, with but two transhipments, for 40 *s.* currency, or 32 *s.* 9 *d.* sterling.

I enclose herewith a printed notice, which is distributed to the emigrants on their arrival, showing the several routes and modes of conveyance, the rates of transport, and the time occupied in the passage, with other general information. The table of rates, &c., applies only to steerage or deck passengers.

Enclosure 2, in No. 4.

For the information of Emigrants.

Encl. 2, in No. 4.

There is nothing of more importance to emigrants, on arrival at Quebec, than correct information on the leading points connected with their future pursuits. Many, especially single females and unprotected persons in general, have suffered much from a want of caution, and from listening to the opinions of interested and designing characters, who frequently offer their advice unsolicited. To guard emigrants from falling into such errors, they should, immediately on their arrival at Quebec, proceed to the office of the chief agent for emigrants, where persons desirous of proceeding to any part of Canada will receive every information relative to the lands open for settlement, routes, distances and expenses of conveyance; where also labourers, artisans or mechanics, will be furnished, on application, with the best directions in respect to employment, the places at which it is to be had, and the rate of wages.

Emigrants are entitled by law to remain on board the ship 48 hours after arrival; nor can they be deprived of any of their usual accommodations and berthing during that period, and the master of the ship is bound to disembark them and their baggage free of expense, at the usual landing-place, and at reasonable hours, as may be seen in the following extract from the Provincial Passenger Act:

Notice to Captains of Passenger Vessels.

"And whereas inconvenience and expense are occasioned by the practice of masters of ships carrying passengers, anchoring at great distances from the usual landing-places in the Port of Quebec, and landing their passengers at unreasonable hours: Be it therefore enacted, that all masters of ships having passengers on board shall be held, and they are hereby required to land their passengers and their baggage free of expense to the said passengers, at the usual public landing-places in the said port of Quebec, and at reasonable hours, not earlier than six of the clock in the morning, and not later than four of the clock in the afternoon; and such ships shall, for the purpose of landing their passengers and baggage, be anchored within the following limits in the said port, to wit: The whole space of the River St. Lawrence, from the mouth of the River St. Charles, to a line drawn across the said River St. Lawrence, from the Flag-staff on the Citadel on Cape Diamond, at right angles to the course of the said river, under a penalty of ten pounds currency, for any offence against the provisions of this section."

Any offence against this section will be rigidly enforced.

Small capitalists in search of cleared farms are invited to call at this office, where they will be furnished with the descriptions of a number of farms in various stages of improvement, situated in different sections of the province, many of which combine the advantages of being in the neighbourhood of churches, schools, post-offices, grist and saw mills; and from their vicinity to Quebec and Montreal, the highest market-price may always be obtained for any surplus produce.

On the route from Quebec to their destination they will find many plans and schemes offered to their consideration; but they should disregard such statements, unless well satisfied of their correctness. On all occasions when emigrants stand in need of advice, application

CANADA.

application should be made to the Government agents, who will gratuitously furnish every requisite information.

Ample notice having now been given, as well in Great Britain and Ireland as in Canada, that an Act has been passed by the Legislature, in which it is expressly stipulated that the emigrant tax levied under its authority should be applied only to the relief of destitute sick emigrants, all parties are, therefore, distinctly informed that no relief whatever will be afforded out of this fund, unless in cases of sickness; and that, therefore, for the future, no free passage will be given.

Agents have been stationed at the following ports:—Quebec, Montreal, Kingston and Toronto. Who will furnish emigrants with advice as to routes, distances and rates of conveyance, and give them information respecting the Crown and other lands for sale in their respective districts, as well as direct emigrants in want of employment to places where they will be most likely to obtain it.

CAUTION against refusing Employment.

It is of the greatest importance that emigrants should be disabused of the very eroneous ideas which they almost all entertain as to the remuneration they will receive for their labour on arrival in this country. They should bear in mind that for the first season, and until they become acquainted with the labour of the country, their services are worth little more than one-half of those rendered by experienced labourers. Many have been offered advantageous engagements and permanent employment on their first arrival, which they refused, preferring to proceed, in hopes of better wages; but in this, very many are disappointed. Five to six dollars per month, with board and lodging, is as much as farmers will or can afford to give to newly-arrived emigrants. Good hands, after a year's residence, will generally command from eight to ten dollars per month.

About 1,000 labourers are now wanted on the St. Lawrence and Atlantic Junction Railway—wages from 3*s.* 6*d.* to 4*s.* per day.

The Montreal steamers call at Port St. Francis, which is the principal thoroughfare to the Eastern townships, especially the populous and flourishing villages, Drummondville, Kingsey, Shipton and Melbourne, and the county town of Sherbrooke. There is a daily stage from this port; or carts may be obtained, any day, for the conveyance of luggage, &c., at the rate of about one halfpenny per mile per cwt. This district, for its healthfulness, cheapness of land, facility of access, and manufacturing, agricultural and commercial capabilities, is particularly deserving of the notice of emigrants of every class; and where there is a constant demand for mechanics and labourers of every description, especially farm servants. There is also at present a great number of labourers required for the St. Lawrence and Atlantic Junction Railway, now in operation to St. Hyacinthe, 30 miles of its route from Montreal; by which emigrants intending to settle in these townships may arrive at their destinations within 24 hours of the disembarkation from their ships.

Emigrants should remain about the towns as short a time as possible after arrival. By their proceeding at once into the agricultural districts, they will be certain of meeting with employment more suitable to their habits; those with families will also more easily procure the necessaries of life, and avoid the hardships and distress which is experienced by a large portion of the poor inhabitants in our large cities during the winter season. The chief agent will consider such persons as may loiter about the ports of landing to have no further claims on the protection of Her Majesty's agents, unless they have been detained by sickness or some other satisfactory cause.

Routes, Distances and Rates of Passage, from Quebec.

Steamers occasionally leave Quebec direct to Toronto, Hamilton, &c., calling at all the intermediate ports, by which emigrants will avoid the inconveniences of transhipment. The rates of transport and all other particulars may be known on application at this office.

The royal mail steamers leave the Canal Basin, Montreal, every morning at eight o'clock, for Kingston, calling at all the intermediate places; or passengers may take the Lachine railroad cars from the Montreal terminus, in time to embark in the same steamer, which leaves Lachine at half-past eleven o'clock. Passengers by this line will reach Kingston the next day, in time to take the Lake Ontario mail steamers, at three o'clock, for Cobourg, Port Hope, Toronto, Hamilton, Niagara, Queenston and Lewiston; thence by railroad to Buffalo: or they may proceed by the "Through Line" steamers, which leave the Canal Basin every Tuesday, Thursday and Saturday, at eleven o'clock.

Passengers destined to any of the settlements on the River Ottawa and Bytown route, or on the line of the Rideau canal, will proceed by a daily line of steamers which leave Lachine every morning at eight o'clock, or on the arrival of the 7½ A. M. train from Montreal, for Bytown, which place they reach the same evening. Steamers leave Bytown for Kingston, calling at all places on the line of the Rideau canal.

Steamers leave Kingston daily for the Bay of Quinté and the River Trent, calling at Picton, Adolphustown, Belleville, and other landing-places in the Bay.

Mr. Conlan, the sub-agent at Montreal, will furnish the best advice and information as to the routes, rates of passage, &c., from that port, also as to the demand for employment existing in the district.

From *Quebec* to *Montreal*, by Steamers, every day at five o'clock, through in 14 hours.

	Miles.		Deck.
To Three Rivers - - - - -	81		2*s.* 6*d.*
„ Port St. Francis - - - - -	9	90	2*s.* 6*d.*
„ Sorel - - - - - - -	45	135	3*s.* 9*d.*
„ Montreal - - - - - -	45	180	3*s.* 9*d.*

From

From *Montreal* to *Hamilton*, daily, through in 48 hours.

	Miles.		Deck.
To Lachine, (by steamer or railroad) - -	9		
„ Beauharnois - - - - -	15	24	5 *s.* 0 *d.*
„ Cornwall - - - - - -	54	78	6 *s.* 3 *d.*
„ Williamsburg - - - - -	26	104	7 *s.* 6 *d.*
„ Matilda - - - - - -	8	112	7 *s.* 6 *d.*
„ Prescott - - - - - -	15	127	8 *s.* 9 *d.*
„ Brockville - - - - - -	12	139	8 *s.* 9 *d.*
„ Gananoque - - - - - -	32	171	10 *s.* 0 *d.*
„ Kingston - - - - - -	18	189	10 *s.* 0 *d.*
„ Cobourg - - - - - -	103	292	15 *s.* 0 *d.*
„ Port Hope - - - - - -	6	298	15 *s.* 0 *d.*
„ Bond Head - - - - - -	15	313	17 *s.* 6 *d.*
„ Darlington - - - - - -	4	317	17 *s.* 6 *d.*
„ Whitby - - - - - -	20	337	17 *s.* 6 *d.*
„ Toronto - - - - - -	30	367	20 *s.* 0 *d.*
„ Hamilton - - - - - -	43	410	22 *s.* 6 *d.*

The "Through Line" steamers, "Passport," "New Era," and "Comet," leave the Canal Basin, Montreal, every Tuesday, Thursday and Saturday, at 11 o'clock, direct for Hamilton, without transhipment, calling at all the above places.

The steamers "British Empire" and "British Queen," which run in connexion with the steamers from Ogdensburg, on the American side of the Lake, leave Lachine every day at half-past ten o'clock, after the arrival of the ten o'clock train from Montreal.

Passengers can secure, from either of these lines, at Quebec or Montreal, "Through Tickets" to Buffalo, Chicago, or any of the western ports on Lake Erie. Time, from Quebec to Buffalo, 3 days—passage 30 *s.*; and to Chicago or Milwaukie, from 5 to 6 days —passage 40 *s.*

From *Montreal* to *Bytown*, and places on the Rideau Canal, by steamers, through to *Bytown* in 12 hours.

	Miles.		Deck.
To Carillon - - - - - -	54	- -	3 *s.* 9 *d.*
„ Grenville - - - - - -	12	66	4 *s.* 0 *d.*
„ L'Orignal - - - - - -	7	73	4 *s.* 0 *d.*
„ Bytown - - - - - -	56	129	5 *s.* 0 *d.*
„ Kemptville, on the Rideau Canal - -	28	157	10 *s.* 0 *d.*
„ Merrickville „ - -	18	175	10 *s.* 0 *d.*
„ Smith's Falls „ - -	15	190	10 *s.* 0 *d.*
„ Oliver's Ferry „ - -	9	199	10 *s.* 0 *d.*
„ Isthmus „ - -	17	216	10 *s.* 0 *d.*
„ Jones' Falls „ - -	10	226	10 *s.* 0 *d.*

From *Toronto* to *Hamilton*, by steamers, twice a day, through in 4 hours.

	Miles.		Deck.
To Port Credit - - - - -	15	- -	1 *s.* 3 *d.*
„ Oakville - - - - - -	10	25	2 *s.* 6 *d.*
„ Wellington-square - - - -	12	37	3 *s.* 9 *d.*
„ Hamilton - - - - - -	6	43	3 *s.* 9 *d.*

Steamers leave Toronto daily for Niagara, Queenston and Lewiston—passage 3 *s.* 9 *d.* At Lewiston the rail cars leave twice a day for Buffalo—fare 5 *s.*

Freight-steamers carry passengers from Montreal to Kingston, for 5 *s.* each adult; to Toronto, 10 *s.*; and to Hamilton for 12 *s.* 6 *d.*

Throughout these passages, children under 12 years of age are charged half-price, and those under 3 years are free; 1 cwt. of luggage allowed each passenger.

The gold sovereign is at present worth 24 *s.* 4 *d.* currency; the English shilling, 1 *s.* 3 *d.*; and the English crown-piece, 6 *s.* 1 *d.*

UNITED STATES ROUTE.

Emigrants proceeding to any of the following States of the American Union, viz.—Maine, New Hampshire, Massachusetts, Connecticut, Vermont, or to any place in the Eastern part of the State of New York, are recommended to proceed by the Champlain and St. Lawrence Railroad Company from Montreal. Steamers leave Montreal in connexion with this route twice a day for Laprairie, thence by railroad to St. John's, in time to take the steamer on Lake Champlain for Whitehall.

This company also undertake to forward emigrants by their route to Buffalo and Chicago; but as they will be subject to several transhipments, and the latter part of the route will be through the Erie canal, viz.—from Schenectady to Buffalo, a distance of 330 miles, they are strongly advised to take the St. Lawrence route, on which they will be conveyed through in fine large steamers in two days and a half, and with but one transhipment, viz.—at Lewiston, where they take the railroad to Buffalo; the time occupied by the canal route being from eight to ten days, with at least five transhipments.

CANADA.

From *Montreal* to *Boston* and *New York*, daily, by the Champlain and St. Lawrence Railroad Company.

		Miles.		Rate.
To St. John's, (by steamer and railroad twice a day)	25	-	-	2 *s.* 6 *d.*
„ Burlington, Vermont, by steamer	75	100		6 *s.* 3 *d.*
„ Whitehall, by steamer	50	150		10 *s.* 0 *d.*
„ Troy and Albany, viâ Whitehall	—	250		13 *s.* 9 *d.*
„ New York	—	390		16 *s.* 3 *d.*
„ Boston, viâ Burlington	—	320		30 *s.* 0 *d.*

Lake Erie.—From *Buffalo* to *Chicago*, by steamers, twice a day.

		Miles.		Rate.
To Cleveland	190	-	-	5 *s.* 0 *d.*
„ Toledo	110	300		6 *s.* 3 *d.*
„ Detroit	36	336		5 *s.* 0 *d.*
„ Milwaukie	595	931		10 *s.* 0 *d.*
„ Chicago	80	1011		10 *s.* 0 *d.*
„ any Port on Lake Michigan, except Green Bay.				10 *s.* 0 *d.*

Contract Rate from Montreal to Buffalo, per Champlain and St. Lawrence Railroad Company - - - - - 20 *s.* 0 *d.*
Ditto Montreal to Chicago - - - - - - 30 *s.* 0 *d.*

Emigration Department, Quebec, 6 May 1850.

A. C. Buchanan, Chief Agent.

— No. 5. —

(No. 214.)

COPY of a DESPATCH from Governor the Right Honourable the Earl of *Elgin* to Earl *Grey*.

Government House, Toronto, 27 September 1850.

No. 5. Governor the Earl of Elgin to Earl Grey, 27 September 1850.

My Lord, (Received, 14 October 1850.)

I HAVE the honour to transmit herewith the Chief Emigrant Agent's Return of Immigrants arrived at Quebec during the month of August, and the Abstract Quarterly Return for the quarter ending the 31st July.

I beg to call your Lordship's attention to the remarks therein made with respect to the 12 boys sent out by the Ragged School, in West-street, Smithfield.

I have, &c.
(signed) *Elgin & Kincardine.*

Enclosure in No. 5.

EXTRACT from Chief Agent's Report for the Month of August 1850.

Encl. in No. 5.

"ON board the "Denham," from London, there were 12 boys sent out by the Ragged School, in West-street, Smithfield. Two of them proceeded, on arrival, up the country; the remainder, on receipt of their landing-money, went to lodgings in this city. Several of them have been employed in discharging and loading the vessel; four have shipped themselves as sailors, and have returned to England, and the remainder are now desirous of making a similar arrangement. In future, the passage of such parties should be secured as far as Toronto, or instructions should be given, authorizing the application of their landing-money to this object, otherwise they will remain in idleness about the city as long as their money lasts, and then endeavour to secure a passage back to England, defeating altogether the object for which they were sent out."

— No. 6. —

(No. 225.)

COPY of a DESPATCH from Governor the Right Honourable the Earl of *Elgin* to Earl *Grey*.

Government House, Toronto, 30 October 1850.

No. 6. Governor the Earl of Elgin to Earl Grey, 30 October 1850.

My Lord, (Received, 18 November 1850.)

I HAVE the honour to transmit, for your Lordship's perusal, the copy of a Return which has been furnished to me by Captain Scott, Commandant at the Quarantine Station at Grosse Isle, containing some interesting statistical information with respect to the immigration into Canada, from 1833 to 1850 inclusive.

I have, &c.
(signed) *Elgin & Kincardine.*

Enclosure in No. 6.

GENERAL RETURN, showing the Number of Passenger Vessels, Emigrants, Deaths on Passage, Sick on Arrival, Adults at Healthy Division, Admissions to Hospital, Disease and Deaths, per Centage, Daily Average, and greatest Daily Number of the same, at the Quarantine Station, Grosse Isle, from 1833 to 1850, inclusive.

YEAR	Date of Opening.	Date of Closing.	Number of Days.	Number of Passenger Vessels.	Number of Emigrants.	Deaths on Passage.	Sick on Arrival.	Number of Adults landed at Healthy Divisions.	QUARANTINE HOSPITAL. Admissions. Cholera.	Fever and Dysentery.	Small-pox.	Other Diseases.	Total.	Deaths. Cholera.	Fever and Dysentery.	Small-pox.	Other Diseases.	Total.	
1833	- Not known -		–	–	22,062	–	–	- -	–	159	34	46	239	–	–	–	–	27	
1834	- -	- -	–	–	30,982	–	–	- -	290	404	12	138	844	–	–	–	–	264	
1835	- -	- -	–	–	11,580	–	–	- -	–	24	48	54	126	–	1	6	3	10	
1836	- -	- -	–	–	27,986	–	–	- -	–	338	50	66	454	–	40	3	18	61	
1837	3 May	21 Oct.	172	177	21,824	–	–	- -	–	481	104	13	598	–	44	10	3	57	
1838	1 „	31 „	184	59	4,430	11	20	- -	–	42	17	6	65	–	4	–	2	6	
1839	29 April	20 „	175	78	8,802	44	90	- -	–	147	1	41	189	–	7	–	3	10	
1840	3 May	20 „	171	167	22,093	219	329	- -	–	485	60	16	561	–	31	10	3	44	*
1841	1 „	20 „	173	218	27,910	225	210	- -	–	184	32	74	290	–	22	2	19	43	
1842	1 „	31 „	184	287	42,699	306	402	- -	–	340	56	92	488	–	41	7	6	54	
1843	1 „	31 „	184	196	20,236	75	106	- -	–	173	26	46	245	–	12	3	4	19	
1844	2 „	31 „	183	164	19,043	83	122	- -	–	322	11	55	388	–	14	1	3	18	
1845	6 „	20 „	168	198	24,331	112	263	- -	–	362	73	30	465	–	21	4	5	30	
1846	7 „	31 „	178	206	31,931	227	424	- -	–	613	106	173	892	–	47	7	8	62	
1847	11 „	3 Nov.	177	398	100,285	4,956	6,449	- -	–	8,574	92	25	8,691	-	not classed		-	3,238	
1848	10 „	10 Oct.	154	208	26,225	250	233	4,460	–	362	31	134	527	–	69	6	50	125	
1849	8 „	20 „	166	258	37,600	681	342	8,796½	3	663	34	147	847	57	82	6	14	159	
1850	1 „	17 „	170	235	29,704	186	202	4,216	–	253	38	68	359	–	19	2	5	26	

PER CENTAGE ON EMIGRATION. Deaths on Passage.	Sick on Arrival.	Adults at Healthy Division.	Hospital Admissions. Cholera.	Fever and Dysentery.	Small-pox.	Other Diseases.	Total.	Deaths.	DAILY AVERAGE. Admissions to Hospital.	Sick in Hospital.	Adults at Healthy Division.	GREATEST DAILY NUMBER. Sick in Hospital.	Deaths in Hospital.	Adults at Healthy Division.	Proportion of Deaths to each Hundred Admissions.	YEAR.	
–	–	- -	–	·72	·15	·20	1·08	·12	- -	- -	- -	–	–	–	11·29	1833	
–	–	- -	·93	1·30	·03	·44	2·72	·85	- -	- -	- -	–	–	–	31·27	1834	
–	–	- -	–	·20	·41	·46	1·08	·09	- -	- -	- -	–	1	–	7·93	1835	
–	–	- -	–	1·20	·17	·23	1·62	·21	- -	- -	- -	–	4	–	13·43	1836	
–	–	- -	–	2·20	·47	·06	2·74	·26	3·47	73·51	- -	–	4	–	9·53	1837	
0·25	0·45	- -	–	·95	·38	·13	1·47	·13	0·35	6·52	- -	–	2	–	9·23	1838	*
0·50	1·02	- -	–	1·67	·01	·46	2·14	·11	1·08	24·34	- -	–	1	–	5·29	1839	
0·99	1·48	- -	–	2·19	·26	·07	2·53	·19	3·22	62·03	- -	–	2	–	7·84	1840	
0·80	0·75	- -	–	·65	·11	·26	1·03	·15	1·09	27·83	- -	–	3	–	14·82	1841	
0·71	0·94	- -	–	·79	·13	·21	·14	·12	2·59	59·79	- -	–	3	–	11·06	1842	
0·37	0·52	- -	–	·85	·12	·22	1·21	·09	1·33	27·01	- -	–	2	–	7·75	1843	
0·43	1·16	- -	–	1·69	·05	·29	2·03	·09	2·12	46·73	- -	–	2	–	4·63	1844	
0·46	1·08	- -	–	1·48	·30	·12	1·91	·12	2·76	50·74	- -	–	2	–	6·45	1845	
0·71	1·32	- -	–	1·91	·33	·54	2·79	·19	5·00	92·32	- -	–	3	–	6·95	1846	
4·94	6·43	- -	–	8·54	·09	·02	8·66	3·22	49·10	- -	- -	–	–	–	37·25	1847	
0·95	0·88	17·00	–	1·38	·11	·51	2·00	·47	3·42	85·20	149·89	225	5	1,364	23·71 *	1848	
1·81	0·90	26·07	·007	1·76	·09	·39	2·25	·42	5·01	92·56	260·42	196	11	1,461	18·77 †	1849	
0·62	0·68	14·18	–	0·85	·13	·23	1·21	·87	2·11	- -	76·14	–	–	–	7·24	1850	

* 28 Vessels landed passengers.

† 53 Vessels landed passengers.

Grosse Isle, 17 October 1850.

(signed) *F. G. Scott,* Captain 17th Lt. Infantry, Commandant.

— No. 7. —

(No. 5.)

EXTRACT of a DESPATCH from Governor the Right Honourable the Earl of *Elgin* to Earl *Grey*.

Government House, Toronto, 3 January 1851.

(Received, 28 January 1851.)

"I HAVE the honour to transmit herewith, the Chief Emigrant Agent's return of emigrants arrived in Canada during the year 1850."

Enclosure in No. 7.

RETURN of EMIGRANTS who have arrived in the Colony during the Year ending the 31st December 1850.

Whence Emigrating.	State Nature and Extent of Assistance afforded.	NUMBERS LANDED.									DEATHS ON THE VOYAGE.							
		14 Years and upwards.		Under 14, but not under 12 Months.		Under 12 Months.		TOTAL.			14 Years and upwards.		Under 14, but not under 12 Months.		Under 12 Months.		TOTAL.	
		M.	F.	M.	F.	M.	F.	M.	F.	Total.	M.	F.	M.	F.	M.	F.	M.	F.
UNASSISTED:																		
England		3,498	2,782	1,447	1,383	230	424	5,175	4,409	9,584	5	5	11	9	8	10	24	24
Scotland		1,068	776	379	350	54	52	1,501	1,178	2,679	3	1	11	15	3	3	17	19
Ireland		6,051	5,787	2,588	2,563	339	338	8,978	8,688	17,666	12	20	25	19	13	14	50	53
The rest of Europe		354	236	108	117	15	19	477	372	849	–	–	1	1	1	3	2	4
United States		–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Sierra Leone		–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
New Brunswick, Nova Scotia, &c.		263	191	112	117	7	5	382	313	695	–	–	–	–	–	–	–	–
TOTAL Unassisted Emigration		11,234	9,772	4,634	4,530	645	658	16,513	14,960	31,473	20	26	48	44	25	30	93	100

BIRTHS ON THE VOYAGE.			Number of Agricultural Labourers.	Number of Domestic Servants.		Number of Mechanics, &c., not included in the foregoing Columns.	Amount per Head of Emigrant Tax, and under what Authority levied.	Gross Amount of Emigrant Tax received during the Year.	State the Number of Ships arrived with Emigrants.	State the Average Length of the Voyage.	Whence Emigrating.
Male.	Female.	TOTAL.		M.	F.						
								£. s. d.		*Days.*	
8	9	17	986	9	285	444	Adults, 7 *s.* 6 *d.*		131	39¾	England.
4	2	6	101	2	3	293	Children, 5 to 15 years, 5 *s.*		50	40	Scotland.
10	21	31	3,712	24	322	172	Under 5 years, free.	9,560 6 3	120	41	Ireland.
2	2	4	33	2	3	69	Provincial Act.		11	55½	The rest of Europe.
–	–	–	–	–	–	–	–	–	–	–	United States.
–	–	–	–	–	–	–	–	–	–	–	Sierra Leone.
–	–	–	–	–	–	–	–	–	39	21½	New Brunswick, Nova Scotia, &c.
24	34	58	4,832	37	613	978	–	9,560 6 3	351		

Emigration Department, Quebec, December 1850.

(signed) *A. C. Buchanan*, Chief Agent.

—No. 8.—

(No. 46.)

COPY of a DESPATCH from Governor the Right Honourable the Earl of *Elgin* to Earl *Grey*.

Government House, Toronto, 29 March 1851.

My Lord, (Received 29 April 1851.)

No. 8. Governor the Earl of Elgin to Earl Grey, 29 March 1851.

I HAVE the honour to transmit herewith the Report of the Chief Agent of Emigration for the year 1850, with the copy of a Minute of the Executive Council of the Province, to whom, in accordance with your Lordship's instructions, I have submitted it.

I have, &c.

(signed) *Elgin & Kincardine.*

Enclosure 1, in No. 8.

CANADA.—EMIGRATION REPORT, 1850.

To the Right Honourable the Earl of *Elgin & Kincardine*, Governor-general, &c. &c.

Office of Her Majesty's Chief Agent for the Superintendence of Emigration to Canada,

My Lord, Quebec, 30 December 1850.

I HAVE the honour to submit to your Excellency, for the information of Her Majesty's Government, my Annual Report relating to the Emigration to this Province during the season of 1850, accompanied by the usual Statistical Tables. Encl. 1, in No. 8.

Table No. 1 presents a synopsis of the season's emigration. The total number of souls embarked from Europe, exclusive of cabin passengers, was 30,933, which, with the births on the passage, 58, gives a total of 30,991 on board. The deaths at sea were 193, and in quarantine 20, making the total mortality 213, and leaving, as the number of emigrants from the United Kingdom and the Continent of Europe, landed in the province, 30,778; added to which were 813 classed as cabin passengers from Europe, and 701 persons from New Brunswick and Nova Scotia, making the total number of persons arrived in the colony, 32,292. This total, when compared with that of 1849, shows a decrease of 6,202 souls, equal to 16 per cent.

The following is a comparative statement of the emigration of the two seasons:

	1849.	1850.
From England - -	8,980	9,887
„ Ireland - -	23,126	17,976
„ Scotland - -	4,984	2,879
„ Continent of Europe	436	849
„ Lower Ports, &c. -	968	701
	38,494	32,292

This comparison shows an increase of the number from English ports equal to 348. 10 per

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10 per cent. The number from the Continental ports is doubled. While from Ireland there is a decrease of 22½, from Scotland 42½, and the Lower ports, 27¾ per cent.

From this Return (Table No. 1) it will appear that the number of vessels engaged in the passenger trade from Europe generally, was 312, measuring 127,160 tons, and navigated by 4,867 seamen. Of this number, 18 were foreign vessels, measuring 5,442 tons, 11 of which came from Continental ports, 6 from Ireland, and 1 from Scotland.

The foreign vessels which, under the operation of the amended Navigation Laws, have engaged in the passenger trade to Quebec in the past year, appear very generally to have given satisfaction. The ships have been of a good class, and well found, and the commanders men of intelligence and kindness. The passengers by these ships were, almost without exception, landed in excellent health; the consequence, perhaps, of a generally strict observance of cleanliness on board.

Of the whole number of passenger vessels, 18 brought out exclusively cabin passengers; 63 had not sufficient steerage passengers to bring them within the regulations of the Passenger Act; 48 had less than 50 passengers; 54 above 50 and under 100; 53 under 150; 34 under 200; 12 under 250; 7 under 300; 21 under 500; and 2 had over 500 each, on board.

Forty-two vessels made two passages within the season; so that 270 vessels only were employed in the conveyance of emigrants to the port within the year.

The total adult passengers from European ports was 25,939; while the vessels in which they embarked, according to their tonnage, would have been permitted, under the Passenger Act, to carry 58,713, exclusively of their crews. The 131 ships from England might have legally carried 19,690 passengers more than the number embarked; the 50 vessels from Scotland might have carried 8,668 more than they had on board; the vessels from the Irish ports were 120, which were filled to within 3,638 adult passengers; and the 11 vessels from Continental ports could have accommodated 778 additionally, or more than double the number they had on board.

The average length of passage to the quarantine station was, from England, 39½; from Ireland, 41; from Scotland, 40; and from the Continental ports, 55½ days.

In the ratio of mortality on board and in quarantine the emigration of 1850 offers a favourable comparison with the previous years; indeed, excepting the seasons of 1843 and 1844, no emigration has arrived in this province subject to a smaller loss.

The deaths at Sea, in 1850, have been - - -	193
,, in Quarantine - - - - -	20
Altogether - - -	213

equal to a proportion of ·67 per cent. In 1849, this proportion was 2·73 per cent.

As is usually the case, particularly in the absence of ship fever, cholera, and other similar fatal disease, the mortality of the year has been almost confined to infants and children: of the 213 deaths, only 58 occurred among adult persons.

The deaths at sea have occurred chiefly among the midsummer and fall passengers. The only vessels in which mortality to any important extent occurred, were the "Three Bells," from Glasgow, with 262 passengers, arrived here on the 14th August; the "Wandsworth," from Greenock, with 377 passengers, arrived on the 20th of August; and the "Jessy," from Limerick, with 390 passengers, arrived so late as the 10th of October: the "Three Bells" had 15 deaths; the "Wandsworth" 14, and the "Jessy" 18, deaths at sea; and the last showed four additional fatal cases after landing in quarantine, making her total 22, and exhibiting the most extensive mortality of the season.

At Table No. 2 of the Appendix will be found a return of the same passenger ships, showing the number from each port and country, the total number of emigrants from each port, with the deaths on the passage and in quarantine.

The whole number of deaths among 4,615 emigrants from England, excluding Liverpool, was but 10; among 22,979 from Ireland, including Liverpool, from which port the chief emigration is Irish, is 161, equal to 70 per cent.; among

2,709 from Scotland, 36 died, or 1·33 per cent.; and among 851 from the Continental ports, 6, equal to ·70 percent.

I have to report the loss of three emigrant vessels in the course of the year, unattended, however, by any serious loss of life; the first, the "Neptune," from Whitby, with 32 passengers, was lost on the 2d of May, near Trinity Bay, in the Gulf of St. Lawrence, passengers all saved; the brig "Wave," from Limerick, ran ashore at Cape Rosier, on the 6th July, the passengers 166 in number, were all saved and brought to the city in river craft; the third, the ship "Bridgetown," from Liverpool, with 347 passengers, was wrecked on the coast of Newfoundland, near Cape Raee, on the 4th of August. Excepting three children, the passengers were saved and conveyed to St. John's, whence three vessels arrived with them at this port, on the 10th of September. The passengers by the "Wave" and "Bridgetown," landed here in a very destitute state, having lost all their baggage, on which account they caused a heavy expenditure to the department. The outlay incurred at this and the Montreal agency, for their inland transport and provisions, was 153 *l.* 5 *s.*, for which expense, owing to the loss of the vessels, no dues had been received.

I have found it unnecessary to adopt any legal proceedings for violation of the Passenger Act during the past season, no case of an aggravated nature having come under my notice. Complaints were made by the passengers of three vessels, the "Empire," from New Ross, the "Bon Accord," from Limerick, and the "Sylvanus," from Westport, with claims for compensation for detention after the day fixed for sailing, as specified in the contract ticket. On representing the case to the masters, and informing them that legal proceedings would be taken, they at once paid all the claims which were supported by the proof of their contract tickets: the sum refunded from the three vessels amounted to 40 *l.* 3 *s.* 9 *d.* sterling.

The amended Imperial Passenger Act has been in operation throughout the year, and has appeared to work well, and give very general satisfaction. This is fully borne out in the absence of all complaints worthy of particular notice. Every desire is evinced by the masters engaged in the passenger trade to give the fullest effect to the provisions of this law; and, from the knowledge that not only every direct evasion will be inquired into, and the penalties enforced against them, but that any negligence in overlooking the performance of required duties by others will equally involve them, they have been led to take greater care to assure themselves that the supplies furnished by passenger brokers were in strict accordance with the Act.

Owing to the strict construction put upon the wording of the 5th and 10th clauses of the Provincial Passenger Act, it has caused some dissatisfaction among the shipowners and others engaged in the passenger trade to this port, and will be likely, unless amended, or unless room should be found for a more favourable construction to be given to the objectionable clauses, to act unfavourably on the emigration to this colony.

On board one or two vessels from Irish ports, in the course of the season, ophthalmia of a severe type declared itself during the passage, and, after arrival, several of the passengers who had suffered became blind. Under the 10th clause of the Act the masters in these cases were held to be liable to enter into a bond in the sum of 75 *l.* that such persons should not become chargeable on the province for a space of three years.

I have inquired into the law of the state of New York on this matter, and find that a similar clause applies only to the case of parties afflicted with disease at the time of their embarkation at the foreign ports. I here insert the clause referred to as taken from the revised laws concerning passengers in vessels coming to the state of New York, published during the present year (1850):

"3. It shall be the duty of the commissioners of emigration hereinafter named to examine into the condition of passengers arriving at the port of New York in any ship or vessel, and for that purpose all or any of the said commissioners, or such other person or persons as they shall appoint, shall be authorized to go on board and through any such ship or vessel; and if, on such examination, there shall be found among such passengers any lunatic, idiot, deaf, dumb, blind or infirm persons, not members of emigrating families, or who from attending circumstances are likely to become permanently a public charge, or who have been paupers in any other country, or who from sickness or disease existing at the time of departing from the foreign port are or are likely soon to become a public charge,

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they shall report the same to the said mayor particularly, and thereupon, and unless a bond as required in the second section of this Act shall have been given, the said mayor, or the person discharging the duties of his office, shall require, in the indorsement to be made as aforesaid, or on any subsequent indorsement or indorsements thereon, and in addition to the commutation-money, that the owner or consignee of such ship or vessel, with one or more sufficient sureties, shall execute a joint and several bond to the people of the state, in a penalty of 500 dollars for every such passenger, conditioned to indemnify and save harmless the commissioners of emigration, and each and every city, town or county within this state from any further cost or charge which said commissioners or any such city, town or county shall incur for the maintenance or support of the person or persons named in such bond, or any of them, within ten years from the date of such bond. The sureties to the said bond shall be required to justify, before and to the satisfaction of the officer making such indorsement, and by their oath or affirmation shall satisfy such officer that they are respectively residents of the state of New York, and worth double the amount of the penalty of such bond, over and above all debts, liabilities and all property exempt from execution. The subsequent indorsement authorized in this section may be made at any time within ten days after such examination or of the landing of any such person or passenger."

Since the repeal or alteration of the clause objected to in the Provincial Act would probably open the door to imposition, I am unprepared at present to suggest any change in the enactment, unless the particular case were made subject to the examination of some Board or Commission at the port of arrival, with the view of determining it as one of casualty before granting the exemption that might be sought. It might also be proper, in the event of any parties proposing to subject the master to a bond, that he should be allowed the option of thus binding himself as required, or of taking immediate charge of the maintenance and transport of his disabled passengers back to their port of embarkation.

* See Appendix to this Paper, p. 66.

In July last an* Act was passed by the Legislature to encourage emigrants from Europe to the United States, to adopt the St. Lawrence route.

It is proposed in this Act to refund one-half the duty now levied on each emigrant who shall come into this province with the declared intention of passing directly through it to the United States, and who shall not have been chargeable upon the province since his arrival therein. This law has been acted upon in one instance this year, the case of a party of Norwegians (the first that have ever arrived at this port), per the ship "Lyna," from Drammen, who all proceeded direct to Chicago. One-half the tax levied on this vessel, amounting to 22 *l.* 1 *s.* 3 *d.*, was refunded to the master. There is every prospect that the advantages which this Act affords, in addition to the other inducements that the route of the St. Lawrence offers, will lead to a further increase in this portion of our emigration. This party from Drammen, owing to the competition which existed at the time of their arrival, were carried through, from this place to Chicago, for 25 *s.* each adult, including luggage.

Table No. 3 is a statement of the number of persons who have received assistance, either from their landlords or from their parishes, in furtherance of their emigration.

The number sent out from England, under the superintendence of the Poor Law Commissioners, was 921. They received, on landing, 1 *l.* sterling each adult, amounting to 752 *l.* 4 *s.* 10 *d.* sterling, 562 *l.* 4 *s.* 10 *d.* of which was paid through this office, and 190 *l.* was directed to be paid by the masters or other agents of the vessels on arrival at this port; 60 were aided by their respective parishes, either with a free passage or a small donation of money.

On board the ship "Elspeth," there was a party of females, 18 in number, sent out under the auspices of the London Female Emigration Society. They were well provided with every necessary comfort during the passage, and forwarded, at the expense of the Society, to Toronto, where arrangements had been previously made, and a committee appointed to receive them. They were all placed in situations in the course of a few days. As this is the first party sent out by this Society to Canada, it is gratifying to find that the result has been satisfactory, and that, if proper selections be made, there is no doubt that a very considerable number can be annually provided for in Canada.

From Scotland, the number assisted appears to have been 332: 200 of whom were

were sent out by the Duke of Argyle, from Tyree and Mull; 50 from Thurso, from the estate of the Duke of Sutherland; and on board the "George," from Oban, there were 11 families, 82 persons, sent out by their landlord, Mr. M'Donald. This party, being very poor, were forwarded at the expense of the emigrant fund to their destination in Glengarry.

The number aided in their emigration from Ireland was 2,427, being a decrease of 1,865 of the same class sent out in 1849. There was an increase of 292 of those sent out by Poor Law Unions, the number being this year 1,573, against 1,261 in 1849. These last were well provided during the voyage, and received from 10 *s.* to 20 *s.* sterling each adult, to enable them to reach their destination; 705 were paid landing-money through this department, amounting to 458 *l.* 2 *s.* 6 *d.* sterling; 366 received, on arrival here, from the masters of the vessels or other agents, the sum of 307 *l.* 10 *s.* sterling, and 502 were paid their money previous to embarkation.

The number of persons sent out from the several Unions, for whom funds were remitted to this department, was as follows:—

		£.	*s.*	*d.*
Cork Union	254	136	17	6
Londonderry Union	56	28	10	–
Cootehill Union	44	36	–	–
Waterford Union	90	67	10	–
Enniscorthy Union	23	19	15	–
Dunfanaghy Union	46	19	10	–
Dungarvan Union	192	150	–	–
	705	£. 458	2	6

Paid by the masters or through their agents:

		£.	*s.*	*d.*
Inenderry and Lockington Unions	140	119	–	–
Charleston Workhouse	11	No return.		
Rathdown Union	215	183	10	–
	366	£. 302	10	–

Paid previous to embarkation:

Baltinglass Union	275
Athy and Abbeylease Unions	227
	502

Some delay occurred in the remittance of the funds for two of the parties, those from the Cootehill and Dungarvan Unions; but, although the parties had become scattered throughout the country, arrangements were made through the agents of this department, by which each person received the amount due to him.

Of the emigrants sent out by the Unions, a large proportion consisted of single females, women and children. The proportions are as follows:—

Male adults	350
Female adults	808
Children	415
	1,573

The single females were chiefly from the Cork, Waterford and Dungarvan Unions. As female domestics were much required throughout the country, they were all without difficulty placed in situations in a satisfactory manner. The party from the Dungarvan Union, notwithstanding the length of time they were on the passage, and the late period of their arrival (9th October), landed here in good health, and were provided for most satisfactorily, as will be seen in the full particulars given of this party in the Appendix.

The number who were assisted by private individuals in Ireland was 854, being a decrease of 2,689 persons, when compared with the same class in 1849.

They sailed from the following ports:—

Limerick	219
Waterford and New Ross	348
Dublin	147
Sligo	10
Belfast	18
Donegal	9
Liverpool	94
Glasgow	9
	854

The greater number of these people landed in extreme poverty. In some instances, a small sum of money had been given to each family to aid their outfit: but generally, as far as I could learn, nothing beyond a free passage had been provided.

Table No. 4 contains a Return of the Adult Male Emigration, distinguishing the trades and callings. The total males embarked was 11,260; of these there appear to have been 978 artisans or tradesmen, domestic servants, 37, farmers and farm servants, 5,413, and unskilled labourers, 4,832.

Table No. 5 presents a General Hospital Return, showing the number of emigrants admitted for medical relief at the Quarantine Establishment to its close, on the 17th October, at the Marine and Emigrant Hospital, Quebec, and at the General Hospital, Montreal; from which it appears, that the total number of cases under treatment, during the season, in Canada East, was 1,301, and the total deaths, 66.

Table No. 6 is an approximate view of the distribution of the year's emigration, on reference to which, in the Appendix, it will be seen, that the total number arrived in the colony was 32,648; viz.—

By the route of the St. Lawrence	32,292
By the route of the United States	356
	32,648

Of this number, there remained in the eastern section of the province	3,900
Throughout the districts in West Canada	14,980
Total remaining in the Province	18,880
Proceeded to the United States from Montreal, by the route of Lake Champlain	9,333
Ditto from Western Canada, *viâ* Oswego and Buffalo	4,390
And went to New Brunswick	45
	32,648

From this it appears, that of the year's emigration but 18,880 have settled in Canada, and that 13,723 have gone to the United States.

The number who have left the province is unusually large, and is to be accounted for from the fact that employment existed very generally throughout the northern and eastern states in the construction of railroads, affording the description of labour which most of the emigrants required.

Table No. 7 shows the amount of emigration landed in the province, from the year 1829 inclusively. The total number landed at the port of Quebec, since that period, has been 655,053, affording an average of 29,775 per annum for 22 years past.

The total expenditure of the Emigration Department, including the expenses of the Grosse-Isle Establishment, amounts to 8,721 *l.* 13*s.* 7*d.*; of this sum there was

was disbursed by the Commissariat Department, for the expenses of the Quarantine Establishment, 2,491*l.* 0*s.* 4*d.*, being a decrease of 672*l.* 9*s.* 10*d.*, when compared with this portion of the expenditure of 1849. The expenditure for the past season was as follows:—

	£.	*s.*	*d.*
Pay of Quarantine Establishment	1,405	6	6
Supplies to Hospital	230	12	2
Miscellaneous Implements and Stores	92	1	7
Fuel Wood	42	1	–
Straw for Bedding	7	13	7
Boards for Coffins	4	9	2
Washing	38	6	3
Cartage	51	16	9
Steam-boat Transport	581	10	–
Contingencies	37	3	4
Expenditure, under the authority of the Board of Works, for Building, Repairs, including an addition to the present Wharf and Landing-place	1,008	18	3
Amount chargeable on the fund for the medical treatment and care of 520 Emigrants, admitted to the Marine and Emigrant Hospital, Quebec, from the 1st January to 31st December 1850, at 1*s.* 3*d.* per day	737	17	6
	£. 4,237	16	1

The balance was disbursed for emigration purposes through the agents of this department, as follows:—

For Transport	£. 2,868	3	4	
For Provisions	202	8	4	
For Agencies	1,413	9	2	
				4,484 1 2
Total chargeable against Emigration Fund of 1850,				£. 8,721 17 3

At Quebec the outlay was as follows:—

For Transport	£. 1,122	–	7	
For Provisions	76	8	10	
For Agency	248	12	–	
				1,447 1 5

At Montreal Agency—

For Transport	1,272	17	11	
For Provisions	35	8	8	
For Agency	257	1	1	
				1,565 7 8

At Kingston—

For Transport	176	2	7	
For Provisions	66	8	7	
For Agency	289	17	2	
				532 8 4

At Toronto—

For Transport	297	2	7	
For Provisions	24	2	3	
For Agency	617	18	11	
				939 3 9
				£. 4,484 1 2

CANADA.

The number of persons forwarded from—	Adults.
Quebec to Montreal, was	3,877
Kingston and intermediate places	20 ½
Toronto and Ports on Lake Ontario	379 ½
Burlington	7
Lower Ports	9
	4,303

At an average cost for transport of 4 *s.* 10 ½ *d.*

	Adults.
Montreal to Kingston, Toronto, and intermediate places on the St. Lawrence and Lake Ontario	2,609 ½
Montreal to Bytown, *viâ* the Ottawa	173
Montreal to St. John's	262 ½
	3,045

At an average cost of 8 *s.* 2 *d.* per adult.

The number of persons assisted at the Kingston and Toronto Agencies was 2,752, equal to 1,837 adults, at an average cost of 5 *s.* 1 ¾ *d.* each, for transport.

They were forwarded as follows:—

Kingston to Coburg and Port Hope	353
Darlington and Windsor	351
Toronto	361
Posts on Bay of Quinto	30
Hamilton	58
Port Credit	10
Oakville	15
Wellington-square and Hamilton	200
Niagara and Queenston	445
Whitby	14
TOTAL full passengers	1,837

These statements, when compared with those of 1849, show a large diminution in the amount of assistance rendered throughout the province. The comparison appears as follows:—

	Adults Assisted.	Amount of Expenditure for Transport.
1849	30,386	£. 5,336 2 4
1850	9,185	2,868 3 8
Decrease	21,201	£. 2,467 18 8

Although this comparison shows a very large diminution in the number of persons to whom relief was extended this year, yet the reduction of the expenditure does not present an equally favourable result, the average cost being increased nearly double in 1850 to that of 1849.

The rates of transport upon all the leading routes in 1849 were unusually low, in consequence of the opposition between the steam-boat proprietors; but during the past year there has been but little competition, unless at one period, on the route from Montreal to Kingston. The rates charged on Lake Ontario have been the same as in previous years.

The total expenditure under the superintendence of this department was, in—

	£.	*s.*	*d.*
1849	8,267	–	10
1850	4,484	1	2
Decrease	£. 3,782	19	8

The

The average cost of assistance rendered to the emigration landed from Europe, exclusive of course of cabin passengers, was in 1849, 4 *s.* 5½ *d.*; in 1850, 2 *s.* 10 *d.*

This reduction in the expenditure during the past season is to be attributed mainly to the arrangements which your Excellency was pleased to authorize, of discontinuing, except in extreme cases, all relief at the agencies in Western Canada. At the same time, owing to the improvements of our inland navigation, parties whom it might be considered necessary to relieve could be, in almost all cases, at once forwarded to their destination.

The average cost of transport during the past season has been from—

	s.	*d.*	
Quebec to Montreal	3	9	each adult.
Quebec to Kingston	10	–	,,
Quebec to Toronto	15	–	,,
Quebec to Hamilton	17	6	,,
Quebec to Buffalo	25	–	,,

From Montreal, owing to the competition between the forwarding companies, the rates were proportionately less :

	s.	*d.*	
Montreal to Bytown	4	2	each adult.
Montreal to Kingston	5	2	,,
Montreal to Hamilton	8	4	,,
Montreal to Buffalo	17	6	,,

The rates paid by the department on Lake Ontario, during the season, were as follows :—

	s.	*d.*
From Kingston to Coburg and Port Hope	4	–
From Kingston to Bond Head and Darlington	5	–
From Kingston to Whitby and Toronto	6	3
From Kingston to Hamilton	8	9
From Toronto to Port Credit	1	3
From Toronto to Oakville	2	–
From Toronto to Hamilton	2	6

The Emigrant Fund of 1850 has been constituted of the amount of duty levied under the Provincial Act, 12 Vict. c. 6, and the sum of 1,500 *l.* sterling, the imperial appropriation for the payment of the Agent's salaries.

The duty realized in the course of the season was as follows :

	£.	*s.*	*d.*
At Quebec—			
On 20,217 adults, at 7 *s.* 6 *d.*	7,581	7	6
On 6,180 children, 5 to 15 years, at 5 *s.*	1,545	–	–
On 98 uncertified, at 50 *s.*	245	–	–
	9,371	7	6
Less returned duty under the Provincial Law, 13 Vict. c.	22	1	3
	9,349	6	3
At Montreal—			
On 476 adults, at 7 *s.* 6 *d.* £. 178 10 –			
On 130 children, 5 to 15 years, at 5 *s.* 32 10 –			
	211		–
Total tax received	9,560	6	3
Imperial appropriation, 1,500 *l.* sterling, at 24 *s.* 4 *d.*	1,825	–	–
	£. 11,385	6	3

On a comparison of this amount of resources with the amount of the expenditure, it would appear that a balance of 2,663 *l.* 9 *s.* should remain.

CANADA.

In the foregoing statement appear all the charges against the fund comin under my supervision; but in addition to what is here stated, there will be a claim from the municipal authorities at Kingston, Toronto and Hamilton, on account of the expenses they may have incurred for the care and maintenance of sick emigrants during the season, which will amount to about 250 *l.*, as also one for the sum of 158 *l.* 10 *s.* for ground rent of land on which the hospitals, &c. at Point St. Charles are erected. To these may be added the pay of the inspecting physician at Quebec, which I have assumed at the amount charged in 1849, 346 *l.* 3 *s.* 2 *d.*, making the total expenditure 9,466 *l.* 10 *s.* 5 *d.*, and reducing the balance to 1,918 *l.* 15 *s.* 10 *d.*, the amount available for next year's service.

My Report of 1849 presented an abstract of the comparative expense per head on the emigration embarked, which I continue here in a tabular form:

	1848.	1849.	1850.
Number embarked - - - -	27,423	38,472	31,746
	s. *d.*	*s.* *d.*	*s.* *d.*
Cost of medical assistance - - -	5 9	2 –	2 –½
Cost of Transport - - - -	6 2	2 10	1 9¾
Cost of Provisions - - - -	– 8¾	– 4¼	– 1½
Cost of Agency and Superintendence -	1 11⅓	1 –¼	– 10¾
Cost of Total Emigration Expenditure -	14 7⅓	6 2¼	4 10

The above averages comprise the whole direct expenditure incurred for the relief of emigrants, but exclude that incurred under the Board of Works, which, as before stated, amounted, during the season, to 1,008 *l.* 18 *s.* 3 *d.*

This emigrant tax received during the year 1850, averaged 6 *s.* per head on the number embarked, exclusive of infants; and the actual expenditure 9,466 *l.* 10 *s.* 5 *d.*, less 1,500 *l.* sterling, the amount of imperial appropriation, makes the average cost 5 *s.* per head.

The accommodation and facilities for the conveyance of emigrants by the route of the St. Lawrence are now very complete; and their transportation is conducted upon a satisfactory and equitable system, which guarantees full protection to the emigrants, and presents, in every respect, a most favourable contrast to that from New York, *viâ* the Erie Canal, to Buffalo.

The several railway companies and steam-boat proprietors interested in the routes from Montreal to the United States, *viâ* Lake Champlain, with a view to attract a portion of the emigrant travel from the St. Lawrence, advertised that they would convey emigrants from Montreal to Buffalo for four dollars each, which was one dollar less than by the St. Lawrence. They were to be forwarded, by steamer and railroad, to Schenectady, where they were to be transhipped to the Erie Canal packets. Being aware of the loss of time, and liability to imposition, to which the emigrants would be exposed on this route, I felt called upon publicly to caution them against it. The time occupied, under the most favourable circumstances, was 12 days; and instances have come to my knowledge of 22 days being taken to reach Buffalo, from Montreal, by this route. The time required by the St. Lawrence route is three-and-a-half days, and frequently no more than seventy hours, for the performance of the whole distance.

The steamers on the St. Lawrence are large and commodious, and afford complete protection to the deck passengers from the weather at all times.

A line of steamers from Montreal to Toronto and Hamilton, calling at all the intermediate ports on the route, and having a speed equal to that of the Royal Mail steamers, came first into operation last season. By this line, emigrants were subjected to but one transhipment between Quebec and Hamilton, a distance of about 570 miles, and performed regularly in from three to three-and-a-half days.

In consequence of the advantages secured in this route, two extensive firms in London, largely connected with the passenger trade, established a correspondence with a leading firm engaged in the forwarding and inland transport business

business in this country, through which parties were enabled to secure, in London, their passages direct to any place in the Western States. A very considerable number of persons from London and Southampton availed themselves of this arrangement; and I have every reason to believe, from the satisfactory manner in which the engagements with those parties were fulfilled, and the now more generally diffused knowledge of the advantages of this route of the St. Lawrence, that it will be adopted by a large increase both of English and foreign emigration.

The foreign shipping arrived at this port in the course of the year, many of them coming in ballast, after landing passengers at New York, have shown much interest in acquiring all the information connected with the Canadian line of inland communication; and I have taken pleasure in making them acquainted with its superiority for emigrants of all classes. There is little room to doubt that the foreign emigration, by way of this province, will be largely increased next year.

It has come to my knowledge, also, that the German and Norwegian emigrants, who came by this route last season, were fully satisfied with it, and the accommodation and protection they received upon their journey westwards. I anticipate that the favourable accounts they have sent to their friends will be the means of inducing others to follow their course.

The appointment which your Excellency was pleased to make of a German interpreter during the past season was found most beneficial. It was the means of conveying to the German people arriving here a great degree of confidence; and they were invariably much satisfied on finding a countryman of their own placed here to advise and protect them. Although the emigration of this class did not realize the expectation entertained at the commencement of the season, I am of opinion that the expense incurred by this appointment will not be without advantageous results. At the same time, owing to the exertions and enterprise of the numerous agents of interested parties in the United States, who are dispersed over all Germany, circulating tracts with glowing descriptions of the settlements in the western country, and offering every inducement to emigrants to proceed by the New York route, and the constant and regular sailing of first-class passenger ships, with superior fittings and accommodation, I much fear that, unless the parties interested in this route establish a counter-agency, and adopt some measures to maintain their competition more advantageously, no immediate change in the numbers or character of our foreign emigration can be expected.

In the emigration of 1850, the proportion of Irish, as will be found on reference to the Return, shows its usual preponderance. The emigration from the port of Liverpool gives an increase of 700 over the number from that port last year. Of the whole number, 5,003 persons, there were from

England - - - - - - -	765
Scotland - - - - - - -	110
Foreign Ports - - - - - -	19
Ireland - - - - - - -	4,109
	5,003

the proportion from Ireland being equal to five-sixths of the whole; and making the total Irish emigration embarked 23,066, equal to three-fourths of the whole emigration from the United Kingdom.

I have from time to time brought under the notice of your Excellency, in my periodical reports, which will be found in the Appendix, the condition of the parties arriving. Among those sent out by landlords a large proportion consisted of helpless families, selected on account of their total uselessness and inaptitude for labour of any kind. In the "Perseverance," from Dublin, there were from 25 to 30 families sent out, as they stated, by their landlord, from Queen's County, and furnished to the extent of a free passage to this port. On landing here, the party soon exhibited, in almost every individual, the physical weakness and depression, as well as the confirmed pauper habits, which, combined, form the least desirable class of colonists; some few families who had friends within reach were forwarded into the country, but the greater part, having no destination in view, could not claim the public assistance; they re-

mained for some time in the city, where they became exposed to disease, and a large proportion eventually involved the expense of hospital treatment.

Such cases are not mentioned for the purpose of reflecting censure upon parties sending out this description of emigrants, who, it may be, are not tenants, but merely paupers upon the land; but with the view of showing that the mere transporting of this class of people from one country to another is insufficient to place them in circumstances to enable them to depend upon their own exertions for support, a small further outlay, in affording them the means of at once proceeding into the interior of the country, or to points at which suitable employment could be found, would immediately effect the desired object of rendering them independent.

Another, and very destitute class of the Irish emigrants, who annually arrive by the route of the St. Lawrence, are the wives and families of parties who have emigrated in previous years, and who, by their industry, have been enabled to send home sufficient means to bring them just across the Atlantic. A large portion of this class have their destinations in the Western States; they are induced to take this route, it being cheaper than that by New York, and to some extent they were formerly encouraged in the expectation of being aided, on their arrival here, out of the emigrant fund; a large number of this class arrived during the past season whose destinations were throughout the frontier States, from Vermont to Missouri. In all cases where these families were without means, I obtained the husband's address, and wrote for immediate assistance to their families. In many cases money was sent, and I received sums amounting in the aggregate, during the season, to nearly 200*l.*; but in several cases no answer was ever received.

The whole number of cases assisted at this agency, during the year, gave the following per centage on the number from each country respectively:—

From England - - - -	5 ½ per cent.
From Ireland - - - -	24 ½ „
From Scotland - - - -	½ „
From Foreign - - - -	5 ½ „

The Scotch emigration was generally forwarded through to Montreal either with the vessel, or at the expense of the ship; the Irish, almost without exception, landed here.

In concluding this Report, I may allude to the increased proportion of the emigration landed in the province, which has ultimately proceeded to the United States, and express the anticipation that, in the ensuing year, the number will be even further augmented. This is the natural result of a more general knowledge of the advantages of the St. Lawrence route for all emigrants whose destinations are fixed in the extreme west. I cannot but look for a considerable increase in the number of passengers from the continental ports, the largest part of whom are bound for the New States; and I anticipate a diversion of many of the foreign ships engaged in the passenger trade of the Irish ports from New York, where they have hitherto landed, to Quebec.

I may add, that the province, which is steadily extending its resources, promises to offer a fair field for skilled labour. The emigration remaining in Canada having been very moderate for the past two years, the supply of labour is not more than sufficient to meet such a demand as follows the progress of the struggling settler of one period, into the condition of the commercial farmer of another, only a few prosperous seasons later.

There are now two railways in active construction, and the extent of the works to be executed in the course of the ensuing season is very considerable, so that, although they will not employ recent emigrants alone, there must still be openings for this class of labourers in large numbers.

I have, &c.

(signed) *A. C. Buchanan*, Chief Agent.

APPENDIX.

No. 1.

RETURN of the Number of EMIGRANTS Embarked, with the Number of Births and Deaths during the Voyage and in Quarantine, the Total Number Landed in the Colony, distinguishing Males and Females and Adults from Children, with the Number of Souls from each Country; also the Number of Vessels, Tonnage and Seamen employed, and the Average Length of Passage during the Season of 1850.

Whence.	Number of Vessels.	Average Days on Passage.	Tonnage.	Number of Seamen.	Number Embarked.							Births.		Total Souls on Board.	Deaths on the Passage.					
					Cabin Passengers.	Adults.		Children, 1 to 14 Years.		Infants.	Total Steerage.				Adults.		Children 1 to 14 Years.		Infants.	Total.
						M.	F.	M.	F.			M.	F.		M.	F.	M.	F.		
England - -	131	39½	59,802	2,190	303	3,504	2,789	1,458	1,392	475	9,618	8	9	9,938	5	5	11	9	18	48
Ireland - -	120	41	40,105	1,625	310	6,068	5,811	2,614	2,587	675	17,755	10	21	18,096	12	20	25	19	27	103
Scotland - -	50	40	24,024	919	200	1,071	777	390	365	106	2,709	4	2	2,915	3	1	11	15	6	36
Continent of Europe	11	55½	3,229	133	–	354	336	109	118	34	851	2	2	855	–	–	1	1	4	6
Lower Ports, &c. -	39	21½	- -	–	6	263	191	112	117	12	695	–	–	701	–	–	–	–	–	–
TOTAL - -	351	–	127,160	4,867	819	11,260	9,804	4,683	4,579	1,302	31,628	24	34	32,505	20	26	48	44	55	193

Whence.	Deaths in Quarantine.						Total Deaths.	Total Landed in the Colony.								Grand Total Landed in the Colony.
	Adults.		Children 1 to 14 Years.		Infants.	Total.		Adults.		Children, 1 to 14 Years.		Total.		Infants.	Total Steerage.	Cabin Passengers.	
	M.	F.	M.	F.				M.	F.	M.	F.	M.	F.				
England - -	1	2	–	–	–	3	51	3,498	2,782	1,447	1,383	4,945	4,165	474	9,584	303	9,887
Ireland - -	5	4	1	5	2	17	120	6,051	5,787	2,588	2,563	8,639	8,350	677	17,666	310	17,976
Scotland - -	–	–	–	–	–	–	36	1,068	776	379	350	1,447	1,126	106	2,679	200	2,879
Continent of Europe	–	–	–	–	–	–	6	354	236	108	117	462	353	34	849	- -	849
Lower Ports, &c. -	–	–	–	–	–	–	–	263	191	112	117	375	308	12	695	6	701
TOTAL - -	6	6	1	5	2	20	213	11,234	9,772	4,634	4,530	15,868	14,302	1,303	31,473	819	32,292

Emigration Department, Quebec, December 1850.

(signed) *A. C. Buchanan*, Chief Agent.

No. 2.

ABSTRACT STATEMENT of the Total Number of EMIGRANTS Embarked, Died on the Passage and in Quarantine, with the Number of Births, and the Total Number Landed in the Colony, distinguishing the Countries and Ports whence they sailed, during the Season of 1850.

ENGLAND.

Ports whence Sailed.	Number of Vessels.	Passengers.		Deaths.		Births.	Landed in the Colony.
		Steerage.	Cabin.	At Sea.	In Quarantine.		
Aberystwith - - -	3	26	3	- -	- -	- -	29
Bideford - - -	2	91	3	1	- -	- -	93
Bristol - - - -	5	34	3	- -	- -	- -	37
Cardiff - - - -	2	4	- -	- -	- -	- -	4
Carlisle - - - -	2	25	- -	- -	- -	- -	25
Carmarthen - - -	1	11	- -	- -	- -	- -	11
Cowes - - - -	1	7	- -	- -	- -	- -	7
Dartmouth - - -	2	7	- -	- -	- -	- -	7
Exeter - - - -	1	6	- -	- -	- -	- -	6
Falmouth - - -	4	71	12	- -	- -	- -	83
Fowey - - - -	4	257	- -	- -	- -	- -	257

(*continued*)

No. 2.—STATEMENT of the Number of Passengers, Deaths, Births, &c.—*continued.*

ENGLAND—*continued.*

Ports whence Sailed.	Number of Vessels.	Passengers.		Deaths.		Births.	Landed in the Colony
		Steerage.	Cabin.	At Sea.	In Quarantine.		
Gloucester	3	292	6	-	-	-	298
Hull	5	587	28	-	-	1	616
Liverpool	36	5,003	90	38	3	9	5,061
London	16	795	77	4	-	3	871
Maryport	2	-	12	-	-	-	12
Newcastle	1	1	-	-	-	-	1
Newport	1	-	1	-	-	-	1
Padstow	3	200	1	1	-	-	200
Plymouth	11	1,038	12	1	-	-	1,049
Poole	1	10	-	-	-	-	10
Scarborough	1	11	-	-	-	-	11
Shields	1	19	7	-	-	-	26
Southampton	5	796	22	3	-	4	819
St. Ives	3	21	-	-	-	-	21
Stockton	1	27	-	-	-	-	27
Sunderland	3	41	17	-	-	-	58
Swansea	2	7	1	-	-	-	8
Torquay	3	111	7	-	-	-	118
Truro	2	69	-	-	-	-	69
Whitby	1	32	-	-	-	-	32
Whitehaven	1	1	-	-	-	-	1
Workington	1	8	-	-	-	-	8
Yarmouth	1	10	1	-	-	-	11
	131	9,618	303	48	3	17	9,887

IRELAND.

Ports whence Sailed.	Number of Vessels.	Passengers.		Deaths.		Births.	Landed in the Colony.
		Steerage.	Cabin.	At Sea.	In Quarantine.		
Belfast	11	1,717	22	4	-	3	1,738
Cork	9	1,141	20	2	2	2	1,159
Donegal	3	286	6	-	-	1	293
Dublin	7	1,545	19	10	-	-	1,554
Killala	2	202	-	-	-	-	202
Kilrush	3	248	3	-	-	-	251
Limerick	37	6,066	135	58	10	15	6,148
Londonderry	3	355	-	4	-	1	352
New Ross	11	2,461	32	11	2	6	2,486
Newry	3	358	4	4	-	-	358
Sligo	7	877	27	3	-	-	901
Tralee	2	365	-	2	-	-	363
Waterford	14	1,350	8	2	-	1	1,357
Westport	5	498	20	3	3	2	514
Wexford	2	186	8	-	-	-	194
Youghal	1	100	6	-	-	-	106
	120	17,755	310	103	17	31	17,976

SCOTLAND.

Ports whence Sailed.	Number of Vessels.	Passengers.		Deaths.		Births.	Landed in the Colony.
		Steerage.	Cabin.	At Sea.	In Quarantine.		
Aberdeen	4	246	28	1	-	-	273
Ardbroath	1	6	-	-	-	-	6
Ardrossan	1	66	-	-	-	-	66
Ayr	1	7	-	-	-	-	7
Dundee	1	21	2	-	-	-	23
Glasgow	34	1,677	128	20	-	4	1,789
Greenock	2	455	30	15	-	1	471
Leith	1	10	-	-	-	-	10
Montrose	1	31	4	-	-	-	35
Oban	1	82	2	-	-	1	85
Stromness	1	5	-	-	-	-	5
Thurso	1	103	-	-	-	-	103
Troon	1	-	6	-	-	-	6
	50	2,709	200	36	-	6	2,879

No. 2.—Statement of the Number of Passengers, Deaths, Births, &c.—*continued.*

CONTINENT OF EUROPE.

Ports whence Sailed.	Number of Vessels.	Passengers.		Deaths.		Births.	Landed in the Colony.
		Steerage.	Cabin.	At Sea.	In Quarantine.		
Drammen - - -	2	224	- -	- -	- -	3	227
Gothenburg - - -	1	11	- -	- -	- -	- -	11
Hamburg - - -	6	599	- -	6	- -	1	594
Sandefjord - - -	1	2	- -	- -	- -	- -	2
Tönsberg - - -	1	15	- -	- -	- -	- -	15
	11	851	- -	6	- -	4	849

LOWER PORTS, &c.

Ports whence Sailed.	Number of Vessels.	Passengers.		Deaths.		Births.	Landed in the Colony.
		Steerage.	Cabin.	At Sea.	In Quarantine.		
Bathurst - - - -	1	13	- -	- -	- -	- -	13
Caraquette - - -	1	68	- -	- -	- -	- -	68
Carbonière - - -	1	6	- -	- -	- -	- -	6
Halifax - - - -	9	90	4	- -	- -	- -	94
Harbour-de-Grace - -	1	2	- -	- -	- -	- -	2
Miramichi - - -	4	36	- -	- -	- -	- -	36
New Carlisle - - -	1	20	- -	- -	- -	- -	20
Picton - - - -	4	75	- -	- -	- -	- -	75
Prince Edward Island -	1	91	- -	- -	- -	- -	91
Richibuctoo - - -	1	5	- -	- -	- -	- -	5
St. John's, Newfoundland	6	42	2	- -	- -	- -	44
Sydney - - - -	3	232	- -	- -	- -	- -	232
Bermuda - - -	1	4	- -	- -	- -	- -	4
Bona - - - -	1	3	- -	- -	- -	- -	3
Cienfuegos - - -	1	1	- -	- -	- -	- -	1
Gibraltar - - -	1	4	- -	- -	- -	- -	4
Jersey - - - -	1	2	- -	- -	- -	- -	2
Matanzas - - -	1	1	- -	- -	- -	- -	1
	39	695	6	- -	- -	- -	701

RECAPITULATION.

Countries whence Sailed.	Number of Vessels.	Passengers.		Deaths.		Births.	Landed in the Colony.
		Steerage.	Cabin.	At Sea.	In Quarantine.		
England - - -	131	9,618	303	48	3	17	9,887
Ireland - - - -	120	17,755	310	103	17	31	17,976
Scotland - - -	50	2,709	200	36	- -	6	2,879
Continent of Europe -	11	851	- -	6	- -	4	849
Lower Ports, &c. - -	39	695	6	- -	- -	- -	701
Total - - -	351	31,628	819	193	20	58	32,292

Emigration Department, Quebec, December 1850.

A. C. Buchanan,
Chief Agent.

CANADA.

No. 3.

NUMBER of PERSONS who appear to have received ASSISTANCE to enable them to Emigrate, during the Season of 1850.

VESSEL.	WHENCE.	Date of Arrival.	ENGLAND and SCOTLAND.		IRELAND.	
			Poor Law Commissioners.	Parish and Private Funds.	Parish Funds.	Landlords and Private Funds.
Secret	Bideford	May 16	-	1	—	—
Pearl	London	„ 16	-	8	—	—
Jessy	Limerick	„ 19	-	-	-	20
India	New Ross	„ 19	-	-	-	150
George Ramsay	„	„ 19	-	-	-	1
Sprite	Dublin	„ 19	-	-	140	—
Ava	Southampton	„ 19	112	—	—	—
Rose	Plymouth	„ 19	5	—	—	—
Perseverance	Dublin	„ 20	-	-	-	130
Corsair	Gloucester	„ 20	226	—	—	—
Laurel	London	„ 20	117	—	—	—
Fergus	Hull	„ 21	-	11	—	—
Countess of Arran	Donegal	„ 22	-	-	11	—
Prince Regent	Hull	„ 22	3	—	—	—
Belle	Padstow	„ 29	13	—	—	—
Thorney Close	Limerick	„ 29	-	-	-	30
Andromache	Waterford	„ 30	-	-	-	18
Anna	Sligo	„ 30	-	-	-	5
Etheldred	London	June 11	52	—	—	—
Columbus	Dublin	„ 11	-	-	104	—
Congress	Limerick	„ 11	-	-	-	20
Washington	Dublin	„ 14	-	-	275	—
England's Queen	Belfast	„ 16	-	-	-	18
Sophia M'Kenzie	Cork	„ 25	-	-	186	—
Ann	Donegal	„ 26	-	-	-	2
Argent	Limerick	„ 26	-	-	-	14
Souvenir	„	„ 30	-	-	-	25
Henderson	Sligo	July 3	-	-	-	5
Juno	New Ross	„ 3	-	-	-	40
Adept	Liverpool	„ 17	-	-	56	—
Hampshire	Southampton	„ 19	82	—	—	—
Gentoo	London	„ 20	49	—	—	—
Milicete	Liverpool	„ 20	-	-	44	—
Woodman	„	„ 20	-	-	-	9

No. 3.—Number of Persons who received Assistance to Emigrate—*continued.*

VESSEL.	WHENCE.	Date of Arrival.	ENGLAND and SCOTLAND.		IRELAND.	
			Poor Law Commissioners.	Parish and Private Funds.	Parish Funds.	Landlords and Private Funds.
Eliza Jane - -	Waterford -	July 22	- -	- -	40	—
Blanch - - -	Donegal - -	„ 25	- -	- -	- -	7
Triton - - -	New Ross -	„ 25	- -	- -	- -	59
Wave - - -	Limerick - -	- -	- -	- -	- -	74
Viceroy - -	Liverpool -	„ 26	- -	- -	- -	85
Belle - - -	Waterford -	„ 29	- -	- -	- -	68
Agnes - - -	Dublin - -	Aug. 6	- -	- -	227	—
Argo - - -	Thurso - -	„ 13	- -	50	—	—
Conrad - - -	Glasgow - -	„ 13	- -	200	—	—
Alfred - - -	Southampton -	„ 16	82	—	—	—
Durham - -	London - -	„ 20	30	1	—	—
Jane Avery - -	Dublin - -	„ 22	- -	- -	111	17
Amelia Hill - -	Glasgow - -	„ 22	- -	- -	- -	9
George - - -	Oban - -	„ 24	- -	82	—	—
Empire - - -	New Ross -	„ 25	- -	- -	23	—
Vittoria - -	Southampton -	Sept. 8	81	8	—	—
Bridgetown - -	Liverpool -	- -	- -	- -	46	—
Colonist - -	„ - -	„ 12	- -	- -	50	—
Try-again - -	Cork - -	„ 18	- -	- -	68	—
Elspeth - - -	London - -	„ 21	20	20	—	—
Ava - - -	Southampton -	Oct. 2	20	—	—	—
Solway - - -	Gloucester -	„ 5	29	—	—	—
Jenny Lind - -	New Ross -	„ 9	- -	- -	- -	12
Essex - - -	Liverpool -	„ 9	- -	- -	192	—
Jessy - - -	Limerick - -	„ 10	- -	- -	- -	36
			921	392	1,573	854

TOTAL - - - 3,740.

Emigration Department, Quebec, December 1850.

(signed) *A. C. Buchanan,*
Chief Agent.

No. 4.

RETURN of the Trades or Callings of the Emigrants who arrived at the Port of *Quebec* and *Montreal*, during the Year 1850.

Bakers	26	Brought forward	577
Butchers	16	Saddlers and Harness-makers	5
Braziers, Plumbers, Tin-smiths, &c.	12	Sail-makers	3
Bookbinders and Printers	14	Sawyers	13
Bricklayers, Stone-masons, &c.	55	Ship-builders	1
Cabinet-makers and Turners	18	Shoe-makers	95
Carpenters and Joiners	172	Smiths	93
Cart and Wheel-wrights	7	Stone-cutters	1
Coach-makers	4	Tailors	63
Coopers	14	Watch and Clock-makers	7
Curriers and Tanners	1	Wool and Flax-dressers	3
Dyers	2	Weavers	59
Engineers	11	Unenumerated Callings	58
Gardeners	35	Male Servants	37
Millers and Mill-wrights	20	Farmers and Agricultural Labourers	5,413
Miners	34	Common Labourers	4,832
Merchants and Clerks	110		11,260
Moulders and Foundrymen	8	Deaths of Male Adults at Sea - 20	
Painters and Glaziers	11	Ditto - ditto in Quarantine 6	
Plasterers	3		26
Rope-makers	4	Total	11,234
Carried forward	577		

Emigration Department, Quebec, December 1850.

(signed) *A. C. Buchanan*, Chief Agent.

No. 5.

RETURN of the Number of Admissions into Hospital, Discharges and Deaths, of Emigrants who Arrived in *Canada* during the Season of 1850.

	Admitted.	Discharged.	Died.	Remaining.
Quarantine Hospital	364	344	20	—
Marine and Emigrant Hospital, Quebec	520	444	37	39
Montreal General Hospital	417	391	9	17
Total	1,301	1,179	66	56

Emigration Department, Quebec, December 1850.

(signed) *A. C. Buchanan*, Chief Agent.

No. 6.

DISTRIBUTION of the Emigrants who Arrived in the Province of *Canada* during the Year 1850, as near as can be ascertained.

Number of Emigrants from the United Kingdom *viâ* St. Lawrence	30,742
Ditto - ditto - Continent of Europe - ditto	849
Ditto - ditto - Lower Ports, &c. - ditto	701
Ditto - ditto at the different Agencies in Canada West, by the route of the United States	356
Total	32,648

No. 6.—Emigrants who arrived in the Province of *Canada* during the Year 1850—*continued.*

Distribution:		
Estimated Number settled in the City and District of Quebec - -	400	
Proceeded to the Eastern Townships - - - - - - - -	800	
Settled in the Montreal District, and in the city and vicinity - -	2,700	
Total remaining in Canada East - - -		3,900
Number settled at Bytown, and at various places on the Ottawa and Rideau - - - - - - - - - - - - -	800	
At Kingston and Bay of Quinté, and in the Hastings, Prince Edward and Midland Districts - - - - - - - - - -	1,900	
At Cobourg, Port Hope, Windsor, Whitby and Darlington, and in the Newcastle and Colborne Districts - - - - - - - -	3,740	
At Toronto, and in the Home and Simcoe Districts - - - -	4,630	
At Port Credit, Oakville and Hamilton - - - - - - -	2,660	
In the Wellington, Gore, Niagara, Brock and London Districts - -	1,250	
Total Number settled in Canada West - - -		14,980
Gone to New Brunswick, Nova Scotia and Newfoundland - - -	- -	45
„ the Western States - - - - - - - - - -	4,390	
„ the United States from Montreal, *viâ* Lake Champlain - -	9,333	
Total supposed gone to the United States - - -		13,723
Total - - -		32,648

Emigration Department, Quebec, December 1850. (signed) *A. C. Buchanan*, Chief Agent.

No. 7.

COMPARATIVE STATEMENT of the Number of Emigrants arrived at the Port of *Quebec*, since the Year 1829 inclusive.

Country.	5 Years, from 1829 to 1833.	5 Years, from 1834 to 1838.	5 Years, from 1839 to 1843.	5 Years, from 1844 to 1848.	1849.	1850.
From England - - -	43,386	28,624	30,813	60,453	8,980	9,887
„ Ireland - - -	102,264	54,898	74,981	112,192	23,126	17,976
„ Scotland - - -	20,143	10,998	16,289	12,767	4,984	2,879
„ Continent of Europe	15	485	- -	9,728	436	849
„ Lower Ports, &c. -	1,889	1,346	1,777	1,219	968	701
Total - - -	167,697	96,351	123,860	196,359	38,494	32,292

Grand Total - - - 655,053.

Emigration Department, Quebec, December 1850. (signed) *A. C. Buchanan*, Chief Agent.

No. 8.

EXTRACTS from the NOTES appended to the Periodical REPORTS of ARRIVALS of PASSENGER-SHIPS at the Ports of *Quebec* and *Montreal*, in the Season of 1850.

No. 1.—From the 4th to the 18th of May 1850.

THE emigrants arrived during the week ending this date, have all landed in excellent health. But one death occurred on the passage, on board the "Countess of Durham," from Waterford, and one case of sickness was landed at Grosse Isle, from the "Cornwall," from Plymouth. These vessels have made favourable passages, the average being 36 days.

The male adults are classed as follows: mechanics, 70; farmers, 237; labourers, 89; and servants 1; and have generally emigrated to join friends. The English and Scotch are all respectable people, and appear to possess considerable means; and there were a number of highly respectable families among the cabin passengers, who are possessed of capital, and intend settling in the London district.

Those by the "Transit," from Westport, are all very poor. They are chiefly emigrating to join friends and relations, and a large number, consisting of helpless women and children, required assistance from this office. The total number of souls relieved from the vessels in this Return was 153, equal to 99½ adults.

2.—From the 19th to the 31st of May 1850.

The emigrants arrived during the period embraced in this return have all landed in excellent health. The whole number of vessels is 80, bringing 9,135 passengers. Among this number there died on the passage but 32, and 26 reported sick on arrival at Grosse Isle, a proportion so small as scarcely to require notice.

These vessels have all been fortunate in having made most favourable passages; the average of the 54 ships, of which particulars are given, being but 33½ days. The averages from the chief ports were as follows:

London	1 vessel		27 days
Liverpool	5 „		31 „
Plymouth	4 „		35 „
Limerick	10 „		33 „
Waterford	4 „		32 „
New Ross	5 „		34 „
Sligo	3 „		30 „

The quickest passage was that of the "Jessy," from Limerick, 22 days; and the longest was that of the "Caledonia," from the same port, 47 days.

The male adults, exclusive of cabin passengers, number 3,494, and are classed as follows: *viz.* farmers, 1,575; labourers, 1,576; servants, 15; mechanics, 328. The proportion of male adults to the women and children, is as 1 to 1½.

The number who have been sent out by their landlords, or assisted from their respective parishes, is 1,003; of these there were from

Ireland	505
England	487

320 of those from Ireland received landing-money, and 185 were provided only with a free passage. From England 460 persons received 20*s.* sterling, each adult, on landing here, which was paid to them through this office, and 27 appear to have received only a free passage.

The amended Passenger Act, which came into operation this spring, has so far worked most satisfactorily; not a single complaint has been made to me by the passengers of any of these vessels, and the increased scale of provisions has, no doubt, tended to the comfort and health of the passengers.

Under the increased facilities which the St. Lawrence route offers for the transport of emigrants whose destination may be Upper Canada, or any of the Western States, arrangements were made last winter by the two principal London houses engaged in the emigration business, so that emigrants were enabled to secure their passage in London to any port in the West, by which means they saved themselves trouble, time and expense. On board the "Ava" and "Laurel" the following numbers were thus forwarded through:—

To Montreal	105	To Buffalo	2
„ Kingston	4	„ Cincinnatti	14
„ Port Hope	18	„ Detroit	3
„ Toronto	27	„ Milwaukie	11
„ Hamilton	43	„ Chicago	2

and from the satisfactory report received from many of these parties, it is anticipated that a large number will adopt this plan next year.

Unquestionably

Unquestionably the route of the St. Lawrence offers many advantages over that of New York, to all persons whose destination may be the West; as emigrants can, under present arrangements, be carried from this to Chicago, a distance of 1,650 miles, in ten days, with but two transhipments, for 40 *s.* currency, or 32 *s.* 9 *d.* sterling.

I enclose herewith a printed table of the several routes and modes of conveyance, showing the rates of transport, and the time occupied in the passage. This table applies only to steerage or deck passengers.

The "Marie Fredericke," the first vessel with German emigrants, arrived on the 29th instant. They at once secured through tickets, and were forwarded from this to Buffalo for $5. 50 each adult, luggage free, and were carried through in from 3½ to 4 days. Had these passengers proceeded by the New York route, they would have been ten days in reaching Buffalo, and have had to pay at the rate of one dollar for each 100 lbs. of luggage over 50 lbs., besides being cooped up in a small canal boat the whole distance between Troy and Buffalo.

On board many of the vessels from the ports of Limerick, Dublin, Waterford and Sligo, there were a number of very poor families, consisting either of widows and orphans, or helpless women and children coming out in search of their husbands or other relatives. These parties chiefly emigrated voluntarily, landed here destitute, and in some instances without any correct knowledge as to their destination; they consequently became chargeable on this office, and I found it necessary to grant free passages to 1,375 persons, being equal to about 15 per cent.

The monthly return of the Grosse Isle Hospital, from the commencement of the season to the 31st May, is as follows:—

Admitted - - - - - - - - -	44
Discharged - - - - - - - -	20
Died - - - - - - - - -	2
Remaining - - - - - - - -	22
TOTAL - -	44

3.—From the 1st to the 29th of June 1850.

The vessels arrived during the period embraced in this return, have generally made favourable passages, the average of which has been 39 days.

The emigrants have landed in good health; the deaths on the passage being 27, 12 of which occurred on board the "Polly," from Liverpool, all children; and 44 were returned as sick, 19 of whom were from the "Sophia M'Kenzie," from Cork, who were suffering from a severe attack of ophthalmia.

The male adults are classed as follows; 683 farmers, 686 labourers and 134 mechanics.

Of the whole number, 671 were aided in their emigration; 52, in the "Etheldred," from London, were paid, through this office, 20 *s.* sterling each adult, and were forwarded by the ship to Montreal; 104, in the "Columbus," from Dublin, were sent down by the Rathdown Union, and were paid 20 *s.* sterling each adult on landing. In the "Congress," from Limerick, there were four families, 20 in number, sent out by Mr. Ryan from his property in the county Tipperary, they received only a free passage. On board the "Washington," there were 275 persons (a large portion of whom were women and children) sent out by the Baltinglass Union, county Wicklow, they received 20 *s.* each adult, and 10 *s.* each child, which were paid them previous to embarking. Several of these parties had spent the greater part of their money previous to arrival, in purchasing extra provisions and luxuries from the captain. In the "England's Queen," from Belfast, there were 18 persons sent out by Colonel Close, who provided them with a free passage only. One young woman, by this vessel, Sarah Rice, was reported by the medical superintendent as an idiot, and the master, under the 10th clause of the Provincial Act, has been called on to enter into a bond on her account. As the party is now confined in the gaol, the master has expressed his determination to take her back to her family, who reside in Belfast. In the "Argent," from Limerick, there were 14 persons sent out by Colonel Vandeleur; and in the "Ann," from Donegal, two by Mr. Creighton, the extent of assistance granted them appears to have been a free passage to this port. By the "Sophia M'Kenzie," there were 186 persons sent out by the Cork Union, chiefly young men and women; viz. 54 men, 109 women and 23 children; they were paid 10 *s.* sterling each on landing, through this office. A number of the females have obtained situations here, and the remainder have proceeded up the country in search of employment. From the statement by the surgeon of this vessel, it appears that two of the passengers were suffering from an attack of ophthalmia when they embarked, which, notwithstanding all the precautions taken, spread rapidly among the passengers; and on arrival here, it was found necessary to send 20 of them to hospital; several of whom, it is feared, will lose their sight. As a number of these poor people are destitute, and without friends or relations to support them, the master of the vessel has been informed, that he will be required to give the necessary bonds to provide for their support, and prevent their becoming a charge on the public.

The Germans, in the "Fortunatus," consisted of 33 agriculturists and 24 mechanics, with their families. They have emigrated to join friends in the Western States; three

CANADA.

families went to Toronto with the intention of purchasing land, and two young men have obtained employment on the Montreal and Portland Railroad at Melbourne.

116 of the emigrants by the "Etheldred," who emigrated at their own expense, were respectable farmers and tradesmen, with good means. They were chiefly going to settle in Western Canada; 21 adults had secured their passage in London, as far as Toronto, four to Detroit, and five to Milwankie, State of Wisconsin.

The passengers by the "Niagara," from Glasgow, were all agriculturists, and they proceeded in the vessel direct to Montreal; 12 were Irish, one English, and the remainder Scotch. One family settled in Quebec, the others intended to proceed to Canada West, and appeared, generally, to possess means.

Those by the "Congress" from Limerick, were all poor labourers, with their families. A large number were entirely destitute on landing here; and 31 adults and 27 children (chiefly women and children proceeding to join their relations), were provided with a free passage.

The passengers from Liverpool, per the "Charlotte" and the "Polly," 692, are, with the exception of a few English, Scotch and Welsh families, Irish emigrants from the counties of Tyrone, Sligo, Armagh and Monaghan. They all emigrated voluntarily, and have come out to join their friends, chiefly in Western Canada. About one-third of their number are proceeding to the United States. There were a number of very poor families, consisting of women and children, whose friends had sent them the means of emigrating, and I was under the necessity of forwarding 99 souls, equal to 66 adults, to their relations.

Employment in this neighbourhood is now very limited; but a good demand exists for labourers on the various railroads in course of construction in this province, and in the States of New York and Vermont. The contractors on the Montreal and Portland Railroad are desirous of engaging 500 men, to whom they offer wages from 3*s.* 6*d.* to 4*s.* currency per day, with a promise of steady employment for a length of time.

The amount of emigrant tax received at this port, to the present time, is upwards of 4,000 *l.* currency.

By the hospital returns received, it appears that at the close of this month there were remaining in hospital at Grosse Isle, 70; Marine and Emigrant Hospital, Quebec, 112, and in the hospital at Montreal, 15.

4.—From the 30th of June to the 10th of July 1850.

The emigrants arrived since the 1st instant, have all landed in good health; but five deaths occurred at sea, and but 10 sick were sent to hospital at Grosse Isle.

The emigrants were chiefly agriculturists, and were classed on the ships' lists as follows: farmers, 372; labourers, 310; mechanics, 55; and domestic servants, 2. They emigrated at their own expense, with the exception of 70; 40 of whom were sent out by the Earl Fitzwilliam in the "Juno," from New Ross. According to their statement, they were paid 20*s.* each previous to embarking; four of the families, 21 persons, were destitute of means on arrival here, and as they had relations residing near Toronto, they were assisted with a free passage to that port. But few free passages have been given from these vessels; the total number assisted was 116 persons, equal to 85 adults.

The emigrants from Hamburg, 251, are Bavarians and Hanoverians, chiefly agriculturists. A few families intend settling in Canada, but the great majority proceeded direct to Buffalo, on their route to the West; and a few of the young single men went to the Montreal and Portland Railroad, for employment.

5.—From the 10th to the 31st of July 1850.

The emigrants arrived during this period have all landed in good health, notwithstanding the long passage of a number of the vessels. The average is 53 days, being the highest for several years past. The emigrants are chiefly of the agricultural class; the male adults are returned in the several lists as follows:—farmers, 740; labourers, 883; mechanics, 77; and servants, 7.

Seven-eighths of the whole number are natives of Ireland, as although 2,090 are in the return as sailing from England, 1,629 of this number are Irish emigrants from the port of Liverpool. Their destination is principally to the United States; and I estimate that upwards of one-half have emigrated with the intention of proceeding to that quarter. A steady demand has existed for these last two months for labourers on the several railroads in course of construction in the States of New York and Vermont, as well as on the Montreal and Portland road; and agents from the several lines are constantly in Montreal, offering to engage all parties desirous of employment at 4*s.* per day. Labourers are also in much request throughout the country for harvest; and, in many parts of Upper Canada, the farmers have had to pay a dollar per day for men.

Of the emigrants in this Return, 574 have been assisted to emigrate, and 4,317 have emigrated voluntarily. Those assisted have been sent out by the following parties, viz. :—

Vessel.	Number.	By whom sent out.	Assistance given, besides a Free Passage.	Amount of Landing-money.
				£. s. d.
Adept - -	56	Londonderry Union	10*s.* sterling each on landing	33 10 –
Hampshire -	82	Poor Law Union -	20 *s.* each adult on landing -	64 10 –
Gentoo - -	49	- ditto - -	20 *s.* each adult on landing -	46 5 10
Milicete - -	44	Cootehill Union -	- - nil - - -	—
Woodman - -	9	Landlord - -	- - nil - - -	—
Eliza Jane - -	40	Waterford Union -	- - young men 15*s.* each on landing.	30 – –
Blanch - -	7	Landlord - -	- - nil - - -	—
Triton - -	59	- ditto - -	20 *s.* each on embarkation -	—
Wave - -	74	- ditto - -	- - nil - - -	—
Viceroy - -	85	- ditto - -	10 *s.* each on embarkation -	—
Belle - - -	68	- ditto - -	- - nil - - -	—
	573		£.	174 5 10

Those by the " Milicete," from the Cootehill workhouse, all positively state that they were to have been paid through this office, 20*s.* each adult, and 10*s.* each child, on landing, and are now remaining here in hopes that the money will be sent them as promised.

The " Wave," from Limerick, with 166 passengers, was wrecked on the morning of the 6th July, on Cape Rosier, passengers all saved ; but they lost the greater part of their luggage. They were sent forward by the captain. In consequence of the loss and detention they suffered, I found it necessary to assist the greater part of them to proceed from this. About two-thirds were sent to the railroad for employment, and a few of the women and children were assisted to reach their friends. With the exception of those on board the vessels from Liverpool, Donegal and Killala, but few others required assistance, and on board these vessels the relief granted has been almost exclusively to women and children that have emigrated to join their parents and husbands, who, in almost every instance, had sent them means to pay their passage to this port.

The total number assisted from the several vessels in this Return was 440 adults, 259 children, and 59 under age : of the 440 adults, 178 were sent to Port St. Francis for employment on the Portland railroad, at an expense of 2 *s.* each.

6.—From the 1st to the 31st of August 1850.

Five thousand one hundred and sixty-five emigrants arrived at this port during the month of August ; 4,322 of whom emigrated voluntarily, and 843 were sent out by their landlords, or by parochial funds. Of this number, 286 received landing-money here, amounting to 237 *l.* 10 *s.* sterling ; 227 by the " Agnes," from Dublin, were paid their money previously to embarkation ; and the remaining number (330) do not appear to have received anything beyond a free passage.

The deaths on the passage were 55, chiefly children ; of this number 15 occurred on board the " Three Bells," from Glasgow, and 14 on board the " Wandsworth," from Greenock.

The male adults are classed as follows :—853 farmers, 679 labourers, 143 mechanics and four servants.

Fully two-thirds, including all the German emigrants, have proceeded to the United States, principally to friends.

On board the " Durham," from London, there were 12 boys sent out by the Ragged School in West-street, Smithfield. Two of them, on arrival, proceeded up the country ; the remainder, on receipt of their landing money, went to lodgings in this city. Several of them have been employed in discharging and loading the vessel ; four have shipped themselves as sailors, and have returned to England ; and the remainder are now desirous of making a similar arrangement. In future, the passage of such parties should be secured as far as Toronto, or instructions should be given authorizing the application of their landing-money to this object ; otherwise they will remain in idleness about this city as long as their money lasts, and then endeavour to secure a passage back to England, defeating altogether the object for which they were sent out.

Eighty-two passengers, per the " George," from Oban, were provided with a free passage to Montreal, by Mr. M'Donald, and they were landed there in great destitution. Owing to the number of women and children, it was found necessary to provide them, at the expense of this department, with a free passage to Lancaster, their destination being Glengarry, in the Eastern District.

Complaints were made by the passengers per " Empire," from New Ross, " Bon Accord," from Limerick, and " Sylvanus," from Westport, for detention after the day fixed for sailing, as specified in the contract tickets. Legal proceedings having been threatened, the masters satisfied the claims of such of the passengers as gave satisfactory proof by their contract

CANADA.

tickets that they had suffered such detention. The amount paid by the master of the "Empire" was 34 *l.* 18 *s.* 3 *d.* sterling; the "Bon Accord," 4 *l.* 5 *s.* 6 *d.*; and the "Sylvanus," 1 *l.*

The emigrants of the "Black Nymph," from Limerick, had a long passage. The passengers were on board, including 10 days' detention at Grosse Isle, upwards of 74 days. Many cases of fever occurred; 27 were left in quarantine, and 27 sent to hospital in this city, within a day or two after being landed here, several of which have terminated fatally. The "Black Nymph" is an old north-country built vessel, and, although safe and perfectly seaworthy, is a very slow sailer, and therefore not a desirable vessel for emigrants. Passenger vessels which sailed the same tide with her, arrived here from a month to six weeks earlier. A large number of the passengers by this vessel were very destitute. Their own stock of provisions having been exhausted, they were depending entirely on the supplies provided by the ship, which, owing to the length of the voyage, soon became expended, with the exception of the oatmeal.

The total number of persons assisted by this department, from the several ships included in this Return, is 534 souls, equal to 383 adults, being equivalent to one-tenth of the whole number.

Labour on the public works in the vicinity of Montreal continues abundant, and those desirous of employment may obtain it without difficulty.

7.—From the 1st to the 30th of September 1850.

The emigrants arrived during the past month number 3,664 persons. They all landed in good health; but 21 deaths occurred on the passage, chiefly children. Several vessels have had unusually long passages, and the average is upwards of 46 days.

A large proportion are women and children. The male adults are classed as follows:—673 farmers, 347 labourers, 134 mechanics.

Of the whole number, 293 persons were aided in their emigration; viz., 129 from England, who received landing-money to the amount of 77 *l.* 5 *s.* sterling; and 164 from Ireland, who were paid 103 *l.* 17 *s.* 6 *d.* on landing; the remainder, 3,371, emigrated at their own expense. Among those sent out from England were 20 young women, by the Female Emigration Society in London. They were well and amply provided for during the voyage, and forwarded, at the expense of the Society, to Toronto. A party of 42 females and eight males were sent out by the Waterford Union, in the ship "Colonist," from Liverpool; and on board the "Try-again" there were 68 females sent out by the Cork Union; these two parties received, through this office, 15 *s.* sterling each on landing. On board the "Bridgetown," there were 15 families, 46 persons, sent out by the Dunfanaghy Union, county Donegal, who received 20 *s.* each adult, and 10 *s.* each child, on landing here. This vessel was unfortunately lost on the coast of Newfoundland, on the 4th August, passengers saved, excepting three children, but with loss of luggage. They were forwarded from St. John's to this port in three vessels, and arrived here on the 8th September. Owing to their destitute condition, I forwarded them all to Montreal, where employment could be obtained.

The passengers per "Lyna" and "Benedicte," from Drammen, 224 in number, are the first parties of Norwegians who have landed at this port. They were chiefly farmers, and all proceeded to the Norwegian settlement in Wisconsin. They secured the passage from this to Chicago for 25 *s.* each adult, including luggage, which is 10 *s.* under the regular fare; but competition among the forwarding companies, to secure the whole of these parties, cut down the price.

Of the emigrants included in this Return, nearly two-thirds are Irish, the greater portion of whom are going to the United States; a large number of these are women and children, coming out to join their husbands and other relations and friends, and many were in great destitution.

The number of free passages granted, exclusively of the passengers per "Bridgetown," were 365, equal to 223 adults.

There have been no complaints among the passengers of any of these vessels calling for the interference of this office. The ships have been well found, and the masters kind and obliging.

8.—From the 1st to the 29th of October 1850.

The emigrants arrived during the month of October number 2,303 souls. They are nearly all Irish, 2,080 being natives of that country. A large proportion are females and children, the number being 589 males, 855 females, 682 children, and 92 infants.

Of the female adults, 192 were sent out by the Dungarvan Union, in the ship "Essex," from Liverpool. This vessel, after being nine days at sea, sprung a leak, and put back to Cork, where she remained 42 days undergoing repairs, the passengers being landed and supported at the ship's expense. She sailed the second time from Cork on the 6th September, and completed the passage in 33 days, being 86 days since the passengers embarked at Liverpool; they all arrived in good health. During her detention at Cork, a number of the passengers left the vessel, and others were shipped in their places; and, on arrival here, there were found to be 15 uncertified persons on board, for which the master had to pay a fine of 50 *s.* each,

The young women sent out by the Dungarvan Union were all to have received the sum of 15 *s.* sterling each on landing here. The funds not having been remitted in time, these females

females were provided with food, and forwarded to Upper Canada, at the expense of the Emigrant Fund. Through the exertions of the several agencies, they all readily obtained situations at wages ranging from 6 *l.* to 9 *l.* a year, and were distributed as follows:—

Quebec, including the matron	11
Montreal	17
Kingston	8
Cobourg	97
Toronto	47
Proceeded to friends near Burlington	9
Proceeded to friends near Albany	3
	192

Those at Quebec received their full allowance, 18*s.* 4*d.* currency each. Deducting from the others their respective costs of transport and provisions, the allowances are as follows: to those at Montreal, 15*s.* 6*d.*; at Kingston, 10*s.* 10*d.*; at Cobourg, 5*s.* 7*d.*; and at Toronto, 3*s.* 4*d.* each.

The "Joseph Hutchinson" not only presented an undue proportion of women and children, but exhibited an instance of the determination of the heads of such families, mostly resident in the States, to burthen this Government with the cost of transporting their families, through Canada, to their destinations. The majority of these women and children landed here quite destitute; and it was found necessary to forward them, as the advanced period of the year precluded communication with their friends to obtain the means in time for removal from this port.

The sickness and mortality which prevailed during the month of October, exceed the average of any previous month of the season. The ships chiefly affected were the "Jessy" and the "Thorney Close;" the deaths on board the former were 18, on the latter, four, and on the whole of the vessels included in this Return, 27; and more than 50 of the passengers of the "Jessy" have been admitted to hospital at Grosse Isle, and in this city.

The number assisted with a free passage was 658, equal to 481½ adults, being above one-fourth of the whole number arrived. This excessive proportion of assistance has been rendered necessary on account of the greater destitution of the parties, the lateness of the season, and the greater number of discharges from hospital.

This Return closes the emigration for the season of 1850.

Emigration Department, Quebec,
December 1850.

Enclosure 2, in No. 8.

EXTRACT from a Report of a Committee of the Honourable the Executive Council on Matters of State, dated 4th March 1851, approved by his Excellency the Governor-general in Council on the same day. Encl. 2, in No. 8.

ON the letter of A. C. Buchanan, Esq., Chief Emigrant Agent, Lower Canada, dated 25th January, transmitting, for your Excellency's information his Annual Report on the emigration to this province during the season of 1850.

The Committee respectfully recommend, that this Report and its Appendix be sent to Her Majesty's Secretary of State for the Colonies; but that previously a copy thereof be made for the use of the Provincial Government.

(Certified.)

(signed) *J. Joseph*, C. E. C.

The Hon. the Provincial Secretary,
&c. &c. &c.

CANADA.

Despatches from the Right Honourable Earl Grey, Secretary of State.

—No. 1.—

(No. 411.)

No. 1. Earl Grey to Governor the Earl of Elgin, 16 August 1849.

COPY of a DESPATCH from Earl *Grey* to Governor the Right Honourable the Earl of *Elgin*.

* Page 1.

My Lord, Downing-street, 16 August 1849.

I HAVE the honour to acknowledge the receipt of your despatch, No. 76,* of the 20th of June, enclosing a Report from the Emigration Agent at Quebec, relative to the emigrant vessel "Faithful."

7 August 1849.

Having referred this subject to the Colonial Land and Emigration Commissioners, I transmit, for your Lordship's information, a copy of their Report, from which you will learn the result of the inquiries which have been instituted in this case, and in conformity with the suggestion of the Commissioners, I have to request that your Lordship will instruct Mr. Buchanan, in the event of the Master of the "Faithful" returning to Quebec, and provided such evidence can be obtained as would hold out a prospect of success, to cause legal proceedings to be taken against him for infractions of the Passengers Act.

I have, &c.
(signed) *Grey.*

Enclosure in No. 1.

Encl. in No. 1.

Colonial Land and Emigration Office,
7 August 1849.

Sir,

No. 76, 20 June 1849.

WE have to acknowledge the receipt of your letter of the 21st ultimo, enclosing a despatch from the Governor-general of Canada, accompanied by a Report from the Emigration Agent at Quebec, Mr. Buchanan, on the subject of the emigrant ship "Faithful."

It appeared from Mr. Buchanan's report, and the affidavits enclosed in it, that the "Faithful," which sailed from Limerick, arrived at Matan, 200 miles below Quebec, with 18 passengers on board; that these passengers were not taken on board at Limerick, but at a place called Tiervoo; that on paying for their passage they did not receive the contract ticket required by the Act; and that during the voyage no provisions of any kind were issued to them. Mr. Buchanan under these circumstances suggested, that an inquiry should be instituted at Limerick, to ascertain whether this vessel had been cleared according to law.

3. We have communicated on the subject with our officer at Limerick, and are informed by him in answer, that the first intimation which he had received respecting this vessel, was in a letter from Mr. Buchanan, and that on inquiry at the Custom-house, he found that she had cleared in ballast. This answer might have been anticipated from the facts stated in the affidavit accompanying Mr. Buchanan's letter. The fact of the people having been taken on board, not at Limerick, but at a place below it, was almost conclusive evidence that the law had been evaded. And we must regret that, under these circumstances, Mr. Buchanan did not at once take steps for proceeding against the master at Quebec, for those infractions of the law which were deposed to, and could have been easily proved. It would be almost useless to attempt any such proceedings in this country, because it will be almost impossible to procure any evidence against the master. We have, however, instructed our officer at Limerick, to take proceedings, should he be able to obtain such evidence as would hold out a prospect of success. And we would suggest that a similar instruction should be given to Mr. Buchanan, in the event of the master returning to Quebec, and there being the opportunity of producing the evidence against him, of any of the emigrants or others, who went out in the "Faithful."

We have, &c.
(signed) *T. W. C. Murdoch.*
Frederic Rogers.

Herman Merivale, Esq.,
&c. &c. &c.

— No. 2. —

(No. 547.)

COPY of a DESPATCH from Earl *Grey* to Governor the Right Honourable the Earl of *Elgin*.

No. 2.
Earl Grey to Governor the Earl of Elgin, 4 January 1851.

My Lord, Downing-street, 4 January 1851.

WITH reference to my despatch, No. 339,* of the 10th of March last, on the subject of the claim preferred by the Canadian Government, to an additional sum of 14,738*l.* 2*s.* 10*d.*, on account of the emigration expenses for the year 1847, I have the honour to transmit, for your Lordship's information and guidance, the copy of a letter from the Board of Treasury, remarking on the unsatisfactory and insufficient nature of the evidence adduced by the Provincial Government in support of this claim, and stating that it must preclude their Lordships from admitting it as a set-off against the claims of the Commissariat Department upon the local Treasury.

In conformity with the desire expressed by the Lords Commissioners, I have to request that your Lordship will cause every endeavour to be made to bring these accounts to an early and clear settlement.

I have, &c.
(signed) *Grey*.

Enclosure in No. 2.

24 December 1850.

Sir, Treasury Chambers, 24 December 1850.

WITH reference to the suggestion contained in your letter of the 7th February 1849, regarding the settlement of the additional claim of the Canadian Government on account of the distressed emigrants from the United Kingdom, therein submitted to my Lords, by making it a set-off against the larger claims of the British Commissariat upon the provincial revenues, and to the letter of this Board of the 6th March 1849 on that subject, I am commanded by the Lords Commissioners of Her Majesty's Treasury to transmit to you, in order that they may be submitted for Earl Grey's information, copy of a letter from Commissary-general Knowles, dated 3d September last, and extract of the letter therein enclosed, addressed to him by Deputy Commissary-general Lane, together with the report therein mentioned, and to request that, in laying these documents before Lord Grey, you will observe to his Lordship, that my Lords cannot but express their regret that the evidence the Canadian Government was prepared to adduce in support of the large claims for expenses by district Boards of Health, comprised in the general statement of expenditure for the destitute emigrants, furnished by the Governor-general, and on the faith of which repayments have been made to the Provincial Government to a very considerable amount, should have proved, on investigation, to be so very unsatisfactory and insufficient; and I am to state that, under the circumstances disclosed by the documents herewith transmitted, my Lords are obviously precluded from assenting to any admission of the claims for additional allowance put forward in the Earl of Elgin's despatch of the 18th January 1849, as a set-off against the claims of the Commissariat Department upon the Canadian Treasury; and that my Lords have therefore felt it incumbent on them to instruct the officer in charge of the Commissariat to recall the attention of the provincial Government to these claims, and to press for an early settlement of them; and I have to request that Lord Grey will enjoin the Governor-general to cause steps to be taken for the liquidation of them without further delay.

Encl. in No. 2.

I have, &c.
(signed) *C. E. Trevelyan*.

H. Merivale, Esq.
&c. &c. &c.

Sub-Enclosure 1, to Enclosure in No. 2.

Sir, Commissariat, Canada, Montreal, 3 September 1850.

IN reference to your letter of the 7th March 1849, I have the honour to submit to you, for the information of the Lords Commissioners of Her Majesty Treasury, a letter received by me from Deputy Commissary-general Lane, enclosing his report of inspection of the several accounts presented by the provincial Government on account of destitute and sick emigrants in 1847–8, amounting to 75,304*l.* 17*s.* 8*d.*

I have, &c.
(signed) *F. E. Knowles*, C. G.

Sir Charles E. Trevelyan, K.C.B.,
&c. &c. &c.

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* Page 11 of House of Commons Paper "North American Emigration," No. 593–II. 1849.

CANADA.

Sub-Enclosure 2, to Enclosure in No. 2.

EXTRACT of a Letter from Deputy Commissary-general *Lane* to Commissary-general *Knowles*: dated Montreal, 2 September 1850.

* This bulky Report is omitted to be printed.

"I HAVE the honour to hand to you my report* of inspection of the several accounts presented in support of the claim for expenses incurred by the provincial Government on account of destitute and sick emigrants in 1847-8.

"Upon a review of these accounts, the whole expenditure appears characterized by a most lavish waste of the public funds, both as regards the excessive issues of every description of provisions and medical comforts, and in the exorbitant rates charged, as well as the excessive establishment of medical attendants and hospital servants, at rates of pay very far exceeding the limits of the provincial authorities.

"Had the Order in Council of 1 June 1847, authorizing Boards of Health to contract for provisions, &c., been complied with, and public competition invited, there is little doubt but a saving of 30 to 40 per cent. would have been effected, as was demonstrated in the case where the Commissariat was requested to enter into contracts for the supply of bread and beef for the sick and destitute emigrants at Montreal, contracts were entered into for beef at $3\frac{3}{5}d.$ per lb., with the same individuals who were then receiving $5d.$ per lb. from the Board of Health, and bread at $6\frac{2}{3}d.$, instead of $1s.$ per loaf.

"Most of the accounts for Canada West appear to have undergone an examination by Mr. Hawke, the emigrant agent for that province, by whom numerous disallowances were recommended, particularly in the expenditure on account of medicines and medical attendants, which, in many instances, were at first confirmed by the Board of Council, but in almost every case their decisions were reversed at subsequent sittings, and the objectionable charges admitted.

"Taking into consideration the high rates charged, the excessive establishments and apparent unnecessary length of time which many of the hospitals appear to have been kept open, and also the great waste, it is not too much to submit that this service might have been efficiently carried out at an expense of at least one-third less.

"It is also submitted, that as the several buildings erected as hospitals, together with the furniture and bedding purchased, remains in the possession of the provincial Government, the expense thereof should not be claimed from the Imperial Treasury, which amounts, for buildings, to 5,783*l.* 10*s.* 8*d.*, furniture, 7,648*l.* 1*s.* 5*d.*"

NEW BRUNSWICK.

Despatches from Lieut.-Governor Sir Edmund Head.

— No. 1. —

(No. 92.)

COPY of a DESPATCH from Lieutenant-Governor Sir *Edmund Head*, Bart. to Earl *Grey*.

Government House, Fredericton,
27 November 1849.
(Received, 13 December 1849.)

No. 1.
Lieut.-Governor Sir Edmund Head, Bart. to Earl Grey, 27 Nov 1849.
* Page 48.

My Lord,

I HAVE the honour to acknowledge your despatch of the 7th of November, No. 164,* enclosing copies of two reports relating to the ship "Susan."

I ought to have stated before the reason why the information promised in my despatch of May 17, No. 51,† was never furnished by me. On the 29th of May, in answer to some inquiries of mine, Mr. Boyd wrote as follows:—

"Your letter of the 17th May I received, and should have replied to it ere this, but found much difficulty in getting the passengers by the "Susan" to acknowledge what poor-houses they came from. Fifteen of them, who remained until to-day, came from poor-houses in the parishes of Dingle, or Dingle de Couche, Ventry, in the county Kerry, and a few others from Cork. They all, however, persist in saying, that although they came out of poor-houses, their friends sent money from America to bring them out, which I believe to be the case, as, in many instances, a few dollars have been sent them since their arrival here, in consequence of my having written to their friends in the States."

I have now cautioned Mr. Boyd as to the importance of making such reports only as can be supported by detailed facts, and I have put him in possession of the remarks made by the Commissioners of Colonial Lands and Emigration on his complaints.

I have, &c.
(signed) *Edmund Head.*

— No. 2. —

(No. 5.)

COPY of a DESPATCH from Lieutenant-Governor Sir *Edmund Head*, Bart. to Earl *Grey*.

Government House, Fredericton,
7 January 1850.
(Received, 23 January 1850.)

No. 2.
Lieut.-Governor Sir Edmund Head, Bart. to Earl Grey, 7 January 1850.

My Lord,

I HAVE the honour to enclose Mr. Perley's Annual Report on emigration.

It is, upon the whole, satisfactory, although no great opening exists for attracting any large body of emigrants unless in connexion with some public work, if such should be undertaken.

I believe that many of the persons who emigrated from this province to the United States, did so in consequence of having mortgaged their farms in connexion with speculations in lumbering; in fact, they were merely the nominal owners, and a change of ownership was essential.

I do not, therefore, really consider this emigration as absolute loss to the province, and the successful crops of this season will do much to encourage agriculture.

It is of some importance, too, that our autumn has been so mild. The short time which is available for farm-work in spring, renders it very important that as much work as possible should be done in the fall. This year ploughing continued up to the 1st of December, and a very large breadth of land was prepared for crops.

I trust

† Page 57 of House of Commons Paper, No. 593—II. 1849.

NEW BRUNSWICK.

I trust the Legislature will be disposed to make some alteration in the emigrant tax this Session.

Your Lordship will observe with pleasure what Mr. Perley says of the working of the new police in the city of St. John.

I have, &c.
(signed) *Edmund Head.*

Enclosure in No. 2.

To His Excellency Sir *Edmund Head,* Bart., Lieutenant-Governor and Commander-in-Chief of the Province of New Brunswick.

May it please your Excellency,

Encl. in No. 2.

I HAVE the honour to submit the annual report from this office, with the abstract return (in duplicate) of the immigration to New Brunswick during the year 1849, for the information of your Excellency and Her Majesty's Government.

The whole number of immigrants that arrived in this Province during the past year, was 2,671, being a decrease on the preceding year's immigration of 1,470 souls.

The whole number of deaths during the past year, both on the voyage and in quarantine, amounted to 25 only, being less than one per cent. of the numbers embarked. In 1848 the mortality somewhat exceeded one per cent., but in the unfortunate year 1847 it amounted to 15 per cent.

In 1848 -	4,141
In 1849 -	2,671
Decrease	1,470

Probably not more than one-tenth of the emigrants that arrived during the past year have remained in this colony, there being no employment immediately remunerative to induce them to stay.

The Province having been blessed with a bountiful crop during the past season, and the potato disease being but slightly and partially felt, the hopes of the husbandmen have revived. The farmers of New Brunswick are in a much more comfortable position than they have been during the last five years; but it will probably need another good season to enable them to recover fully from the depressing effects of several successive short crops, and place them in a position once more to seek the assistance of hired labour.

At present it is very doubtful if there will be a demand for farm-labourers in this Province during the coming season; but if such demand should arise, it will be very limited in extent.

As no extensive works of a public or private nature are either in progress or about to be commenced in this Province, there is not the least prospect of a demand, either for ordinary or skilled labour, the resident population being quite sufficient to meet present requirements.

It is gratifying to state, that the passenger vessels of the past season generally arrived in good condition, and that the amount of sickness was very small indeed. There was not a single prosecution during the past year, nor any case in which there was reasonable grounds for commencing one. The vigorous and effective manner in which the provisions of the "Passengers Act" have been enforced by the local magistrates during the last six years, has gradually reduced the number of prosecutions until they have wholly ceased at this port.

The quarantine station at Partridge Island, has been put in excellent order during the past year; it is now in a fit condition for any emergency, and ready to receive any reasonable number of passengers.

The emigration from the Province has continued during the past year, but has been much more limited in extent than in 1848. Many families have departed from the northern part of the Province, and others from lumbering districts on the River St. John and its tributaries. More than 200 young females, natives of the Province, were induced to leave the country by agents for the cotton factories in the New England States. At these factories, they are now obtaining constant employment at liberal wages, varying from 6*s.* to 10*s.* sterling per week, with board and lodging. These young persons have been followed by many of their friends and relatives, who have found employment in the manufacturing villages of Maine and Massachusetts, and are not likely to return. There has been a small emigration also of active, intelligent and enterprising young men for California, but these, it is to be hoped, will, after a time, return to their native land.

As riots among the labouring population of this city (which consists almost exclusively of emigrants), have been heretofore of frequent occurrence, and sometimes of a violent character, it may be proper for me to observe, that the new police system introduced within the last six months, has been found to work admirably, and that since the organization of the police force, no riot or disturbance attended with violence has taken place in this city. It may now be reasonably anticipated, that such riots as have heretofore taken place, are not likely to occur hereafter.

As no public monies have been placed at my disposal, I have none for which to account. The current expenses for the year have been advanced by me as usual, of which an account will be sent to the auditor-general with the view to reimbursement.

All which is respectfully submitted.

(signed) *M. H. Perley,*
Her Majesty's Emigration Officer.

Government Emigration Office,
St. John, New Brunswick, 3d January 1850.

ABSTRACT RETURN of Immigration to *New Brunswick* during the Year ended 31st December 1849.

QUARTERS.	Number of Vessels arrived.	Number of Deaths on Board or in Quarantine.	Number of Births on Board or in Quarantine.	Adults.		Between 14 Years and 1 Year.		Under 1 Year.		TOTAL.		Whole Number of Souls.
				M.	F.	M.	F.	M.	F.	M.	F.	
Quarter ending:												
31 March -	nil.											
30 June -	13	22	2	509	440	189	205	34	24	741	669	1,410
30 September	30	3	1	399	451	188	171	24	24	611	646	1,257
31 December	2	–	–	2	2	–	–	–	–	2	2	4
TOTAL - -	45	25	3	910	893	386	376	58	48	1,354	1,317	2,671

RECAPITULATION.

	Males.	Females.
Adults - - - - - -	910	893
Between 14 and 1 year - -	386	376
Under 1 year - - - -	58	48
TOTALS - - -	1,354	1,317

Whole number of souls, 2,671

(signed) *M. H. Perley*,
H. M. Emigration Officer,
for New Brunswick.

Government Emigration Office,
St. John, New Brunswick,
3 January 1850.

— No. 3. —

(No. 53.)

COPY of a DESPATCH from Lieutenant-Governor Sir *Edmund Head*, Bart. to Earl *Grey*.

St. John's, New Brunswick, 15 August 1850.
(Received, 3 September 1850.)

No. 3.
Lieut.-governor Sir Edmund Head, Bart., to Earl Grey,
15 August 1850.

18 July 1850.

My Lord, (Answered, 12 October 1850, No. 218, page 50.)

THE treasurer of this province now holds the sum of 1,960*l.* 19*s.* 4*d.* currency, equal to about 1,634*l.* sterling, subject to the decision of Her Majesty's Government.

This money is carried to a separate account, as will be seen by the copy of the treasurer's letter enclosed.

The circumstances connected with this sum are as follows:—

When the expenditure on the emigrants of 1847 and 1848 took place, previous to my arrival in this colony, the Commissioners of the almshouse at St. John were not able to meet the outlay from day to day, without assistance from the provincial government.

My predecessor, Sir W. Colebrooke, refused to issue warrants in their favour without a monthly account. Such an account was from time to time furnished; but the cost of maintenance, according to the mode in which the accounts were kept, had to be charged on an estimate, not on actual outlay. Warrants were then issued by Sir W. Colebrooke, and the sum repaid by the English Government in 1849 covered the expenditure of the provincial Government, made through the issue of these warrants.

When,

NEW BRUNSWICK.

When, however, the accounts of the Commissioners of the almshouse came to be finally made up, it appeared that they had received from the provincial treasury by such warrants a sum exceeding the actual expenditure, since the whole cost of the emigrants fell short of the money drawn from the colonial treasury.

The difference is represented by the balance to which this despatch relates.

Your Lordship will thus understand that the accounts forwarded by me, and reported on by the provincial secretary in connexion with my despatches of 3 May 1848 and 19 June 1848, Nos. 14 and 49, set forth the disbursements made by the colonial Government.

It now turns out that more money was advanced by the Colonial Government than the actual expenses required, and consequently the Commissioners of the almshouse are accountable to the Government here, and the Government here is accountable to the imperial treasury for the money overdrawn.

I do not believe that any bad faith led to this error, and it is due to all parties to add, that the error was, in the first instance, announced to me voluntarily by the provincial secretary, but I waited till the money was actually in the treasurer's hands before communicating with Her Majesty's Government.

No. 2. No. 3.

I append a report from the provincial secretary, explaining the matter on his part; and I also enclose a representation from the sessions at St. John, expressing a desire that the balance in question may be granted in compensation for extraordinary expenses connected with emigrants, and incurred by that city and county; I acknowledged the application of the sessions, at the same time informing them that I could not undertake to support their request.

I now lay it before your Lordship, leaving it to Her Majesty's Government to determine whether this balance should be repaid to the British Treasury, as voted for a specific purpose, or should be applied for any object connected with emigration in the colony, which may be done with advantage hereafter.

I have, &c.
(signed) *E. Head.*

Enclosure 1, in No. 3.

Sir, Treasury, St. John, 18 July 1850.

Encl. 1, in No. 3. I HAVE the honour to report, for the information of his Excellency the Lieutenant-governor, that the Commissioners of the almshouse for this county have this day paid into the treasury one thousand nine hundred and sixty pounds, nineteen shillings and four-pence (1,960*l.* 19*s.* 4*d.*), surplus money drawn by them for the support of "emigrants who may be sick or in want," and that I have entered the same in my ledger in a separate and distinct account, subject to the orders of the Lieutenant-governor.

I have, &c.
(signed) *B. Robinson*, P. T.

The Hon. John R. Partelow,
Provincial Secretary.

Enclosure 2, in No. 3.

May it please your Excellency, Fredericton, 12 August 1850.

Encl. 2, in No. 3. THE Provincial Secretary, by command of your Excellency, has carefully examined the petition of the general sessions of the peace for the city and county of St. John, hereunto annexed, and numbered 2,333.

The allegations contained therein are substantially correct; but as the Provincial Secretary had the honour of submitting a communication to your Excellency on the 2d January 1849, a copy of which is herewith, accompanied by a particular statement of the amount expended, and which was sought to be reimbursed from the Imperial Treasury, he conceives it proper to make a few short remarks upon the causes which led to the withdrawment of a greater sum from the provincial funds than was actually expended.

The course that has obtained, in seeking reimbursement from the province for outlays made for the relief of sick and distressed emigrants, since the passing of the first Act imposing head-money, has been this: The parties absolutely entitled to relief have been sent to buildings appropriated as almshouses in St. John, which have been under the control of Commissioners appointed by the Government. In these houses, persons entitled to parochial relief are always sent, as well as emigrants arriving in sickness, debility, or in a state of destitution. They are all placed in charge of those employed about the building, and attended by the same medical practitioner or practitioners, and are fed at the same time and from the same means. This plan has been adopted with a view to economy, and has succeeded in that respect admirably well, by preventing the expenses necessarily attendant upon two establishments. The funds requisite for the support of all the inmates are supplied by the Commissioners, and at the end of each year an account is made up of all the expenses, when so much as has been advanced for the relief of the parochial poor is charged to the account of taxes levied upon the people, while that part which has been advanced for

for emigrant paupers, is claimed to be reimbursed from what is called the emigrant fund, under the control of the Legislature.

The calculation is made *pro rata*. If it cost 5,000 *l.* for instance, to provide for 800 people, 400 of whom are distressed emigrants and the remainder paupers, one-half is charged to the parish poor fund, the other half to the emigrant fund.

The medicines and medical advice are settled upon the same principle. An application is then made to the Legislature for reimbursement for so much advanced during the year, for the relief of such sick, distressed and diseased emigrants; the account is audited, and if found correct, the amount is granted. In 1847, the Provincial Secretary filled the position of Mayor of St. John. Hundreds of emigrants were daily arriving in a most wretched state of destitution and disease, and calls were made upon the Commissioners to provide for them as usual. The expenses were so alarmingly increased at an early period of the season, that funds could not be found by those who were accustomed to advance them. He accordingly applied to the Executive Government for assistance, but the then Lieutenant-governor, Sir William Colebrooke, refused to sanction any advances unless the accounts were audited monthly. The system in practice was fully explained to Sir William, and the utter impossibility shown of making up the accounts as desired for audit, unless they were prepared upon the average cost of supporting them for the last five years preceding 1847. This was not objected to, and the accounts were made up in that way, and a monthly audit took place accordingly. When in 1849, however, every thing was brought to a close ending in May 1848, it was discovered, from the immense numbers who had been fed, clothed, relieved and furnished with medicines and medical assistance, it had been done at a cheaper rate than formerly, and hence has arisen the discrepancy in the accounts. It is, however, due to the Commissioners to state, that the amount has been kept separate and apart in a distinct account, and that although they have acknowledged the amount to be in their hands, they considered it as a sum to be refunded to the Government, and not to be paid to the sessions.

Your Excellency will easily perceive how, and upon what basis the Provincial Secretary made up the statement contained in his communication of the 2d January 1849. He took up the advances as made by the Provincial Government from the warrants then drawn, supposing of course that the expenditure had been made agreeably to the accounts furnished, and the whole amount so claimed has been generously refunded from the Imperial Exchequer.

The over advance having been repaid to the Provincial Treasury by the Commissioners, being 1,960*l.* 19*s.* 4*d.* instead of 1,981*l.* 19*s.* 4*d.*, as contained in the memorial of the sessions, of course awaits the order of Her Majesty's Government as to its future disposal.

Respectfully submitted,
(signed) *J. R. Partelow*,
Provincial Secretary.

His Excellency the Lieutenant-Governor.

Enclosure 3, in No. 3.

Encl. 3, in No. 3.

To his Excellency Sir *Edmund Walker Head*, Bart., Lieutenant-Governor and Commander-in-Chief, in and over the Province of New Brunswick, &c. &c. &c., the respectful Memorial of the Justice of the Peace in and for the City and County of St. John, in General Sessions assembled;

Showeth,

That in 1847, large numbers of poor and distressed emigrants arrived at the port of St. John, who immediately upon their landing, became claimants for support upon the parochial funds of the city; these funds being soon found insufficient to afford adequate relief, the Commissioners of the Almshouse applied to the Executive Government for assistance and direction; which was promptly and liberally given. The Commissioners were required to submit accounts of the expenditure they had incurred, and warrants were issued in their favour from time to time, as the same were produced. In the nature of the case, those accounts could only be based upon an estimate formed from previous expenditure for a like service, and when the accounts of the total outlay were made up, the following year, it appeared that the expenditure on emigrant account had been over-estimated to the amount of 1,718*l.* 11*s.* 10*d.*; that is, after charging merely for the actual cost of the provision, &c., expended, without including therein any claim for the services of the officers of the establishment, the uses of the buildings, and other expenses that might have been added to swell the amount to the sum represented; and indeed which should have been considered as just and equitable charges on their account.

That this surplus occurred and may be wholly attributed to the circumstance of the Commissioners being compelled to produce accounts, predicated upon assumed data, previous to the necessary aid being given; instead of the Executive advancing such amounts as might have been required by the said Commissioners for this service.

That your memorialists have learned, that the total amount of the expenditure stated to have been incurred, was included in the account made up against the Imperial Government, and fully exhibited in Act 11 Vict. c. 7, which amount has since been received by the province; and the advances it had made to this country thus fully reimbursed.

That your memorialists respectfully represent, that the whole number, or nearly so, of the emigrants coming to this province, are landed at this, its chief port of entry; and whether arriving with the intention of remaining in the province or proceeding further, the most aged, infirm and decrepit among them are left with us, and thrown for support upon our

 parish

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parish funds; to such an extent is this the case, that out of an expenditure of over 2,300*l.* per annum for the poor, ten of the adult recipients are only natives of this province.

That in consequence of the legislature refusing to provide for the support of any emigrant after a residence of 12 months; vast numbers of those very emigrants of 1847, besides numerous others prior and since that period, have been receiving, and still continue to receive relief and maintenance out of the taxes wrung from this already heavily burthened community, and this subject has called forth the serious complaints and remonstrances of the grand juries and the public, and engaged their most deliberate and earnest attention.

That your memorialists therefore, in consideration of the premises, conceive that the said amount of 1,718*l.* 11*s.* 10*d.*, as well as the sum of 263*l.* 7*s.* 6*d.*, which arose in a similar manner immediately subsequent to the above; and both which amounts the Commissioners state they hold subject to the orders of the Government, should be applied to relieve this community, and reimburse them in some measure for the grievance and injustice they have been and are now labouring under, and most respectfully pray that your Excellency will be graciously pleased to direct the said Commissioners of the Almshouse to pay the said amounts over to the credit of the Sessions of the Peace; or to hold the same for the uses and purposes of the parish poor of this city and county.

And as in duty bound, will ever pray.

(signed) *J. Brugthutt*,
Mayor.

By order of the Sessions,
Geo. Wheeler, Clerk of the Peace.

St. John, 14 June 1850.

— No. 4. —

(No. 71.)

No. 4.
Lieut.-Governor Sir Edmund Head, Bart. to Earl Grey,
23 November 1850.

COPY of a DESPATCH from Lieutenant-Governor Sir *Edmund Head*, Bart. to Earl *Grey*.

Government House, Fredericton, New Brunswick,
23 November 1850.

My Lord, (Received, 12 December 1850.)

I HAVE the honour to enclose the ship return of the "Susan," together with a copy of a letter from Mr. Perley, with reference to her arrival at the port of St. Andrew's; I also enclose for your Lordship's information, a copy of the answers which I have directed to be sent to Mr. Perley, in relation to the cases mentioned in his letter.

The same difficulty as exists in relation to some of these cases, has presented itself previously; I am advised, that by the law of this colony, the charge of destitute persons falls ordinarily on the parish where they are found destitute, whilst special provision is made for the relief of "emigrants" from the produce of the tax.

At St. Andrew's, endeavours have more than once been made, to throw on the latter fund, the charge of persons who have been working on the railroad, or have been otherwise employed there, simply because they have not been 12 months in the colony, and have been temporarily disabled.

Although no one can be dealt with as an "emigrant," who has been more than a year in the colony, it does not follow that every one who has been less than a year here, is an "emigrant" within the meaning of the law.

I understand, by the term "emigrant," a person who has lately arrived in the country, and has not yet settled himself therein; when a man accepts employment at the hands of an individual, or a company, he seems to me to lose this character, and accidental destitution arising afterwards, does not appear to take him out of the class of ordinary poor, simply because he has been less than a year in the colony.

These are points on which my legal advisers, and ultimately, the courts must of course decide; but, so far as I am hitherto advised, such appears to be the spirit of the law.

Your Lordship will observe, that Mr. Jones is directed to attend to the urgent and immediate wants of the parties.

I have, &c.
(signed) *Edmund Head.*

Enclosure 1, in No. 4.

Government Emigration Office, St. John,
16 November 1850.

Sir,

Encl. 1, in No. 4.

I HAVE to report the arrival at St. Andrew's of the "Susan," from Cork, having on board 80 paupers from the Union workhouse there, and enclose the ship return, forwarded by my assistant, Captain Jones.

Prior

Prior to the arrival of these paupers, I received from the clerk of the Cork Union, a letter, copy of which is enclosed, and also a draft for 57*l.* 15*s.* sterling, therein mentioned.

This draft I sold for 70*l.* currency, which amount was instantly transmitted to Captain Jones.

On the arrival of the "Susan," no less than 27 of the paupers were landed ill with various complaints, but principally catarrhal ophthalmia; for these Captain Jones had immediately to hire a house as a hospital, to engage a nurse, and procure medical attendance, food, and common necessaries, including fuel, straw and rugs for bedding. Under date 26 October, Captain Jones advised me, that the sick had recovered, with the exception of six, although occasionally some of those who had been discharged, returned with dysentery. Two of the six who remained in hospital, he feared would never recover, being far gone in consumption. In addition to the six in hospital, three other of these paupers who are in lodgings with their relatives, are receiving medical assistance furnished by Captain Jones.

Under date the 14th inst., Captain Jones advises me, that one of the emigrants by the "Susan," an old man, had died, and that he was obliged to pay the expenses of the funeral. The death of two more was daily expected. Another of these emigrants, a man who had been working on the railway, had just been brought in with a broken leg, who will not be able to stir for six weeks at least. This man has a wife and one child; they were without fuel or bedding, which Captain Jones was compelled to furnish. Another pauper, a woman, is about to be confined, her husband is sick, and provision must be made for her.

Speaking of these paupers from the Cork Union, Captain Jones says, "I can scarcely state to you the annoyance, vexation and trouble, I have had with them; the greater part are the worst emigrants that ever came here. They are helpless, idle, ignorant and dissipated, without the desire or pride to help themselves."

The 70*l.* sent to Captain Jones, has been distributed and spent long since, and he is now considerably in advance for these unfortunate and worthless people. He requests that the further sum of 100*l.* may be advanced to him without delay, to reimburse expenses already incurred, and to meet those which must be incurred during the winter. He promises to use the utmost economy in the expenditure of this money; and I respectfully urge that a warrant may issue to Captain Jones, as early as possible, for the amount he asks, which it is quite certain will all be required.

In the expectation that some difficulty of this sort might arise, Captain Jones, by my direction, in August last, addressed a note to the overseers of the poor for the parish of St. Andrew's, requesting them to take charge of the emigrant paupers, copy of which is enclosed.

A copy of the answer of the overseers, positively refusing to have anything to do with pauper emigrants, is also enclosed.

I had hoped that the sum sent out by the Cork Union, would have been sufficient to save the province from expense on account of these paupers. As Captain Jones keeps a separate account of all expenses incurred on their behalf, it may be advisable hereafter, to call upon the Cork Union to repay the amount so expended, as it justly ought to do.

I have to add, that besides the paupers from Cork, Captain Jones is obliged to relieve weekly, a woman with three children (passengers by the "Primo Vera"), who awaits at St. Andrew's a remittance from her husband in Wisconsin, and he has also had to advance for sick and destitute emigrants of last year, transferred to him by Mr. Boyd.

I have, &c.
(signed) *M. H. Perley,*
H. M. Emigration Officer.

The Honourable John R. Partelow,
Provincial Secretary.

Enclosure 2, in No. 4.

Secretary's Office, Fredericton,
21 November 1850.

Sir,

I HAVE laid your communication of the 16th inst., relating to emigrants at St. Andrew's, before the Lieutenant-governor, and a warrant for 100*l.* has been ordered in favour of Captain Jones, as assistant emigration officer at that port. Encl. 2, in No. 4.

His Excellency remarks, that the Government do not understand the term "emigrant" to apply, as a matter of course, to any person who has not been in the province 12 months, provided such person has once settled himself by accepting employment or otherwise.

I am, however, directed to instruct you to have the urgent wants of the individuals to whom you allude, provided for in the mean time; but you are immediately to furnish information as to the state of their landing, and for whom they have worked. If they prove to be, in the opinion of the law officers, persons, the burthen of whose maintenance should be defrayed by the parish, and not by the emigrant fund, the Attorney-general will be instructed to enforce against the parish officers any future claim of this nature.

I have, &c.
(signed) *J. R. Partelow.*

M. H. Perley, Esq.,
Emigration Officer, St. John.

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No. 5.
Lieut.-Governor Sir Edmund Head, to Earl Grey, 21 January 1851.

— No. 5. —

(No. 4.)

COPY of a DESPATCH from Lieutenant-Governor Sir *Edmund Head*, Bart., to Earl *Grey*.

Government House, Fredericton, New Brunswick,
21 January 1851.
(Received, 10 February 1851.)

My Lord, (Answered, 19 May 1851, No. 258, page 50.)

10 January 1851.
31 December 1850.

I HAVE the honour to enclose, for your Lordship's information, copies of the annual Reports made by the emigration officers stationed at St. John and St. Andrew's; and also an Abstract Return of the immigration to this province during the past year.

I have, &c.
(signed) *Edmund Head.*

Encl. 1, in No. 5.

Enclosure 1, in No. 5.

To his Excellency Sir *Edmund Head*, Bart., Lieutenant-Governor and Commander-in-Chief of the Province of New Brunswick, &c. &c. &c.

May it please your Excellency,

I HAVE the honour to submit the annual Report from this office, with the Abstract Return of Immigration to New Brunswick during the year 1850, for the information of your Excellency, and of Her Majesty's Government.

	Souls.
In 1849 -	2,671
1850 -	1,507
Decrease -	1,164

The whole number of immigrants landed in the province during the past year was 1,507, being a decrease on the preceding year's immigration of 1,164 souls.

The mortality on the voyage during 1850 was unusually small, only three deaths having occurred, amounting to one-fifth of one per cent. on the numbers embarked. The increased allowance of provisions under the late Passengers' Act appeared to have a very beneficial effect, and prevented much suffering and privation, which have heretofore occurred from the improvident and wasteful habits of the emigrants themselves.

All the emigrants of the past season were Irish of the humblest class, many of whom obtained employment immediately on arrival at very remunerative wages, while others proceeded to the United States to join friends and relations there.

The St. Andrew's and Quebec Railroad Company employed 400 labourers during the past summer at 4*s.* currency, equal to 3*s.* 4*d.* sterling per day; and they have now 200 employed on their line. As yet the company have not decided to what extent their works will be prosecuted next summer, and consequently cannot state how many labourers they will require.

Last Autumn I had more inquiries from the rural districts for farm-servants, especially females, than for several years previously. I venture to state that several hundred females accustomed to farm and dairy work will find employment next spring in the farm-houses of this province at 5*l.* sterling per annum; and that agricultural labourers will also readily obtain employment, in several districts, at 12*l.* to 15*l.* sterling per annum for the first year, with increasing wages as the labourer becomes better skilled.

I refrain from offering any observations on the present system of selling land in this province, which offers so many impediments to emigrants acquiring forest-land on their arrival, as well as to others who wish to become settlers, in the full expectation that another year will not be allowed to elapse without measures being adopted for the actual commencement of some portion of one of the great railways which have been projected to cross the province—either that from Halifax to Quebec, or the European and North American Railway from Halifax toward the United States—and in connexion therewith, a comprehensive plan of emigration and colonization upon a large scale. Unless some such great public work be undertaken which will place this province in connection with other countries that, impelled by the progressive spirit of the age, are moving vigorously onward in the great march of public improvement, it must continue, as at present, to languish, and its millions of fertile acres will remain covered with primeval forest, undisturbed and unproductive.

In the full and confident hope that some measure of internal improvement will be devised and carried into effect during the present year, I reserve further observations which, at the proper time, I shall be prepared to offer with reference to the employment of labour and the settlement of the country under a well-digested system, and on an extensive scale.

All of which is respectfully submitted.

(signed) *M. H. Perley,*
Her Majesty's Emigration Officer.

Government Emigration Office, St. John, N. B.,
10 January 1851.

Sub-Enclosure to Enclosure 1, in No. 5.

ABSTRACT RETURN of Immigration to *New Brunswick* during the Year ended 31 December 1850.

QUARTERS.	Number of Vessels arrived.	Number of Deaths on Board or in Quarantine.	Number of Births on Board or in Quarantine.	Adults.		Between 14 Years and 1 Year.		Under 1 Year.		TOTAL.		Whole Number of Souls.
				M.	F.	M.	F.	M.	F.	M.	F.	
Quarter ending:												
31 March -	nil.											
30 June -	7	1	–	203	229	116	93	14	8	333	330	663
30 September	9	–	–	227	258	103	99	14	9	344	366	710
31 December	2	2	–	38	43	22	25	3	3	63	71	134
TOTAL - -	18	3	–	468	530	241	217	31	20	740	767	1,507

RECAPITULATION.

	Males.	Females.
Adults - - - - - -	468	530
Between 14 and 1 year - -	241	217
Under 1 year - - - -	31	20
TOTALS - - -	740	767

Whole number landed in the colony, 1,507 souls.

(signed) *M. H. Perley*,
H. M. Emigration Officer
for New Brunswick.

Government Emigration Office,
St. John, New Brunswick,
10 January 1851.

Enclosure 2, in No. 5.

Sir, Emigration Office, St. Andrew's, 31 December 1850.

THE present year being about to close, it will not be deemed improper, perhaps, for me briefly to report, for your information, the number, condition and prospects of those immigrants who arrived here during it, as well as the number that, in my opinion, may be advantageously employed should they come in the ensuing year of 1851. Encl. 2, in No. 5.

By a reference to my quarterly returns, you will perceive that 176 men, women and children arrived here in the three ships, "Volante," "Prima Vera" and "Susan."

The few who came in the "Volante" were young women of respectable appearance that had been sent for by relatives resident in the province, and who found a home immediately after landing.

Not so fortunate were those who came in the "Prima Vera," with few exceptions, for most part the poorest class from Ireland. Their destination was originally for the United States; but they either could not find a direct conveyance thither from Cork, or implicitly believed, as they told me, a dishonest shipping agent there, who assured them that St. Andrew's was within a stone's throw from New York. And here I beg permission to observe, that were this trick represented to Lieutenant Friend, Her Majesty's Emigration Agent there, he might devise some means of protecting the ignorant and credulous immigrant from such a practice, and save him much suffering and disappointment, and the province some expense.

All of these passengers who possessed sufficient means proceeded to the United States, and were spared much trouble and expense by going direct from the ship, without landing, in a vessel hired by them, with my advice, for that purpose; the remainder stayed here till they had earned sufficient to pay their passages, or had received remittances from their friends, with the exception of two women without husbands, but with several children; these I was obliged to assist, and eventually to forward at the public charge, to prevent their becoming chargeable for the whole winter. About half-a-dozen o that vessel's passengers have remained; they hired themselves out as servants, and are now comfortably situated.

The ship "Susan's" passengers were all paupers sent from the Cork Union Poor-house; they were well provided with suitable clothing, and, in addition, were furnished with 18 *s.* currency, out of funds transmitted by the Guardians of that institution. About one-half of these

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these immigrants were active young lads and girls, who soon got employment about the town and country; but many of the rest were apparently the "Do-no-goods" of a large city, idle, worthless and dissipated. I informed you before of the unfortunate construction of the Immigration Act made by Dr. M'Stay, the visiting physician, by which the master of the "Susan" escaped being compelled to indemnify the province. Dr. M'Stay, taking his own view of the law, permitted three aged persons, one nearly blind, one consumptive (since dead), and another almost as bad, and 27 men and women, mostly all blind with catarrhal ophthalmia, caught on the passage out, to land without demanding any security from the master. These unfortunate people, as I have already reported to you, were obliged to be supported and attended at the public cost. Out of that number six are still unrecovered; and three of them, at least, will become a permanent charge on the public. Of the whole number, two have died; and the death of a third is daily anticipated. A slight alteration in the Emigration Act might prevent a recurrence of a similar mishap, to the effect that the Collector of Customs should not clear out a vessel till the master of it had satisfied the immigration officer that no passenger brought by him should become chargeable to the province in consequence of old age, infirmity, disease, &c.

Excepting the young persons, as a class, these were the worst description of immigrants that ever came to this port. Their former mode of life had disqualified them for hard labour; and their dependence upon parochial relief had taught them to distrust the resources of their own industry. Many are now out of employment; and these, during this inclement weather, I am forced to assist. Some I have lately managed to get places for, whilst others are tempted by a small sum of money to cross the lines, and seek employment elsewhere; but a few will become pensioners for the rest of the winter.

I trust you will point out to Her Majesty's Government the impolicy and injustice of our being saddled with such burthens. Young people, and single people, of both sexes, from Unions, of good character, we could dispose of almost in any number; but the aged, infirm and diseased must become chargeable to us.

It is very important that immigrants, either with the view of going to the United States, or of settling, or of finding employment in this province, should arrive here early in the season; that is to say, during the months of May, June and July. The weather is then beautiful, and labour is abundant. Were they to come as early as that, some four or five hundred might easily be disposed of in some of the above ways during 1851.

There is still a demand for mechanics and servants throughout the country; and labourers would be certain of employment, either in the country or on the St. Andrew's and Quebec railroad, which is progressing to completion as fast as the directors find convenient.

My observations apply principally to single persons. No married labourer, with a family of small children, should be induced to come here unless he possess the means of supporting them for 12 months. I hope, however, that the time is not far distant when a more wealthy class of settlers will be induced to seek our shores, and invest their capital in the cultivation of our vacant lands; such a description of people would furnish the poorer with a more permanent dependence than a reliance on public works for labour.

In conclusion, I beg leave to say, that, agreeably to your wishes and instructions, and in consonance with my own feelings, I have always afforded the poor immigrant who has arrived here all the assistance in my power, and furnished him with the best advice and information which I possessed.

I have, &c.
(signed) *Thos. Jones*,
Assistant Emigration Officer.

M. H. Perley, Esq.,
H. M. Emigration Officer, St. John.

Despatches from the Right Honourable Earl Grey.

— No. 1. —

No. 1.
Earl Grey to Lieut.-Governor Sir Edmund Head, Bart.
7 November 1849.

(No. 164.)

COPY of a DESPATCH from Earl *Grey* to Lieutenant-Governor Sir *Edmund Head*, Bart.

Sir, Downing-street, 7 November 1849.

16 October 1849.
30 October 1849.

WITH reference to your despatch, No. 51,* of the 17th of May last, accompanied by representations from Mr. Boyd of the destitute state in which Irish emigrants had arrived at St. Andrew's, and of an irregularity in the case of the ship "Susan," I enclose, for your information, copies of two reports addressed to me on this subject by the Commissioners, which appear to me to show every reason to conclude that Mr. Boyd's complaints, especially in regard to the Irish emigrants, were exaggerated.

I have, &c.
(signed) *Grey*.

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* Page 57 of House of Commons Paper "North American Emigration," No. 593—II. 1849.

Enclosure 1, in No. 1.

Colonial Land and Emigration Office,
16 October 1849.

Sir,

We have the honour to acknowledge the receipt of your letter of the 8th instant, accompanied by copies of a despatch from the Lieutenant-governor of New Brunswick, and of the correspondence which has passed with the Home Office respecting the destitute condition of the Irish emigrants on their arrival at the port of St. Andrew's in that province: part of these emigrants, it is said, were sent from certain poor-houses in Kerry. Encl. 1, in No. 1.

2. It appears, from the reports of the several Poor Law Inspectors in Ireland, copies of which are enclosed in Mr. G. Cornewall Lewis's letter of the 2d October), 1st, that the pauper emigrants sent out by the Boards of Guardians in that country have chiefly gone to Canada, and that the Unions have, with one exception, made some provision for the emigrants on landing, in most cases not less than 10*s.*, a sum which, considering the demand for labour in that colony, and the provision then in force there for forwarding them into the interior, appears to us sufficient; and, 2dly, that no emigrants from any of the Unions referred to in those returns were sent to New Brunswick. Nor do we find from the ship returns forwarded by Mr. Perley, that any emigrants are stated to have been sent out last year to the port of St. John from the Poor-law Unions in Ireland. Sir E. Head, however, expresses his intention to apprise Lord Grey from what poor-houses the emigrants, of whose condition Mr. Boyd complains, did proceed, and till this information arrives we do not see that any definite conclusion can be arrived at on this matter.

3. With respect to the deception referred to in Mr. Boyd's letter of the 12th May, that the tonnage of the "Susan" was stated to be 600 tons, instead of 165, we would observe, that the excess of emigrants on board that vessel, calculated on its actual tonnage, only amounted to two emigrants; and we observe that Mr. Boyd did not take proceedings against the master for that excess, which he might have done if he thought the case required it.

We have, &c.

(signed) *C. A. Wood.*
Frederic Rogers.

Frederick Elliot, Esq.,
&c. &c. &c.

Enclosure 2, in No 1.

Colonial Land and Emigration Office,
30 October 1849.

Sir,

We have the honour to acknowledge the receipt of your letter of the 25th instant, instructing us to communicate such information as we can obtain from the emigration officer at Cork, relative to an erroneous description of the tonnage of the "Susan" in one of the passenger's contract tickets, and to report what means exist for punishing any such case of deception. Encl. 2, in No. 1.

2. In reply, we beg leave to state, that we had communicated this case to Lieutenant Friend before we made our last report, and we now enclose a copy of his answer, which we had not then received. It will be seen that Lieutenant Friend did not consider that the mis-statement in the present instance was intentional, as the parties concerned in the "Susan" are generally correct in their conduct.

3. With respect to the means of punishing parties, where it could be proved that the allegation of increased tonnage was made fraudulently, and was not in error, the 49th section of the Passengers' Act imposes a penalty of 10 *l.* upon the person fraudulently inducing another to take a passage.

4. It will be seen, from Lieutenant Friend's letter, that the number of adults who were on board when the passengers were mustered were only 82, and not 84, as stated in the ship return sent from New Brunswick, but that there was still an excess of two passengers. Lieutenant Friend explains that he had allowed this excess to pass, as there was an unoccupied space of 5 feet long by 20 wide, equal to 100 superficial feet, which, in measuring the ship for passengers, he had been obliged to deduct, as this space was below the legal height, and he mentions that he had endorsed the list to this effect; he also explains that this was the only vessel going to St. Andrew's; and, under these circumstances, we are not disposed to think that there was much objection to the course.

We have, &c.
(signed) *C. Alexander Wood.*
Frederic Rogers.

T. F. Elliot, Esq.,
&c. &c. &c.

Sub-Enclosure to Enclosure 2, in No. 1.

Government Emigration Office, Queenstown,
16 October 1849.

Sir,

I have to acknowledge the receipt of your letter of the 13th instant, respecting the "Susan," and requiring any explanation respecting the excess of two passengers which she had on board.

NEW BRUNSWICK.

On referring to her passenger's list, I find she had on board 82 adults, not 84, and that on measuring her before clearing, a portion of the passenger deck was under six feet, which I deducted from the measurement, leaving 960 superficial feet, or equal to 80 adults; however, on mustering the passengers, there were 82 on board; I therefore permitted the extra two to occupy the space I had deducted, 5 feet long by 20 wide, equal to 100 superficial feet, although rather under the legal height, being only 5 feet 6 inches. I did this as there was no other vessel going to St. Andrew's, and it would have caused much disappointment had they been landed; I find the list was endorsed by me to this effect.

With respect to the tonnage entered on the contract ticket being incorrect, I should think it was not intentional, as the parties who had this vessel are generally very correct in their conduct; but the practice of advertising vessels at an assumed tonnage is very reprehensible, and I wish it could be stopped. I think, however, in this case it was a mistake of the passage-broker's clerk.

I am, &c.
(signed) *Charles Friend*,
Emigration Officer.

Stephen Walcott, Esq., &c. &c. &c.

— No. 2. —

No. 2.
Earl Grey to Lieut-Governor Sir Edmund Head, Bart.
12 October 1850.
* Page 41.

(No. 218.)

COPY of a DESPATCH from Earl *Grey* to Lieutenant-Governor Sir *Edmund Head*, Bart.

Sir, Downing-street, 12 October 1850.

I HAVE to acknowledge the receipt of your despatch, No. 53,* of the 15th of August, explanatory of the circumstances under which the sum of 1,634*l.* sterling is retained in the hands of the Provincial Treasurer, subject to the decision of Her Majesty's Government, being the amount of an over-payment made to the Commissioners of the Almshouses of St. John, on account of emigrants from the United Kingdom, who arrived in New Brunswick in the year 1847.

As the money in question forms a portion of the sum voted by Parliament to meet the expenditure for emigration for the years 1847 and 1848, Her Majesty's Government are of opinion that it would not be consistent with good faith to appropriate it to any purpose not contemplated by Parliament when the vote was taken.

I have therefore to instruct you to cause the amount to be paid into the Commissariat chest, whence it will be transferred to Her Majesty's Exchequer.

I have, &c.
(signed) *Grey*.

— No. 3. —

No. 3.
Earl Grey to Lieut.-Governor Sir Edmund Head, Bart.
19 May 1851.
* Page 46.

(No. 258.)

COPY of a DESPATCH from Earl *Grey* to Lieutenant-Governor Sir *Edmund Head*, Bart.

Sir, Downing-street, 19 May 1851.

1. I HAVE to acknowledge your despatch, No. 4,* of the 21st of January last, accompanied by the annual reports of the Emigration Commissioners, stationed at St. John's and St. Andrew's.

2. I am happy to see by Mr. Perley's report, that the mortality on the voyage during 1850 was unnsually small, only three deaths in all having occurred, amounting to not more than one-fifth of one per cent. on the whole number embarked. I am also glad to perceive the favourable testimony borne by Mr. Perley to the working of the new Passengers Act.

3. My attention having been attracted by the statement in Mr. Jones's report from St. Andrew's, respecting the quality of the emigrants from the Cork workhouse in the ship "Susan," and the state in which they arrived, I thought it right to address to the Home Department on the subject, the letter of which a copy is enclosed, and I now transmit to you a copy of the Report which has been received, in reply, from the Poor Law Commission in Ireland. The Report appears to me to put the case in a more favourable light.

22 February 1851.

31 March 1851.

4. The Commissioners point out, that of the 80 emigrants sent out in the "Susan," only four were above 40 years of age, and that of these, two were accompanied by adult families; they state that all the emigrants were inspected by

by the medical officers of the Union before they were embarked, and were passed as healthy; that they were also examined on board the vessel by the medical inspector under the Passengers Act, who not only passed them, but spoke in praise of their appearance; that none of them showed symptoms of ophthalmia before embarking, and that it is admitted that those who landed with it caught it on the passage; and that the Commissioners are unable, without being informed of the names of those who are described as "consumptive" or stated to have died, to give any further information respecting them. The Commissioners add, that they do not see what further precautions could be taken to ensure that emigrants at the time of embarkation are in a good state of health.

5. In regard to the statement that some of these emigrants were idle and worthless, the Poor Law Commissioners do not deny that this may have been the case, but they suggest that this disposition on the part of the emigrants may possibly have been fostered by a well-intentioned, but injudicious distribution of the money sent out for their assistance.

6. In these statements, I think that the Poor Law Commissioners sufficiently vindicate their officers from the charge of having knowingly sent out emigrants who were physically incapable of earning their own livelihood, although the officer at St. Andrew's acted very properly, and only did his duty, in drawing particular attention to the misfortunes of the passengers by the "Susan," and to the expenses which they had occasioned.

7. I would call your attention to the concluding sentence of the Poor Law Commissioners' Report, in which I quite concur. The emigration officers must be instructed that they are not at liberty in any way to alter the distribution of money specially confided to them for payment to particular individuals.

I have, &c.
(signed) *Grey.*

Enclosure 1, in No. 3.

Sir, Downing-street, 22 February 1851.

I AM directed by Earl Grey to transmit to you, for the consideration of Secretary Sir George Grey, an extract from a Report of the Emigration Officer at St. Andrew's, New Brunswick, relative to the class of emigrants sent out from the workhouse at Cork in the ship "Susan," and I am to state that his Lordship would suggest to Sir George Grey that this report should be communicated to the Irish Poor Law Commissioners, with a view to their taking steps to prevent sending out such emigrants in future. Encl. 1, in No. 3.

I have, &c.
(signed) *H. Merivale.*

H. Waddington, Esq.
&c. &c. &c.

Enclosure, 2, in No. 3.

Poor Law Commissioners' Office, Dublin,
31 March 1851.

Sir,

THE Commissioners for administering the Laws for Relief of the Poor in Ireland, desire me to acknowledge the receipt of your letter of the 1st instant, forwarded by command of the Lord Lieutenant, papers received from the Home Office, consisting of a letter from the Colonial Office to Mr. Waddington, with an extract of a report therein referred to from the Assistant Emigration Agent at St. Andrew's, New Brunswick, relating to emigrants sent out from the workhouse at Cork, in the ship "Susan." Encl. 2, in No. 3.

In Mr. Merivale's letter of the 22d February last, transmitting the Assistant Emigration Agent's Report to the Home Office, it is suggested that the Irish Poor Law Commissioners should take steps to prevent sending out such emigrants in future.

On the subject of these papers, I am directed to state, for the information of his Excellency, that a previous report from Mr. Perley, Emigration Agent, regarding these same emigrants, had been already communicated to the Commissioners by the Colonial Land and Emigration Board; and that the Commissioners at once caused inquiry to be made regarding the circumstances under which the persons objected to as emigrants were sent out from the Cork Union; and the Commissioners are now enabled to place the result of these inquiries before his Excellency.

It would be supposed from the last paragraph of the report of the Assistant Emigration Agent, of the 31st December 1850, that a considerable number of aged, infirm and diseased persons had been sent from Cork workhouse to New Brunswick, by the ship "Susan." Annexed, however, is the list of the emigrants referred to, which was submitted to the Commissioners by their inspector, previously to the embarkation of the persons selected.

NEW BRUNSWICK.

From this list it will appear, that of the entire number selected, the only persons above the age of 40, were:—

Patric Coghlan,	- - - - -	41 years of age.
Patrick Driscoll	- - - - -	59 „
Thomas Leary -	- - - - -	50 „
Johanna Leary -	- - - - -	50 „

These two latter persons seem to have been accompanied by a family of six persons of the same name, three males, of the respective ages 18, 16 and 12, and three females of the respective ages of 24, 22 and 20.

With regard to the state of health of these emigrants, when they left Cork, it is admitted in the Assistant Agent's report, that the 27 persons who landed with ophthalmia, caught it on their passage out.

With regard to the person who landed "consumptive," and the other person "who was almost as bad." With regard also "to the two other persons who had died," at the date of the report, and "the third person whose death was daily anticipated," it would have been convenient for the purpose of inquiry here, if the Emigration Agent had mentioned the names of those parties, in order that their state of health, at the time of embarkation, might be made the subject of a more direct and explicit inquiry.

The Commissioners are enabled to state, however, that an inspection of all these emigrants was made by the medical officers of the Union workhouse before they embarked, and that no symptom of ophthalmia was at that time upon any of them, and that they were passed as healthy in other respects. They were also subjected to medical examination by the Emigration Officer, Dr. Scott, on board the vessel; three or four supernumeraries having been taken thither by the workhouse master, in order to replace any who might be rejected by Dr. Scott. They were, however, all passed by Dr. Scott, and the other Emigration Officer, Captain O'Brien, who, according to the master's report, expressed their gratification at the healthy and comfortable appearance of the emigrants, adding that it was most creditable to the Guardians to see them so.

The Commissioners do not see what general precautions could be taken to secure the healthy state of emigrants on embarkation which were not taken in the present case, but they regret that their ignorance of the names of the parties who landed "consumptive," and who died soon after arriving in the colony, prevents their making the close inquiry which they would wish to make, as to the attention and vigilance of the medical officers of the Union, in reference to those particular cases.

The Commissioners will now advert to that part of the Assistant Emigration Agent's reports, in which he complains of the trouble which he experienced in dealing with those emigrants, whom he describes, not as "aged, diseased or infirm," but as "idle, worthless and dissipated."

The Commissioners fear that this description of the persons selected for emigration from an Irish workhouse, may be correct, as to some of them, and that the selection of good colonists from such an institution cannot always be secured; but there are other passages of the Assistant Agent's Report, which lead the Commissioners to apprehend, that in his dealings with the characters which he has described as above, he is not proceeding on sound and prudent principles, and that the difficulties which he has to contend with, have been, in some measure, occasioned by that circumstance. For example, it is stated in Mr. Perley's report of the 16th November 1850, on the subject of the same emigrants, that, "the 70*l.* sent to Captain Jones has been distributed and spent long since, and that he is now considerably in advance for these unfortunate and worthless people." Again, Captain Jones himself, states in the present report: "Their former mode of life had disqualified them for hard labour, and their dependence on parochial relief had taught them to distrurst the resources of their own industry; many are now out of employment, and these, during the inclement weather, I am forced to assist; some I have lately managed to get places for, while others are tempted, by a small sum of money, to cross the lines and seek employment elsewhere; but a few will become pensioners for the rest of the winter."

The Commissioners dwell more particularly on these passages, because in an extract from a report of Mr. Buchanan, dated 16th December 1850, which had been communicated to them by the Colonial Land and Emigration Board, as to certain emigrants from Dungarvon workhouse to Upper Canada, they find the following passage:

"The results of the disposal of this party may tend to prove, that the application of the landing money by this department is attended with more beneficial results to emigrants of this class, than if the amount were paid to each on landing here, and left to their own disposal."

The Commissioners feel by no means sure that they are right in conjecturing, from these passages, that the sums intended by the Guardians of the Cork Union to be given to the emigrants by the ship "Susan," on landing, amounting to 70*l.* sterling, were held in hand by Captain Jones, and applied by him (there can be no doubt with the best possible intentions), to meet the general necessities of the whole body, instead of being distributed among them individually; but the Commissioners are so satisfied of the impolicy of such a course, or of any course at all resembling it, that they have thought it right to act upon mere conjecture, founded, however, on the statements above cited, and to express to the Government their dissent from the establishment of a general fund, to relieve with money, emigrants from Irish workhouses not "aged, infirm or diseased," but, who from an indisposition to work, as stated in the present instance, may be without employment for some time after their landing in the colony.

I have, &c.

Sir T. N. Redington, K. C. B. &c. &c. &c.

(signed) *W. Stanley,* Secretary.

Sub-Enclosure to Enclosure 2, in No. 3.

CORK UNION.

List and Description of Persons whom the Guardians of the above Union propose to Assist to Emigrate.

No.	NAMES. Males.	NAMES. Females.	Age.	Whether Married or Single.	If an Inmate of the Workhouse, how long.	Previous Occupation	Where Emigrating to.	Estimated Cost of Emigration.	Remarks.
1	Coghan, Patrick	- - - -	41	single	6	labourer			
2	Dudley, Christopher	- - - -	19	- „ -	7	- „ -			
3	Dudley, James	- - - -	17	- „ -	7	- „ -			
4	- - - -	Dudley, Margaret -	14	- „ -	6	servant -			
5	Driscoll, Timothy	- - - -	28	- „ -	6	labourer -			
6	- - - -	Driscoll, Mary - -	28	- „ -	6	servant -			
7	Driscoll, Patrick	- - - -	59	- „ -	6	weaver -			
8	Leary, Thomas	- - - -	50	married	7	labourer -			
9	Leary, Thomas	- - - -	18	single	7	- „ -			
10	- - - -	Leary, Johanna -	50	married	7	- „ -			
11	- - - -	Leary, Mary - -	20	single	7	- „ -			
12	- - - -	Leary, Margaret -	24	- „ -	7	- „ -			
13	- - - -	Leary, Ellen - -	22	- „ -	7	- „ -			
14	Leary, Patrick	- - - -	16	- „ -	7	- „ -			
15	Leary, John	- - - -	12	- „ -	—	- „ -			
16	Noonan, Denis	- - - -	17	- „ -	6	- „ -			
17	- - - -	Noonan, Mary - -	37	- „ -	6	servant -			
18	- - - -	Noonan, Ellen - -	16	- „ -	6	- „ -			
19	Hyde, Cornelius	- - - -	20	- „ -	7	baker -			
20	Martin, Peter	- - - -	22	- „ -	6	- „ -			
21	Connor, William	- - - -	16	- „ -	7	labourer -			
22	Clifford, Florence	- - - -	17	- „ -	6	- „ -			
23	Downy, John	- - - -	27	- „ -	6	- „ -			
24	Driscoll, William	- - - -	17	- „ -	7	- „ -			
25	Remm, John	- - - -	19	- „ -	5	- „ -			
26	Corkery, John	- - - -	24	- „ -	7	- „ -			
27	Condon, Hugh	- - - -	27	- „ -	6	- „ -			
28	- - - -	Griffith, Catharine -	26	- „ -	7	servant -			
29	Herlihy, Jeremiah	- - - -	25	- „ -	6	labourer			
30	Buckly, John	- - - -	27	- „ -	7	- „ -			
31	Keeffe, William	- - -	20	- „ -	7	- „ -			
32	Keeffe, John	- - - -	18	- „ -	7	- „ -	St. Andrew's, New Brunswick.	£.7 each	Cork.
33	Creedon, William	- - - -	18	- „ -	6	- „ -			
34	Rogers, Owen	- - - -	17	- „ -	7	- „ -			
35	Sheehan, John	- - - -	17	- „ -	7	- „ -			
36	- - - -	Murphy, Mary -	40	- „ -	7	- „ -			
37	Murphy, James	- - - -	17	- „ -	7	- „ -			
38	Shea, Jerry	- - - -	25	- „ -	5	- „ -			
39	- - - -	Sullivan, Anne -	22	- „ -	5	- „ -			
40	Connell, Patrick	- - - -	17	- „ -	6	- „ -			
41	- - - -	Connell, Catherine -	28	- „ -	6	- „ -			
42	- - - -	Connell, Ellen - -	16	- „ -	7	- „ -			
43	Supple, Edward	- - - -	17	- „ -	6	servant -			
44	M'Carthy. Daniel	- - - -	18	- „ -	6	labourer -			
45	- - - -	M'Carthy. Mary -	13	- „ -	7	servant -			
46	M'Goveon, Patrick	- - - -	18	- „ -	7	- „ -			
47	- - - -	M'Goveon, Eliza -	24	- „ -	6	- „ -			
48	Hackett, Martin	- - - -	21	- „ -	6	baker -			
49	- - - -	Carrall, Mary - -	20	- „ -	7	servant -			
50	Desmond, Jeremiah	- - - -	34	- „ -	7	labourer -			
51	Desmond, Cornelius	- - - -	25	- „ -	5	- „ -			
52	Desmond, William	- - - -	22	- „ -	7	- „ -			
53	Riley, Thomas	- - - -	16	- „ -	6	- „ -			
54	Doody, Patrick	- - - -	17	- „ -	7	- „ -			
55	- - - -	Doody, Honora -	40	widow	5	servant -			
56	Doody, John	- - - -	18	servant	5	labourer -			
57	Callanan, John	- - - -	17	- „ -	5	- „ -			
58	Buckley, Patrick	- - - -	18	- „ -	5	- „ -			
59	Buckly, Michael	- - - -	20	- „ -	5	- „ -			
60	- - - -	Buckly, Ellen - -	25	- „ -	5	servant -			
61	- - - -	Walsh, Johanna -	19	- „ -	6	- „ -			
62	- - - -	Walsh, Julia - -	14	- „ -	6	- „ -			
63	Duggan, Edward	- - - -	40	- „ -	6	labourer -			

(continued)

CORK UNION—LIST and Description of Persons whom the Guardians of the above Union propose to assist to Emigrate—*continued.*

No.	NAMES. Males.	NAMES. Females.	Age.	Whether Married or Single.	If an Inmate of the Workhouse, how long.	Previous Occupation.	Where Emigrating to.	Estimated Cost of Emigration.	Remarks.
64	- - - -	Duggan, Honora -	35	widow	6	single -	St. Andrew's, New Brunswick.	£. 7 each	Cork.
65	Duggan, Michael -	- - - -	14	single -	6	labourer -			
66	Moore, Michael -	- - - -	16	- ,, -	6	- ,, -			
67	- - - -	Clancy, Jane - -	24	- ,, -	5	single -			
68	Reynolds, Joseph -	- - - -	19	- ,, -	5	labourer -			
69	Reynolds, Benjamin -	- - - -	16	- ,, -	5	- ,, -			
70	- - - -	Magner, Eliza - -	30	- ,, -	10	single -			
71	- - - -	Hogan, Anne - -	25	- ,, -	6	- ,, -			
72	- - - -	Dally, Ellen - -	23	- ,, -	5	- ,, -			
73	- - - -	Smith, Johanna -	41	widow	7	- ,, -			
74	- - - -	Smith, Margaret -	21	single -	7	- ,, -			
75	- - - -	Rogan, Mary Ann -	22	- ,, -	6	- ,, -			
76	- - - -	Davis, Ellen - -	30	- ,, -	6	- ,, -			
77	- - - -	Duffy, Jane - -	23	- ,, -	6	- ,, -			
78	Murphy, Daniel -	- - - -	20	- ,, -	6	labourer -			
79	Mahony, John - -	- - - -	20	- ,, -	6	- ,, -			
80	Kepple, James - -	- - - -	20	- ,, -	7	baker -			

(signed) *George Carr,*
Master of Workhouse.

(signed) *George Huband,*
Poor Law Inspector.

NOVA SCOTIA.

Despatches from Lieutenant-Governor Sir J. Harvey.

— No. 1. —

(No. 134.)

COPY of a DESPATCH from Lieutenant-Governor Sir *John Harvey* to Earl *Grey*.

No. 1.
Lieut.-Governor Sir John Harvey to Earl Grey, 15 August 1849.
* *Vide* infra.

Government House, Halifax, 15 August 1849.

My Lord, (Received, 27 August 1849.)

I HAVE had the honour to receive your Lordship's despatch No. 185* of the 1st of August, on the subject of head-money paid by two families landed at Pictou, from the barque "Ellen," and who had been, on reaching their port of destination, compelled to give bonds for head-money to the authorities of Prince Edward Island. Regretting the trouble which has been given to your Lordship in reference to this matter, I have determined to direct that any amount paid in this province by those poor people, should be remitted for their benefit, leaving the general principles raised by the case, and the correspondence which has grown out of it, to the revision of the Legislature, at its next Session.

I have, &c.
(signed) *J. Harvey.*

— No. 2. —

(No. 143.)

COPY of a DESPATCH from Lieutenant-Governor Sir *John Harvey* to Earl *Grey*.

No. 2.
Lieut.-Governor Sir John Harvey to Earl Grey, 27 Sept. 1849.
* These Reports being on details of Accounts, are not printed.

Government House, Halifax, 27 September 1849.
(Received, 8 October 1849.)

My Lord, (Answered, 29 October 1849, No. 198, page 56.)

I TRANSMIT to your Lordship copies of two Reports * of Committees of the House of Assembly of this Province in the last Session, to which my attention has been directed, with the view of obtaining the repayment of various expenses incurred by the Provincial Government, in relieving several distressed emigrants and shipwrecked seamen during the last year.

A statement of those expenses is enclosed; and agreeably to the recommendation contained in the Report No. 87, I beg to request that your Lordship will bring under the consideration of Her Majesty's Government, the earnest claim of the Assembly, that the amount, being 867*l.* 14*s.* 11*d.* sterling, may be refunded from the Imperial Treasury.

I have, &c.
(signed) *J. Harvey.*

Despatches from the Right Honourable Earl Grey.

— No. 1. —

(No. 185.)

COPY of a DESPATCH from Earl *Grey* to Lieutenant-Governor Sir *John Harvey*.

No. 1.
Earl Grey to Lieut.-Governor Sir John Harvey, 1 August 1849.

Sir, Downing-street, 1 August 1849.

I HAVE to acknowledge your despatch, No. 121,† of the 12th June last, containing a further report on the subject of the head-money levied on certain emigrants at Pictou, landed from the barque "Ellen," on the 29th June 1848.

2. Your

† Page 69, of House of Commons Paper, "North American Emigration," No. 593–II. 1849.

NOVA SCOTIA.

2. Your report and its enclosures appear to show, that under the existing law this head-money was properly levied from the emigrants in question, with the exception of two families who were transhipped for Prince Edward Island, without landing. But whether or not the head-money was levied from these two families, it is impossible to ascertain from the enclosures to your despatch, as this is nowhere directly stated or denied, and the total number of immigrants is left in blank in the copy of the Comptroller's letter.

3. I am thus left without accurate information as to a point, which however unimportant in itself, is of some importance towards satisfying the parties who have made complaints to me in the present instance. If the head-money was in fact levied from these two families, you will probably agree with me that an illegal act was inadvertently committed, and that the amount ought to be remitted to Sir Donald Campbell, for the benefit of the two families in question.

4. With respect to the Nova Scotia law itself, I would observe, that in the Act passed by the Legislature of Prince Edward Island for the same purpose, there is an exception in favour of emigrants who merely touch at the island, without any intention of remaining there. There is no such provision in the Nova Scotia Act as regards British emigrants, although I find in it an exception of the same kind in favour of parties landing from the other North American colonies. I wish to bring this omission to your notice, as it must occasionally, as in the present instance, cause some hardship to the poorer class of British emigrants; but it is possible that reasons of which I am not aware, may have operated to prevent the introduction of such a provision.

I have, &c.
(signed) *Grey.*

— No. 2. —

No. 2.
Earl Grey to Lieut.-Governor Sir John Harvey, 29 October 1849.
* Page 55.

(No. 198.)

COPY of a DESPATCH from Earl *Grey* to Lieutenant-Governor Sir *John Harvey.*

Sir, Downing-street, 29 October 1849.

I HAVE the honour to acknowledge your despatch No. 143,* of the 27th of September last, accompanied by two Reports of Committees of the House of Assembly, to which your attention had been requested, with a view to your obtaining repayment of certain expenses incurred by the Provincial Government in relieving several distressed emigrants and shipwrecked seamen during the year 1848.

I think that this claim, so far as regards sick emigrants, has been made under a misapprehension; for the Committee state, I observe, in their Report, that the principle has already been recognized in favour both of Canada and New Brunswick. This, however, has not been the case. Owing to the extraordinary burthens which were thrown upon those twoprovinces—but happily not upon Nova Scotia,—in the season of Irish famine and distress in 1847, Her Majesty's Government was enabled by Parliament to repay to them their expenses for emigrants on that particular occasion, but only as an exceptional measure; and with the express agreement that the provincial authorities should in all future years bear the whole charge of immigration for themselves. The immigrant tax was doubled for the very purpose of meeting that object, and was in like manner doubled in Nova Scotia at the same time; and no part whatever of the expenses incurred for immigrants into Canada and New Brunswick in the year 1848, have been defrayed from imperial funds. I regret, that under these circumstances, it is quite out of my power to hold out the prospect that Parliament could be applied to for the means of repaying any expenses of that kind incurred in Nova Scotia.

The charged incurred for shipwrecked seamen stand of course on an entirely different footing; and upon them I shall address you in a further communication.

I have, &c.
(signed) *Grey.*

PRINCE EDWARD ISLAND.

Despatch from Lieut.-Governor Sir D. Campbell, Bart.

— No. 1. —

(No. 54.)

COPY of a DESPATCH from Lieutenant-Governor Sir *Donald Campbell*, Bart. to Earl *Grey*.

Government House, Prince Edward Island,
2 October 1849.

(Received, 18 October 1849.)

My Lord, (Answered, 5 November 1849, No. 90, page 58.)

No. 1. Lieut-Governor Sir Donald Campbell, Bart., to Earl Grey, 2 October 1849.

I HAVE the honour to transmit to your Lordship, for Her Majesty's confirmation or disallowance, a Proclamation issued by me, declaring the rule of computation for the length of the voyage of any ship or vessel carrying passengers from this Island to any port or place in the Province of Canada, or in the island of Newfoundland, the port of New York, and all other ports or places in the United States of America to the northward thereof, on the seaboard of the Atlantic Ocean, and the port of St. John, in the Province of New Brunswick shall be 20 days, in the terms of the 62d section of an Act passed in the last Session of the Imperial Parliament for regulating the carriage of passengers in merchant vessels.

I have confined my proclamation to the places above enumerated, as they include the limits to which the trifling emigration from this colony at present extends.

I have, &c.
(signed) *Donald Campbell*,
Lieut.-Governor.

Enclosure in No. 1.

Encl. in No. 1.

PRINCE EDWARD ISLAND.

(SEAL.) *Donald Campbell*, Lieut.-Governor.

By his Excellency Sir *Donald Campbell*, Bart., Lieutenant-Governor and Commander-in-Chief in and over Her Majesty's Island Prince Edward, and the Territories thereunto belonging, Chancellor, Vice-Admiral and Ordinary of the same, &c. &c. &c.

A PROCLAMATION.

WHEREAS, in and by an Act of the Imperial Parliament of Great Britain and Ireland, made and passed in the 12th and 13th years of the reign of Her present Majesty Queen Victoria, intituled, "An Act for regulating the Carriage of Passengers in Merchant Vessels," it is enacted and declared, that it shall be lawful for the Governor of any of Her Majesty's possessions abroad, by any proclamation to be by him from time to time issued for that purpose (which shall take effect from the issuing thereof), to declare the rule of computation by which the length of the voyage of any ship conveying passengers from such possession to any other place whatsoever, shall be computed, for the purposes of the said Act.

Now, therefore, by virtue of the power and authority in me vested in and by the before recited Act, I do hereby proclaim and declare, that the rule of computation by which the length of the voyage of any ship or vessel carrying passengers in terms of the said recited Act from this colony to any port or place in the Province of Canada, or in the Island of Newfoundland, the port of New York, and all other ports or places in the United States of America to the northward thereof, on the seaboard of the Atlantic Ocean, and the port of St. John in the Province of New Brunswick shall be computed, shall be 20 days.

Given under my hand, and the great seal of the said Island, at Charlotte-town, this 24th day of September, in the year of our Lord 1849, and in the 13th year of Her Majesty's reign.

By Command.

(signed) *T. H. Haviland*, Colonial Secretary.

Despatch from the Right Honourable Earl Grey.

— No. 1. —

(No. 90.)

No. 2. Earl Grey to Lieut.-governor Sir Donald Campbell, Bart., 5 November 1849. * Page 57.

COPY of a DESPATCH from Earl *Grey* to Lieutenant-Governor Sir *Donald Campbell*, Bart.

Sir, Downing-street, 5 November 1849.

I HAVE to acknowledge your despatch, No. 54,* of the 2d October, enclosing a Proclamation issued by you under the authority of the Act passed in the recent Session of the Imperial Parliament, to regulate the carriage of passengers in merchant vessels, declaring the length of the voyage in the case of vessels carrying passengers from Prince Edward Island to Canada, Newfoundland and New York.

I have received the Queen's commands to acquaint you that Her Majesty has been pleased to confirm and allow this proclamation.

I have, &c.

(signed) *Grey*.

BERMUDA.

Despatch from Earl Grey to Governor Elliot.

— No. 1. —

(No. 473.)

COPY of a DESPATCH from Earl *Grey* to Governor *Elliot*.

Earl Grey to Governor Elliot. 8 February 1851.

Sir, Downing-street, 8 February 1851.

I TRANSMIT for your information the copy of a Report of the Colonial Land and Emigration Commissioners, enclosing a correspondence with the Board of Customs relative to proceedings taken in Bermuda against the master of the brig "James," for an evasion of the Passengers Act. 3 February 1851.

Concurring in the opinion expressed by the Commissioners as to the course which it would be proper to take in this case, I have to instruct you to cause the penalties incurred under the bond which has been exacted from the master and owners of the vessel to be recovered from Mr. A. J. Musson, one of the owners, who resides in Bermuda.

I have, &c.
(signed) *Grey*.

Enclosure in No. 1.

Colonial Land and Emigration Office,
3 February 1851.

Sir,

WE beg leave to transmit to you, for Earl Grey's information, a copy of a letter from the secretary to the Board of Customs, with its enclosure, relative to proceedings taken in Bermuda against the master of the brig "James," for an evasion of the Passengers Act. Encl. in No. 1. 23 January 1851.

2. In the course of last year, the same vessel took out to Bermuda 15 children and eight adults, who, with two exceptions, were paupers, under the designation of cabin passengers, in order that the vessel might not come within the provisions of the Act. The object of that evasion was, apparently, to enable the ship to carry gunpowder on board, an article prohibited by the Act. The Commissioners of Customs having applied to us for directions how their officer should proceed in any similar case which might occur, we suggested that he should be instructed to summon the master before two justices of the peace in the colony, for a breach of any of the regulations of the Passengers Act. This course has accordingly been adopted in the present instance, but instead of the penalty being enforced at the time, it will be seen that a bond was taken for the amount, to await the decision of the Commissioners of Customs.

3. We would submit our opinion, that the Governor should be instructed to recover the penalties in the present case from Mr. Augustus James Musson, one of the owners of the vessel, who resides in the colony, and who joined in the bond; and we have stated to the Board of Customs, for the information of their officers, that in any similar case which may hereafter occur, it would be desirable not to take a bond, but to enforce the penalty at the time of conviction.

We have, &c.
(signed) *T. W. C. Murdoch.*
Frederic Rogers.

H. Merivale, Esq.,
&c. &c. &c.

Sub-Enclosure 1, to Enclosure in No. 1.

Sir, Custom-House, 23 January 1851.

WITH reference to your letter of the 30th August last, relative to the evasion of the provisions of the Passengers Act in the case of the brig "James," Richardson, master, which had arrived at Bermuda with certain pauper children, who had been shipped at this port under the denomination of "cabin passengers."

I am commanded to state, that the Board have recently received a Report from their officers at the Bermudas, from which it appears that the brig "James," Burrows, master, having arrived under similar circumstances at St. George's, proceedings had been taken against the master for an infringement of the Passengers Act, in conformity with the suggestion contained in your letter of the 30th August referred to, and that the master having been convicted in a penalty of 5 *l.*, bond had been taken to abide our decision in the matter.

BERMUDA.

In transmitting copies of these Reports for such directions as the Commissioners of Colonial Land and Emigration may see fit to give thereon, and for any observations with which they may deem it proper to favour the Board, I am to state, that the Comptroller of Hamilton has been apprised that the Board are advised that the Comptroller of St. George's was not authorised to take bond for the penalty, the amount of which should have been paid by the master previously to his departure; and further, that as all penalties incurred in the colonies are, by the 53d section of the Passengers Act, directed to be paid into the Colonial Treasury, the Board cannot interfere in the matter, but must leave the recovery of the penalty in the hands of the Governor, to whom the bond given in this case is to be delivered, in order that his Excellency may adopt such measures thereupon as he may think proper.

I am, &c.
(signed) *W. Maclean.*

S. Walcott, Esq.
&c. &c. &c.

Sub-Enclosure 2, to Enclosure in No. 1.

Honourable Sirs, Customs, Bermuda, 9 December 1850.

I HAVE the honour to transmit the enclosed statement from the Comptroller of Custom and Navigation Laws at the Port of St. George in these islands, reporting the arrival of the brig "James," Thomas William Burrows, master, from London, having on board 22 passengers, 21 of whom were boys and girls from the St. Pancras Union. The latter having been shipped under circumstances similar to those reported to your Honor in my letter No. 22, of the 23d July last, the master was duly summoned before two justices of the peace at the port of St. George, and convicted, as per memorandum herewith, of violating the 17th and 19th sections of 12 & 13 Vict., c. 33, though, from some unknown cause, the penalty adjudged for this infringement of the law has been laid at 5 *l.* only, whereas the Act expressly declares, that nothing less than that amount shall be imposed for each and every such offence. Finding such to be the case, I directed the Comptroller at the Port of St. George to request the magistrates to reconsider their judgment; this course, the Comptroller informs me, they have objected to, on the plea of not attaching much importance to the absence of a life-boat, the vessel being otherwise well found in boats, and their desire to impose the smallest possible fine upon the master, being convinced that he had infringed the law through ignorance. This occurred on the 6th instant, at which period the master of the "James" had again sailed from the Port of St. George for London.

A bond, executed by the master in conjunction with Mr. Augustus James Musson, one of the owners of the "James," to abide the pleasure of your honourable Board, touching the payment of the said penalty of 5 *l.*, has been forwarded to me by the Comptroller of St. George's, and is now deposited in the Queen's chest.

I regret the imperfect manner in which the proceedings appear to have been decided in the magistrate's court, at the same time I respectfully beg leave to bear testimony to the merits of the master, S. W. Burrows, who, in the present instance (being his first voyage as a master), appears to have been entirely ignorant of the requirements of the Passenger Act.

I have, &c.
(signed) *John L. Hurdis,*
Comptr. C. & N. Laws.

The Honourable
The Commissioners of Her Majesty's Customs.

Sub-Enclosure 3, to Enclosure in No. 1.

Her Majesty's Customs, Port of St. George's,
Sir, Bermuda, 23 November 1850.

I BEG to report the arrival on the 6th instant at this port of the brig "James," Thomas William Burrows, master, from London, Great Britain, bringing an assorted cargo of British and foreign goods, and also 22 passengers, 21 of whom are boys and girls from the St. Pancras Union. Immediately on the arrival of this vessel, I went on board of her for the purpose of ascertaining whether the provisions of the Passengers Act had been complied with, and on examining the master, discovered that he had infringed the 19th section of that Act by having 12 kegs of gunpowder on board as cargo, and again, the 17th section, by not being furnished with a life-boat. In compliance with the directions contained in the Honourable Board's letter of the 13th September last, No. 21, I summoned the master of the "James" before two justices of the peace for infringing the law in the above cases, and a penalty of 5 *l.* has been imposed on him by them, for which I have taken his bond jointly with Mr. A. J. Musson (one of the owners of the vessel), to await the decision of the Honourable Board.

In reporting this matter, I cannot but regret that it should have become my duty to enforce the law in this instance, being convinced that the master of the "James" had no intention of committing any breach of the Passengers Act, and that he has done so now solely through ignorance of the law. I think it right to mention, that the children on being questioned with regard to the treatment they had received during the voyage, expressed themselves

themselves as being perfectly satisfied and comfortable, which was confirmed by their healthy and cleanly appearance, as well as by the regret shown by them all at parting with their late master.

I am, &c.
(signed) *G. Cockburn Harvey,*
Comptroller Customs and Navy Laws.

John L. Hurdis, Esq.,
Comptroller Customs and Navy Laws.

Memorandum from proceedings at a Magistrate's Court, St. George's, Bermuda, 20 November 1850.

We convict Thomas William Burrows, of British brig "James," of having violated the 17th and 19th sections of the Act of Parliament, 12 & 13 Vict., c. 33; viz., by not providing himself with a properly fitted life-boat, and by having on board said vessel 12 kegs of gunpowder, with 21 passengers, on her voyage from London here during the last month, and now direct that said Thomas William Burrows shall pay over to G. C. Harvey, Comptroller of Her Majesty's Customs and Navigation Laws, for said offences, 5 *l.*, for the use of Her Majesty and Her successors.

(signed) *John Stewart Hunter.*
John S. Fisher.

Port of St. George's, Bermuda,
2 December 1850.

Despatch from Governor Elliot.

— No. 2. —

(No. 19.)

Copy of a DESPATCH from Governor *Elliot* to Earl *Grey*.

Bermuda, 22 March 1851.
(Received, 22 April 1851.)

My Lord,

Governor Elliot to Earl Grey, 22 March 1851.

In reply to your Lordship's despatch, No. 473, I have the honour to transmit a copy of a letter from the Attorney-general, reporting that the penalty of 5*l.* imposed on the master of the brig "James" by the magistrates at St. George's in November last, for an evasion of the Passenger Act, has been duly paid into the Colonial Treasury.

2. I take this opportunity to mention, that I have received a letter from the authorities of St. Pancras parish by the last mail, requesting me to furnish information respecting the disposal and welfare of the children sent out from that place to this colony, and I hope to be able to reply to that communication by the next mail. In the mean time I would wish to observe, that, although I have not heard of any instance of ill-treatment or neglect towards these children, but believe on the contrary that they are generally well cared for, still I cannot but think it would be more prudent that children should not be sent out by the parishes, without previous communication with the government of the colony.

3. It seems to me to be desired that persons wishing to receive children from England in this way, should be called upon to forward a clear statement of the conditions on which they are willing to do so, to the parishes, through the Secretary of the Government, and that a certificate should be required from the Governor of their respectability and ability to fulfil those conditions.

4. I entertain the opinion that it would be advantageous to this colony to introduce a limited number of white children under these precautions, and I am also persuaded that in this way, there would be no risk of unfortunate consequences as regards the children themselves. But your Lordship is aware that there is not a large number of white persons at Bermuda of sufficiently easy means to be entrusted with the care and instruction of friendless children, and I think it right to recommend that they should not be sent out in future without previous inquiry and precaution of the nature here suggested.

I have, &c.
(signed) *Charles Elliot.*

Enclosure in No. 2.

Sir, Hamilton, 11 March 1851.

With reference to your Excellency's communication to me on the 5th instant, on the subject of the penalty of 5*l.* imposed on the master of the brig "James," by the Magistrates at St. George's in November last, for an evasion of the Passengers Act, for the payment

BERMUDA.

of which penalty the master, with Mr. Musson as his surety, gave a bond, subject to the decision of the Board of Customs.

I beg leave to acquaint your Excellency, that having written to Mr. Musson on the subject, he has paid the penalty into the Colonial Treasury. The magistrates having adjudicated no more than 5*l.* to be paid by the master, I have felt myself precluded from demanding any further amount.

I return the papers forwarded to me by your Excellency.

I have, &c.

(signed) *John Harvey Darrell*,
Attorney-General.

His Excellency Governor Elliot,
&c. &c. &c.

Appendix.

APPENDIX.

—No. 1.—

Copy of a LETTER from the Colonial Land and Emigration Commissioners to *Herman Merivale*, Esq.

No. 1.
Colonial Land and Emigration Commissioners to Herman Merivale, Esq.,

26 December 1849.
27 December 1849.

Colonial Land and Emigration Office,
Sir, 1 January 1850.

A NARRATIVE having recently appeared in the "Times" newspaper of the destruction by fire of the emigrant ship "Caleb Grimshaw," in which it was alleged that that vessel was deficient in boats; that she was unprovided with a life-boat; that she had not on board the usual appliances for making signals at night; and that if the fire was not the consequence of spontaneous combustion, it must have been smouldering in her from the time she left Liverpool. We thought it our duty to call on the emigration officer at the port of Liverpool for any information on the subject which he might possess. We now enclose, for Earl Grey's information, copies of two letters received from him.

It will be seen from these letters that the "Caleb Grimshaw" was a very fine vessel, built expressly for the passenger trade; and that she was fitted with the proper boats required by the law, including a life-boat. That those boats would have been insufficient to contain the whole of the passengers and crew of the vessel, if such a service had been necessary for them, is no doubt true; but this must, we fear, be the case with every passenger ship, since no such vessel could stow boats sufficiently large to carry the whole number of passengers conveyed in her; but that the boats were in a perfectly efficient state, is proved by the fact stated in the narrative itself, that they were towed astern of the ship, full of people, for several days, in a heavy sea, and were afterwards used in landing the people at Flores. In regard to the origin of the fire, we cannot venture to hazard a conjecture, but it will be seen, from the manifest of the cargo, that she had no articles on boards which are usually considered liable to spontaneous combustion, unless indeed it were the coals.

With respect to the means of making signals at night, there seems reason to suppose that in this respect the "Caleb Grimshaw" was deficient. We have directed the emigration officers at the out-ports, to pay particular attention to this point in future, and to require masters of emigrant vessels to carry both a gun and blue lights or rockets, for the purpose of making signals at night in case of need.

We have, &c.

(signed) *T. W. C. Murdoch.*
Frederic Rogers.

Enclosure

Enclosure 1, to No. 1.

Government Emigration Office, Liverpool,
26 December 1849.

Sir,

In reply to your letter of the 24th instant, relative to the destruction of the ship "Caleb Grimsham," I beg to forward Mr. Ramsden's statement, he having cleared her; I also beg to transmit a summary of her cargo, taken from the manifest, from an examination of which it would not appear that any of the contents were liable to spontaneous combustion. Encl. 1, to No. 1.

The "Caleb Grimshaw" was a particularly fine ship, especially built for the passenger trade, with very superior accommodations, and remarkably well found.

Some time since, the master's account of her destruction, as well as that of the American consul at Fayal, was received in Liverpool, which differs very much from the statement of the person signing himself a cabin passenger, and which appears to have been written in London.

I have, &c.

Stephen Walcott, Esq.
&c. &c. &c.

(signed) *T. E. Hodder*, Lieut. R.N.,
Government Emigration Officer.

Enclosure 2, to No. 1.

Government Emigration Office, Liverpool,
26 December 1849.

Sir,

In obedience to your directions to report upon the boats, &c. of the ship "Caleb Grimshaw," I beg to state, that on the 22d October, I cleared her for sea, and she then had a long-boat and three other boats of suitable size, one of which was fitted as a life-boat. The fittings for the life-boat were obtained at the shop of Mr. G. T. Hills, ship-chandler of this place, on the 19th October, and the same party also supplied two new life-buoys, to enable the ship to comply with the New Passenger Act. Encl. 2, to No. 1.

The ship had a fire-engine and 12 fire-buckets.

The question was also put by me to the master, "Whether he had any gunpowder, vitriol, green hides, guano or any other article on board as cargo, likely to endanger the safety of the ship, or the health or lives of the passengers," and was answered in the negative.

I have, &c.

T. E. Hooder, R.N.
&c. &c. &c.

(signed) *George Ramsden*, R.N.,
Assistant Emigration Officer.

Cargo on board the "Caleb Grimshaw."

230 Tons iron, tin, &c. chains.
100 Tons coals.
56 Tons soda ash.
24 Tons bleaching powder.
35 Tons painters' colours (dry).
276 Packages hardware.
47 Casks leather and skins, say dry sheep-skins.
500 Packages fine goods (boxes and bales).
2 Barrels ale.
75 Crates, earthenware.

Weight - - - - - - 679 tons.
Measurement - - - 400 tons.

1,079 tons cargo.

Enclosure 3, to No. 1.

Government Emigration Office, Liverpool,
27 December 1849.

Sir,

In my letter of yesterday to the Board relative to the ship "Caleb Grimshaw," I could not positively ascertain whether she had a gun or not, but as far as I can learn, I believe she had not; and it would also appear likely she was not provided with rockets or blue lights, otherwise they in all probability would have been used; this deficiency seems extraordinary in a vessel otherwise so well provided. Encl. 3, to No. 1.

With regard to our practice, no notice relative thereto has ever been taken, presuming as a matter of course, that all vessels are provided with at least blue lights, in order to meet an emergency.

I have, &c.

S. Walcott, Esq
&c. &c. &c.

(signed) *T. E. Hodder*, Lieut. R.N.
Government Emigration Officer.

Appendix.

- - No. 2.

NEW BRUNSWICK.

Anno Decimo Tertio Victoriæ Reginæ.

Cap. III.

An ACT to regulate Vessels arriving from Europe with Passengers.

(Passed 18 March 1850.)

1. Be it enacted, by the Lieutenant-governor, Legislative Council and Assembly, that an Act made and passed in the 2d year of the reign of his late Majesty King William the Fourth, intituled, "An Act to regulate Vessels arriving from the United Kingdom with Passengers and Emigrants," be and the same is hereby repealed.

2. And be it enacted, that the master of any vessel which may arrive at any port or place in this province from any port or place in Europe with passengers, shall at the time of reporting such vessel pay to the treasurer of the province, or any deputy treasurer at the port or place where such vessel may arrive, the sum of 5 *s.* for each and every such passenger, provided that such vessel shall be reported to the treasurer of the province, or the deputy treasurer at the port or place of arrival, on or after the 1st day of April and before the 1st day of September in any year; and if any vessel with passengers, as aforesaid, shall be so reported as aforesaid, on or after the 1st day of September and before the 1st day of October in any year, that then the master of such vessel shall, at the time of reporting as aforesaid, pay to the treasurer of the province or deputy treasurer as aforesaid, the sum of 7*s.* 6*d.* for each and every such passenger; and if any vessel with passengers as aforesaid, shall be so reported as aforesaid, on or after the 1st day of October in any year and before the 1st day of April in the succeeding year, that then the master of such vessel shall, at the time of reporting as aforesaid, pay to the treasurer of the province or deputy treasurer, as aforesaid, the sum of 10 *s.* for each and every such passenger; all which several sums the said treasurer and deputy treasurers respectively are hereby authorized and required to demand and receive.

3. And be it enacted, that if any vessel arriving at any port or place in this province from any port or place in Europe, with passengers, shall be placed in quarantine on any other account than merely for the purpose of cleaning or observation, that then, in such case, the master of any such vessel, at the time of reporting such vessel, in addition to and over and above all or any other sum or sums required to be paid by this Act, shall pay to the treasurer of the province, or the deputy treasurer at the port or place where such vessel may arrive, the further sum of 2 *s.* 6*d.* for each and every passenger on board such vessel; and if any such vessel so placed in quarantine as aforesaid shall be detained in such quarantine for any longer period than 10 days, that then and in such case the master of such vessel, in addition to and over and above all other sum or sums of money required to be paid by this Act, shall pay to the treasurer or deputy treasurer as aforesaid the further sum of 2*s.* 6*d.* for each and every passenger on board such vessel; and which said additional and further sum or sums the said treasurer and deputy treasurers respectively are also hereby authorized and required to demand and receive.

4. And be it enacted, that upon the refusal or neglect of the master of any vessel arriving with passengers as aforesaid to pay the said several sum or sums for each and every passenger on board such vessel as aforesaid, it shall and may be lawful to and for the treasurer of the province or deputy treasurer, as the case may be, to sue and prosecute for the same before any two of the magistrates for the county, or city and county, where such vessel may be; and, on conviction, the said magistrates shall and may levy the same by warrant of distress, under their hands and seals, directed to any sheriff, marshal or constable at or near any port or place where such vessel may be, and by sale, under the said warrant, of the guns, boats, anchors, chains, tackle, machinery, apparel and furniture of such vessel; and the overplus (if any) of such distress and sale, after deducting the costs, shall be paid to the master of such vessel: and provided also, that no vessel which may have arrived at any port or place in this province with passengers from Europe, as aforesaid, shall be cleared out or allowed to proceed to sea until all and every such sum or sums of money due and payable for and on account of such passengers, by virtue or authority of this Act, shall be first paid to the treasurer of the province, or the deputy treasurer at the port or place where such vessel may have arrived.

5. And be it enacted, that it shall be the duty of the visiting physician at the Quarantine Station at Partridge Island, in the port of St. John, or, in his absence, the duty of any other visiting physician of the said port, duly appointed, and of the visiting physician or other competent person duly appointed for the purpose, at any other port or place in this province, forthwith after the arrival thereat of any vessel carrying passengers, to examine into their condition, and for that purpose the said visiting physician, or other competent person, shall have authority to go on board and through any such vessel, and to inspect the passenger list of such vessel, and the bill of health, manifest, log-book or otherwise of the said vessel, and, if necessary, to take extracts from the same; and if, on examination of such

such passengers, there shall be found among them any lunatic, idiotic, maimed, blind or infirm person not belonging to any emigrant family, and any such person shall, in the opinion of the visiting physician or other competent person as aforesaid, be likely to become permanently a public charge, the said visiting physician or other competent person shall forthwith report the same officially to the treasurer or deputy treasurer at the port or place of arrival, who shall require the master of such vessel, in addition to the sum or sums of money payable for the passengers generally, to execute, jointly and severally with two sufficient sureties, a bond to Her Majesty, according to the form in the Schedule to this Act, in the sum of 75 *l.* currency, for every such passenger so specially reported, conditioned to indemnify and save harmless this province, or any county, city, town, parish or charitable institution within the same, from any expense or charge which shall or may be incurred within the space of three years from the execution of the said bond, for the maintenance and support of any such passenger; and the said sureties shall justify before and to the satisfaction of the said treasurer or deputy treasurer, and by their oath or affirmation (which such treasurer or deputy treasurer is hereby authorized to administer) shall satisfy him that they are respectively residents in this province, and each worth double the amount of the penalty of such bond, over and above all their debts and liabilities.

6. And be it enacted, that in case any passenger, for whom any bond shall be given as aforesaid, shall at any time within three years from the execution thereof become chargeable upon this province, or upon any county, city, town, parish or charitable institution within the same, the payment of such charge or expense incurred for the maintenance and support of such passenger shall be provided for out of the monies collected on and under such bond, to the extent of the penalty therein contained, or such portion thereof as shall be required for the payment of such charges or expenses.

7. And be it enacted, that if the master of any vessel on board which such passenger, specially reported as aforesaid, shall have been carried, shall neglect or refuse to execute the said bond forthwith after the said ship shall have been reported to the treasurer or deputy treasurer as aforesaid, such master shall incur a penalty of 100 *l.* currency; and the said vessel shall not be cleared on her return voyage until the said bond shall have been executed, nor until the penalty shall have been paid, with all costs which shall have been incurred on any prosecution for the recovery thereof.

8. And be it enacted, that after the execution of any such bonds as aforesaid, before any deputy treasurer in this province, the same shall be transmitted forthwith to the provincial treasurer, who shall keep and hold all such bonds during the said period of three years from the execution of the same, or until the payment of the penalty therein mentioned (if incurred) shall be enforced; and for the purpose of ascertaining the necessity of such enforcement, it shall be the duty of the chief emigration officer, or any assistant emigration officer in this province, upon representation made to either of them, to ascertain the right and claim to indemnity for the maintenance and support of any such specially reported passenger, and to report the same to the Executive Government of this province, and the said report shall be final and conclusive in the matter, and shall be evidence of the facts therein stated; and the said penalty, or so much thereof as shall be from time to time sufficient to defray the expense incurred for the maintenance and support of any passenger for whom the said bond was given as aforesaid, shall be prosecuted for and recovered, by suit or information in Her Majesty's name, in any court in this province having jurisdiction in civil cases to the amount for which such suit or information shall be brought.

9. And be it enacted, that the 11th section of an Act made and passed in the 11th year of the reign of Her present Majesty, intituled, "An Act relating to Immigration, and the care and safe keeping of the Children and Property of deceased Emigrants," shall be and the same is hereby repealed; and, in lieu thereof, be it further enacted, that no vessel which may have arrived at any port or place in this province with passengers shall be allowed to clear out or proceed to sea until all and every sum and sums of money, penalty or penalties which the master of such vessel shall have been legally adjudged to pay for any violation of an Act of the Imperial Parliament made and passed in the 12th and 13th years of the reign of Her present Majesty, c. 33, intituled, "An Act for regulating the Carriage of Passengers in Merchant Vessels," shall first have been paid and satisfied.

10. And be it enacted, that the word "master" wherever used in this Act, shall be held to apply to any person in command of a vessel; the word "vessel" shall include all ships, vessels, steam-boats or craft of any kind carrying passengers; the word "passengers" shall apply to all persons except troops or military pensioners and their families, who are carried in transports, or at the expense of the Imperial Government; the word "quarantine" shall apply to the quarantine station at the port of St. John, or any other place within this province at which quarantine shall be directed to be performed; and any word importing the singular number shall include a plurality of persons or things, unless there be something in the context inconsistent with such interpretation.

Appendix.

SCHEDULE.

Form of Bond.

KNOW all men by these presents, that we, , are held and firmly bound unto our Sovereign Lady the Queen, in the sum of 75 *l.* of lawful money of New Brunswick, to be paid to our said Lady the Queen, her heirs or successors, for which payment well and truly to be made, we bind ourselves, and each of us by himself, our and each and every of our heirs, executors and administrators, firmly by these presents. Sealed with our seals, dated the day of , in the year of our Lord 18

Whereas it has been specially reported by the proper officer at the port of that among the passengers lately arrived at the said port, in and on board the vessel named the , the following person, namely , is likely to become permanently a public charge: Now, the condition of this obligation is such, that if the said do and shall indemnify and save harmless the province of New Brunswick, or any county, city, town, parish or charitable institution within the same, from any expense or charge which shall or may be incurred within the space of three years from the date of these presents, for the support and maintenance of the aforesaid , then this obligation to be void, otherwise to be and remain in full force and virtue.

Sealed and delivered in presence of }

— No. 3. —

CANADA.

AN ACT to repeal certain Acts therein mentioned, and to make further Provision respecting Emigrants.

[*Note.*—This Act will be found printed at page 1 of Papers relative to Emigration, North American Colonies, No. 593—II. 1849.]

— No. 4. —

CANADA.

CAP. IV.

AN ACT to encourage Emigrants from Europe to the United State to use the St. Lawrence Route.

(24 July 1850.)

Preamble.

WHEREAS it is expedient to encourage the use of the St. Lawrence route by emigrants from Europe to the United States; Be it therefore enacted, by the Queen's most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, "An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada," and it is hereby enacted, by the authority of the same, that it shall be lawful for the Governor to instruct the collector of customs at any port or ports on or near the frontier between this province and the United States to pay back to such person as shall be designated in a certificate from the emigrant agent at the port at which the duty shall have been paid as the proper person to receive such payment, a sum equal to one-half of the duty paid upon any emigrant arriving in the province after the 1st day of May; provided such certificates shall also show that such emigrant came into this province with the declared intention of passing directly through it to the United States; and provided the collector shall be satisfied by the certificate of the same, or of some other emigrant agent, that such emigrant hath not been (or if he be the head of a family, that no one of such family hath been) chargeable upon the province since his arrival therein, and shall also be satisfied by his own knowledge and inquiry that such emigrant hath come directly, and with all reasonable dispatch, from the place where the duty was paid to such frontier port, and hath there paid for a passage by and embarked (with his baggage and family, if any) on board of some vessel or boat bound for and immediately about to depart to a port or place in the United States; provided also, that such collector shall obey and be bound by any further instructions he may receive in this behalf from the Governor; and that such instructions may extend to the employment of a proper officer or person to accompany any such emigrant to the United States, and there to pay the sum to be returned as aforesaid.

Part of the tax on any emigrant coming through this province to the United States, may be paid back on certain conditions.

Proviso.

Penalty for fraudulently obtaining such repayment.

2. And be it enacted, that if any person shall by any false pretence obtain any sum of money under this Act without being legally entitled thereto, he shall for such offence incur a penalty not exceeding ten pounds, to be recovered, with costs, on the oath of one credible witness,

Appendix.

witness, other than the prosecutor, before any justice of the peace, and to belong to the prosecutor, and be levied by distress and sale of the goods and chattels of the offender, under warrant of such justice, or the offender may be committed to prison for a time not exceeding three months, unless such penalty be sooner paid.

Instructions, how communicated.

3. And be it enacted, that the instructions of the Governor under this Act may be communicated to any collector in like manner as instructions with regard to the remission of any other duty, or to any other matter relative to the collection and management of provincial revenue; that the word "emigrant" shall in this Act have the meaning assigned to the word "passenger" or "emigrant" in the Act passed in the 12th year of Her Majesty's reign, and intituled, "An Act to repeal certain Acts therein mentioned, and to make further Provision respecting Emigrants," and the word "duty" shall mean the rate or duty payable under the said Act; that any sum hereby authorized to be paid back, may be so paid out of any public monies in the hands of the collector, or out of public monies to be advanced to him for the purpose; that no such repayment shall cancel or affect any bond given under the said Act by the master of any vessel with regard to any emigrant; and that the proper person to receive back such portion as aforesaid of the said duty, shall be the owner, charterer, consignee or master of the vessel by the master whereof such duty shall have been payable, or other party who would eventually bear the said duty if not paid back as aforesaid, and not the emigrant himself, unless he shall have paid such duty separately and apart from such passage-money, and shall have then expressly covenanted for the right to receive such repayment.

Words interpreted.

12 Vict. cap. 6.

Out of what money such repayment may be made, &c.;

and to whom.

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