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REPORT

OF THE

SPECIAL COMMITTEE

ON THE

PETITION OF SUNDRY MERCHANTS,

COMPLAINING AGAINST DIVERS ABUSES

IN THE

OFFICE OF THE COLLECTOR

OF

HIS MAJESTY'S CUSTOMS,

AT THE

Port of Quebec.

ORDERED, by the House of Assembly, TO BE PRINTED,
Thursday, 4th March, 1824.

HOUSE OF ASSEMBLY,

WEDNESDAY, 4th Feby. 1824.

A PETITION of divers Merchants of the City of Quebec, whose names are thereunto subscribed, was presented to the House by Mr. BELANGER, and the same was received and read, setting forth:—

To the Honorable the Knights, Citizens and Burgesses of the Province of Lower-Canada, in Provincial Parliament assembled.

The Petition of the Merchants and Ship Owners of the Port of Quebec,

SHEWETH,

That in the year one thousand seven hundred and sixty-nine, the Commissioners of His Majesty's Customs in America, acting under the authority of the Imperial Act of Parliament, 5th Geo. III, Cap. 45, ordered the Officers of the Port of Quebec, to regulate their Fees by those received at Halifax, and transmitted a Copy of the Halifax Docket, certified by their Secretary, Mr. Reeves, of which your Petitioners annex a Copy for immediate reference. That the Fees now exacted, of which a statement is subjoined, do not correspond with that Docket; that explanations to the parties paying are refused by the Officers of the Customs, that the Fees have been increased at various times, and material augmentations made since the department became under the direction of the present Collector, without apparent necessity, and by no Law to the knowledge of your Petitioners. That the Fees, now levied, are unnecessarily and oppressively high, have long been a subject of dissatisfaction to the Trade, and a complaint from British Ship Owners; that they fall particularly heavy on small vessels employed in the Fishing and Coasting Trade between this and the Sister Provinces of New-Brunswick, Nova-Scotia, Labrador, &c. &c. which make several Voyages during the season, and are yet subjected, on each entry and clearance, to the same Fees as vessels to distant ports; such Fees, amounting, on most occasions, to a seventh of their gross freight, and with the fees paid at the lower ports to more than a fifth of the Freight on the Voyage out and home. That such disproportionate exactions on coasting and small vessels, are destruc-

tive to the Coasting Trade, ruinous to the Proprietors of small Craft, and discouraging to the enterprize and industry of Provincial Navigators, and in the humble opinion of Your Petitioners, call for the immediate interference of Your Honorable House. That American vessels are able and do carry from their ports to the Lower Provinces, at much lower rates of freight than the vessels of this Port can, partly on account of the difference in the amount of their Custom House charges, and that thus the benevolent intention of His Majesty's Government in laying a duty on American produce for the encouragement of the Trade and Agriculture of these Provinces is materially counteracted. That the amounts of Fees exacted on some occasions, have been greater than on others, on vessels of the same class, loaded with the same description of cargoes, and in all respects under the same circumstances, by which it would appear that the exaction of Fees is arbitrary with the officers. That by the number and variety of Fees, at present demanded, officers have temptations and opportunities of imposing on individuals; and, the department not acknowledging superior authority over it in the Province, immediate means of redress are not attainable; that, therefore, the abolition of all minor Fees, and the payment of one general fee or duty to Government, according to the tonnage of vessels and distance of voyage, and the payment of Officers by Salary, as lately adopted in Great-Britain, would preclude such encroachments and be most satisfactory to the Trade. And your Petitioners take the present opportunity of representing, that, notwithstanding the liberal Fees paid by the Trade, and the splendid revenues enjoyed therefrom by the Officers, that the time given by them for attendance to the public business, viz:—From Ten until Twelve, to receive papers for the clearance of vessels, and from Ten until Two for general business, has been much too circumscribed for the convenience of the public during the busy periods of our limited season—the Spring and Fall. That your Petitioners, in the statement subjoined of Fees paid, have included the Trinity-House Dues and Fees levied by the Naval Officer, that your Honorable House may be informed of the total amount of Fees paid by the Trade in clearing vessels; that the Fee exacted by the Naval Officer is considered very high, and that your Petitioners can find no authority by which he can demand it; and your Petitioners humbly pray, that your Honorable House will take the premises into consideration, and afford such relief, as, in your wisdom, may seem fit.

Quebec, 3d February, 1824.

[Signed by 72 Merchants and Ship Owners.]

COPY of the Table of Fees taken by the Officers of the Customs at the Port of Halifax, in Nova-Scotia, referred to in the foregoing Petition.

DIFFERENT PAYMENTS.	Collector's Fees.			Comptroller's Fees.			Surveyor and Searcher's Fees.			Principal Waiter's Fees.			Total.			Currency, 11-9 advance upon sterling.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
Vessels from the Colonies, their general clearances.....	9			4	6		4	6		11			18	11		1	1	
Do. their general entries....	9			4	6		4	6		11			18	11		1	1	
Vessels from Bay of Fundy, Louisbourg and Canso.....	4	6		2	3		2	3		5½			9	5½		10	6	
Do. their clearances.....	4	6		2	3		2	3		5½			9	5½		10	6	
Coasters from the neighbouring Ports.....	1	6			6			6		1½			2	7½		2	10½	
Do. their clearances.....	1	6			6			6		1½			2	7½		2	10½	
Warrants to load and unload, Bonds, Reports, List of men and Bill of Stores.....	1	6			6			6					2	6		2	9	
Cockets, Certificates of Report and Certificates to cancel Bonds.....	2			1			1						4			4	6	
Endorsing a Register.....	2	6			10								3	4		3	7½	
New Register, and recording the same.....	13			4	4								17	4		19	4	
Bill of Health.....	5			6			2	6		6			10	6		11	8	
For cancelling Bonds given here				9	0	½		4½					1	6		1	8	
Anchorage taken on Vessels that do not land the whole of their cargoes.....	2			2			2						6			6	8	
Foreign Top-sail Vessels besides the above for their general entrance and clearances.....	4	6		2	3		2	3		6			9	6		10	6	

(Signed)

HENRY NEWTON, Coll.

JAMES BURROW, Compt.

The above is a Copy of the Table of Fees transmitted to the Board by the Officers of the Customs at Halifax.

Attest,

(Signed)

RICH^d. REEVE, Secy.

A true Copy from that certified by
Mr. Secretary REEVE.

(Signed) T. A. YOUNG.

STATEMENT of Fees paid in 1822 and 1823, on entering and clearing Vessels. Referred to on the above Petition:

EXAMPLES.

1822.

June 26, Barque Sally, 313 tons.
Entry outwards, £0 7 4
Coll. and Compt. 5 3 2
Waiter & Searchers, 2 7 4

7 17 10

Naval Officer,
His fee £1 0 0
H. M. fee. 0 7 6
Trinity-House
dues, 4 3 4, 5 10 10

£13 8 8

June 17, Ship Monarch, 375 tons,
Entry outwards, £0 7 4
Coll. and Compt. 5 13 2
Waiter & Searcher, 2 8 6

8 9 0

Naval Officer,
His fee, £1 0 0
H. M. fee 0 7 6
Trinity-House
dues, 5 4 9, 6 12 3

£15 1 9

July 10, Brig Fenchette, 345 tons.
Entry outwards £0 7 4
Coll. and Compt. 5 13 9
Waiter & Searcher, 2 9 1

8 10 2

Naval Officer,
His fee, £1 0 0
H. M. fee,
Trinity-House
dues, 4 13 6, 5 13 6

£14 3 8

July 6, Brig Lustre, 237 tons,
Entry outwards, £0 7 4
Coll. and Compt 5 8 9
Waiter & Searcher, 2 5 0

8 1 1

Naval Officer,
His fees £1 0 0
H. M. fee, 0 7 6
Trinity-House
dues, 4 1 9, 5 9 3

£13 10 4

1823.

Sept. 6, Barque Sally, 313 tons,
Entry outwards £0 7 4
Coll. & Compt. 4 12 0
Waiter & Searchers 2 5 0

7 4 4

Naval Officer,
His fee £1 0 0
H. M. fee, 0 7 6
Trinity-House
dues, 4 3 4, 5 10 10

£12 15 2

Oct. 18, Ship Hebe, 494 tons.
Entry outwards £0 7 4
Coll. and Compt. 4 12 0
Waiter & Searchers 2 7 11

7 7 3

Naval Officer,
His fee, £1 0 0
H. M. fee, 0 7 6
Trinity-House
dues, 5 0 6, 6 8 0

£13 15 3

Sept. 5, Barque Mint, 469 tons.
Entry outwards, £0 7 4
Coll. and Compt.
Clearance £4 10 11
2 certificates 0 6 8

£4 17 7

Waiter & Searcher's
Clearance, £2 5 0
2 certificates, 0 2 4, 2 7 4

7 12 3

Naval Officer,
His fee, £1 0 0
H. M. fee, 0 7 6
Trinity-House
dues, 5 18 6, 7 6 0

£14 18 3

1822.

June Ship Harrison, 706 tons.
 Entry outwards, £0 7 4
 Coll. and Compt. 5 8 9
 Waiter & Searcher 2 7 4
8 3 5

Naval Officer,
 His fee £1 0 0
 H. M. fee 0 7 6
 Trinity-House
 dues, 5 17 2, 7 4 8
£15 8 1

May Brig Southampton, 188 tons,
 to the West Indies.

Entry inwards, £0 9 6
 Do. outwards, 0 7 4
 Coll. and Compt. 6 14 4
 Waiter & Searcher, 2 10 0
10 1 2

Naval Officer,
 His fee, £1 0 0
 H. M. fee. 0 7 6
 Trinity-House
 dues, 4 6 0, 5 13 6
£15 14 8

May Ship Princess Royal, 194 tons.

Entry Inwards, £0 9 6
 Do. outwards, 0 7 4
 Coll. and Compt. 6 18 9
 Waiter & Searcher 2 10 0
10 5 7

Naval Officer,
 His fee, £1 0 0
 H. M. fee 0 7 6
 Trinity-House
 dues. 4 10 3, 5 17 9
£16 3 4

Sept. Brig Southampton, 188 tons.

Entry inwards, £0 6 6
 Do. outwards, 0 7 4
 Coll. and Compt. 6 17 7
 Waiter & Searcher, 2 10 0
10 1 5

Naval Officer,
 His fee £1 0 0
 H. M. fee, 0 7 6
 Trinity-House
 dues, 4 4 2, 5 11 8
£15 13 1

1823.

June Sloop Intermediate, 58 tons,
 to Bermuda.

Entry inwards, £0 8 3
 Do. outwards, 0 7 4
 Coll. and Compt.
 Clearance, £5 8 8
 Hptl. money, 1 0 0, 6 8 8
 Waiter & Searcher, 2 0 0
9 4 3

Naval Office,
 His fee, 1 0 0
 H. M. fee, 0 7 6
 Trinity-House
 dues, 3 3 4, 4 10 10
£13 15 1

May Brig Southampton, 188 tons,
 to the West Indies.

Entry inwards, 0 10 0
 Do. outwards, 0 7 4
 Coll. and Compt. 7 4 4
 Waiter & searcher 2 10 0
10 11 8

Naval Officer,
 His fee, 1 0 0
 H. M. fee, 0 7 6
 Trinity-House
 dues, 4 13 3, 6 2 9
£16 14 5

June Ship Princes Royal, 194 tons.

Entry inwards £0 9 4
 Do. outwards, 0 7 4
 Coll. and Compt. 6 3 8
 Waiter & Searcher 2 10 0
9 10 4

Naval Officer,
 His fee, £1 0 0
 H. M. fee, 0 7 6
 Trinity-House
 dues, 4 13 8, 6 1 2
£15 11 6

Sept. Brig Southampton, 188 tons.

Entry inwards, £0 9 0
 Do. outwards, 0 7 4
 Coll. and Compt. 6 9 3
 Waiter & Searcher, 2 10 0
 Certificates, 0 3 4
9 18 11

Naval Officer,
 His fee, £1 0 0
 H. M. fee 0 7 6
 Trinity-House
 dues, 4 6 2, 5 13 8
£15 12 7

1822.

May Brig Superb, 98 tons.
 Entry inwards, £0 9 6
 Do. outwards, 0 7 4
 Coll. and Compt. 5 13 2
 Waiter & Searcher, 2 10 0
9 0 0

Naval Officer,
 His fee, £1 0 0
 H. H. fee, 0 7 6
 Trinity-House
 dues, 3 6 0, 4 13 6
£13 13 6

June 22. Schooner Providence, 70 tons,
 to Halifax, N.S.

Entry outwards, 0 7 4
 Coll. and Compt. 5 3 2
 Waiter & Searcher, 1 18 3
7 8 9

Naval Officer,
 His fee, 0 10 0
 H. M. fee, 0 7 6
 Trinity House
 dues, 2 1 9, 2 19 3
10 8 0

July 1, Schooner William, 80 tons to
 Halifax.

Entry outwards, £0 7 4
 Coll. and Compt. 5 3 2
 Waiter & Searcher, 1 17 0
7 7 6

Naval Officer,
 His fee, £0 10 0
 H. M. fee, 0 7 6
 Trinity-House
 dues, 0 12 6, 1 10 0
£8 17 6

1823.

May Brig Pegasus, 102 tons,
 Entry inwards, £0 6 9
 Do. outwards, 0 7 4
 Coll. and Compt. 4 15 4
 Waiter & searcher, 2 10 0
7 19 5

Naval Officer,
 His fee, £1 0 0
 H. M. fee, 0 7 6
 Trinity-House
 dues, 3 4 4, 4 11 10
£12 11 3

June Schooner Charlotte, 89 tons, to
 Nidland, after arriving in ballast.

Entry outwards, 0 7 4
 Coll. and Compt. 4 12 0
 Certificate, 0 3 4, 4 15 4
10 11 2

Waiter & Searcher,
 Clearance, 1 10 0
 Certificates 0 1 2, 1 11 2
6 13 10

Naval Officer,
 His fee, 0 10 0
 H. M. fee, 0 7 6
 Trinity House
 dues, 2 11 9, 3 9 3
10 3 1

July, ditto to Halifax, 11 2 11

Sept. ditto to Newfd. 11 2 3

Nov. ditto to Newfd. 10 9 6

July 16, Schooner Marie Catherine, 69
 tons, to Halifax.

Entry outwards, 0 7 4
 Coll. and Compt. 5 2 4
 Waiter and Searcher, 1 5 0
6 14 8

Naval Officer,
 His fee, 0 10 0
 H. M. fee, 0 7 6
 Trinity House
 dues, 1 16 0, 2 13 6
£9 8 2

1822.

Sept, 3, Schooner William, 80 tons, to
Halifax.

Entry outwards,	£0 7 4
Coll. and Compt.,	4 19 2
Waiter & Searcher,	1 17 6

Naval Officer,	7 4 0
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His fee,	£0 10 0
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H. M. fee,	0 7 6
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Trinity House dues,	2 26 3 0 0
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£10 4 0

Oct. 25, Schooner John, 50 tons, to
Newfoundland.

Entry outwards,	£0 7 4
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Coll. and Compt.,	5 3 2
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Waiter & Searcher,	1 18 3
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7 8 9

Naval Officer,

His fee,	0 10 0
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H. M. fee,	0 7 6
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Trinity House dues,	2 19 2 19 3
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£10 8 0

May 16, Sloop Reward, 92 tons, to
Mingan and Labrador.

Entry outwards,	£0 7 4
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Coll. and Compt.,	6 14 5
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Waiter & Searcher,	1 6 0
--------------------	-------

£8 7 9

Naval office,

No fees or dues exacted.

June 15, Ditto Ditto.

Entry outwards,	£0 7 4
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Coll. and Compt.,	6 12 8
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Waiter & Searcher,	1 6 0
--------------------	-------

£8 6 0

Naval Office,

No fees or dues exacted.

1823.

Schooner George Third, 55 tons, to
Miramichi.

Entry outwards,	0 7 4
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Coll. and Compt.,	2 6 0
-------------------	-------

Waiter and Searcher	1 11 2
---------------------	--------

4 4 6

Naval Officer,	2 10 0
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£6 14 6

Schooner Robust, 45 tons, to Halifax.

Entry outwards,	0 7 4
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Coll. and Compt.,	2 12 8
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Waiter and Searcher,	1 5 0
----------------------	-------

4 5 0

Naval Office,	2 19 3
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£7 4 3

May 14, Sloop Reward, 92 tons, for
Mingan and Labrador.

Entry outwards,	0 7 4
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Coll. and Compt.,	4 14 0
-------------------	--------

Waiter and Searcher,	1 5 0
----------------------	-------

Salt bond,	0 8 4
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Cocket,	0 1 2
---------	-------

£6 15

Naval Office,

No fees or dues exacted.

June 13, Ditto Ditto.

Entry outwards,	0 7 4
-----------------	-------

Coll. and Compt.,	3 18 6
-------------------	--------

Waiter and Searcher,	1 5 0
----------------------	-------

Salt bond,	0 8 4
------------	-------

Cocket,	0 1 2
---------	-------

£6 0 4

Naval Office,

No fees or dues exacted.

Sloop Reward, 92 tons, to Mingan and
Labrador,

1822.

Augt. 8,		
Entry outwards,	£0	7 4
Coll. and Compt.	5	17 1
Waiter & Searcher,	1	6 0
		<u>£7 10 5</u>

Oct. 27,	Ditto	Ditto.
Entry outwards,	£0	7 4
Coll. and Compt.	4	8 2
Waiter and Searcher,	1	6 0
		<u>£6 1 6</u>

Sloop Reward, 92 tons, to Mingan and
Labrador.

1823.

Augt. 8,		
Entry outwards,	0	7 4
Coll. and Compt.	3	18 6
Waiter and Searcher,	1	5 0
Salt bond,	0	8 4
Cocket,	0	1 2
		<u>£6 0 4</u>

Sept. 29,	Do.	Do.
Entry outwards,	0	7 4
Coll. and Compt.	3	18 4
Waiter and Searcher,	1	5 0
Salt bond,	0	8 4
Cocket,	0	1 2
		<u>£6 0 2</u>



Prior to the years about 1812 a 1814, the following were the fees paid on the entrance and clearance of Vessels :

EXAMPLES.

Brig Esther, 226 tons, from and to Britain.

Entry outwards,	£0	2 9
Collector & Comptroller,	5	5 0
A gratuitous fee to the Waiter and Searcher,	0	5 0
		<u>£5 12 9</u>

Naval Officer, his fee,	£0	10 0
Trinity House dues,	2	16 0
		<u>3 6 0</u>

£8 18 9

Ship Zephyr, 392 tons, from and to Britain.

Entry outwards,	£0	2	9	
Collector and Comptroller,	5	5	0	
A gratuitous fee to the Waiter and Searcher,	0	5	0	
				£5 12 9
Naval Officer, his fee,	£0	10	0	
Trinity House dues,	3	9	9	
				3 19 9
				£9 12 6

Schooner Providence, 60 tons, to Halifax.

Entry outwards,	£0	2	9	
Collector and Comptroller,	3	5	0	
Waiter and Searcher, no fee,				
				£3 7 9
Naval Officer, his fee,	£0	5	0	
Trinity House dues,	1	4	9	
				1 9 9
				£4 17 6

Schooner Hiram, 75 tons, for Newfoundland.

Entry outwards,	£0	2	9	
Collector and Comptroller,	3	5	0	
Waiter and Searcher, no fee,				
				£3 7 9
Naval Officer, his fee,	0	5	0	
Trinity House dues,	1	19	9	
				2 4 9
				£5 12 6



In the year 1814, the fee of entry outwards, paid by every shipper, was increased from 2s. 9d. to 7s. 4d.

In the Merchants' books, to which reference has been had, between the years 1810 and 1814, the Custom-house charges are entered in the total sum; and therefore particulars cannot be given to show where and when the increase took place.

In 1818, the fees paid on the schooner Annabella, 58 tons, each voyage to Halifax, Labrador, Miramichi, and St. Johns, were---

Entry outwards,.....	£0 7 4		
Collectr. & Comptr.			
Inwards,.....	£3 1 7		
Outwards,.....	2 11 7		
		5 13 2	
Waiter & Searcher,			
Inwards,.....	£0 17 6		
Outwards,....	1 5 0		
		2 2 6	
		8 3 0	
Naval Office,	2 13 9		
		£10 16 9	

By this last instance it is seen, that a schooner of 58 tons register, to a neighbouring port, has been made to pay fees to the Customhouse Officers to an amount within 5d. of what they exacted from the ship *Harrisons*, of 706 tons register, and 1000 tons burthen.

All these fees are exacted under the same docket, and which the Officers declare themselves to be ordered strictly to conform to.

On the 12th February, 1821, the Collector, as appears by the journals of the House of Assembly, Appendix (I) 8th January, 1822, in obedience to the orders of His Excellency the Governor in Chief, handed the annexed docket as the authority and table by which he exacted fees; and added the following extract of a letter received from the Honorable Board of Commissioners of special Revenue, dated *Halifax*, 22d September, 1812.

“I have to inform you that it is the opinion of the Board, that the *Halifax* docket of fees laid before them with your returns, and signed by the Collector and Comptroller of that Port, is the only docket under which you or any Officer under your survey can legally demand or receive fees; and you and the Officers under your survey, are in future strictly to conform thereto, which orders you are to make known to those Officers respectively, wherever stationed.”

By that docket the following should be, as appears to the Petitioners, the fees charged in the entrance and clearance of vessels:

	BY THE COLLECTOR AND COMPTROLLER.		BY THE WAITERS AND SEARCHERS.
<i>On Vesels from the Colonies.</i>			
Their general entrance, 9s. and 4s. 6d.	£0 13 6		4s 6d and 11d £0 5 5
Their general clearance, 9s. and 4s 6d	0 13 6		4s 6d and 11d 0 5 5
Entry outwards, under the head of warrants to load or unload, bonds, &c. 1s 6d and 6d	0 2 0		0 0 6
Cockets, certificates of Re- ports, and certificates to cancel bonds, 2s and 1s	0 3 0		0 1 0
	<hr/>		<hr/>
	Sterling, 1 12 0		Sterling, 0 12 4
	1-9th, 0 3 7		1-9th 0 1 5
	<hr/>		<hr/>
Halifax currency,	1 15 7		Halifax Currency, 0 13 9

BY THE COLLECTOR AND
COMPTROLLER.*On Foreign Topsail Vessels.*

The above,	1 12 0
And additional for their en- trance and clearance, 4s 6d and 2s 3d	0 6 9
	<hr/>
Sterling,	1 18 9
1-9th,	0 4 4
	<hr/>
Halifax currency,	2 3 1

*On Coasters from the neighbouring
Ports.*

Entries, 1s 6d and 6d	0 2 0
Clearances, 1s 6 and 6d	0 2 0
	<hr/>
Sterling,	0 4 0
1-9th,	0 0 6
	<hr/>
Halifax currency,	0 4 6

BY THE COLLECTOR AND
COMPTROLLER

	0 12 4
2s 3d and 6d	0 2 9
	<hr/>
Sterling,	0 15 1
1-9th,	0 1 8
	<hr/>
Halifax currency,	0 16 9

6d and 1½d	0 0 7½
6d and 1½d	0 0 7½
	<hr/>
Sterling,	0 1 3
1-9th,	0 0 2
	<hr/>
Halifax currency,	0 1 5

RESOLVED, That the said Petition be referred to a Committee of five Members, to examine the contents thereof, and to report thereon with all convenient speed, with power to send for persons, papers and records.

ORDERED, That Mr. Belanger, Mr. Cuvillier, Mr. Papineau, Mr. Neilson and Mr. Davidson, do compose the said Committee.

(Signed) Wm. LINDSAY,
Clerk Assembly.

THURSDAY, 4th March, 1824.

Mr. BELANGER, from the Special Committee to whom was referred the Petition of the Merchants and Ship Owners of the City of Quebec, reported that the Committee had examined the contents of the said Petition, had heard evidence in support thereof, and had come to an opinion thereon, which he was directed to submit to the House whenever it shall be pleased to receive the same, and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read as followeth:—

HOUSE OF ASSEMBLY,

COMMITTEE ROOM,

THURSDAY, 5th February, 1824.

In Committee on the Petition of the Merchants and Ship Owners of the City of Quebec.

PRESENT,—Messrs. PAPINEAU, NEILSON, CUVILLIER, DAVIDSON, and BELANGER.

Mr. BELANGER called to the Chair.

Read the order of reference.

Ordered, That William Price, Esquire, be required to appear before this Committee, to-morrow, at ten o'clock, A. M. to be examined on the matter referred.

Adjourned.

MONDAY, 10th February, 1824.

PRESENT—Messrs. BELANGER, NEILSON, and DAVIDSON.

Mr. BELANGER in the chair.

WILLIAM PRICE, Esquire, appeared before your Committee, and was examined as follows :

Q. 1. You are a Merchant of the City of Quebec, and a Member of the Committee of Trade for this City?

A. Yes.

Q. 2. How long have you resided in this Country and been engaged in Trade?

A. I have resided in this Country nearly fourteen years, and have been engaged in Trade nine years.

Q. 3. What is the description of Trade in which you are particularly engaged?

A. The general business of a Merchant.

Q. 4. The Merchants, in their Petition referred to this Committee, complain of various abuses, exactions and grievances, in relation to the Custom House injuriously affecting the interest of the Petitioners and the Trade of the Country; can you state any facts upon which such complaints are founded, and how the Trade and Navigation have been affected by the said abuses?

A. The high and disproportionate Fees which are exacted by the Officers of the Customs, appear to me to be a great abuse and grievance to the Trade, such Fees being considerably higher than they are entitled to exact by the Docket which the Collector has declared to be the only one by which they can legally demand or receive Fees, (excepting with regard to Certificates,) and which, he has also declared, he and all the Officers under his survey are ordered most strictly to conform to.

In most instances I have not been particular, in the entry in my Books, in separating the sums paid to the different Officers. I can, however, state the following instances.—First, with regard to my two Schooners which were employed during last season on the Coasting Trade, and the Fees paid on them were considerably less than those exacted on Vessels of the same class the previous seasons

I paid on my Schooner Marie Catherine, 69 Tons, to Miramichi, being the first voyage out of the Province, and therefore not subject to Entrance Fees, viz:—

Entry outwards.....	£0 7 4	
<i>Collector and Comptroller.</i>		
Clearance.....	£2 6 0	
Fee for Certificate..	0 3 4	
	<hr/>	2 9 4
<i>Walters and Searchers.</i>		
Clearance - - -	0 12 6	
Fee on Certificate -	0 1 2	
	<hr/>	0 13 8
		<hr/>
		3 10 4
Naval Officer	1 10 6	
	<hr/>	£5 0 10
		<hr/> <hr/>

In this voyage the Vessel was loaded by myself with provisions, therefore required but one Docket and no Bond.

If the Port of Miramichi be considered as subject to the Fees, under the head "Of Vessels from the Bay of Fundy, Louisburg, Canso," &c. the following are the Fees which the Docket at the utmost appears to allow:—

Entry outwards,	£0 2 9	
<i>Collector and Comptroller.</i>		
Clearance, 4s 6d and		
2s 3d, sterling,	£0 7 6	
Cockets, 2s and 1s,		
sterling,	0 3 4	
Certificate,	0 3 4	
	<hr/>	£0 14 2
<i>Walters and Searchers.</i>		
Clearance, 2s 3d and		
5½, sterling,	£0 3 0½	
Cocket, 1s, sterling,	0 1 1	
Certificate,	0 1 2	
	<hr/>	0 5 3½
		<hr/>
		£1 2 2½

And Naval Office fees and dues,

£

Recapitulation.

Paid,	£3 10 4
Allowed by Docket,	1 2 2½
	<hr/>
Over exacted,	£2 8 1½
	<hr/> <hr/>

If the said Port is considered as subject to the Fees under the head of "Vessels from the Colonies," then the following appear to me to be the utmost which could be demanded, according to the Docket:—

Entry outwards,	£0 2 9
<i>Collector and Comptroller.</i>	
Clearance 9s and 4s 6d,	
sterling,	£0 15 0
Cockets, 3s, sterling,	0 3 4
Certificates,	<hr/>
	1 1 8
<i>Waiters and Searchers.</i>	
Clearance, 4s 6d and	
11d, sterling,	£0 6 0½
Cockets, 1s, sterling,	0 1 1
Certificate,	0 1 2
	<hr/>
	0 8 3½
	<hr/>
	£1 12 8

And Naval Office fees and dues,

£

Paid,	£3 10 4
Allowed by this,	1 12 8
	<hr/>
Over exacted,	£1 17 8
	<hr/> <hr/>

In this instance there appears to be an over exaction by the Custom-House Officers of £2 8 1½ or £1 17 8 in my opinion the former, because I think that *Miramichi* should be considered under the Head of "Vessels from Bay of Fundy, "Louisbourg, Canso &c." In an old Copy of the Docket which I have and now exhibit, the Roman Letters " &c. " follow the word *Canso*. I paid on the *Marie Catherine's* second voyage to Halifax after having returned here in ballast.

July 16th	Entry outwards	£	7	4	
	Collector and Comptroller	5	2	4	
	Searchers	1	5	0	
					6 14 8
	Naval Office				2 13 6
					<u>£ 9 8 2</u>

In this Voyage the Vessel was loaded by myself with Provisions, therefore required but one Docket and no Bond.

Sept. 3d. On her third Voyage to
Newfoundland, Total £ 8 13 11

Nov. 18th On her fourth Voyage to
Halifax, Total £10 5 8

Considering Halifax to be a Port under the head " of Vessels from Bay of Fundy," &c. and if a Vessel arriving in ballast is by right subject to entrance Fees, the following appear to me to be the sums which the Officers were entitled to demand, viz.

Entry outwards		£0	2	9
Collector and Comptroller,				
Entrance fees 4s. 6d. and 2s. 3d. sterl.	£0	7	6	
Clearance fees 4s. 6d. and 2s. 3d.	0	7	6	
Cockets 3s. sterling,	0	3	4	
Certificates	0	3	4	
				<u>1 1 8</u>

Waiters and Searchers,				
Entrance fees 2s. 3d. and 5½d. sterling	£0	3	0½	
Clearance 2s. 3d. and 5½d.	0	3	0½	
Cockets	0	1	1	
Certificates	0	1	2	
				<u>0 8 4</u>
				<u>£ 1 12 9</u>

And Naval Office Fees

£

Recapitulation.

Paid as above,	£6	14	8
Allowed by this,	1	12	9
			<u>£5 1 11</u>

If under the head of "Vessels from the Colonies" and if subject to Entrance Fees, coming in ballast, the following appear to me to be the Fees which the Officers are entitled to demand, viz. :—

Entry outwards, <i>Collector and Comptroller.</i>	£0	2	9
Entrance Fees 9s 0d and 4s 0d sterling,	£0	15	0
Clearance 9s 6d and 4s 6d stg.	0	15	0
Cockets,	0	3	4
Certificates,	0	3	4
			<hr/>
		1	16 8

<i>Waiters and Searchers.</i>			
Entrance 4s 6d and 11d sterling,	£0	6	0½
Clearance 4s 6d & 11d sterling,	0	6	0½
Cocket,	0	1	1
Certificate,	0	1	2
			<hr/>
		0	14 4
			<hr/>
		£2	13 9

Naval Office,

			<hr/>
			£
			<hr/>
Paid,	£6	14	8
Allowed by this,	2	13	9
			<hr/>
Over exacted,	£4	0	11

Therefore, in this instance I consider that the Officers have exacted from me illegally on this voyage £5 0s 11d or £4 0 11 in my opinion the former, because I think Halifax should be included under the head of "Vessels from Bay of Fundy, Louisbourg, &c." and have made about the same over exactions on the two following voyages.

On my Schooner Charlotte, 89 tons; to Halifax.

May.—First voyage, never before out of the Province, therefore not subject to Entrance fees.

I paid, Entry outward, Collector and Comptroller.	£0 7 4
Clearance, Certificate,	£2 6 0 0 3 4
	<u>2 9 4</u>
Waiters and Searchers.	
Clearance, Certificate,	£0 12 6 0 1 2
	<u>0 13 8</u>
	<u>3 10 4</u>
Naval Office,	1 15 6
	<u>5 5 10</u>
June.—Charlotte, 89 tons, second voyage to Newfoundland, after returning from Halifax, in ballast.	
I paid, Entry outwards, Collector and Comptroller.	£0 7 4
Entrance and Clearance, Certificate,	£4 12 0 0 3 4
	<u>4 15 4</u>
Waiters and Searchers.	
Entrance and Clearance, Certificate,	£1 10 0 0 1 2
	<u>1 11 2</u>
	<u>6 13 10</u>
Naval Office,	3 9 3
	<u>10 3 1</u>

In the two last mentioned voyages the vessel was loaded by myself with provisions, therefore required only one Docket and no Bond.

July. I paid on her third voyage to Halifax :

Custom House Officers, } £11 2 11
Naval Office, }

September. I paid on her fourth voyage to Newfoundland :

Custom House Officers, } £11 2 3
Naval Office, }

November. I paid on her fifth voyage to Newfoundland :

Custom House Officers, } £10 9 6
Naval Office, }

According to the Analysis of Fees which I have taken from the Docket, and stated under the Fees exacted on the Marie Catherine, I consider myself over-charged either £2 8 2 or £1 17 8, in my opinion the former.

On her second voyage £5 1 1 or £4 0 11, in my opinion the former; and on the three following voyages about the same over charges.

I have the particulars of only one of my Clearances on large vessels last season, viz :

September 8th. Bark Mint, 469 tons, to London.

Entry outwards,	£0	7	4
Collector and Comptroller,	£4	10	11
2 Certificates,	0	6	8
		<u>4</u>	<u>17</u> 7
Searchers, &c.			
Clearance,	£2	5	0
2 Certificates,	0	2	4
		<u>2</u>	<u>7</u> 4
			<u>7</u> 12 3
Naval Office Fees and dues,		7	6 0
			<u>14</u> 18 9

In 1822 I paid higher Fees, viz :

June 26th. Bark Sally, 313 tons, to London.

Entry outwards,	£0	7	4
Collector and Comptroller,	5	3	2
Searchers,	2	7	4
		<u>7</u>	<u>17</u> 10
Naval Officer,	5	10	10
		<u>13</u>	<u>8</u> 8

I paid for the Clearances of many other vessels about the same sums to the different officers.

The following appear to me to be the Fees which the Officers were entitled to demand on these vessels, according to the Docket, viz :

Entry outwards,	£0	2	9
Collector and Comptroller.			
Entrance 9s. and 4s 6d. stg.	£0	15	0
Clearance 9s. and 4s. 6d. stg.	0	15	0
Additional, being Foreign Top-			
sail 4s. 6d. and 2s. 3d. stg.	0	7	6
Cockets,	0	3	4
2 Certificates,	0	6	8
		<u>2</u>	<u>7</u> 6
Waiters and Searchers.			
Entrance 4s. 6d. & 11d. stg.	0	6	0 $\frac{1}{2}$
Clearance do. do.	0	6	0 $\frac{1}{2}$
Additional, being Foreign Top-			
sail 2s. 3d. & 6d. sterling,	0	3	1
Cockets,	0	1	1
2 Certificates,	0	1	2
		<u>0</u>	<u>17</u> 5
			<u>£3</u> 7 8
Naval Officer,			

Therefore in my opinion, I was overcharged on the clearances of the Bark Mint £4 4 7 currency—Bark Sally £4 10 2 currency—and about the same on all the large vessels which I have cleared.

In consequence of a trifling alteration to my schooner the Marie Catherine, I was obliged to take out a new Register, and also one for my new Schooner the Charlotte, for these I paid, Collector and Comptroller, £1 10 7

Searcher, 0 11 8

————— £2 2 3

By the Docket I can only find that the Officers are entitled to exact,

New Register and Recording	£0 19 4
Endorsing a Register	0 3 7½
Probably a Bond	0 2 9
	—————
	£1 5 8½

It is customary to pay the Searcher for measuring the vessel, 11s. & 8d. allowing this, there then appears to be an overcharge of 4s. and 11d. on each Register.

The trade is most injuriously affected by these abuses, particularly the coasting trade now undoubtedly suppressed by the discouraging effect of the Port charges. If our vessels were subjected only to a moderate charge, I am convinced that they would be the means of employment and indeed of prosperity to numerous individuals residing on the banks of this river. Now every voyage a vessel makes, she is subject to a repetition of the same fees, exacted by the Custom House Officers and Naval Officers, and the more voyages made the more money is lost, unless by chance an extraordinary freight is obtained. I will state an example.

The rates of freight to Halifax last season during the summer months were 2s., 2s. 3d. and 2s. 6d. per barrel of flour.

July 17—My Schooner carried down there at the rate of 480 barrels of flour and returned (as was always the case) in ballast, giving her credit at the mean rate, her gross freight was £54 0 0

Her Custom House and Naval Office fees

here, were £9 8 2

At Halifax 5 16 4

————— £15 4 6

More than one fourth of her gross freight.

Expenses of the voyage.

Port charges	£15	4	6
Pilotage	10	14	9
Insurance	9	6	3
Captain and Seamen's wages	33	2	0
Provisions and labour	23	8	11
	—————£91 16 5		

The Honorable Mathew Bell can give the Committee a more striking example of his schooner, her gross freight was £42. The charges of course ought by Docket, to be the same as on mine.

The total amount of the Custom House and Naval Office fees and dues last season here and at the lower ports on my two schooners were

Charlotte, 89 tons	£76	1	11
Marie Catherine, 69 tons	53	19	6

I lost considerably on both these vessels.

The Trade suffers in other ways, with regard to coasting vessels, by the abuses complained of—Owing to the high port charges, the owners cannot afford to equip their vessels well and keep them in staunch condition. I have never, in any port in which I have been, seen such miserable craft as are generally navigated in this River; with few exceptions, it is unsafe to ship in them towards the Fall of the year; and, indeed, such is their character at New-York, that, at that period, Insurance cannot be effected on Goods, by them, at any rate. The Merchants, therefore, are unprovided with vessels when they are most wanted, and when the Trade ought to be most brisk to send off our surplus stock of produce, and to furnish the lower ports with their supplies for the winter—such was the case last fall.—A large surplus stock of flour and other produce remained in our Merchants' Stores—Flour and provisions were wanted at Halifax, Newfoundland and Miramichi—no coasting vessels fit to be sent to sea were to be had except my Schooners, one of them I chartered at the high freight of 5s. 6d. per barrel of Flour to Halifax; for the other Schooner I could have had the same, but wanted her on my account for Newfoundland, excepting about a sixth of her cargo, which I took in beef at the high freight of seven shillings and six pence per barrel.

At the same moment, the Americans were probably carrying from their ports at the rate of two shillings per barrel, which was their current rate last winter. The current rate from Boston to Halifax, is one shilling and six pence in the summer months; thus, at the most important period of the season,

when we ought to furnish the Lower Ports with their supplies for six months, is the protecting duty on American produce, of five shillings and six pence per barrel of flour, for the encouragement of our Trade and Agriculture, most materially counteracted by the extraordinary freight the Merchants are obliged to pay for the want of fit vessels, and thus I think the trade and navigation most injuriously affected by the abuses complained of.

With respect to the charges on large vessels, the complaints from Ship Owners and Masters are frequent respecting them; they prefer to charter their Ships principally to the lower ports on this account, as a proof of which, the rate of freight on timber from Miramichi, Bay Chaleur, St. John's, &c. &c. is five shillings per load less than from Quebec, and thus are the chief articles of our produce, pine timber, deals, &c. discouraged to the extent of from one third to one fourth of their cost here. I consider the very limited space of time given by the Officers for attendance to public business a great abuse and grievance—their declared office hours are from ten until twelve to receive papers for the clearance of vessels, and from ten until two for general business. In the busy period of the season the office is so crowded during the office hours that a forenoon is frequently lost in making an entry, when time is of the utmost consequence to the merchant. It would be a great convenience to the Trade if reasonable business hours, viz. from nine until one to receive papers for the clearance of vessels, and from nine until four for general business were given to the public.

Besides the detention which I have frequently felt the inconveniences of, in the transaction of my Custom House business, I can here state a most serious loss sustained in consequence of the Office hours closing at two.

The Brig Orion, belonging to Messrs. H. Malthie & Co. of Liverpool, arrived to my Address, in June last, with a cargo of Brandy, and was to proceed immediately to Montreal, it was then blowing a fresh Easterly wind. I sent the papers and entries with all possible despatch to the Custom House, it must have been but a few seconds after two, when my Clerk reached the Counter with the Entry—it was refused. I protested, the Notary was at the Custom House at three quarters past three o'clock, the answer was—"the Office hours are past, and if you come to-morrow morning, at ten o'clock, I will give you an answer." The Brig was consequently detained, and was unable to leave the Port until twenty-four hours after, soon after which the wind shifted, she had a te-

dious voyage to Montreal, and was ultimately unloaded at the foot of the Current there, for want of a wind to take her up.

Q. 5. The Petitioners state the Custom House fees have been materially encreased since the Department became under the direction of the present Collector. Is it so to your knowledge?

A. It is.

Q. 6. Can you state in what?

A. In 1810, when I first transacted Custom House business here, and for two or three years afterwards, the Fees I paid on clearing large vessels, were :

Entry outwards,	£0	2	9
General Fees without explanation,	5	5	0

And a gratuitous fee of one to three Dollars, was given to the Waiters.

We now pay, on these occasions, the Fees I have enumerated in my reply to question No. 4.

Besides, these there has since been a greater addition of Fees in number, the Fee on entering Bonded Goods, and paying Crown Duty, was formerly only two shillings and nine pence. The Fees at present exacted, on entering Bonded Goods, and making a deposit for Crown Duty, is nine shillings and four pence, and when the true amount of the Crown Duty is ascertained by the gauge of the articles, and you make a settlement with the Officers, they exact from you a further Fee of six shillings and nine pence, which is unintelligible by the Docket.

The same with a Bill of Sight, when you have no means of ascertaining the value of your Goods before landing, on giving a permit to land the articles, the Officers exact from you seven shillings and four pence, and when the value is ascertained, and you make a settlement, they exact from you a further Fee of seven shillings and four-pence, these Fees fall extremely heavy on the small articles generally under these circumstances.

Formerly a passenger was not obliged to pass an Entry for his baggage, now he is obliged to do so, and pay the same Fee which is exacted on making an Entry of Merchandize.

A charge of one pound is now made on Ships which have brought passengers, which was not formerly the case.

Q. 7. Do the Officers of the Customs refuse explanations of the Fees which they charge when required by the parties of whom they are demanded?

A. It is many years since I have transacted my own business, at the Custom House, but it is so well understood that they do

refuse explanations, that I should have considered it needless to ask. I recollect, however, about the year 1814, when the Fee of Entry, outwards, was risen from two shillings and nine pence to seven shillings and four pence, asking the Collector for an explanation, his reply was nearly in the following words: "That previously the poor unfortunate Captain was made to pay for the Cocket in the Clearance, but that in future he intended that it should be borne, as it ought to be, by the Merchant." The Fees of Clearance, however, were not reduced!

Q. 8. Can you in any way account for the differences between the former and the present charges for Fees at the Custom House?

A. The differences are quite unaccountable to me, there has been no alteration in the Docket, which the Collector has declared himself, and all the Officers under his survey, to be ordered strictly to conform to; and, therefore, I cannot understand why there should be a difference and increase, which has been the case both in number and amount.

Q. 9. Did you ever get any detailed account of the charges made at present for Fees on any of your Vessels? and if so, will you produce them, or any of them?

A. I have never had any detailed account from the Officers.

Q. 10. Do you know if any other person has had such detailed accounts, and who?

A. I know of no instance of detailed accounts of Fees charged having been given by the Officers.

Q. 11. Have you, or any other person to your knowledge, ever asked of the Collector or Comptroller, or person to whom payment was made of Fees, for such detailed accounts?

A. I have not; nor was I ever present when detailed accounts were asked for, but I have been told by many that they have been refused, and it is notorious that they do so.

Q. 12. Do you know of any representations ever having been made on your part, or on the part of the Merchants, to the Collector or Comptroller on the subject of increased Fees? or of any other representation, by any other authority, on that subject and when?

A. In 1817, a representation was made to the Lords of the Treasury of the Fees exacted by the Officers, and a Copy of that representation was sent by the Merchants who made it to the Collector.

Q. 13. Do you know what are the Custom House charges in the United States, on Vessels of the description of yours, bound on similar voyages, and with similar cargoes?

A. I do not know what the charges are on Coasters in the United States, but the following, I know, are the charges on American or British Vessels, 80 Tons, from their possessions in Europe :

Custom House Charges.		Dollars.	Cents.
Entry Fee,	- -	3	0
Clearance,	- -	1	50
Measurement,	- -	1	50
		<hr/>	<hr/>
		6	0
		<hr/>	<hr/>
Tonnage duty, 6 cents per Ton,		4	80
		<hr/>	<hr/>
Harbour Master,	-	1	20
		<hr/>	<hr/>

Q. 14. Do you know the general state of the profit and loss amongst the owners of River and Coasting Craft in this Province, and will you state to the Committee the knowledge you have on the subject ?

A. I can only speak with regard to myself and the Merchants in Town who are proprietors of Vessels in the Coasting Trade to Halifax, Newfoundland, &c. with us they have been universally unprofitable, and I know that the Halifax Merchants would not send their Vessels here last year, as they said, on account of the high charges.

Q. 15. Do you ascribe the want of fit and sufficient Vessels for the Coasting Trade of which you complain, chiefly to the high Fees and Custom House dues ? and what other causes operate to produce that effect ?

A. I do ascribe the want of fit and sufficient Vessels for the Coasting Trade chiefly to the high Custom House and Naval Office Fees ; the charges which I paid on my two Schooners, last season, viz :—

On the Charlotte, 89 Tons, £76 1 11

On the Marie Catherine, 69 Tons, 53 19 6

Which would in each instance be nearly an adequate profit to the Country *Caboteur*.

Q. 16. Can you inform the Committee what is the average difference of the expences of a voyage from England and back to the Port of New-Brunswick, and the Port of Quebec ?

A. It is not in my power to answer that question.

Q. 17. What is the difference between a voyage from England and back to the Bay of Gaspé, and to Quebec ?

A. I am also unable to answer that question.

JAMES CHISHOLM MCTAVISH, Esquire, then appeared before your Committee, and was examined as follows :

Q. 1. You are a Merchant of the City of Quebec, and a Member of the Committee of Trade for this City ?

A. I am a Merchant of the City of Quebec.

Q. 2. How long have you resided in this Country and been engaged in Trade ?

A. I have resided here about nineteen years, and been engaged in Trade above six years.

Q. 3. What is the description of Trade in which you are particularly engaged ?

A. Fur Trade.

Q. 4. The Merchants, in their Petition referred to this Committee, complain of various abuses, exactions and grievances, in relation to the Custom House, injuriously affecting the interest of the Petitioners and the Trade of the Country, can you state any facts upon which such complaints are founded, and how the Trade and Navigation have been affected by the said abuses ?

A. The principal complaint which I have to make, is respecting the Fees exacted by the Custom-House Officers on the Sloop Reward and Schooner Adelaïde, both under my management.

Q. 5. What tonnage is the Sloop Reward ?

A. Ninety-eight tons.

Q. 6. In what Trade is she employed, and to what Port do you generally send her from this ?

A. In the Fisheries and Fur Trade—I generally send her to the Seigniories of *Mille Vaches* and *Mingan*—*Mille Vaches* is within the limits of the County of Northumberland in this Province, and *Mingan* is situated eighteen miles beyond the Provincial Line, and within the Government of Newfoundland.

Q. 7. Will you be good enough to state to the Committee, the Custom House Fees you have paid on her, on each clearance, as particularly as you are able, during the last two years ?

A. They are as follows :

Memorandum of Fees paid at the Custom House, by James Chisholm McTavish, during the Year 1822 and 1823.

1822
Sloop Reward, 98 tons,
16 h May.

Entry outwards,	20	7	4
Coll. and Compt.	6	14	5
Waiter and Searcher,	1	6	0
	<hr/>		
	8	7	9

15th June.

Entry outwards,	10	7	4
Coll. and Compt.	6	12	8
Waiter & Searcher,	1	6	0
	<hr/>		
	8	6	0

8th August.

Entry outwards,	10	7	4
Coll. and Compt.	5	17	1
Waiter and Searcher,	1	6	0
	<hr/>		
	7	10	5

7th October.

Entry outwards,	10	7	4
Coll. and Compt.	4	8	2
Waiter and Searcher,	1	6	0
	<hr/>		
	7	1	6
	<hr/>		
	131	5	8

Schooner Adelaïde, 50 tons.
16th May,

Entry outwards,	10	7	4
Coll. and Compt.	4	9	2
Waiter and Searcher,	1	6	0
	<hr/>		
	7	2	6
	<hr/>		
	138	8	2
	<hr/>		

1823.
Sloop Reward.
14th May.

Coll. and Compt.	14	14	0
Waiter & Searcher,	1	5	0
Entry outwards,	0	7	4
Salt bond 8s. 4d. and			
Cocket 1s. 2d.	0	9	6
	<hr/>		
	6	15	10

13th June.

Coll. and Compt.	13	18	6
Waiter & Searcher,	1	5	0
Entry outwards,	0	7	4
Salt bond 8s. 4d. and			
Cocket 1s. 2d.	0	9	6
	<hr/>		
	6	0	4

8th August.

Coll. and Compt.	13	18	6
Waiter & Searcher,	1	5	0
Entry outwards,	0	7	4
Salt bond 8s. 4. and			
Cocket 1s. 2d.	0	9	6
	<hr/>		
	6	0	4

29th Sept.

Coll. and Compt.	13	18	4
Waiter & Searcher,	1	5	0
Entry outwards,	0	7	4
Salt bond 8s. 4d. and			
Cocket 1s. 2d.	0	9	6
	<hr/>		
	6	0	2
	<hr/>		
	£24	16	8

Schooner Adelaïde, to Port Neuf,
in the Province.
19 h May.

Coll. and Compt.	0	4	2
Entry outwards,	0	7	4
Salt bond 8s. 4d. and			
Cocket 1s. 2d.	0	9	6
	<hr/>		
	1	1	0

13th June.

Coll. and Compt.	10	4	4
Entry outwards,	0	7	4
	<hr/>		
	0	11	8
	<hr/>		
	126	9	4

Q. 8. Have you ever required explanations of those Fees from the Officers of the Customs, and have they given them to you?

A. In 1817, on the 2d of October, I asked Mr. Secretary, the principal Clerk then in the Office, for the particulars of the clearance of the Sloop Reward. They were denied to me; and the only explanation I could obtain, was his handing

to me over the desk, a slip of paper containing the figures "£2 11 7," which sum I paid to him.

Q. 9. Have you paid any Fees for clearing any other Vessel for the same destination, and to what amount?

A. I have paid Fees for the Schooner *Adelaide*, on the same destination and employed in the same trade as the Sloop *Reward*; she is only 49 Tons burthen, and the Fees I paid on her were the same as on the Sloop *Reward*.

Adjourned.

TUESDAY, 10th February, 1824.

Present, all the Members.

Mr. BELANGER in the Chair.

ANDREW MOIR, Esquire, appeared before your Committee, and was examined as follows:—

Q. 1. You are a Merchant of the city of Quebec, and a Member of the Committee of Trade for this city?

A. Yes.

Q. 2. How long have you resided in this country and been engaged in business?

A. Since the year 1811.

Q. 3. What is the description of Trade in which you are particularly engaged?

A. General business.

Q. 4. The Merchants in their Petition referred to this Committee, complain of various abuses, exactions and grievances in relation to the Custom House, injuriously affecting the interest of the Petitioners and the Trade of the Country; can you state any facts upon which such complaints are founded, and how the Trade and Navigation have been affected by the said abuses?

A. I can merely state that the Fees paid to the Custom House Officers, and at the Naval Office, are found high and detrimental to Trade.

Q. 5. Will you be good enough to state to the Committee the Fees you have paid for some years back on the entrance and clearance of Vessels, giving one or two instances of each year, likewise, what other Fees you pay in transacting other business at the Custom House?

A. I have found Fees on different Vessels, according to the statement which I now produce.

1816.

July 14.—Brig *Penrose*, 270 tons, with a cargo from *Waterford*, *Lisbon* and *Newfoundland* :

Collector and Comptroller,	£5	18	9
Naval Office,	5	0	2
Searchers,	2	0	5
	<hr/>		
	£12 19 4		
	<hr/>		

1816.—Brig Hibernia, 113 Tons,
with passengers.

Collector and Comptroller,	£5	3	2
Land Certificate,	0	5	7
Naval Office,	4	0	1
Harbour Master,	0	10	0
Searchers,	2	10	4
	<hr/>		
	£12 9 2		
	<hr/>		

1818.

June 24.—Brig Henry, in bal-
last, 329 Tons.

Collector and Comptroller,	£5	6	6
Naval Office,	5	13	4
Searchers,	2	4	0
Sufferance,	0	7	4
	<hr/>		
	£13 12 2		
	<hr/>		

1818.

July 17.—Brig Transit, in bal-
last, 290 Tons.

Collector and Comptroller,	£5	8	9
Naval Office,	5	13	7
Searchers,	2	5	0
Sufferance,	0	7	4
	<hr/>		
	£13 14 8		
	<hr/>		

June 9.—Brig Jolly Bachellor,
90 Tons, with Coals.

Collector and Comptroller,	£5	3	2
Naval Office,	4	3	5
Searchers,	2	6	9
Sufferance,	0	7	4
	<hr/>		
	£12 0 8		
	<hr/>		

1819

June 22.—Brig Prince Cobourg,
221 Tons, in ballast.Collector and Comptroller,
Naval Office,
Searchers,
Sufferance,

£5	6	6
5	15	0
2	5	0
0	7	4
<hr/>		
£13 11 10		

Oct. 4.—Brig Glory, 248 Tons,
in ballast,Collector and Comptroller,
Naval Office,
Searchers,
Sufferance,

£5	18	9
5	8	5
2	5	0
0	7	4
<hr/>		
£13 19 6		

1820.

June 17.—Brig Venus, 206 Tons,
in ballast.Collector and Comptroller,
Naval Office,
Searchers,
Sufferance,

£5	13	2
5	10	1
2	5	0
0	7	4
<hr/>		
£13 15 7		

1820.

June 15.—Brig Norval, 190 Tons,
in ballast.Collector and Comptroller,
Naval Office,
Searchers,
Sufferance,

£6	2	1
5	6	9
2	5	0
0	7	4
<hr/>		
£14 1 2		

1821.

Sept. 8.—Ship Mary, 300 Tons,
in ballast.Collector and Comptroller,
Naval Office,
Searchers,
Sufferance,

£5	18	9
5	14	3
2	5	0
0	7	4
<hr/>		
£14 5 4		

1821.

Octr. 2d—Brig Venus, 206 tons,
in ballast.

Collector and Comptroller,	£5	8	9
Naval Office,	5	11	0
Searchers,	2	5	0
Sufferance,	0	7	4
	<hr/>		
	£13 12 1		
	<hr/>		

1822.

Aug. 19.—Brig Neptune, 27 tons,
in ballast.

Collector and Comptroller,	£5	8	2
Naval Office,	4	18	6
Searchers,	2	5	0
Sufferance,	0	7	4
	<hr/>		
	£12 19 0		
	<hr/>		

Nov. 11, Brig Utility, 229 tons, in ballast,

Collector and Comptroller,	£5	8	9
Naval Office,	5	5	10
Searchers,	2	5	0
Sufferance,	0	7	4
	<hr/>		
	£13 6 11		
	<hr/>		

1823.

June, 23, Ship Brilliant, 332 tons, in ballast,

Collector and Comptroller,	£4	17	7
Naval Office,	6	0	10
Searchers,	2	5	0
Sufferance,	0	7	4
	<hr/>		
	£13 10 9		
	<hr/>		

Octr. 18.—Brig Cæsar, 272 tons in ballast,

Collector and Comptroller	£4	17	7
Naval Office,	5	9	4
Searchers,	2	5	0
Sufferance,	0	7	4
	<hr/>		
	£12 19 3		
	<hr/>		

1816;

Brig Perseverance, about 116 tons,			
Collector and Comptroller,	£5	3	2
Certificates,	0	3	4
Naval Office,	4	8	8
Harbour Master,	0	10	0
Searcher,	2	10	4
	<hr/>		
		£12	15 6

was wrecked near Goose Island in going down the River, had to land her cargo, wintered, reloaded next spring, and on her sailing had to pay

Collector and Comptroller,	£5	8	9
Naval Office,	2	2	10
Searchers,	2	0	4
	<hr/>		
		£9	11 11
		<hr/>	
		£22	7 5
		<hr/>	

1816.

Brig Isabella and Euphemia, 79 tons, with passengers,			
Collector and Comptroller,	£5	3	2
Searchers,	2	0	5
Naval Office,	3	16	0
Harbour Master,	0	10	0
	<hr/>		
		£11	9 7

was injured by the Ice at Saint Patrick's Hole, about nine miles below Quebec, had to return, wintered at Quebec, did not break bulk, and on sailing next spring was obliged to pay

Collector and Comptroller,	£5	3	2
Naval Office,	0	16	9
Searchers made no charge,	<hr/>		
		£6	7 3
		<hr/>	
		£17	16 10

I wish to call the attention of the Committee to the case of the Brig Isabella & Euphemia, which I cleared in the fall of 1816, and paid, as appears by the above statement £11 9 7. The vessel sailed, was damaged by the ice at St. Patrick's Hole, returned to Quebec where she wintered. She never broke bulk, and on her sailing again the following spring was obliged to pay a second clearance to the Collector and Comptroller, amounting to £6 7 3—The Searchers would receive no fees.

Q. 6. Do the Custom-House Officers refuse to give explanations or detailed accounts of the Fees they exact ?

A. I do not recollect that I ever demanded.

Q. 7. What do you understand to be the public hours of the Custom House.

A. From ten A. M. to two P. M. and they do not pledge themselves to clear a vessel in the day unless the manifest be given in before twelve o'clock.

Q. 8. Do you consider them sufficient for the convenience of the Trade.

A. I do not.

Q. 9. Do you know if any representations were ever made on your part or on the part of the Merchants, to the Collector and Comptroller, on the subject of increased Fees, or of any other representation by any other authority on that subject, and when ?

A. A memorial was sent to England, I think in 1817, by the Merchants of this place, complaining of the high rates of Fees exacted by the Custom House Officers—No answer was given and no relief granted.

Q. 10. Are the Merchants aware that the Custom-House Fees in the Colonies, are to come under consideration in Parliament at the present or ensuing Session ?

A. The Committee of Trade have no information of it, and it is the first time I heard any mention of the subject.

Q. 11. You mention that you paid Fees on the clearance of the *Isabella* and *Euphemia* a second time, although she had not broke bulk ; was the circumstance of her not having broke bulk made evident to the Custom-House Officers, and were any objections made on your part to the second payment ?

A. I remonstrated against the second payment, and informed the Officers of the Customs that the vessel had not broke bulk ; but they insisted on the papers being given in the office, and on the payment of the Collector and Comptroller's Fees.

Q. 12. At what time of the year does the principal business of the Merchants at the Custom House usually commence, and when does it close ?

A. It commences in May and ends with November.

Q. 13. Have they any business to transact at the Custom-House during the rest of the year, excepting for the purposes of cancelling Bonds ?

A. Not to my knowledge.

Q. 14. Have you, or any other person to your knowledge, had any complaints from your correspondents or others, that the charges and dues at the Port of Quebec are uncommonly high ?

A. Yes; I have had frequent complaints, and have been informed by Merchants in England and Masters of Vessels, that they preferred sending the vessels to the Lower Ports, where cargoes could be had on the same terms, in consequence of the high charges to which they are subject in this Port.

Q. 15. What are the charges or dues which are chiefly complained of as being too high.

A. I answer, generally, that the Fees paid at the Custom-House, and the Fees and dues at the Naval Office, are found high and injurious to the Trade.

MARTIN CHINIC, Esquire, then appeared before your Committee and was examined as follows :

Q. 1. You are a Merchant of the City of Quebec ?

A. Yes.

Q. 2. How long have you resided in this Country and been engaged in Trade ?

A. I am a native of Quebec, and have been engaged in Trade in this Province upwards of thirty years.

Q. 3. What is the description of Trade in which you are particularly engaged ?

A. In the general business of a Commission Merchant.

Q. 4. The Merchants, in their Petition referred to this Committee complain of various abuses, exactions and grievances, in relation to the Custom House injuriously affecting the interest of the Petitioners and the Trade of the Country, can you state any facts upon which such complaints are founded, and how the Trade and Navigation have been affected by the said abuses.

A. I understand the Fees of our Custom House are regulated by the Halifax, and Nova-Scotia Docket of Fees.

The Fees exacted on coasting vessels here, are a great deal more than exacted at Halifax; there, a vessel pays to the Collector and Comptroller, for entering & clearing, from thirty-five to forty shillings, and at the Waiters and Searcher's office from fourteen to fifteen shillings; here, Schooners of 50 to 80 tons burthen from and to Halifax, pay from six to ten pounds, square rigged vessels of about 120 tons for the same voyage, pay from £13 to £14.

The expense of entering and clearing of ships from and to England amount to fifteen pounds. The Custom-House Fees are so great on small vessels, that, in my opinion, it prevents Merchants and others from being Proprietors of Crafts to carry on the Coasting Trade. It happens, most generally, that a quantity of provisions must remain on hand during the winter, for want of vessels to export to Newfoundland, Nova-

Scotia and New-Brunswick. Vessels from the United-States can afford to carry to the above ports at a freight of two shillings and six pence per barrel. Last fall, two Schooners put up for Halifax and Newfoundland. Shippers were compelled to give as high as five shillings and six pence per barrel of Flour, although Flour from the United-States is subject to a duty of five shillings, sterling, per barrel of Flour, yet, from the lowness of freight and Custom-House Fees, they can cope with us ; hence, it is obvious, that the object of Parliament in Great-Britain in imposing a duty of five shillings, sterling, per barrel on American Flour is, in a great measure, defeated.

Q. 5. Be good enough to state to the Committee a few instances of the Fees you have paid on the Entrance and Clearance of small Vessels engaged in the Coasting Trade from this Port, also Fees which were demanded of you in transacting other business at the Custom House ?

A. In 1822, 2d July—I cleared the Schooner John, 50 Tons, Captain Glosowan, from here to Halifax, and paid the following Fees :

Entry outwards,	£0	7	4	
Entrance and Clearance,	5	3	2	
Waiters and Searchers,	1	18	3	
				£7 8 9
Naval Office,	.	.	.	2 19 3
				£10 8 0

Q. 6. Do the Officers of the Customs refuse to give detailed accounts of the Fees they demand ?

A. They give no other explanation than the sum total to be paid, on a slip of paper.

Q. 7. What are the hours given at the Custom House for attendance to public business ?

A. They are from ten A. M. to two P. M. these hours are too limited for the number of Vessels entering and clearing ; were the hours altered from nine A. M. to two P. M. much convenience would arise and greater despatch be given to Vessels, which in the fall of the year is of the greatest consequence to the Trade.

GEORGE MONROE ROSS, of the City of Quebec, Clerk in the house of Messrs. Rogerson, Hunter & Co. next appeared before your Committee, and was examined as follows :

Q. 1. Do you transact the Custom House business of Messrs. Rogerson, Hunter & Co.

A. I do.

Q. 2. Be so good as to state to the Committee, in two or three instances, the Fees you have paid for that House on the entrance and clearance of Vessels bound to Saint Johns, in the Bay of Fundy?

A. I paid the following Fees :

1822.

17th October, Brig Squirrel, about 138 Tons, Mason master, bound to Saint Johns, New-Brunswick:

Collector and Comptroller, including General Hospital Bill,	} £9 1 10
Naval Office,	4 16 0
Searchers, including Certificates,	2 11 2
	<hr/>
	£16 9 0

1823.

May, I paid on the clearance of the same Vessel, for the same Port, as follows :—

Collector and Comptroller,	£4 14 11
Searcher's Office, including Certificates,	} 2 12 11
Naval Office,	4 17 10
	<hr/>
	£12 5 8

Q. 3. Can you state the Fees you pay on other general business at the Customs, besides the clearance of Vessels?

A. In entering a Vessel outwards, the charges made are as follows :—

In the Collector and Comptroller's Office,	£0 5 7
Searcher's do.	0 1 9
	<hr/>
	£9 7 4

Entering Dry Goods in the Collector and Comptroller's Office,	£0 2 3
Searcher,	0 0 7
	<hr/>
	0 2 10

Entering Goods by Bill of sight,	
Collector and Comptroller's Office,	£0 5 7
Searcher	0 1 9
	<hr/>
	£0 7 4

In cancelling that Bill of sight, the same fees are paid,	0 7 4
	<hr/>
	0 14 8

Making a Post Entry,				
Collector and Comptroller's Office,	£0	2	3	
Searchers,	0	0	7	
	<hr/>			0 2 10
In making an over Entry,				
Collector and Comptroller's Office,	£0	5	7	
Searchers,	0	1	2	
	<hr/>			0 6 9

1822.

October. I cleared Schooner John and Francis, 32 tons, bound to Miramichi and paid as follows :

Collector and Comptroller,	£3	1	7	
Searchers,	0	16	9	
Naval Office,	£2	2	6	
	<hr/>			£6 0 10
				<hr/> <hr/>

Adjourned.

WEDNESDAY, 11th February, 1824.

Present, all the Members,

Mr. BELANGER, in the Chair.

JOHN BONNER, of this City a Clerk in the House of Messrs. John Leather & Co. appeared before your Committee and was examined as follows :

Q. 1. How long have you resided in this Country ?

A. Two years.

Q. 2. What is the description of Trade, in which the House you belong to, are particularly engaged ?

A. In the shipping of lumber to Great Britain, and I have been employed in doing their Custom-House business.

Q. 3. Do the Officers of the Customs to your knowledge refuse detailed accounts or explanations of the Fees they demand, on the entrance and clearance of Vessels, and in other cases ?

A. They do, to my knowledge, refuse to do so in the entrance and clearance of vessels ; in the case of a vessel called the *Norval*, a brig, which I cleared on the ninth of August last, the Master in my presence and hearing demanded from Mr. John Bruce, the Collector's principal Clerk, an account of what the money which I was then in the act of paying was for ; the Clerk declined giving an answer.

Q. 4. Are the Fees intelligible to you on comparison with the Docket, suspended in the Custom-House, for public Inspection ?

A. They are not.

Q. 5. What are the Public Office hours at the Custom-House?

A. From ten A. M. to two P. M.

Q. 6. Are they sufficient for the transaction of the business of this Port with convenience to the Trade?

A. In my opinion by no means, and I think that an hour sooner in the morning, and an hour or two later in the afternoon, would greatly convenience the Trade of the Port.

WILLIAM PATTON, Esq. of the City of Quebec, Merchant, next appeared before Your Committee, and was examined as follows :

Q. 1. How long have you resided in this Country and been engaged in business?

A. Five years.

Q. 2. What is the description of Trade in which you have been particularly engaged?

A. General business of a Merchant.

Q. 3. Have you had any opportunity of clearing Vessels at the Custom-House, in this Port, and paying the Fees?

A. Yes.

Q. 4. Are you aware that the charges of the Customs are a subject of complaint as being exorbitant?

A. Yes.

Q. 5. Did you ever require from the Officers of the Customs detailed accounts or explanations of the Fees so paid to them, on the entering and clearing of Vessels, and in other cases?

A. Yes.

Q. 6. Were such explanations ever granted or refused to you, and if so can you state any particular instance?

A. They were refused to me; in 1819 being a Clerk to Mr. Atkinson, I requested the Clerks in the Custom-House Office for a detailed statement of the Fees which I was then paying on a Vessel clearing outwards, they answered that "they had none to give me," and since that time I have not put the question again: but since that period Captains of Vessels, at the request of their Owners, have asked me to inform them what they were paying for at the Custom-House, I have induced them to put the question themselves to the Clerks in the Office, which they have done in my presence, and have in all cases been refused.

Q. 7. Have you had an opportunity to examine the Docket suspended in the Custom-House Office for public inspection,

and can you say if the Fees that have been exacted from you are conformable to the same ?

A. I have examined them minutely, and I think they are not.

CHARLES ADOLPHUS HOLT, Esqr then appeared before your Committee and was examined as follows :

Q. 1. Are you a Merchant of this City ?

A. Yes.

Q. 2. How long have you resided in the Country and been engaged in business ?

A. I am born in this Country and have been engaged in Trade three years.

Q. 3. What is the description of Trade in which you are engaged ?

A. General business of a Commission Merchant.

Q. 4. Have you had any opportunity of clearing Vessels at the Custom-House in this Port, and paying the Fees ?

A. I have.

Q. 5. Are you aware that the charges of the Customs are a subject of complaint as being exorbitant.

A. Yes.

Q. 6. Did you ever demand detailed accounts or explanations of the Officers of the Customs when you paid to them the Fees they exacted ?

A. I did.

Q. 7. Were they granted or refused.

A. In clearing the American Brig Jones, last Spring, at the request of the Master, I demanded from the Clerks in the Custom-House Office a detailed statement of the Fees which I was then paying on the clearance of that Vessel ; they gave me for answer a slip of paper upon which were the figures of the total amount which I had to pay.

Q. 8. Do you know the Fees which are exacted in the American Ports on the entrance and clearance of their coasting vessels ?

A. I do not recollect precisely, but as nearly as I can remember they are from seven shillings and six pence to twelve shillings the whole amount.

Adjourned.

THURSDAY, 12th February, 1824.

Present, Messieurs Belanger, Neilson, Davidson and Cuvillier.

MR. BELANGER, in the Chair.

ANDREW PATTERSON, Esquire, appeared before Your Committee and was examined as follows :

Q. 1. You are a Merchant of the City of Quebec, and a Member of the Committee of Trade for the City ?

A. Yes.

Q. 2. How long have you resided in this Country and been engaged in Trade ?

A. I have been in this Country since 1801, and have been engaged in Trade the whole time, but on my own account since 1809.

Q. 3. What is the description of Trade in which you are particularly engaged ?

A. The general business of a Merchant.

Q. 4. The Merchants in their Petition, referred to this Committee, complain of various abuses, exactions and grievances in relation to the Custom-House, injuriously affecting the interest of the Petitioners and the Trade of the Country ; can you state any facts upon which such complaints are founded and how the Trade and Navigation have been affected by the said abuses ?

A. I consider in the first instance that the charges made in the Collector and Comptroller's Office, are very high and injurious to the Trade, and particularly to the Shipping interest. I can state two instances in which the Owners of Vessels clearing from this Port have been aggrieved ; the first was the Schooner Hermon, Thomas Milne, Master, in clearing in November 1818, the Captain complained of the Fees, when application was made for a statement of the same ; he was referred to the Collector who refused any explanation and merely pointed to the Table of Fees, which he stated, was their guide, from the manner in which this Table is made out, it is impossible for any person to find out in what way the sum exacted is to be made out, for in clearing the Fees exceed very far, what I have ever been able to make out they are authorized to receive.

The second instance is that of the Brig Woodman, Thomas Robson, Master, which cleared in August 1820, Captain Robson particularly refused to pay the sum demanded unless he could get some information, as he stated, the sum demanded exceeded what he had paid in the West Indies. In this as in the first instance, application was made to the Collector by Robson and myself, and we were equally unsuccessful ; the only satisfaction we could get was being again referred to the Table of Fees. When this refusal was made, I at the time, made a memorandum of the fact.

From the sum charged at the Custom-House for Fees on small Vessels from this to Miramichi, it was found to bear so

very heavy on those that made several Voyages in the course of the season, that I wrote a Letter in the name of my House on the 2d. November 1821, to the Honorable M. H. Perceval, Collector of the Customs at this Port, of which the following is a Copy :

Quebec, 2d Novr. 1821.

The Honorable
M. H. PERCEVAL.

Dear Sir,

“ We take the liberty of calling your attention to the particular hardship under which owners of small vessels trading to the sister Provinces at present labour. It has been heretofore the practice for the Collector and Comptroller to charge the same fees on vessels of the above description as they do on large vessels trading to Great-Britain, which under the present distressed state of trade, they can ill afford to pay, and it is a well known fact, that small vessels which make four or five voyages here in the course of the year, really pay more than vessels that make two voyages to Great-Britain or the West-Indies in the course of the season.

As instances of the heavy charges paid at the Custom-House in proportion to the earnings of small vessels, we beg leave to state two or three cases, we were lately in treaty for a Schooner of about 40 tons, to load flour for Miramichi, the whole freight asked would only have amounted to about £35, out of which about 20 per cent. or one fifth, would have been paid to the Custom-House Officers here for fees. On the 18th July last, we cleared out the Schooner Chatham for Miramichi, this vessel is only 76 tons, and the amount paid at the Custom-House was £7 12 8 cury. We have not the particulars of what was paid in each office ; but on clearing the same vessel again on the 2d ultimo, we know that Captain Williston paid £5 3 2 in your office, and £1 11 2 in the Waiter and Searcher's office, now the vessels whole freight would not exceed £55 as she can only carry 440 barrels under her decks.

We submit the foregoing to your consideration, and most sincerely hope you will make such alterations in the rate of fees as not entirely to destroy the trade, (which in a great measure must be abandoned, if small crafts continue to pay the same fees as vessels coming from sea are subject to,) in which for the welfare of the Province, but too few vessels are employed ; and by granting such relief as in your judgement you see fit,

we are of opinion you will ultimately benefit thereby, as we have no doubt such a measure would tend to increase the intercourse between the Colonies, particularly that part of New-Brunswick, that is situated in the Gulf of the St. Lawrence, who instead of deriving their supplies of provisions from Halifax, would look to this market."

With great respect, we are,

Dear Sir,

Your most obedient Servt.

PATERSONS & WEIR.

A true Copy,

A. PATERSON.

After perusal of which he stated that in future he would only charge half the amount of Fees which he was entitled to. Had the same Fees continued to be exacted that were formerly paid, we must have abandoned the Trade to Miramichi, as Vessels could not be got to undertake the voyage at a moderate freight, in consequence of the sums exacted at the Custom-House for Fees.

Adjourned.

SATURDAY, 14th February, 1824.

Present, all the Members,

Mr. BELANGER, in the Chair.

GEORGE SYMES, Esquire, Master of the Corporation of the Trinity House of Quebec, appeared before Your Committee and was examined as follows:

Q. 1. Are you a Merchant of this City?

A. Yes.

Q. 2. How long have you been engaged in trade?

A. I have been engaged in trade in this City since the year 1794.

Q. 3. What is the description of trade in which you are particularly engaged?

A. Generally, but more particularly in the Import and Export trade.

Q. 4. The Merchants in their petition referred to this Committee complain of various abuses in relation to the Custom-

House, injuriously affecting the interest of the petitioners and the trade of the country, can you state any facts upon which such complaints are founded, and how the trade and navigation have been affected by the said abuses?

A. The Custom-House business for these many years past, has been transacted by my Clerks, it is therefore impossible for me to speak pointedly on the subject, further than I am enabled to draw from my disbursement books, extracts from which are hereunto annexed, and all of which I believe to be perfectly correct.

From the year 1803 to 1813, one uniform principle appears to have been adopted in the exaction of fees by the Custom-House officers at Quebec.

From square rigged vessels, (their clearance.)

Collector and Comptroller.....	£5	5	0
Naval Office fee	0	10	0

A gratuitous fee was generally given to the Waiter on board, which varied according to circumstances, from 5s. to 10s.

From Schooners.

Collector and Comptroller.....	£3	5	0
Naval Office fee.....	0	5	0

The gratuitous fee to the Waiter from 2s. 6d. to 5s.

In the early part of the summer 1813, the fees paid to the Collector and Comptroller on the clearance of vessels increased considerably, and from that period it is to be observed that no fixed and stated charge has been made, but that it has since frequently been subject to much variation; which will be immediately perceived by reference to a few of the annexed examples.

1813.

Brig Dorset, Liverpool.

Brig Salus, Liverpool.

Similar Cargoes.

Coll. and Compt.	7	2	0	Coll. and Compt.	7	17	0
Searchers,	1	0	0	Searchers,	1	10	0
Naval office fee,	0	10	0	Naval Office fee,	0	10	0
Trinity House dues,	3	3	9	Trinity House dues,	3	13	9
	<hr/>				<hr/>		
	£11	15	9		£13	10	9
	<hr/>				<hr/>		

1814.

Brig Margaret,

Brig Carricks,

Coll. and Compt.	£7	3	6	Coll. and Compt.	£9	16	3
Searchers,	0	10	0	Searchers,	0	15	0
	<hr/>				<hr/>		
	7	13	6		10	11	3
Naval Office fee,	£1	0	0	Naval Office fee,	1	0	0
Trinity House dues,	2	18	9	Trinity House dues,	3	5	0
	<hr/>				<hr/>		
	3	18	9		4	5	0
	<hr/>				<hr/>		
	£11	12	3		£14	16	3
	<hr/>				<hr/>		

1815.

Brig Belvoir Castle.	
Coll. and Compt.	£7 0 9
Searchers,	0 15 0
	<u>7 15 9</u>
Naval Office,	1 0 0
Trinity House dues,	2 15 0
	<u>3 15 0</u>
	<u>£11 10 9</u>

Brig Carricks.	
Coll. and Compt.	£6 18 0
Searchers,	3 5 0
	<u>10 3 0</u>
Naval Office,	1 0 0
Trinity House dues,	3 5 0
	<u>4 5 0</u>
	<u>£14 18 0</u>

1816.

Brig Margaret.	
Coll. and Compt.	£5 8 9
Searchers,	2 2 1
	<u>7 10 10</u>
Naval Office,	1 0 0
Trinity House dues,	2 18 9
	<u>3 18 9</u>
	<u>£11 9 7</u>

Brig Carricks.	
Coll. and Compt.	£5 6 6
Searchers,	2 15 5
	<u>8 1 11</u>
Naval Office,	1 0 0
Trinity House dues,	3 5 0
	<u>4 5 0</u>
	<u>£12 6 11</u>

1817.

Brig Thomas Naylor.	
Coll. and Compt.	£5 8 9
Searchers,	2 0 4
	<u>7 9 1</u>
Naval Office,	1 0 0
Trinity House dues,	3 16 3
	<u>4 16 3</u>
	<u>£12 5 4</u>

Brig Carricks.	
Coll. and Compt.	£5 16 6
Searchers,	2 0 4
	<u>7 16 10</u>
Naval Office,	1 0 0
Trinity House dues,	3 0 0
	<u>4 0 0</u>
	<u>£11 16 10</u>

1818.

Brig Belvoir Castle.	
Coll. and Compt.	£5 18 9
Searchers,	2 5 0
	<u>8 3 9</u>
Naval Office,	1 0 0
Trinity House dues,	2 11 3
	<u>3 11 3</u>
	<u>£11 15 0</u>

Brig Carricks.	
Coll. and Compt.	£5 16 6
Searchers,	3 7 10 $\frac{1}{2}$
	<u>9 4 4$\frac{1}{2}$</u>
Naval Office,	1 0 0
Trinity House dues,	3 1 3
	<u>4 1 3</u>
	<u>£13 5 7</u>

1819.

Brig Belvoir Castle.	
Coll. and Compt.	£5 18 9
Searchers,	2 5 0
	<u>8 3 9</u>
Naval Office,	1 0 0
Trinity House dues,	2 15 0
	<u>3 15 0</u>
	<u>£11 18 9</u>

Brig Carricks.	
Coll. and Compt.	£6 13 9
Searchers,	2 5 0
	<u>8 18 9</u>
Naval Office,	1 0 0
Trinity House dues,	3 2 6
	<u>4 2 6</u>
	<u>£12 13</u>

1820.

Brig Marthas.		Brig Carricks.	
Coll. and Compt.	16 8 2	Coll. and Compt.	16 3 2
Searchers,	2 5 0	Searchers,	2 6 2
	<u>8 13 2</u>		<u>8 9 4</u>
A passenger's certificate,	0 10 0	Naval Office,	1 0 0
Naval Office,	1 0 0	Trinity House dues,	4 10 0
Trinity House dues,	3 18 6		<u>5 10 0</u>
	<u>4 18 6</u>		<u>13 19 4</u>
	<u>114 1 8</u>		

1821.

Brig Sarah and Mary Ann.		Brig Sally.	
Coll. and Compt.	15 16 2	Coll. and Compt.	15 3 2
Searchers,	2 6 2	Searchers,	2 5 0
Passenger's certificate	1 0 0		<u>7 8 2</u>
	<u>9 2 4</u>	Naval Office,	1 0 0
Naval Office,	1 0 0	Trinity House dues,	4 7 6
Trinity House dues,	4 1 9		<u>5 7 6</u>
	<u>5 1 9</u>		<u>12 5 8</u>
	<u>114 4 1</u>		

1822.

Ship Hero.		Brig Sally.	
Coll. and Compt.	15 8 9	Coll. and Compt.	15 8 2
Searchers,	2 6 2	Searchers,	2 7 4
	<u>7 14 11</u>	Passenger's certificate	1 5 0
Naval Office,	1 0 0		<u>9 0 6</u>
Trinity House dues,	5 6 10½	Naval Office,	1 0 0
	<u>6 6 10½</u>	Trinity House dues,	4 7 7
	<u>114 1 9½</u>		<u>5 7 7</u>
			<u>14 8 1</u>

1823.

Brig Sarah and Mary Ann.		Brig Sally.	
Coll. and Compt.	15 9 3	Coll. and Compt.	15 2 7
Searchers,	2 6 2	Searchers,	2 6 2
Passenger's certificate	1 0 0	Passenger's certificate	1 0 0
	<u>8 15 5</u>		<u>8 8 9</u>
Naval Office,	1 0 0	Naval Office,	1 0 0
Trinity House dues,	4 9 3	Trinity House dues,	4 7 7
	<u>5 9 3</u>		<u>5 7 7</u>
	<u>114 4 8</u>		<u>13 16 4</u>

N. B. The fee taken by the Collector and Comptroller on the general entry of all vessels is £0 5 7;

And by the Searchers.....0 1 9;
 which sums do not constitute any one Item in the docket of fees placed for the inspection of Merchants at the Custom-House, according to which the exaction of fees is regulated and which the Collector is ordered to see strictly observed, nor is it possible for individuals to ascertain the correctness of the

charge made on the clearance of vessels, as explanation is denied, and a certain sum demanded, which generally exceeds by *one third the whole amount* of fees specified in the docket before alluded to.

CHARLES FELIX AYLWIN, Esquire, then appeared before your Committee and was examined as follows :

Q. 1. You are a Merchant of this City ?

A. Yes, I am a native of this City, and have been engaged in trade for ten years.

Q. 2. What is the description of trade in which you are particularly engaged.

A. I am engaged in the trade between this and the adjoining Provinces and the West-Indies.

Q. 3. The Merchants in their petition referred to this Committee, complain of various abuses, exactions and grievances in relation to the Custom-House, injuriously affecting the interest of the Petitioners and the trade of the country. Can you state any facts upon which such complaints are founded, and how the trade and navigation have been affected by the said abuses ?

A. The exactions of the Custom-House and Naval Office are so great as to prevent enterprising on the coasting trade from this Port, and for the want of coasting crafts, the orders received from the adjoining Provinces for provisions of various kinds to a great extent, have remained unexecuted. That in partially executing those orders we are dependent for freight on vessels belonging to the out-ports of this Province and the adjoining Province; that vessels belonging to places to the northward of Miramichi, taking freight from this to that place in the fall of the year, frequently touch first at the place they belong, to land their own provisions, which occasions a delay that prevents their arrival at the port of discharge in the fall. A case in point has occurred to me, my letters by the last Halifax-Post acquaint me that a vessel which had loaded for Miramichi is now frozen in, at a place one hundred and twenty miles from it; that the cargo was unloaded, and would have to remain there till next spring; these supplies were intended for the lumber-men who are employed in the woods, getting out lumber to be exported next year, and the disappointment was very great.

In the year 1822, I shipped about six thousand barrels of flour besides other provisions, which were exported chiefly in vessels belonging to the adjoining Provinces and out-ports of this Province, and I have no recollection of making a shipment in any vessel belonging to this port. That in consequence of our dependance on other places for vessels, the rate of freight

is charged very high, which affords the means of vessels from the United-States, supplying Halifax and other places with flour at a more reduced rate, notwithstanding the duty of five shillings sterling per barrel, imposed on American flour.

Q. 4. Do you know the general state of profit and loss amongst the owners of river and coasting crafts in this Province, and will you state to the Committee the knowledge you have on the subject ?

A. I do not own a vessel, and therefore cannot state from my own knowledge the profit or loss which may arise, but from the limited number of coasting crafts owned in this port and the low state of credit in which owners of crafts in the out-ports stand, I infer that it is a losing trade.

Q. 5. Do you ascribe the want of fit and sufficient vessels for the coasting trade of which you complain chiefly to the high fees and Custom-House dues, and what other causes operate to produce that effect ?

A. The principal cause in my opinion is the very high and disproportionate fees of the Custom-House and Naval office.

Adjourned.

MONDAY, 16th February, 1824.

Mr. BELANGER in the chair.

JEREMIAH LEAYCRAFT, Esqr. of the City of Quebec, Merchant, appeared before your Committee, and was examined as follows :

Q. 1. What is the description of Trade in which you are particularly engaged ?

A. It is the employment of Vessels belonging to the General Concern I am interested in, (whose Establishments are at Bermuda, Grenada, Newfoundland and Quebec,) trading between these several ports and places.

Q. 2. Can you furnish, for the information of the Committee, a statement of the Custom House Fees and dues in any of the Ports in the West Indies, at Halifax, or in any of the Ports in the neighbouring British Provinces, as well on Vessels consigned to or owned by you as in other cases which may have come to your knowledge ?

A. Although engaged so much as I have been in commercial intercourse with the West Indies, yet having none of the accounts or papers with me belonging to any of the Establishments, I cannot in consequence furnish, for the information of the Committee, such correct statement of the Custom House Fees paid in those places as would be satisfactory or useful in the present enquiry ; in fact, except so far as relates to Bermuda, where the whole Fees on entering and clearing

a Vessel of about one hundred and sixty Tons burthen, with Cargo inwards and outwards, does not exceed from forty-five to fifty dollars, no just criterion could be formed, because in the West Indies a much larger amount is paid to Public Officers than is the case elsewhere, on account of the great difference between the expences of living in that quarter to what it is in other places.

Q. 3. Can you furnish a statement of the Fees and dues paid by you at the Custom House in this Port, on the entrance and clearance of Vessels; and state whether or not you consider them oppressive and detrimental to Trade?

A. I now furnish the Committee with a statement of the whole cost of Fees paid at the Customs and Naval Office, at this Port, on the last Vessels cleared out by me; but as regards whether such are oppressive or detrimental to Trade, I have only to say that I think if the charges were reduced on the small Vessels which are employed between this Province, Newfoundland and the other lower Ports, (their voyages not being long and consequently frequent, notwithstanding our short season,) that such would be beneficial to the Trade of the Province generally.

The following is the statement above-mentioned:

FEES paid at the Custom House and Naval Office, on the following Vessels, entered and cleared out in 1823.

21st June, Ship Princess Royal, 194 $\frac{14}{100}$ Tons, from Grenada, with a full Cargo of West India Produce.

Entering Fees.

Collector's Office,	£0	6	9
Searcher's do.	0	2	7

Entering outwards.

Collector's Office,	0	5	7
Searcher's do.	0	1	9

4th July, Clearing out Fees.

Collector and Comptroller,	5	2	0
Hospital money,	0	18	4
One Certificate,	0	3	4
Naval Office,	5	13	8
Harbour Master,	0	7	6
Searcher,	2	10	0

£15 11 6

3d Sept. Brig Southampton, 188 $\frac{11}{4}$ Tons, from Grenada, with a full Cargo of West India Produce.

Entering Fees.

Collector's Office,	£0	6	9
Searcher's do.	0	2	7

Entering outwards.

Collector's Office,	0	5	7
Searcher's do.	0	1	9

30th Sept. Clearing out Fees.

Collector and Comptroller,	5	2	7
Hospital money,	1	6	8
One Certificate,	0	3	4
Naval Office,	5	13	8
Searcher,	2	10	0

£15 12 11

7th Oct. Sloop Intermediate, 58 $\frac{50}{4}$ tons, from Grenada, with a cargo of West India Produce.

Entering Fees,	£0	8	8
Entering outwards,	0	7	4

Clearing out Fees.

18th Oct. Collector and Comptroller,	5	8	8
Hospital money,	1	0	0
Naval Office,	4	3	4
Harbour Master,	0	7	6
Searcher,	2	0	0

£13 15 1

JEAN OLIVIER BRUNET, of the City of Quebec, Esquire, Merchant, appeared before your Committee and was examined as follows :

Q. 1. How long have you been engaged in Trade ?

A. Upwards of ten years.

Q. 2. What is the description of Trade, in which you are particularly engaged ?

A. Principally in Ship Chandlery Stores and Provisions, and supplying the Fisheries.

Q. 3. Do you own any Vessel employed on the coasting Trade ?

A. Yes.

Q. 4. Do the Officers of the Customs refuse explanations of the Fees which they charge when required, by the parties of whom they are demanded ?

A. I have never asked for them; having understood that they never give any.

Q. 5. Do you know what are the Custom-House charges in the Port of Halifax, or in any of the lower Ports, on Vessels of the description of yours, on similar voyages and with similar cargoes?

A. The Custom-House of Halifax has charged on one of my Schooners £5 18 6, and for the same vessel in the same voyage, the Custom-House in this Port has demanded and received upwards of £10.

Q. 6. Do you know the general state of the profit and loss amongst the Owners of River and Coasting Craft in this Province?

A. I believe that in general the expenses have equalized the receipts of the Schooners navigated from Quebec to the lower Ports, considered out of the Province.

Q. 7. Do you ascribe the want of fit and sufficient Vessels for the Coasting Trade, to the high Fees and Custom-House dues; and what other causes operate to produce that effect?

A. I believe that the high Fees paid at the Customs, in proportion to the lower freights given to Crafts, navigated from this Port to the lower Ports, considered out of the Province, have prevented many proprietors of vessels from fitting out.

Adjourned.

FRIDAY, 20th February, 1824.

Mr. BELANGER in the Chair.

The Honorable MICHAEL HENRY PERCEVAL, Collector of His Majesty's Customs in this Port, appeared before your Committee and furnished for the information of the Committee several papers or Documents, which will be found in the Appendix to this Report under the Letter A. No. 1. 2. 3. 4.; after which several questions were handed to Mr. Perceval, by the Chairman of the Committee, to which questions Mr. Perceval will answer at a future time.

Adjourned.

SATURDAY, 28th February, 1824.

Mr. BELANGER in the Chair.

The Chairman laid before the Committee the answers of the Honorable M. H. Perceval to the questions submitted to him by the Committee, on the 20th instant, which are as follows :

Q. 1. It appears to the Committee that on clearing the schooner Marie Catherine, 69 tons burthen, loaded with provisions for Miramichi, being her first voyage out of the Province, the following fees were paid at the Custom-House :

Entry outwards,	£0	7	4
Collector and Comptroller's clearance,	£2	6	0
Fee for certificate,	0	3	4
		<u>2</u>	<u>9</u> 4
Waiters and Searchers' clearance,	0	12	6
Fee on certificate,	0	1	2
		<u>0</u>	<u>13</u> 8
			<u>3</u> 10 4
Naval officer,		1	10 6
			<u>£5</u> 0 10

Are the above sums paid in conformity to the docket of fees above mentioned and suspended in the office of the Customs for public inspection ?

A. Yes, on examining the Fee-Book for the particulars of the sum of £3 10 4, the whole appears to be according to the Halifax docket, and the usage of the Custom-House, (which is to charge only half fees on a vessel entering inwards, or clearing outwards only,) except that the Waiters and Searchers' fee appears to have been undercharged 1s. and that the foreign topsail fee appears to have been charged by mistake in the hurry of business ; of the whole sum 11s. 10d. is paid by the exporting Merchant for documents taken out by him, and not by the vessel.

It may be here necessary to remark that the practice which seems to be general with the Merchants of charging the fees payable by themselves against the vessel, tends very much to augment the apparent amount of the ship's disbursement, as will appear by the various statements now before the Committee ; the entries inwards and bonds, entries outwards and cockets, certificates for lumber and other articles of Canadian produce, and certificates to cancel bonds, are documents which ought in every case to be paid for by the importing or exporting Merchant, and which he either demands voluntarily or which the law obliges him to take to secure his property from seizure, and they have no reference whatever to the ship's expences.

It may be also proper to observe that the fees are collected by the Collector's Clerk, who has at the same time to attend to the entering and clearing of vessels, the receiving and exa-

mining of entries inwards, and the calculation of the King's duties to be paid or secured, added to the mass of general business daily transacting at the Custom-House, and the detailed nature of the docket to be applied to each case, mistakes may probably occur; under these circumstances it is difficult at a subsequent period to ascertain the particular items of any individual case or payment; and although it has been successfully done in the various cases referred to by the Committee, some of which embrace a period of nearly ten years, it is obvious that a considerable portion of time must have been consumed in the research and investigation of them.

Q. 2. In the clearing of the schooner Charlotte, 89 tons, to Newfoundland, there appears to have been received by the Custom-House Officers the following fees :

Entry outward,	£0	7	4
Collector and Comptroller,	£4	12	0
Certificate,	0	3	4
	<hr/>		
		4	15
			4
Waiters and Searchers' entrance and clearance,	1	10	0
Certificates,	0	1	2
	<hr/>		
		1	11
			2
	<hr/>		
	£6	13	10

Can you inform the Committee whether the above sums are in conformity to the docket.

A. The above sum of £4 12 0, was received at the Collector's Desk, and is in conformity to the Docket, except that the Fee on Foreign Topsail Vessels is included, through mistake of the Fee Clerk in the hurry of transacting business, and which, under the explanation given in the first answer, might, in the multiplicity of detail of individual payments, very readily occur, without its being caused by any wilful negligence on the part of the person employed.

Q. 3. On the clearance of the Bark Mint, 469 tons from this port to London, the following fees appear to have been received by the Custom-House Officers in this port, on the 8th September, 1823 :

Entrance outwards	£0	7	4
Collector and Comptroller,	£4	10	11
2 certificates	0	6	8
	<hr/>		
		4	17
			7
Searchers' clearance,	2	5	0
2 certificates,	0	2	4
	<hr/>		
		2	7
			4
	<hr/>		
	£7	12	3

Can you inform the Committee of which of the items in the docket are composed: those several sums?

A. Entry outwards and cocket, (payable by the Exporter,) £ 0 5 7

INWARDS.		OUTWARDS.	
General Entrance, Report,	£0 13 6	General Clearance, Report,	£0 13 6
Warrant to unload,	0 2 0	Warrant to load,	0 2 0
Certificate of Report,	0 3 0	Certificate of Report,	0 3 0
Anchorage,	0 4 0	Bill of Stores,	0 2 0
Recording Register,	0 17 4	Cocket on do.	0 3 0
Foreign Topsail Vessels,	0 6 9	Enumerated Bond,	0 2 0
	<hr/>	Certificate of do.	0 3 0
Add, Outwards	2 8 7	List of Men,	0 2 0
	<hr/>	Foreign Topsail Vessels,	0 6 9
	1 19 3		<hr/>
	4 7 10		£1 19 3
1-9th ...	0 9 9		<hr/>
	<hr/>		
	£4 17 7		

The above are the items which compose the sums paid to the Collector and Comptroller.

Q. 4. It appears that on the clearance of the Bark Sally, 313 tons to London, on the 26th June, 1822, the following sums have been paid to the Custom-House Officers in this Port:

Entry outwards,	£0 7 4
Collector and Comptroller,	5 3 2
Searchers,	2 7 4
	<hr/>
	£7 17 10

Will you inform the Committee of which of the items in the docket are composed the several sums paid, and how it happens that the fees paid on this vessel appear higher than those paid on the clearance of the Mint, on the 8th Sept. 1823?

A. Entry outwards and cocket, (payable by the Exporter) £0 5 7

INWARDS.		OUTWARDS.	
General Entrance, Report,	£0 13 6	General Clearance, Report,	0 13 6
Warrant to unload,	0 2 0	Warrant to load,	0 2 0
Certificate of Report,	0 3 0	Certificate of Report,	0 3 0
Anchorage,	0 4 0	Bill of Stores,	0 2 0
Recording Register,	0 17 4	Cocket on do.	0 3 0
Foreign Topsail Vessels,	0 6 9	* Non enumerated Bond,	0 2 0
	<hr/>	* Certificate of do.	0 3 0
Add, Outwards	2 8 7	* Lumber Bond,	0 2 0
	<hr/>	* Certificate of do.	0 3 0
	2 4 3	List of Men,	0 2 0
	<hr/>	Foreign Topsail Vessels,	0 6 9
	4 12 10		<hr/>
1-9th....	0 10 4		£2 4 3
	<hr/>		<hr/>
	£5 3 2		

The above are the items which compose the sums paid to the Collector and Comptroller, and the cause of the difference between the amount paid upon this vessel and on the Mint in 1823, is that the non-enumerated and lumber bonds and certificates not being required, since the passing of the Act 3d Geo. IV. cap. 45, in 1822, the four items marked * have been since deducted in 1823.

Q. 5. It also appears that on clearing the same *Bank Sally* on the 6 September, 1823, the following Fees were paid,

Entry outwards,	£0 7 4
Collector and Comptroller,	4 12 0
Waiters and Searchers,	2 5 0
	<hr/>
	£7 4 4
	<hr/> <hr/>

Can you explain to this Committee why the Fees paid in the latter instance, appear less than in the former?

A. The difference between the Fees paid on this Vessel in 1823 and in 1822, is already explained in answers to No. 3 and 4.

Q. 6. It appears to the Committee that the following are the Fees which the Officers of His Majesty's Customs were entitled to demand on the two last mentioned Vessels, (*Mint* and *Sally*) by the Docket.

Entry outwards,		£0 2 9
Collector and Comptroller,		
Entrance 9s. and 4s. 6d. sterling	£0 15 0	
Clearance 9s. and 4s. 6d.	0 15 0	
Additional being Foreign Topsail,		
4s. 6d. and 2s. 3d. sterling,	0 7 6	
Cockets,	0 3 4	
2 Certificates,	0 6 8	
	<hr/>	2 7 6
Waiters and Searchers,		
Entrance 4s. 6. and 11d. sterling,	£0 6 0 $\frac{1}{2}$	
Clearance 4s. 6d. and 11d.	0 6 0 $\frac{1}{2}$	
Additional being Foreign Topsail,		
2s. 3d. and 6d. sterling,	0 3 1	
Cockets,	0 1 1	
2 Certificates,	0 1 2	
	<hr/>	0 17 5
		<hr/>
		£3 7 8
		<hr/> <hr/>

Can you inform the Committee why the sums paid on those Vessels appear to exceed the Fees allowed by the Docket?

A. They do not exceed the Fees allowed by the Docket.

Q. 7. From a statement furnished the Committee there appears to have been paid to the Custom-House Officers, in this Port the following Fees on the clearance of the Sloop Reward, 98 tons, burthen from this Port, to Mingan in the years 1822 and 1823.

1822,	1st Voyage.	1823.	
Entry outwards	£0 7 4	Entry outwards,	£0 7 4
Collector & Comptroller,	6 14 5	Waiters and Searchers,	1 5 0
Waiters and Searchers,	1 6 0	Collector & Comptroller,	4 14 0
	<hr/>	Salt bonds 8s. 4d. coquets	
	£8 7 9	1s. 2d.	0 9 6
	<hr/>		<hr/>
			£6 15 10
			<hr/>
	2nd Voyage.		
Entry outwards	£0 7 4	Collector & Comptroller,	£8 18 6
Collector & Comptroller,	6 12 8	Waiters and Searchers,	1 5 0
Waiters and Searchers,	1 6 0	Salt bonds and cocket,	0 9 6
	<hr/>	Entry outwards,	0 7 4
	£8 6 0		<hr/>
	<hr/>		£6 0 4
			<hr/>
	3rd Voyage.		
Entry outwards	£0 7 4	Collector & Comptroller,	£8 18 6
Collector & Comptroller,	5 17 1	Waiters and Searchers,	1 5 0
Waiters and Searchers,	1 6 0	Salt bond and cocket,	0 9 6
	<hr/>	Entry outwards,	0 7 4
	£7 10 5		<hr/>
	<hr/>		£6 0 4
			<hr/>
	4th Voyage.		
Entry outwards,	£0 7 4	Collector & Comptroller,	£8 18 4
Collector & Comptroller,	4 8 2	Waiters and Searchers,	1 5 0
Waiters & Searchers,	1 6 0	Salt bond and Cocket,	0 9 6
	<hr/>	Entry outwards,	0 7 4
	£6 1 6		<hr/>
	<hr/>		£6 0 2
			<hr/>

Referring to the table of fees, can you point out to the Committee the several items paid on each clearance to the Collector and Comptroller, and Waiters and Searchers, and explain why the sums which have been paid apparently for the same service, vary in many instances?

Answer.

First Voyage, 1822.	
General entrance,	10 13 6
Report,	0 2 0
Warrant to unload,	0 2 0
Certificate of report,	0 3 0
Anchorage,	0 4 0
Recording register,	0 17 4
Foreign topsail vessels,	0 6 9
	<hr/>
	12 8 7

General Clearance,	10 13 6
Report,	0 2 0
Warrant to load,	0 2 0
Certificate of report,	0 3 0
Bill of Stores,	0 2 0
Cocket on ditto,	0 3 0
List of men,	0 2 0
*Non-enumerated bond,	0 2 0
*Certificate of ditto,	0 3 0
*Lumber bond,	0 2 0
*Certificate of ditto,	0 3 0
Foreign topsail vessels,	0 6 9
	<hr/>
	12 4 3
	2 8 7

Add, Inwards,

	4 12 10
1-9th,	0 10 4

Sum paid, 15 3 9

Fee on foreign topsail vessels charged by mistake.

Second Voyage.	
Same as above,	15 3 2
And same mistake.	

Third Voyage.	
Same as above,	15 3 2
Deduct for foreign topsail vessels not charged,	0 13 6
	<hr/>
Sum paid,	14 9 8

Fourth Voyage.	
Same as above,	14 9 8
There being no lumber, deduct for bond & certificate	0 5 7
	<hr/>
	14 4 1

N.B. A bond and certificate for Spirits short charged on this clearance.

First Voyage, 1823.	
Same as in 1822,	15 3 2
Deduct non-enumerated bond, lumber bond, & certificates marked *	0 11 2
	<hr/>
	14 12 0

Fee on foreign topsail vessels charged by mistake.

Second Voyage.	
Same as above,	14 12 0
Deduct fee for foreign topsail vessels not charged,	0 13 6
	<hr/>
	13 18 6

Third Voyage.	
Same as above,	13 18 6

Fourth Voyage.	
Same as above,	13 18 6
Entry outwards of salt entitled to drawback,	0 2 3
Cocket for same,	0 3 4
	<hr/>
	0 5 7

Certificate,

Paid by the exporter, 10 8 12

The above items compose the sums paid to the Collector and Comptroller as taken from the docket, and the cause of the apparent difference is shewn in the statement.

When salt is cleared for drawback, it has been the practice for the person receiving the same, to pay one dollar to the Clerk who furnished the salt bond. This charge stands upon established usage only since the passing of the Provincial Act, allowing the drawback in the year 1795.

Q. 8. It appears to this Committee that fees have been exacted by the Custom-House and paid on the clearance of the Schooner Adelaide from this port to Portneuf, within the limits of this Province, in the county of Northumberland as follows :

1823.

19th May, Collector and Comptroller,	£0	4	2			
Entry outwards,		0	7	4		
Salt bonds 8s. 4d. cocket 1s. 2d,		0	9	6		
					1	1 0
					<hr/>	
13th June, Collector and Comptroller,	0	4	4			
Entry outwards,		0	7	4		
					0	11 8
					<hr/>	

Can you produce to the Committee your authority for exacting fees for the clearance of the above vessel in this particular case.

Answer.

19th May.	Coasting Clearance,		£0	4	5½		
Paid by the Exporter.	Entry outwards,	£0	2	3			
		Cocket,	0	3	4		
	Certificate,				0	5	7
		Salt Bond, as stated in an-			0	3	4
		swer on the Sloop Reward,			0	5	0
						£0 18 4½	
						<hr/>	

13th June. Coasting Clearance, £0 4 5½

It does not appear by the Custom House Books, that there was any entry outwards this voyage, or any fee charged, except the coasting clearance 4s. 5½.

The above charges are according to the docket, except the 5s. for the salt bond, exacted upon usage as already stated, and received by the Clerk who furnishes the bonds. The necessity of these documents must appear obvious to the

Committee from the circumstance of the King's chest being opened to pay the drawback allowed by the Provincial Act 35th Geo. III. to the Exporter of the salt.

Q. 9. It appears to this Committee, that on the clearance of the Brig Perseverance, 116 tons, in 1816, the following fees were paid to the Officers of His Majesty's Customs :

Collector and Comptroller, Certificate	£5 3 2 0 3 4		
	<hr/>	5 6 6	
Searchers,		2 10 4	
		<hr/>	
		£7 16 10	
Naval office,		4 8 8	
Harbour-Master,		0 10 0	
		<hr/>	
		£12 15 6	
		<hr/>	

That this vessel was wrecked in going down the River near Goose Island, she had to land her cargo and winter here, she reloaded, and on her sailing next spring had to pay the following fees :

Collector and Comptroller,	£5 8 9		
Searchers,	2 0 4		
Naval office,	2 2 10		
	<hr/>	9 11 11	
		<hr/>	
		£22 7 5	
		<hr/>	

Can you inform the Committee under what authority the fees were exacted a second time on the same voyage of that vessel ?

Q. 10. It appears to this Committee, that on the clearance of the Brig Isabella and Euphemia, 79 tons, with passengers in the fall of 1816, the following fees were paid to the Custom-House Officers :

Collector and Comptroller, Searchers,	£5 3 2 2 0 5	
	<hr/>	7 3 7
Naval office,		3 16 0
Harbour Master,		0 10 0
		<hr/>
		£11 9 7
		<hr/>

That this vessel was injured by the ice at St. Patrick's Hole, nine miles below Quebec, had to return and winter, did not break bulk, and on her sailing next spring had to pay again to the

Collector and Comptroller,	£5 3 2	
Naval Office,	0 16 9	
Searchers, (made no charge,)	0 0 0	
	<hr/>	5 19 11

£17 9 6

Can you inform the Committee under what authority were those charges demanded and received ?

A. The case of these two vessels was stated by the Committee of Merchants in their memorial, addressed to His Excellency Sir John Coape Sherbrooke, and which was transmitted by that Officer to the Lords Commissioners of H. M. Treasury. The answer given by the Officer of the Customs upon that occasion to the Governor, is subjoined. "It is alleged that the whole of the Custom-House fees are charged a second time upon vessels, that by misfortune are detained in the fall, and return to Quebec in the spring for necessaries and repairs, although they finally carry home the same cargo they first sailed with."

"As this complaint bears the appearance of an exaction, the undersigned shall not content themselves with a general denial of what is here so vaguely stated; three vessels cleared out with the usual documents for which the accustomed fees were received, and sailed from hence in the fall of last year, from bad weather and other causes, they were compelled to return, their cargoes were discharged, and it became necessary to lay them up for the winter. These vessels having undergone the necessary repairs, and being refitted, commenced loading in the spring, and when ready to clear out, the usual application was made at the Custom-House, this was complied with, and the established fees were received. It may be right to mention that one of the persons signing this representation was consignee to two of these vessels, but

it does not appear that either that Gentleman, or the Masters, made any complaint, or stated any objection against this supposed exaction ; but the undersigned know not why they should be called upon twice to perform a similar duty, and be expected at the same time to sacrifice the emoluments attached to their Office for its performance. These emoluments they have not unfrequently sacrificed, tho' they had yet to learn that not doing so unasked was to be imputed to them as a crime."

Q. 11. From the evidence before this Committee, it appears that there were paid for the entrance and clearance of the Brig Carricks at different periods in this port, the following sums of money which appear to vary in their amount.

1814	} Collector and Comptroller Searchers	£9 16 3	
		0 15 0	£10 11 3
1815	} Collector and Comptroller Searchers	£6 18 0	
		3 5 0	£10 3 0
1816	} Collector and Comptroller Searchers	£5 6 6	
		2 15 5	£ 8 1 11
1817	} Collector and Comptroller Searchers	£5 16 6	
		2 0 4	£ 7 16 10
1818	} Collector and Comptroller Searchers	£5 16 6	
		3 7 10½	£ 9 4 4½
1819	} Collector and Comptroller Searchers	£6 13 9	
		2 5 0	£ 8 18 9
1820	} Collector and Comptroller Searchers	£ 6 3 2	
		2 6 2	£8 9 4

Besides a fee in each instance to the Naval Officer ; will you state to the Committee the divers items composing the sum of £9 16 3 paid in the first instance to the collector and comptroller, and 15s. to the Searchers ; and will you explain the reasons of the variations in the sums paid as well to the collector and comptroller, as to the waiters and searchers in the other instances ?

1817.	Same as above,	£5	3	2	
	Add, enumerated certificate,	0	3	4	
		<hr/>			
		£5	6	6	
		<hr/>			
1818.	Same as above,	£5	6	6	
	Add, general certificate,	0	10	0	
		<hr/>			
		£5	16	6	
		<hr/>			
1819.	Same as above,	£5	16	6	
	To Montreal,				
	Clearance,	£0	10	0	
	Certificate, with ab-				
	stract of the cockets,	0	3	4	
		<hr/>			
		0	13	4	
		<hr/>			
		£6	9	10	error 3s 11d
		<hr/>			
1820.	Same as above,	£5	16	6	
		<hr/>			

Having given the items of the different charges in this question, which compose the sums paid in each year to the Collector and Comptroller, and entered in their fee-book, the variations are thereby explained.

The charge in 1819 includes the coast despatch to Montreal, 10s. which is charged according to immemorial usage on all foreign topsail vessels clearing coastwise to Montreal. There appears to be a clerical error of 3s. 11d. in the amount of the charge, as stated in the fee-book in that year.

Q. 12. It appears to the committee that on the clearance of the three following vessels from Grenada, loaded with West India produce, the following fees were paid to the Custom House Officers during the season of 1823.

21st. June. Ship Princess Royal, 194 tons.

Entering Fees.

Collector's office	£0	6	9	
Searcher's do.	0	2	7	
	<hr/>			£0 9 4

Entering outwards.

Collector's office	£0	5	7	
Searcher's do.	0	1	9	
	<hr/>			0 7 4

4th July. Clearing out Fees.

Collector and comptroller	£5	2	0	
One Certificate	0	3	4	
Searchers	2	10	0	
	<hr/>			7 15 4
	<hr/>			£8 12 0

Brought forward,	£8	12	0
Hospital money	0	18	4
Naval Office	5	13	8
Harbour Master	0	7	6
	<hr/>		
	£15	11	6

3d. September. E.g. Southampton, 198 tons.

Entering Fees.

Collector's office	£0	6	9
Searcher's do.	0	2	7
	<hr/>		
	£0	9	4

Entering outwards.

Collector's office	£0	5	7
Searcher's do.	0	1	9
	<hr/>		
	0	7	4

30th September. Clearing out Fees.

Collector and comptroller	£5	2	7
One certificate	0	3	4
Searchers	2	10	0
	<hr/>		
	7	15	11

£8 12 7

Hospital money	1	6	8
Naval office	5	13	8

£15 12 11

7th October. Sloop Intermediate, 58 tons.

Entering Fees	£0	8	3
Entering outwards	0	7	4

18th October. Clearing out Fees.

Collector and comptroller	£5	8	8
Searchers	2	0	0
	<hr/>		
	7	8	8

£8 4 3

Hospital money	1	0	0
Naval office	4	3	4
Harbour Master	0	7	6

£13 15 1

Will you state to the Committee, the several items of the docket, which form each separate sum paid to the Officers of His

Majesty's Customs in this port, on the clearance of the ship Princess Royal, and the causes of the variations in the fees paid on the two other vessels ?

Answer.	Paid by the Importer and Exporter,	Entry inwards	0	2	3				
		2 Bonds on do.	0	4	6				
				<hr/>			0	6	9
		Entry outwards	0	2	3				
		Cocket on do.	0	3	4				
		<hr/>			0	5	7		
	Certificate				0	3	4		

INWARDS.			OUTWARDS.		
General Entrance	£0	13 6	General Clearance	£0	13 6
Report	0	2 0	Report	0	2 0
Warrant to unload	0	2 0	Warrant to load	0	2 0
Certificate of Report	0	3 0	Certificate of Report	0	3 0
Anchorage	0	4 0	Bill of Stores	0	2 0
Recording Register	0	17 4	Cocket on do.	0	3 0
Foreign Topsail vessels	0	6 9	List of Men	0	2 0
		<hr/>	Foreign Topsail vessels	0	6 9
		2 8 7			<hr/>
Add outwards		1 14 3			£1 14 3
		<hr/>			<hr/>
		4 2 10			
1-9th		0 9 2			
		<hr/>			
		£4 12 0			
General Certificate		0 10 0			
		<hr/>			
Princess Royal		£5 2 0			
		<hr/>			
Southampton, as above			£5 2 7	Error 7d.	
			<hr/>		
Intermediate, as above			£5 2 0		
			<hr/>		

The above are the items paid to the Collector and Comptroller as entered in their fee book, the only difference appears to be a clerical error of 7d. in the Southampton.

MONDAY, 1st March, 1824.

Mr. BELANGER in the Chair.

THOMAS AINSIE YOUNG, Esquire, appeared before your Committee, and was examined as follows:

Q. Have you been Comptroller of His Majesty's Customs in the Port of Quebec ?

A. Yes.

Q. Will you examine the statement of fees charged on the Bark Sally, Sloop Reward, Brig Carricks, Ship Princess Royal, and Brig Southampton, as contained in the answers of the Honorable M. H. Perceval to questions Nos. 4, 7, 11 and 12, and state to this Committee if the whole of the said fees are chargeable against the vessels, and are authorised to be received in virtue of any Law or Laws in force in this Province?

A. I produce to the Committee a copy of a Letter which I have written to His Excellency the Earl of Dalhousie, Governor in Chief, dated 28th February last, which I conceive may be taken as a complete answer to this question.

The said Letter is as follows :

QUEBEC, 28th February, 1824.

Copy,

My Lord,

The Committee of the House of Assembly appointed to enquire into the allegations made in the petition of the Merchants and ship owners, relative to certain existing practices at the Custom-House of Quebec, having sent me the accompanying queries, and desired my answers thereto, I feel myself in justice to my own character, and for the satisfaction of all who have honored me by their protection, called upon to submit the following remarks to your Lordship's consideration in the first instance, and finally with your permission, to the public at large.

It may be in the recollection of your Lordship, that I addressed three letters to the Honorable the Commissioners of His Majesty's Customs in November, 1820, the first was relative to vessels bound to Montreal, being compelled to come to an anchor at Quebec, and there to pay port charges, contrary to the order of the Commissioners of Customs, dated 23d June, 1815, No. 33. The second referred to the manner of granting general certificates which appeared to be at variance with the intentions of the Right Honorable the Lords Commissioners of His Majesty's Treasury, as signified in the letter of the Commissioners of Customs, dated 17th July, 1817, No. 13, and the third had reference to the amount of fees recovered by the Collector and Comptroller upon the entrance and clearance of vessels.

Upon the two first their Honors have decided, but upon the last no ultimate decision has been had to my knowledge, and I am now called upon to say whether I consider the fees charged by the Collector and Comptroller, (at a period when

I was Comptroller at this port,) to be in conformity with the Halifax docket; the only answer I can make is, that they were not demanded or received according to the clear and obvious meaning of the orders of the Commissioners of special revenue enquiry, nor of the Commissioners of the Customs in England; and it is necessary that I should submit my reasons for this answer, more particularly as I have reason to believe that the greatest efforts have been made to shew that my assertions were groundless, and that I was actuated in what I did, by an understanding with the mercantile body at Quebec.

In my Letter of the 15 November, 1820, I asserted that the inward and outward Fees received by the Collector and Comptroller upon all vessels, except coasters, amounted to £4 12 10 sterling, or £5 3 2 currency, exclusive of the general Certificate, and I submitted that of this amount a sum of £1 14 4 sterling was unwarrantably demanded and received upon every vessel (except coasters) arriving at and leaving this Port: and a further sum of 13s. 6d. sterling upon schooners. I also stated that the above sum of £4 12 10 sterling, was made up as follows, viz :

Inwards,	Collector,	Comptroller,
General entrance,	£0 13 6	£0 6 9
Report,	0 1 6	0 0 6
Warrant to unload,	0 1 6	0 0 6
Certificate of Report,	0 2 0	0 1 0
Anchorage,	0 2 0	0 2 0
Recording Register,	0 13 0	0 4 4
	£1 13 6	£0 15 1
	£1 13 6	£0 15 1
Outwards,		
General clearance,	£0 13 6	£0 6 9
Report,	0 1 6	0 0 6
Warrant to load,	0 1 6	0 0 6
Certificate of Report,	0 2 0	0 1 0
Cocket,	0 2 0	0 1 0
Non-enumerated bond,	0 1 6	0 0 6
Certificate of do.	0 2 0	0 1 0
Lumber bond,	0 1 6	0 0 6
Certificate of do.	0 2 0	0 1 0
Bills of stores,	0 1 6	0 0 6
List of men,	0 1 6	0 0 6
	£1 10 6	£0 13 9
	£1 10 6	£0 13 9

And I challenged the following items, viz :—“ Recording the Register,” “ Anchorage,” “ Warrant to unload,” “ Warrant to load,” “ Cocket,” the “ two Certificates of Report.”

I shall now submit my objections to each of these separately in the order in which I have enumerated them ; but before I proceed I must take the liberty of submitting to Your Excellency what appears to me to be the clear and obvious meaning and application of the Halifax Docket of Fees, so far as my humble abilities have enabled me to comprehend the object of having a Tariff or Docket for the purpose of regulating the emoluments of any public Officer, the meaning appears to me to be first, that there are certain well known services required to be performed, and documents to be prepared and granted by the Officers of the Customs, in the due execution of their duty ; for doing which they are entitled to a just and equitable remuneration ; that this remuneration is fixed by the Docket, and stated in four different columns on a line, or opposite to the name or designation by which the service or document required is generally distinguished : and that the Fee which is appropriated to one particular service, cannot be legally demanded or received for any other.

Secondly, That one fee only is to be received for one and the same service or document, and that when no service is performed or document prepared and granted, the Officers are not entitled to demand or receive a fee.

This I trust will appear to your Lordship to be a fair explanation of the meaning of the docket, the application follows as a matter of course, viz. That an officer of the Customs is entitled to take these fees only when he performs the services, or prepares and grants the papers enumerated in the table of fees, and that when he performs services or prepares papers which are not included in the docket, he is not for so doing, authorized by that instrument to demand or receive a fee or reward.

I shall now proceed to the consideration of the items.

Recording the Register—Coll. 13s. Comptr. 4s. 4d.

I, here refer to the docket, and upon examination your Lordship will find that there is *no* fee allowed for this service, it is stated in the table ; “ *New Register and recording the same,*” that is, I presume for granting a new register in the case of a vessel not before registered, or where a certificate of registry has been lost, and a new one is requisite to entitle the vessel to the privileges of a British ship, and for recording that new register as required by law. I can

with the greatest confidence appeal to your Lordship, whether there be any authority under the docket for charging this fee of seventeen shillings and four pence sterling, except when a new register is granted; and I can with equal confidence assert that your Lordship will find no such authority.

Anchorage—Coll. 2s. Comptr. 2s. sterling.

In the docket a fee is allowed to the Collector, Comptroller and Surveyor, of two shillings sterling to each, for "*anchorage, taken upon vessels that do not land the whole of their cargoes;*" which surely cannot be considered as authorising a demand for this fee upon a vessel which arrives here in Ballast, or which lands all her cargo within the limits of the port, at least it appears evident to me that there could be no doubt upon the subject, and I objected to this item, as I still do. My ground of objection I now submit to your Lordship's wisdom.

"Warrant to unload"—Coll. 1s. 6d. Comptr. 6d. sterling.

When a vessel arrives, it is requisite that each person having goods on board, should, previous to the same being unladen, make proper entries with the Collector and Comptroller and obtain a "permit to land," or in other words "a Warrant to unload." This is strictly enforced at Quebec, the merchant regularly makes his entries, and obtains his Warrant to unload; for which he pays the Collector and Comptroller two shillings sterling, or 2s. 3d. currency. It has never been the practice to grant a separate Warrant to unload to the master of the vessel, there are no permits granted, except those obtained and paid for by the importer; and I refer to all the officers of the Customs at Quebec, to state whether I am correct in this assertion, and if I be correct, of which I have no doubt, I appeal to your Lordship's judgement, whether this fee of two shillings, sterling, can be charged as part of the inward expences of the vessel; it is so charged upon every vessel.

"Warrant to load"—Coll. 1s. 6d. Comptr. 6d. sterling.

The exporter is compelled to make an entry of all goods which he purposes to ship, and to obtain a sufferance, or "*Warrant to load,*" before he can legally put a single article on board; for this he pays the Collector and Comptroller two shillings sterling, or 2s. 3d. currency, and at the same time three shillings sterling, or 3s. 4d. currency, for the cocket which it is necessary should accompany the goods exported. The master of the vessel does not receive any additional sufferance, nor has it ever been the practice to grant such; yet a fee of two shillings sterling is charged as part of the outward fees upon each vessel; and I can only again submit to your Lordship, whether there be any authority under the Halifax docket

for demanding this fee. when the document upon which it is said to be charged is neither prepared nor granted.

“Cocket”—Coll. 2s. Comptr. 1s. sterling.

I have stated above that when the exporter obtains his Warrant to load, he also pays for the Cocket, required by Law, to accompany the articles shipped ; and I appeal to every Officer of the Customs whether any further Cocket is ever granted, or can be said to be necessary ? When there are no goods shipped a Cocket is not requisite ; when goods are shipped, the shipper pays for the Cocket ; and can it, for an instant, be pretended that there is any authority under the Docket for charging the Master or Owner of a Vessel with a fee of three shillings sterling, for a paper, which is neither required nor granted ? It appears to me that it cannot, and upon this ground I challenged the charge—to Your Lordship’s decision I with confidence appeal.

“The two Certificates of Report ;” each—Collector 2s. and Comptroller 1s. sterling.

My objection to these charges is similar to what I have above-stated ; the Documents are not granted ; it has never been the practice of the Port to grant them ; and, under such circumstances, I conceived that there were grounds for challenging the fee ; I consequently submitted it to the Honorable the Commissioners, and I now appeal to Your Lordship that the Documents, not being prepared and granted, there can be no authority under the Docket for charging a fee of three shillings, sterling, upon each.

Another demand, to which I objected, was the fee allowed upon topsail Vessels, when taken upon the entrance and clearance of Schooners ; but, as this charge was discontinued, I submit that such discontinuance is ample proof that the grounds of my objection were well founded.

I trust that I have now satisfactorily shewn that I had grounds for the representation I made, in my Letter of the 15th November, 1820 ; and I have only to assure Your Lordship that in making that representation there was nothing personal intended towards Mr. Perceval. There is one thing in which I know I was wrong, for which I have expressed my regret to that Gentleman, and I now beg leave to repeat to Your Lordship that I shall always regret not having communicated, in the first instance with the Collector—it was a want of courtesy on my part, and I am sorry for having been guilty of such want ; but I beg to be clearly understood that I do not regret having made the representation, had I been on the most inti-

mate terms with Mr. Perceval I should have made it ; for I would never submit to allow a Clerk to hold a rod over my head, or to have the power of threatening me with exposure whenever he might quit my service. I rejoice in having brought the subject before the Commissioners, as, under the present circumstances, I can come forward and say, that I suspected I was wrong ; I adopted such measures as appeared to be the best for ascertaining the fact and circumstances occurred which prevented me being successful.

It now remains to show that the items to which I objected have not been sanctioned by the Honorable the Commissioners of Customs, except in so far as they may be demanded and received under authority of the Halifax Docket ; for this purpose I would refer, first, to the letter of Mr. Salton, Secretary to the Commissioners of Special Revenue enquiry, dated Halifax, 22d September, 1812, in which the Officers at Quebec are informed that the Halifax Docket is the only table under which they can legally demand or receive fees. Secondly. to the Letter of the Collector and Comptroller, dated 19th August, 1813, No. 10, and I would call Your Lordship's attention particularly to this, and to the reply of the Honorable Commissioners of Customs, dated London, 7th October, 1814, No. H. In the first of these your Lordship will see that their honors are repeatedly informed of the fees being taken *in conformity with* the Docket ; that by so doing a greater fee was received than formerly ; that the amount charged, as taken from the Docket, was £5 3 2, sterling, and different items are stated as forming this sum. I beg Your Lordship particularly to observe that the fees are stated to have been *taken in strict conformity with the Docket* ; and I now refer to the reply of the Commissioners, which is as follows, viz :—“ Having read your Letter dated 19th August, 1813, No. 10, reporting that you were directed, by the Commissioners of West India Revenue Inquiry, to conform to the *Table of Fees in use at the Port of Halifax*, in the Province of Nova Scotia ; that by so doing you receive a greater fee in the entry and clearance of every vessel, than was formerly charged, and requesting our directions.

“ We acquaint you that the general subject of fees in the Plantations being still under consideration, you are to govern yourselves according to the directions of the said Commissioners, until you receive further orders from this Board on the subject.”

Their Honors here refer entirely to the statement, that the fees were taken in conformity with the docket. Their answer

is based upon that assertion ; and to what do their directions amount ? viz. That the officers at Quebec are to regulate their fees according to the directions of the Commissioners of West India Revenue Inquiry, or in other words, according to the true intent and meaning of the Halifax docket of fees.

Their Honors neither approve nor disapprove of the items stated by the Collector. They could not do so, from any thing that was before them. In some instances, every item detailed might be taken ; while in others, the greater number could not be legally demanded. Besides, it cannot be supposed that their Honors intended to contradict themselves, by directing their officers to take their fees according to the docket, and at the same time authorising the receipt of a fixed sum of £5 3s. 2d. sterling, when, from the nature of the docket, the fees must frequently vary according to circumstances.

If, my Lord, the Commissioners had been informed that it was the practice to charge the master of each vessel with the fee allowed by the docket for *a new Register, and recording that Register*, and that in addition to this, when a new Register was granted, another fee was also charged for that document : if their Honors had been informed that *anchorage* was taken upon every vessel, whether in ballast or with a cargo, the whole of which was landed at Quebec : if they had been informed, that no certificates or report were granted, but that the master was compelled to pay for two such certificates : if they had had any information of the system pursued in regard to warrants to load and unload, and to cockets : had they been told that no such documents were granted, except when the importer or exporter obtained and paid for them, yet, that notwithstanding, the master was also required to pay a fee for one of each :—if their Honors had been acquainted with all these circumstances, and had replied, that they approved of the system, and directed it to be continued, it might then be said, that there was authority for these charges. But the contrary is the case : no such information has been given to their Honors ; and the order is precise, to regulate the fees according to the directions of the Commissioners of West India Revenue Inquiry ; and these directions appear, from Mr. Salton's letter, to be, *that the Officers of the Customs are strictly to conform to the Halifax docket.*

I trust that it will now appear to your Lordship, that I did not complain of any practice which was authorised by the Commissioners of Customs ; neither did I challenge the Halifax docket—it is the only legal tariff for regulating the fees at the Custom-house. One set of Commissioners direct the docket

to be strictly followed—the Board of Customs repeat that direction ; and any thing, therefore, which is not according to the true meaning and intention of the docket, must be erroneous.

I have still to pray your Lordship's indulgence, that I may submit some few remarks upon an often repeated accusation, which is as unfounded as it would have been disgraceful to my character, both as a public officer and a private individual, had it been true. It is that I had an understanding with some Merchants, whose names have not been mentioned to me, relative to the subjects I brought before the Commissioners in November, 1820, and that I was induced to act as I then did by persons interested in bringing forward charges against the officers of the Customs.

Upon this, my Lord, I can come forward and declare upon my word of honor, that I never either directly or indirectly had communication, previous to sending my letters, with any individual (except one) relative to the subjects upon which I wrote to the Commissioners on the 13th and 15th Nov. 1820 ; and I challenge the persons who have been so indefatigable in spreading the report to declare their authority for such an assertion ; I tell them that they have been misled by the most false and malicious information, and I have no doubt that in justice to their own characters they will now come forward, and point out those who have induced them into such an error. I again repeat that I had no communication with any individual unconnected with the office, and that no person whatsoever knew of my having written until months after my letters left Quebec.

I feel confident your Lordship will now acquit me of this charge, and it is but right, that the circumstances which induced me to examine so strictly into the fees, should be known ; these can be detailed in few words, and they are as follows : I was upon one occasion told by my own Clerk, Mr. Bruce, that the fees received by the Collector and Comptroller were greater than those authorized under the Halifax docket, and he made use of these remarkable words, " if I leave the Custom-House and am employed by a Merchant, or go into business on my own account, I shall not pay you the fees you now receive ;" this my Lord was a species of threat, the execution of which I felt it would be necessary to meet. I immediately examined into the fees, and Mr. Bruce pointed out what was wrong ; he also referred to the order relative to Montreal vessels, and to the form of the general certificates, and this is the only communication I had with any person

upon these subjects before writing to the Commissioners. I then referred to the Comptroller's instructions, and I there found that when any thing occurred which was not particularly mentioned therein, I was to apply to their Honors. I did so, unknown to all, and I considered I was acting according to their honor's intentions. I was mistaken, I ought, in the first instance, to have communicated with the Collector; but it was a mistake that any other might have committed, and I appeal, upon this point, to the present Comptroller, and ask him, whether, if the printed instructions had been put into his hands as his sole guide, (which was my case) without his having any knowledge of the late correspondence, he would not have conceived himself called upon by those instructions, to communicate directly with the Commissioners without reference to the Collector, had he judged it necessary to apply to their Honors:

I have been more particular in these points because attempts have been made to renew the impression which was formerly given. It has been said that the present Petition is founded upon what I then did—It may be so, but if such be the case, it is without my knowledge. I had no communication with the Gentlemen who promoted that Petition, and it is well known that I was not the person who first published the measures which were adopted by me, in November 1820. I knew not of the present Petition until the day before it was presented to the House of Assembly; and I was ignorant of its contents until I heard it read in the Legislative Council. Since it has been before the public, I have neither sought nor avoided declaring my opinion; when I have been questioned upon the subject, I have stated what I thought was right, and I can have no hesitation in saying at all times, that so far as I am competent to judge, the Fees heretofore received are much greater than those authorized.

I must apologize to your Lordship for having taken up so much of your time, upon a subject in which I am in a great degree, personally interested; but I rely with confidence upon the well known character of your Lordship that I shall not be considered as having trespassed in defending myself from the unjust representations which have been made relative to my conduct as Comptroller of the Customs; your Lordship has had full opportunity of observing how I have performed my duty. You are acquainted with the steps I took last winter, when an opportunity offered of materially injuring the Collector of the Customs, at a time when he could not defend himself. Your Lordship, I have reason to believe, was satisfied

with what I then did, and I beg to be permitted to assure your Lordship, that as I then acted I shall ever continue to do, and that in no instance will I knowingly give cause of regret to those who have honored me with their protection as your Lordship has done.

I have the honor to be, my Lord,
 with the greatest respect,
 your Lordship's most obedient
 humble servant,
 (Signed) T. A. YOUNG.

Certified,
 T. A. YOUNG.

CHARLES GREY STEWART, Esquire, Surveyor for the Act of Navigation, and Waiter and Searcher for the Port of Quebec, appeared and was examined.

Q. You are Surveyor for the Act of Navigation, and one of the Waiters and Searchers of His Majesty's Customs for the Port of Quebec ?

A. Yes.

Q. Will you state to this Committee the nature of the duties you have to perform as Surveyor for the Act of Navigation and as Waiter and Searcher of His Majesty's Customs for the Port of Quebec, on the entrance and clearance of vessels severally, and state the items of fees allowed you for performing such duties as chargeable against vessels only ?

A. I have printed instructions respecting the duties which appertain to the Land and Tide Surveyor and Waiter and Searcher; with regard to the fees, I receive them under the third and fourth columns of the Halifax Docket; and at times for extra services performed, I will produce to this Committee a statement of the items by me presented to the Board of Trade in 1817, which will be an answer to this question; they are as follows :

Quebec, 1st. September, 1817.

(Copy)

“ Messrs. C. G. Stewart
 “ and William Wilson,
 “ Waiters and Searchers of
 “ His Majesty's Customs, Quebec.

“ GENTLEMEN,

“ By order of a Committee of the Merchants of Quebec, I have to request you will have the goodness to furnish me with a memorandum of the different items

“ charged in your Office, on clearing out a vessel of two hundred tons for any port in Great-Britain.

“ I am, Gentlemen, your obedient Servant,
“ J. L. MAQUAY, Junr. Secretary.”

[The answer thereto.]

(Copy)

“ Quebec, 2d September, 1817.

“ SIR,

“ In obedience to the order of a Committee of the Merchants of Quebec, signified to us by your's of yesterday, we beg leave to subjoin, for their information, the different items charged in our Office upon entering, jerquing and clearing any square rigged vessel for any Port of Great-Britain.

“ General entrance	£0 6 9	and	£0 1 5
“ Report	0 0 6		
“ Warrant to unload	0 0 6		
“ Certificate of Report	0 1 0		
“ Anchorage	0 2 0		
	<hr/>		<hr/>
	£0 10 9	and	£0 1 5

“ Outwards.

“ General Clearance	0 6 9	and	0 1 5
“ Report	0 0 6		
“ Warrant to unload	0 0 6		
“ Certificate of Report	0 1 0		
“ Cocket	0 1 0		
“ Non-enumeration Bond	0 0 6		
“ Certificate of do.	0 1 0		
“ Lumber Bond	0 0 6		
“ Certificate of do.	0 1 0		
“ Enumerated Bond	0 0 6		
“ Certificate of do.	0 1 0		
“ Bill of stores	0 0 6		
“ List of men	0 0 6		

£1 6 0

“ and 0 2 10

1 8 10

“ Add 1-9th 0 3 2½

£1 12 0½

0 10 0

“ Jerquing fee

£2 2 0½

“ We have the honor to be, Sir, Currency.

“ Your very obedient humble servants,

“ Signed { CHS. G. STEWART,
W. WILSON.”

In addition to the amount of the items given to the Committee of Trade, there is for cancelling the Bonds given here, viz :

Enumerated, non-enumerated and Lumber Bond,		£0	1	1½
at 4½d. each, is		0	3	0
If a Bill of health		0 4 1½		
	add 1-9th	0	0	5½
		0 4 7		
	add	2	2	0
		£2 6 7		
If an Isle of Man Bond	£0	0	6	
Certificate of having given it	0	1	0	
		0 1 8		
		£2 8 3		

In the Waiters and Searchers' office, the following charges have been made by C. G. Stewart, viz :

Schooners clearing for Gaspé, Bay Chaleur and the Magdeleine Islands, currency, £0 1 5

And in addition with salt for Drawback, the Entry outwards, 1s.9d. } 0 2 9

Bond and cancelling, 1s.

N. B. The entry and bond is paid by the exporter, who claims the drawback allowed by law. Sloops and schooners going to Labrador, Miramichi, Halifax and Newfoundland have been charged from 7s. 6d. to £1 15s. currency, the smaller vessels; the larger class of schooners, &c. and square rigged vessels are charged £2 5s. currency, extra services included. Vessels that go to Montreal are £2 10s. currency, and West India Vessels are charged also £2 10; less however has been charged upon smaller vessels: These vessels give a great deal of extra trouble, of which the Merchants are fully aware, and have heretofore with cheerfulness paid the sum above stated, as being justly appertaining to us, not only by the Halifax docket, but for the extra services rendered.

Q. When did you commence receiving your own fees?

A. In the spring of 1816.

Q. Was it in consequence of a request on your part?

A. Yes, previous to 1816, the waiters and searchers' fees were received at the Collector and Comptroller's desk, but in

consequence of a representation at home, an order was sent out that the waiters and searchers should receive their own fees, under the third and fourth columns of the Halifax docket.

Q. Can you inform the Committee if a deduction has been made in consequence, by the Collector and Comptroller?

A. I cannot, not having access to their books.

Q. What was the amount of fees received for you at the Collector's desk, previous to your receiving them yourself?

A. From a settlement with the late Mr. Scott, the Comptroller, I found that £1 4 6, sterling, was allowed to the Waiter and Searcher, on each case arising from the third and fourth columns.

TUESDAY, 2d March, 1824.

Mr. BELANGER in the Chair.

FREDERICK EAST, Esquire, Naval Officer for the Port of Quebec, appeared, and was examined.

Q. What was the Fee claimed by the Naval Officer, at the Port of Quebec, previous to the year 1816, on the entering and clearing of Vessels, what Fee has been claimed by the Naval Officer, since that period, and please to state if the Fees have been increased; by what authority the increase has been made, and the amount of such increase?

A. The Fees claimed by the Naval Officer, previous to the year 1816, on the entering and clearing of vessels, was 5s on the entry, and 5s on the clearing of square rigged Vessels, and half the above sum on Schooners and Sloops. The fees subsequent to the above period have been doubled and claimed, agreeably to the opinion and advice of His Majesty's Advocate General, as being the amount the Ordinance regulating the Naval Officer's fees, intended that Officer was entitled to receive.

RESOLVED, That the Letter of Mr. Young, late Comptroller of the Customs, for the Port of Quebec, be communicated to the Honorable M. H. Perceval, if he requests it; and that he be required to produce to this Committee with all possible despatch, Copy of the correspondence to which the said Letter of Mr. Young refers.

WEDNESDAY, 3d March, 1824.

Mr. BELANGER in the Chair.

Mr. JOHN BRUCE, first Clerk to the Collector of the Customs for the Port of Quebec, was called in and examined.

Q. 1. How long have you held a situation in the Custom House?

A. Nearly ten years.

Q. 2. By whom were you first employed, and in what situation?

A. By the late Comptroller, Mr. Scott, as his Clerk.

Q. 3. Had Mr. Scott been long in the situation when you were first employed?

A. I do not know exactly, probably about a year.

Q. 4. Do you know if there was any alteration in the Fees exacted at the Custom House, by any of the Officers, between the time of your being employed, and the death of Mr. Scott?

A. There has been no alteration in the table of fees, during that period. Since 1816, the fees of the Collector and Comptroller only, as stated in the first and second columns of the table, have been received at the Collector's desk. The Waiters and Searchers since that time, have received their own fees, under the third and fourth columns of the table.

Q. 5. Has there been any alteration since?

A. The table remains the same. In 1817, a fee of ten shillings for a general certificate was established; and a further fee of five shillings for a certificate to cancel a bond, by virtue of an order from the Lords Commissioners of His Majesty's Treasury, and from the Honorable the Commissioners of His Majesty's Customs.

Q. 6. What check is there over the Officers, to prevent them from taking other or higher fees than are allowed?

A. The fees of the Collector and Comptroller are entered daily in their fee-book; and I believe the Waiters and Searchers keep separate books, in which they enter the fees received by them.

Q. 7. Are those entries submitted to the Collector or Comptroller for their particular inspection, or are they open to the public; and are the different items of the receipts, and the names of the persons from whom the fees are received, mentioned?

A. The books are open for the inspection of the Collector and Comptroller, when they please. I do not know that the public have ever asked to see them. The amount paid for the

entrance and clearance of each vessel is entered opposite to the respective names of the vessels ; but the items are not detailed. The fees received on documents required by individuals are entered from the day-book, stating the whole number of each.

Q. 8. In what capacity were you employed at the customs, while Mr. Young was acting Comptroller ?

A. As his Clerk, until October, 1822.

Q. 9. Do you recollect having made any observations to Mr. Young, at any time, respecting fees exacted at the Custom-house, greater than those authorised by the Halifax docket ; and will you have the goodness to repeat that observation, if any such occurred, as nearly as you can recollect ?

A. I consider that any observations which may have taken place between Mr. Young and myself, when I was employed by him, as addressed to him alone.

Q. 10. Do you recollect having made use to Mr. Young, while he was Comptroller, of expressions to the following import : " If I leave the Custom-house, and am employed by a merchant, or go into business on my own account, I shall not pay you the fees you now receive."

A. I never said so.

Q. 11. Are the new fees of ten shillings and five shillings, stated in your answer to the fifth question, paid by the merchants, or by the masters of vessels ?

A. I believe the general certificate is to be paid by the master of the vessel ; and the certificate to cancel bonds, being required by the merchants, is paid for by them.

CHARLES GREY STEWART, Esquire, Inspector for the Act of Navigation, and waiter and searcher at the port of Quebec, again appeared before your Committee and was examined as follows :

Q. Are you the officer through whose hands Warrants to load and unload, pass, and are such Warrants ever granted to the masters of the vessels besides those obtained and paid for by the merchants ?

A. I am one of the officers through whose hands the Warrants to load and unload pass. It has not been the practice generally to grant the masters a Warrant to unload, the officer in charge having a knowledge of the fact, by the masters delivering to him a manifest of his cargo corroborated by the Report Book. Inwards, however, had either of the searchers required from the master the certificate in question from the Collector and Comptroller, it would have been immediately granted ; when the master enters his vessel outwards he makes

a general entry, and gives the Bonds required by law; a sufferance is then granted to him by the Collector and Comptroller, which he hands over to the waiter and searcher in charge, and pays to him one shilling and nine pence for his entry and cocket.

Q. Does not the exporter pay for the cocket at the time that he obtains his warrant to load, and does the master of the vessel get any other cocket than the one obtained for, and paid by, the merchant?

A. The exporter pays for his entry and cocket at the time he obtains his Warrant or Sufferance to load. I am not aware of any charge being made to the master, however, I beg leave to remark that when a merchant makes his entry outwards, he, in general inserts all the articles of export, and perhaps only ships but two or three of them, the cocket therefore made in the first instance by the Collector and Comptroller must be cancelled by another, in conformity to the searcher's certificate or indorsation on the sufferance.

Q. Are certificates of report either inwards or outwards ever granted to masters of vessels?

A. Not generally, but the searchers have at all times immediate communication of the fact as stated in the first question.

Q. Did you not act for some time as Comptroller of the customs at this port?

A. Yes, I did.

Q. Will you explain to the Committee what is the nature of the record made at the Custom House, on the entrance and clearance of vessels under the item of new Register and recording the same, for which a fee of 17s. 4d. sterling, is exacted and is there any other authority than the docket for recording such Register?

A. All vessels that obtain Registers at this place are recorded in a Book for that purpose, provided by the honorable Board of Commissioners of the Customs, London, wherein the names of the owners and also the description of the vessel as given by the certificate of the Surveyor of the Navigation Act are entered. The Collector and Comptroller charge the fees as stated in the first and second columns of the Halifax docket.

Q. Is the charge of 17s. 4d. sterling, made on the entrance and clearance of vessels under the head "Recording Register" the same as that authorised by the docket for "new Register and recording the same," and upon what authority is that charge made on all vessels entering and clearing at this port?

A. I am not aware whether the 17s. 4d. that is charged upon the recording of a new Register is applicable to the recording of all vessels that enter and clear, but which is done in the inward and outward Report Books, and afterwards, by the Collector and Comptroller, transmitted home quarterly. No charge is made by the waiters and searchers.

The Honorable M. H. Perceval produced to the Committee, in conformity to its order of yesterday, copy of the correspondence referred to in the letter of Mr. Young, laid before the Committee on the first instant, and which will be found in the Appendix under the letter B.

Thomas Ainslie Young, Esquire, again appeared before the Committee, and requested that the following Affidavit should form part of the proceedings of the Committee.

*Province of Lower-Canada, } “ Personally appeared before
District of Quebec. } me the Honorable J. Sewell,
Chief Justice of the Province of Lower-Canada, Thomas
Ainslie Young, Esquire, Inspector General of Public Pro-
vincial Accounts and late Comptroller of His Majesty’s Customs
at the Port of Quebec, who being duly sworn upon the Holy
Evangelists, deposeth and saith ; that in the latter end of the
month of September, or the beginning of the month of Octo-
ber, in the year one thousand eight hundred and twenty, Mr.
John Bruce, at that time his Clerk, made use of the following
words in addressing him : “ If I leave the Custom-House and
am employed by a Merchant, or go into business on my own
account, I shall not pay you the fees you now receive ;” that
the nature of this declaration, from a person who apparently
depended upon him for his support, made a great impression
upon this deponent at the time, and that he has full recol-
lection of the said Mr. John Bruce having made use of the
words above stated, and further he saith not.*

(Signed)

T. A. YOUNG.

Sworn before me,
This 4th day of March, 1824.

(Signed) J. SEWELL, C. J.

Your Committee think it proper in the first place to observe that it is to be regretted that matters so important as those which form the object of the reference, should have been laid

before this House, at so late a period in the Session. That circumstances have prevented them from proceeding to a minute examination of every item of the table of fees for the Port of Halifax in force in this Port, and from ascertaining by a regular inquiry whether that table be in its detail, applicable to the existing circumstances of the Port of Quebec, and whether it bears equitably on the subject. The important interests of commerce and navigation have, however, powerfully induced your Committee to apply their close attention to this matter, in order to submit to the House the result of their proceedings.

Your Committee accordingly proceeded to hear testimony and evidence in support of the complaint, and then examined the Honorable Michael Henry Perceval, Collector of the Customs at the Port of Quebec; Thomas Ainslie Young, Esq. late Comptroller; Charles Grey Stewart, Esq. Inspector under the Navigation Act, and a Waiter and Searcher of the Customs; Frederick East, Esq. Naval Officer; and Mr. John Bruce, the Collector's Clerk, in explanation; and having carefully weighed and considered all the above-mentioned evidence and explanations, your Committee are of opinion, that there have been exacted and levied by the Officers of the Customs for the Port of Quebec, and by the Naval Officer, for many years past, fees and emoluments upon shipping, which they were not entitled to receive, by virtue of the Halifax tariff established for this port. That those fees have varied from time to time, without any sufficient authority or explanation having been adduced to justify such variation. That there have also been exacted and levied fees and emoluments for documents which ship-masters were not obliged to take, by the practice of this Port, and for pretended services, which had neither been required nor rendered. That the fees and emoluments, (assuming even that the Officers of the Customs conform thereto) are too high for the present state of commerce, and bear particularly upon small fishing-vessels and others sailing to the neighbouring Provinces. That the office hours are not suited to the exigencies of the trade, more especially in the Spring and Fall. That on the foregoing heads the Petitioners have with reason complained of the unfair and disproportionate exactions of the Officers of the Customs, and of the Naval Officer of this Port, because great discouragement to the Colonial trade and navigation must thence have resulted.

Your Committee accordingly report as their opinion, that it would be expedient that an Address should be presented to

His Excellency the Governor in Chief, praying that His Excellency would be pleased to adopt such measures as to him may appear effectual, for remedying the abuses of which the Petitioners complain.

The whole, nevertheless, humbly submitted.

(Signed) JEAN BELANGER,
Chairman.

APPENDIX A.

CUSTOM HOUSE,

QUEBEC, 13th February, 1824.

MAY IT PLEASE YOUR EXCELLENCY,

The undersigned have had the honor to receive from your Civil Secretary a letter enclosing the memorial and other papers presented to your Excellency by certain merchants of Quebec, complaining of the fees exacted at the Custom House, and in obedience to Your directions they have the honor to submit to Your Excellency the following observations upon the several allegations contained therein.

The memorialists are perfectly correct in stating that a change was made in the mode of transacting the public business, and in that respecting the fees soon after the present Collector had charge of the Department. That the change under the first head was necessary and imperative, it is believed no one will dispute, nor could it be denied that if out of his own mere motion he had unwarrantably changed the existing system, for the purpose of obtaining unauthorised emolument that every imputation with which he has been assailed would most justly have been merited. A simple statement of facts of public notoriety and well known to most of these memorialists, and to the merchants at large, will test the truth of the allegations in question.

For a period long antecedent to his arrival, it was the established practice, (whether originating in any arrangement with the merchants, or in any other cause cannot now be ascertained, as the records of the office do not afford information,) to pay a fee of £5 5s. upon the entering and clearing of every ship, whether the documents she might require were many or few, and no complaint or difficulty seems to have existed then or down to the time when the Commissioners of Special Revenue enquiry visited the port in the year 1812. Soon after the arrival of the Commissioners at Halifax, a letter was received from them about the close of the navigation in that year of which the following is an extract: "I have further to inform you, that it is the opinion of the Board that the Halifax docket of fees laid before them with your returns, and signed by the Collector and Comptroller of that port, is the only docket under which you and every officer under your survey can legally demand and receive fees, and you and the officers under your survey are in future strictly to conform thereto, which order you are to make known to those officers respective-

ly wherever stationed." In consequence of that order it became necessary to discontinue receiving the above general fee which was thus stated to be illegal, and to make the charge upon entering and clearing vessels strictly conformable to the docket, with reference to the documents which each vessel might require.

This new system as directed went into operation at the opening of the navigation in the year 1813, but in order to obviate every possible doubt or difficulty, which might and probably would be stated upon this charge, the Collector submitted the propriety of the course which he had thus been ordered to adopt together with the items of all the charges made in a letter to the honorable Commissioners of His Majesty's Customs, dated 10th August, 1813, which together with the reply of the Board thereto are given at length from their important bearing upon the malversations now alleged against the Collector, of unauthorisedly augmenting the fees without the sanction of law or necessity.

CUSTOM HOUSE,

QUEBEC, 10th August, 1813.

HONORABLE SIRS,

We received a letter from the Secretary of the Commissioners of Special Revenue Enquiry, dated Halifax, 22d September, 1812, in which it is stated, "I have further to inform you that it is the opinion of the Board, that the Halifax docket of fees, laid before them with your returns, and signed by the Collector and Comptroller of that port, is the only docket under which you or any other officer under your survey, can legally demand or receive fees and you and the officers under your survey are in future strictly to comply thereto, which order you are to make known to those officers respectively, wherever stationed.

"In consequence of the directions contained in this letter, the fees which have been collected since the opening of the navigation, have been in strict conformity to the Halifax Docket, as there is a small difference betwixt those fees, and what were formally charged, we think it proper to state that difference to your honors, and we are the more induced to do so, as the order we have received is merely a general reference to the Halifax Table, without giving any directions as to its particular application.

"The amount of fees formerly charged upon the entrance and clearance of a vessel was £4 15 0 sterling, but the particulars from which this sum is formed is not exactly known, the amount now charged as taken from the Docket, is £5 3 2 sterlg. the different items are as follow :

Inwards.	
General Entry,	£0 18 11
Report,	0 2 6
Warrants to unload,	0 2 6
Certificate of Report,	0 4 0
Anchorage,	0 6 0
Recording Registers,	0 17 4
Foreign Topsail vessels,	0 9 6
	<hr/>
	£3 0 9
	<hr/>
Outwards.	
General Clearance,	£0 18 11
Report,	0 2 6
Warrant to load,	0 2 6
Certificate of report,	0 4 0
Bill of Stores,	0 2 6
List of Men,	0 2 6
Foreign Topsail vessels,	0 9 6
	<hr/>
	2 2 5
Add Inwards,	3 0 9
	<hr/>
	£5 3 2
	<hr/>

“The amount charged formerly having been £4 15 0 sterling, the additional charge made in conformity to the Docket is 8s. 2d. sterling upon the entry and clearance of every vessel; the merchant pays for the entries and such cockets, bonds and certificates as are necessary, and those are likewise charged according to the Halifax Docket.

“If the meaning and application of this Docket had been perfectly clear and obvious, the under-signed would not have felt themselves called upon to report this alteration, but feeling as they do, they hope they will be excused for stating the application which they have made of the orders which they have received, and they beg leave at the same time to mention that they shall continue to regulate themselves accordingly, unless they shall receive contrary directions.”

We have the honor to be, &c.

(Signed,)

M. H. PERCEVAL, Coll.

W. SCOTT, Comptr.

CUSTOM-HOUSE,

LONDON, 7th October, 1814.

(No. 11.)

GENTLEMEN,

"Having read your letter of 19th Augst. 1813, No. 10, reporting that you were directed by the Commissioners of West India Revenue Inquiry, to conform to the table of fees in use at the Port of Halifax, in the Province of Nova-Scotia, that by so doing, you receive a greater fee on the entry and clearance of every vessel, than was formerly charged, and requesting our directions.

"We acquaint you that the general subject of fees in the plantations, being still under consideration, you are to govern yourselves according to the directions of the said Commissioners, until you receive further orders from this Board on the subject."

(Signed,)

R. B. DEAN,
S. BURNS,W. BOOTHBY,
T. S. RICHMOND.

These official documents will at once shew to your Excellency how entirely unfounded is the accusation on that head.

The only augmentation which has been made to the fees since that time, has been in consequence of an order of the Commissioners of the Customs, directing a fee of two dollars to be charged upon the granting of every general certificate of the landing of a cargo, and a fee of one dollar upon every certificate granted for the purpose of cancelling bonds. A copy of the order is subjoined.

The allegation that the fees vary on vessels of the same class, under similar circumstances, and with similar cargoes, is incorrect. There can be no alteration in the amount of fees, unless under different circumstances, and when, as may happen by the addition of a few articles of export, the cargoes are so changed as to require a greater or less number of documents; in proof of which, it will only be necessary to compare the fees charged in 1822 and 1823, as shown by the statement of the memorialists, when it will be found that the fees of the principal Officers are 11s. 2d. less in 1823, in consequence of the non-enumerated and lumber bonds being no longer required. Since the passing of the act 3d Geo. IV. cap. 45, the fees charged on the bonds, and the certificates thereof, have been discontinued; the Officers of the Customs having thus sacrificed the amount of 14s 6d, on the clearing ships, without being ordered to do so by their superiors; although it may be deemed a fair legal question, whether, under the Acts of Parliament authorising fees, they are not justly entitled to still receive them.

To refute the assertion, that all explanation is refused by the Officers of the Customs, they need only quote the following paragraphs

of a letter addressed to His Excellency Sir John C. Sherbrooke, in the year 1817, upon a similar representation against the Custom-house at that time, to show the groundlessness of this charge: "As the undersigned are aware that the propriety of this correspondence on their part, with a committee of merchants, may be questioned, they trust, that before they proceed to execute your Excellency's commands in reporting upon that representation, they may be permitted to state the grounds which induced them to enter upon it.

"The necessity of affording information to an individual, and of listening to a complaint arising out of business actually transacting in the office, is what cannot admit of a doubt." But how far a public officer can be justified in entering into a correspondence with a Committee appointed to inquire into the irregularities and abuses of a public office, is a point into which it is hoped your Excellency will not at present inquire. Had the object of this Committee related solely to the mode of transacting the public business, the undersigned must have declined to answer their first letter; but as the fees and emoluments of the office were challenged, the undersigned felt anxious to avoid the imputation of withholding any information on that subject; and, on the other hand, situated as they are, at a distance from those to whom they are responsible for the proper discharge of their duty, they felt extremely desirous to ascertain what the alleged grievances were, of which, until that period, they were entirely ignorant.

"Although the propriety of communicating with this Committee may be questioned, yet the undersigned feel confident that your Excellency will not disapprove of the motives which have dictated the course they have pursued."

The undersigned have only in addition to observe, that as in the correspondence above alluded to, the Committee of merchants was furnished with copies of the letters which passed between the Commissioners of the Customs and the undersigned, on the subject of the fees, and also with a memorandum in detail of the items charged at the Collector and Comptroller's desk; and the Clerks were even permitted to attend this Committee, to answer every question, or give any necessary explanation that might be required,—it is submitted, how far it can in justice be said, that all explanation is refused. The real fact is, that explanation has never been denied; although the purport of the inquiry, it is believed, has often been not with the view of acquiring information.

Upon the second head of complaint, the undersigned assert, that the fees are levied according to the tariff, as by law established; are charged for services performed, and documents granted by the Officers of the Customs; and not on vessels of a particular size, or engaged in a particular trade, either to Great-Britain, to ports in Europe, or to the Colonies, without regard to the probable length of the voyage, or to the rate of freight. And for the correctness of this, they can confidently refer to the fee-book, in which each fee for every document or service; is regularly entered, and kept under the

same regular system of check as the other cash-books of the department. If it can be considered a hardship on the one side, that a small vessel should pay as much as one of much larger tonnage; so it may be considered, on the other hand, as equally disadvantageous to the Custom-house officers, whose fees do not increase with the size of the ship, and who will not receive a greater fee in clearing the vessels now building here, and which are said to be calculated to carry away thirty or forty cargoes to Great-Britain, than upon a small vessel bound to a neighbouring port. It appears difficult to conceive, why the shortness or facility with which a voyage is made to the neighbouring Provinces, the consequent less expence attending it, and the comparative quickness of the return of any expected commercial advantages to the shippers at Quebec, should be held to operate as a reason for calling for a reduction of the Custom-house fees. It might as well be said, that it would be disadvantageous to the mercantile speculation of this country, if the Island of Great-Britain were as closely approximated to the shores of Canada, and that it would become necessary, in consequence, to diminish those fees.

It is attempted to be shewn that the small vessels trading to the neighbouring Provinces are oppressed by Custom House fees, but it may be fairly inferred from the contents of the memorial itself that the real cause proceeds from the lowness of the freight given to the owners of these small vessels, who have been driven out of the river trade by the steam boats; they have in consequence little more than sufficient to defray the expences of their voyage, of which the actual Custom House fees are only a small part, and which in the statement of fees paid at the Custom House, annexed to the petition are over rated. In that statement the memorialists have in some instances very incorrectly added the fees on merchants, entries and certificates, and the Greenwich Hospital duty to the charges against the ship; they have stated in every case the fees paid on entries outwards and cockets, and in many cases the fees on their entries inwards, all which have no reference whatever to the ship's expences.

In the statement of the memorialists marked [4] it is said that in the year 1814, the fees on an entry outwards paid by every shipper was raised from 2s. 9d. to 7s. 4d. This must evidently be a misapprehension; the sum in reality including the fee allowed by the Tariff, of 4s. 6d. for a cocket, which must accompany the goods of each shipper, and without which they would be liable to seizure at the port of importation. The undersigned are thus minute upon this particular head as it is the only specific charge of an unwarrantable increase of the fees. The undersigned are glad however that a detail has at last been furnished in these statements which separates to a certain extent the various charges which have hitherto been denominated Custom House fees; and that the Naval Officer, Harbour Master and Trinity House dues are shewn, as it affords the opportunity of its being seen, that the actual amount paid at the Custom House on the entering and clearing of a vessel which is now correctly noted by the

undersigned on the statement of the memorialists in red ink, do not amount to more than one half the sum which has heretofore been called Custom House charges.

The heaviest charges on vessels at Quebec will be found in the wharfage and the pilotage. As a proof of this, it may be mentioned that the master of the American Brig "Jones," the only foreign vessel that came to Quebec since the trade was opened, particularly complained of these and other charges, while he admitted that the Custom House fees were moderate and reasonable. This acknowledgement of a stranger, in the habit of trading to other countries and to other ports, may be very properly brought forward in opposition to the statements of the present representation; but although it might be proved that the trade to the neighbouring provinces, in small vessels, is overburthened or oppressed, yet it is presumed that every circumstance would be considered in giving relief, and that the public officers will not be required to sacrifice without compensation their just and legal rights for the advantage of individual and private interests, more particularly when it is stated that the officers of the Customs whenever any representation was made, that the circumstances of the parties required relief, not only have given up half their fees, but in many instances the entire fees have been remitted. Indeed during the last two years half the fees have been remitted upon these vessels generally, with the exception of those in the employment of the North-West company, that body having made no representation of hardship to the undersigned; while the officers of the Customs have thus been giving up their emoluments in favour of the trade in question and subjecting themselves in consequence to have it asserted that their exaction of fees is arbitrary, it is believed that the full amount of wharfage and other charges have been exacted at the same time that the lowest possible freight has been given; and this has even been reduced in consequence of the remission of the Custom House fees, if the assertion of some of the masters of these vessels be correct.

Upon the third head of complaint in the comparison which is drawn between the advantages enjoyed by American vessels over vessels from Quebec, trading to the neighbouring provinces, it is difficult to imagine upon what grounds the statement is founded. It is well known that American vessels pay Custom House fees in their own ports equal to if not exceeding those charged at Quebec; but admitting that the fees in the American ports were even less than those payable here, how could that difference counterbalance in any way the advantage given to the shipper of Canadian flour to the lower ports over the American exporter. The vessels generally employed in this trade carry 400 barrels flour, which if laden at Quebec and accompanied with a certificate of its Canadian origin, can be landed in any of the neighbouring provinces *free of duty*, whereas the American flour would pay a duty of 5s. sterling per barrel, making upon 400 barrels a sum of £100 sterling. It would therefore seem extraordinary that a trifling difference of £1 or £2 in the amount of Custom House fees upon a

whole cargo should be stated as counteracting the benevolent intentions of His Majesty's government in laying a duty on American produce for the encouragement of Agriculture in these Provinces, when in fact this particular trade has nearly tripled itself in the last three years, as is shewn by the annexed document.

Upon the fourth head of complaint relative to the hours of attendance at the Custom House, the undersigned beg leave to quote the following paragraphs from a letter addressed to His Excellency Sir J. C. Sherbrooke, in 1817, in answer to similar charges made by the Committee of merchants already alluded to. "Upon this subject the undersigned remark, that the clearing and entering of vessels have never been refused after office hours, when an application to that effect has been made; and, at the close of the navigation; and indeed whenever a press of business seemed to render it necessary, the hours of attendance have been prolonged without any formal application; and they have further to state that, with the exception of what is now alleged, no complaint has ever been made by any individual on this subject.

"To those who are unacquainted with the business of the Customs, this complaint is stated in a form which appears plausible; but though plausible, it is incorrect, inasmuch as business has not been refused to be transacted at this office, whenever it was applied for or thought necessary; and it is believed that the out-door officers at this Port occasionally make exertions which are neither required nor executed at any other Custom-house. They never scruple to attend from sun-rise to sun-set; and towards the close of the navigation, they frequently attend the vessels they have in charge for many hours after it is dark, when the inclemency of the season serves only to stimulate their exertions in accelerating the work that has yet to be performed.

"To those who are at all conversant in Custom-house business, it must appear obvious, that the duty of the principal officers does not terminate when the doors of the office are closed. Upwards of one hundred entries have frequently been passed at this office in one day, for dutiable goods; many of these entries requiring a variety of calculations and payments to a large amount, together with bonds in security for the several Crown and Provincial enactments. All this gives rise to a great deal of work after hours; which frequently continues till a late hour in the evening, but which necessarily must be done before the books can be compared, and the balance struck, which in this office is done every day, and the proceeds of the whole lodged according to regulation, in the King's chest, under the joint locks of the Collector and Comptroller.

"It is only on such occasions, that Merchants or their Clerks have not been immediately furnished with the documents they have applied for at the Custom-House, and even then it was only entries, warrants or certificates which have been momentarily delayed; for the business of entering and clearing vessels (as has been already stated)

has always been continued when applied for, or thought necessary, and with a view to prevent as much as possible any inconvenience from the delay of issuing regular warrants for the landing of goods. The principal officers have frequently remained in the office for the sole purpose of granting special sufferances for the landing of goods, which may have been so situated, as to prevent the unloading of others, for which warrants had been granted, in so doing, they have incurred a heavy responsibility in permitting goods to be brought on shore before the duties were paid or secured. It is a duty for which the principal officers receive no emolument, and in the execution of which the inferior officers have seldom been sufficiently recompensed. It is however a responsibility from which they will not shrink so long as it appears to them that the business of the port, so peculiarly circumstanced, as it is, requires such accommodation.

“Extra fees have never been received by the principal officers at this port, although many of the most respectable Merchants have mentioned, that double fees had been paid to their predecessors, when vessels were cleared on Sundays, Holydays, or at after hours; but the undersigned have never hesitated to afford that accommodation to the trade, although they have uniformly declined to receive any remuneration for it.”

The principal officers have in a few cases availed themselves of the 7th and 8th William III. cap. 7, sec. 14; and have permitted the masters of vessels to pay to the out-door officers a reasonable allowance for what such masters acknowledged to be extra trouble. The Waiters and Searchers were in the practice of being paid in those cases without the sanction of the principal officer; but as soon as the practice was challenged, it was directed to be discontinued, and as the undersigned pay large salaries to the gentlemen employed by them as Clerks, they have very rarely permitted their receiving any recompence under the authority of that Statute, and when such permission was granted, it has only been in cases when the office remained open to the public for the clearing of vessels until a late hour in the evening.

The undersigned cannot but express to your Excellency their entire acquiescence in the opinion which the memorialists have been pleased to express respecting the expediency of substituting salaries as in Great-Britain, instead of the existing system. They do not conceive it possible, that any mode can be devised under it, to satisfy the minds of those who will have to pay Custom-House fees, that there is not some imposition practised upon them. Indeed the memorial sufficiently shews this by representing the extravagant amount of the fees at the termination of a year, when in consequence of the non-enumerated and lumber bonds being no longer necessary, they have become less in amount than at any period, since the establishment of the table of 1769, when the value of money was so much beyond what it is at present. It is obvious that to officers, possessing any feeling or character, it must be a source of great satisfaction to

be relieved from the painful necessity of experiencing the cavil or misapprehensions of persons with whom they must transact business. And although the trade of Québec must, under the present ameliorations and under those in contemplation, necessarily experience a great increase, the undersigned do not hesitate to express to your Excellency how gladly they would sacrifice any consequent increase of emolument, to obtain an unobjectionable income, founded upon an average of preceding years. If the utmost publicity was given through the medium of the public press, to the proceedings instituted against the Custom-House, during the busiest period of the navigation in the year 1817, in order to obtain materials for framing the memorial transmitted to the Lords of His Majesty's Treasury, by Sir J. C. Sherbrooke, it cannot be said that such has been the case in the present instance. The Collector having been as ignorant of the intentions of any individual to submit matter of complaint against him, until he heard that this petition was presented to your Excellency and to the Legislature as he was of its contents, until he was called upon by your Excellency for the observations he might have to offer respecting it.

The undersigned having, in obedience to your Excellency's commands, now submitted their observations upon the several allegations contained in this memorial, they trust they will have satisfactorily shown to your Excellency, that the Collector has not, without law or necessity, unwarrantably increased the fees of the department; that no additional fee has been established without sufficient authority; that the fees do not vary on vessels under similar circumstances, and with similar cargoes, unless when the Officers of the Customs have voluntarily remitted a part, or the whole of their fees; that every facility has been afforded to inquiry, either for information or explanation; that the statement of fees paid at the Custom-house, which is annexed to this memorial, is overrated; that the actual custom-house charges cannot be considered as oppressive on vessels trading to the neighbouring Provinces, to whom the Officers of the Customs have always readily given relief; that the difference supposed to exist between the fees paid at Québec, and in the American ports, cannot possibly be held to counteract the benevolent intentions of His Majesty's Government in laying a duty on American produce, for the encouragement of agriculture in these Provinces; and, finally, that every attention has been paid to the despatch of business, which the peculiar circumstances of the Port rendered necessary, and that extra attendance has never been refused, on every occasion of particular urgency, even on Sundays or Holydays, although the principal officers have constantly declined receiving any extra fee.

The undersigned have the honor to remain, with the utmost respect,

Your Excellency's most obedient, humble servants,
 (Signed,) M. H. PERCEVAL, Coll.
 G. A. GORE, Compt.

CUSTOM-HOUSE,

LONDON, 17th July, 1817.

GENTLEMEN,

The Lords Commissioners of His Majesty's Treasury having, by Mr. Lushington's letter of the 27th ult. directed that the officers of the Revenue, in the British Colonies and Plantations, shall not require from the Captain of any ship or vessel, more than one general certificate for the landing of a cargo; and that in the cases of certificates, required by individuals, to cancel bonds, given in this country, the same shall include all the goods enumerated in one cocket, although differently marked and numbered; and their Lordships having been also pleased to allow the officers to receive certain fees for such certificates,---

Inclosed, you will receive a copy of the said letter; and we direct you to take care that the commands therein contained be duly and strictly obeyed, so far as you are concerned.

You will also receive herewith, form of a notice, which has been prepared by our orders, relative to such fees; and we direct you to cause the same to be published three times in the public Gazette, and to be affixed up in the several offices, and in the most public parts of the Custom-house at your port, as well as the out-bays, for the information of all parties interested therein. And you are to acknowledge the receipt of these directions by the first packet.

(Signed,) G. WILSON, J. WILLIAMS,
J. BULLER, J. S. RICHMOND.

Collector and Comptroller, }
Quebec. }

CUSTOM-HOUSE,

LONDON, 17th July, 1817.

NOTICE.

The Commissioners of His Majesty's Customs, in pursuance of directions received from the Lords Commissioners of His Majesty's Treasury, hereby give notice, that in future no more than one general certificate of the landing of any cargo, shall be required from the Captain of any ship; and in cases of certificates required by individuals to cancel bonds, given in Great-Britain, all the goods enumerated in one cocket be included therein, although differently marked and numbered, and that for such documents the following fees be allowed upon the same, viz.

For a general certificate of the landing of each ship, . . . 2 dollars.

For a certificate required by individuals to cancel

bonds given in this country, 1 dollar.

The said fees to be divided between the Collector and Comptroller, in the proportion of two-thirds to the former, and one-third to the latter officer.

By order of the Commissioners,

(Signed,) G. DELAVAND, Secretary.

(Copy.)

CUSTOM-HOUSE,

LONDON, 12th February, 1823.

(No. 6.)

GENTLEMEN,

Having read your letter of the 24th Octr. last, No. 14, stating the seizure of the Ship Union and her cargo of lumber, &c. in consequence of the master having omitted to enter into the non-enumerated and lumber bonds; but as you were convinced no fraud was intended, either by the shipper or the master, you had delivered the vessel and cargo on security for the appraised value of the vessel, and double the appraised value of the cargo:—

We direct you to cancel the bonds given in this case, on payment of any expences incurred, and we acquaint you that in consequence of the Acts of the 3d. Geo. IV. cap. 44 and 45, the non-enumerated and lumber bonds in question are no longer necessary, and we direct you to govern yourselves accordingly.

(Signed,) R. B. DEAN, G. WILSON,
S. BURNE, I. S. RICHMOND.

PORT OF QUEBEC,

A memorandum of the number of Schooners trading to the neighbouring Provinces during the last three years :

Year.	Newfld.	Nova Scotia.	New Brunswick.	North Shore.	Cape Breton.	Total.
1821	21	9	5	7	0	42
1822	26	32	13	13	3	87
1823	22	27	33	14	5	101

The great increase of the last two years will shew the advantages derived from the duty imposed on American produce.

M. H. PERCEVAL, Coll.

Custom-House,
Quebec, 13th February, 1824.

APPENDIX B.

(Copy.)

CUSTOM-HOUSE,

Quebec, 15th November, 1820.

HONORABLE GENTLEMEN,

Praying reference to Mr. Secretary Salton's letter, dated Halifax, 22d Sept. 1812, and to the letter of your Honorable Board, dated 7th Oct. 1814, No 11: the undersigned respectfully submit to your Honors the following statement of fees received by the Collector and Comptroller upon all vessels (except coasters) entering and clearing at this port. The amount of the inward and outward fees (exclusive of the general certificate) is £4 12s. 10d. sterling, or £5 3s. 2d. currency, and is made up as follows, viz.

	Coll.	Compt.
Inward.—General entrance,	£0 13 6	£0 5 9
Report,	0 1 6	0 0 6
Warrant to unload,	0 1 6	0 0 6
Certificate of Report,	0 2 0	0 1 0
Anchorage,	0 2 0	0 2 0
Recording Register,	0 13 0	0 4 4
	£1 13 6	£0 15 1
Outwards.—General clearance,	0 13 6	£0 6 9
Report,	0 1 6	0 0 6
Warrant to load,	0 1 6	0 0 6
Certificate of Report,	0 2 0	0 1 0
Cocket,	0 2 0	0 1 0
Non-enumerated bond,	0 1 6	0 0 6
Certificate of do.	0 2 0	0 1 0
Lumber bond,	0 1 6	0 0 6
Certificate of do.	0 2 0	0 1 0
Bill of stores,	0 1 6	0 0 6
List of men,	0 1 6	0 0 6
	£1 10 6	£0 13 6

When an additional bond or certificate is required, the fee thereon is received according to the Halifax docket.

Upon referring to the docket, it appears that a fee of 17s. 4d. sterling is allowed to the Collector and Comptroller for a new register, and recording the same; and a fee of 4s. sterling for anchorage of vessels that do not land the whole of their cargoes.

The merchant, when he passes his entries at the Custom-house, pays regular fee for a warrant to unload, which is also included in the vessels' inward fees.

A warrant to load is granted previous to any goods being shipped; and for this, as well as for the cocket, the merchant pays the regular fees. There are afterwards received a second time, upon the vessel clearing out.

There are no certificates of report granted.

The docket allows an additional fee of 4s. 6d. sterling to the Collector, and 2s. 3d. sterling to the Comptroller, upon all foreign topsail vessels, for the general entries and clearances; and these are included in the sum of 13s. 4d. sterling and 6s. 9d. above stated, and which are demanded and received upon schooners, as well as topsail vessels.

Under these circumstances, the undersigned submits to your Honors' consideration, whether a sum of £1 14s 4d. sterling is not unwarrantably demanded and received as fees on every vessel (coasters excepted) arriving at and leaving this port, and a further sum of 13s. 6d. sterling upon schooners; and humbly prays your Honors' instructions thereon.

With great respect, &c. &c.

T. A. YOUNG, Compt.

To

The Honble. Commissioners
of H. M. Customs, London.

CUSTOM-HOUSE,

LONDON, 7th February, 1821.

The foregoing copy of a letter from Mr. Young, Comptroller of Quebec, is transmitted to the Collector for his observations thereon.

By order of the Commissioners,

H. MACLEAN.

(Copy.)

CUSTOM-HOUSE,

QUEBEC, 11th May, 1821.

HONORABLE SIRS,

Upon your Honors' reference, dated the 7th Feby. transmitting copy of a letter from Acting Comptroller Young, of the

15th Novr. for the Collector's observations thereon, the undersigned has the honor to report, that, by the letter from the Secretary of the Commissioners of Special Revenue Inquiry of 22d Sept. 1812, to which Mr. Young refers, and to which the undersigned also prays reference, the officers at Quebec were enjoined to adhere to the Halifax table of fees; but doubts arising with the undersigned and the then Comptroller, the late Mr. Scott, as to the meaning and application of this docket, they were under the necessity of referring to your Honors, and in their letter of 19th Augt. 1813, No. 10, they stated fully and fairly to your Honors the construction they had put upon it in practice, and submitted a table of the fees they actually exacted, which will be found precisely to correspond with that which is given in Mr. Young's letter, and of which he represents several of the items as unwarrantable. The undersigned and the then Comptroller, in that letter prayed your Honors' attention to the subject, and your further commands, stating that they should continue to regulate themselves accordingly, until the further orders of your Honble. Board, and as your Honors have not thought it necessary to give any further orders, or to enjoin any alteration, it might perhaps suffice for the undersigned, here to rest his defence against the charges contained in Mr. Young's letter, on the subject of these fees; but the undersigned has it in his power to give a more particular, and he trusts a satisfactory explanation on these points.

1st. With respect to the fee for recording registers; each vessel's register is recorded twice, in the inward book at the period of her entering, and in the outward book at her clearing, but the charge for recording is only made on her entry inwards, although it is believed that at other ports, the charge is made for each act of record; the charge of 4s. for anchorage of vessels not landing the whole of their cargoes, is exacted of all vessels on their entry, because it is manifestly a matter of uncertainty, whether a part or the whole of their cargo is to be landed, and vessels coming into the port with intention to unload the whole, often depart with a portion of their cargo still on board; but in every case where a vessel has been entirely unladen, this fee would without difficulty be remitted on application of the master or owner.

2d. With respect to the warrant to unload, which is confounded by Mr. Young with a very different thing, the warrant or permit to the importer, the practice is this; the *Master* of the ship on completing the entry inwards, obtains a *general warrant* to proceed to unload or break bulk. The necessity of this is obvious, but it is also equally necessary for the out-door-officers of the Customs to ascertain that the merchants or owners of goods on board such vessel have severally complied with the regular forms, and have paid or secured the duties before the property specified in their respective entries be put into their possession; for this purpose a *particular warrant* or permit is given to each individual to unlade and take on shore the property

belonging to him ; and it is submitted that the work being done and both sorts of warrants being necessary, the Halifax docket authorizes the fee for each, in the one case from the master, in the other from the importer.

3d. The same necessity existing for two sorts of warrant to load, namely, to the master and to the merchant, although these also are confounded by Mr. Young, and the same practice prevailing. It is humbly conceived, that it is fully justified by the same reasons as are urged in the preceding paragraph respecting warrants for unloading.

4th. Certificates of report are manifestly intended to protect vessels from any molestation by the inferior officers on the ground of their not being reported ; such a certificate ought regularly to be taken by every master on his reporting, and may at any time be demanded and would be given. If the masters do not usually take them up ; if, as is the case with the warrants to unload, they are left in the office, it is because the masters chuse to trust for their protection from molestation on this ground, to that immediate knowledge, which on the small scale of the establishment here, every officer has of the fact of a report being made, and the principal officers would at any time be justified in requiring the inferior officers to demand such a certificate as evidence of that fact.

5th. The fee on foreign topsail vessels is charged on all square rigged vessels, and topsail schooners, not owned at this port ; but it is not charged on those registered and belonging here. This is believed to be the invariable practice at all the ports in the colonies ; the term foreign being considered as applying not exclusively to ships of countries foreign to British dominion, but to ships foreign to the port, or country where the charge is made.

With these observations the undersigned leaves the subject with your Honors, in the full persuasion, that he will on these points be borne out in the practice, which after much consideration and discussion, was adopted by him and his late lamented colleague Mr. Scott, and was submitted then to your Honorable Board.

With great respect the undersigned has the honor to be,

Honble. Sirs,

your most obdt. humble. servt.

(Signed,)

M. H. PERCEVAL, Coll.

To

The Honble. Commissioners
of H. M. Customs; London.

(Copy.)

CUSTOM HOUSE,

QUEBEC, 13th November, 1820.

HONORABLE GENTLEMEN,

The undersigned begs leave to state, that it is the practice for vessels bound to Montreal, to come to an anchor at Quebec, and there to enter and pay port charges; which appears to be contrary to the order of your Honorable Board, dated 23d June, 1815, No. 33.

The undersigned prays your Honors' further instructions, as well as to a system to be pursued with respect to such vessels, as the method of levying and collecting His Majesty's duties at Montreal, and accounting for the same, should your Honors deem it expedient to relieve the trade of that place from the impediments to which it is at present subjected.

With great respect, &c. &c.

T. A. YOUNG, Compt.

To

The Commissioners
of H. M. Customs, London.

CUSTOM HOUSE,

LONDON, 10th February, 1821.

To the Collector of Quebec, to whom this letter ought to have been delivered in the first instance, for his observations.

By order of the Commissioners,

H. MACLEAN.

(Copy.)

CUSTOM HOUSE,

QUEBEC, 11th MAY, 1821.

HONORABLE SIRs,

The undersigned, in obedience to your Honors' reference of the 10th February last, on a letter from Acting Comptroller Young, of the 13th November, respecting the entering here of vessels bound to Montreal, and the difficulties imposed on the Montreal trade, has the honor to report, that the entering and clearance of all vessels coming into the River St. Lawrence, the whole extent of which is established as the Port of Quebec, having from time imme-

morial been made only at the City of Quebec, where the Collector and Comptroller are required to reside, and where the necessary documents for entry and clearance can alone be given, the undersigned is not aware of any order of your Honorable Board, that precludes him from receiving the regulated fee for the duty so necessarily performed by him. He is as little aware of the existence of the impediments alluded to by Mr. Young, as affecting the Montreal trade; but he is, on the contrary, able to state the following facts, destroying both those pretexts of complaint:

1st. That it rarely happens that a vessel is loaded with goods entirely for Montreal.

2d. That all that is required of vessels bound to Montreal is, to pay the Crown duties, and to give security for the Provincial duties.

3d. That every facility has at all times been afforded by the Custom House, (Sundays and Holydays not excepted,) for performing this duty, and forwarding vessels bound to Montreal; and that it is an established rule, that the duty connected with these vessels shall have precedence of all other business.

4th. That even if there were no Custom House existing at Quebec, a vessel proceeding to Montreal would be obliged to come to anchor here to discharge her Pilot, and take another licenced for that branch of the navigation between the two places; to make report, and leave a manifest of her cargo at the Naval Office, for the information of the Governor, and to pay the Port charges connected with that Office, and the Trinity House; to deliver her letters at the Post Office; and she would also have to submit to the visit and inspection of the Health Officer.

5th. That, in truth, the King's duties are collected, bonds taken for the Provincial duties, and the whole business at the Custom House is in such cases completed, while the details above enumerated are performed at the other offices, and, generally, before they are finished; and

6th. That there is only one cause that can prevent the immediate entry of any vessel, and that is her entering the Port without the Master having prepared the proper manifests of the cargo, which, by Act of Parliament, ought to be made out at sea, and delivered to the first Custom House Officer that approaches the ship.

With respect to the mode of collecting the Crown duties on goods destined for Montreal, the undersigned neither sees any hardship on the Montreal merchant in the present course, nor how any alteration can be made. Of the vessels that arrive at Quebec with cargoes, not one in twenty goes to Montreal; and it will scarcely be maintained that, for so small an object, a separate Custom House should be established there. But, even if this were done, the Montreal merchant would be obliged to have an agent at Quebec, for other purposes connected with his trade; and it is by

such agents that the Crown duties on Montreal goods are paid, and the Provincial duties secured. The circumstances detailed above sufficiently show, that no delay, inconvenience, or hardship, is imposed, by the Custom House, on the trade to Montreal; and that those inconveniences that it may suffer, arise from circumstances not to be controled, originating in the situation of Montreal, as an inland town, and from the seat of Government being at Quebec.

With great respect the undersigned has the honor to be,

Honble. Sirs,

Your most obedt. humble servt.

(Signed,) M. H. PERCEVAL, Coll:

To

The Honble. Commissioners
of H. M. Customs, London.

(Copy.)

CUSTOM-HOUSE,

(No. 4.)

LONDON, 31st January, 1821.

GENTLEMEN,

Having read a letter from the Comptroller of your port, dated 18th November last, enclosing forms of general certificates, which it is the practice to grant for every vessel arriving at and leaving Quebec, whether with a cargo, or in ballast, provided the merchant does not object thereto; and submitting whether the same are not contrary to our general order of the 17th July, 1781, No. 13,---

We acquaint you, that under the general order referred to, no certificate was requisite in the case of a ship arriving in ballast; and with respect to the certificate stated to be issued as to the landing of cargoes, that the same is defective in an essential point, namely, in not specifying the several packages, and their contents landed in the way in which they are inserted in the cockets, provided the packages correspond therewith.

And we acquaint the Acting Comptroller, that he ought, previously to transmitting his letter to the Board, to have called upon the Collector to have joined therein; or to have assigned at the foot thereof, his reasons for not doing so, pursuant to the 7th article of your instructions, which we enjoin the Acting Comptroller to observe in future.

S. BURNE,

G. STEWART,

H. RICHMOND,

G. WILSON.

(Copy.)

CUSTOM-HOUSE,

QUEBEC, 11th May, 1821.

HONORABLE SIRS,

The undersigned has received the letter of your Honorable Board of the 31st January last, in answer to a letter of the Acting Comptroller, of the 18th November, respecting the forms of general certificates to vessels arriving at, and leaving Quebec; and he has the honor to state, that, in consequence of your general order on this subject, of the 17th July, 1817, No. 13, the notice relative to these certificates, which was transmitted by your Honors, was suspended in the Custom-house, for the information of the public; but it was at all times, and still is, left entirely to the option of the parties interested, to take, or leave, these certificates as they please; and it is presumed, that it is not your Honors' wish that they should be withheld in any case, where the parties expressly apply for them.

The undersigned was perfectly aware, that these certificates are defective, as pointed out by your Honors, in not specifying the several packages, with their contents landed, in the way they are inserted in the cockets, when they correspond therewith. But, on this head, he begs leave to state, that your Honors' order not having pointed out the form of the certificates that should be used, or the particulars it should contain, this became a subject for consideration with the Collector and the then Comptroller, the late Mr. Scott; and it appeared to them, that, under the circumstances of the department, it would be next to impossible to adopt any other than a general form, as it would have required the united labour of the several persons employed in the department, and an entire abandonment, for the time, of the other important duties of the office, to prepare such certificates, with a specification of packages. It was therefore deemed best, to prepare these general certificates in the form of which a copy is transmitted; and it was left to the party, in case any difficulty should occur, as to the landing of a particular packet, to apply at the Custom-house for a special certificate respecting it. This practice has, accordingly, in many cases, been resorted to, and, it is believed, with much less inconvenience to those concerned, than would arise from the delay, detention and expence, necessary for perfecting in the first instance, a certificate, with a particular specification of all the packages contained in all the cockets of the ship.

It is therefore humbly submitted, whether the practice that has been adopted on these grounds shall be changed, or whether the undersigned shall continue to regulate himself on this point as heretofore.

Before concluding this letter, the undersigned hopes he may be permitted to advert to the circumstances, which have given rise to the

several references from your Honors, upon Acting Comptroller Young's representations of the 13th, 15th and 18th of last November, which he has answered in his several letters under this date.

The Acting Comptroller entered on the duties of his station in Jan'y. 1820; from that time until the present period, he has had free and-unre-stricted access to every source and sort of information respecting the department at large, and he had ample time and means to inform himself of every thing before the opening of the navigation after his appointment, of which Mr. Young's abilities and talents, both natural and acquired, would preclude the doubt of his not having amply availed himself; but neither in the course of this period, nor at any other time, did he ever intimate to the undersigned, that he had discovered the pretended errors pointed out by him to your Honors. He never attempted to obtain the correction of them by discussing them with the undersigned; he allowed them to pass unnoticed, and at the same time availed himself of the advantages and emoluments arising under them, until the navigation was closing, and then without any communication with the undersigned, he addressed your Honors on the subject.

The undersigned is perfectly aware, that the situation of Comptroller is intended as a check on the Collector, and he here refers to their joint letter to your Honors of the 22d Novr. No. 31. A copy of which is herewith transmitted, to shew the views he has always entertained upon the subject, but he is persuaded that this salutary arrangement was never meant to sanction any departure from that fairness and candour and honorable dealing, which are as necessary to the conduct of public business, as they are natural to most men who have themselves upright views. He is persuaded, that it never was meant as an authority to one officer to betray another or misrepresent his conduct, and as it is evident from other communications to your Honors, that the Acting Comptroller was informed of your instruction, requiring that one officer should be apprized by the other, of what was about to be done, the undersigned feels himself justified in imputing to the Comptroller any motives, but such as he could avow, and he hopes, that he may be protected in future from a course of proceeding, which has in this instance been inconsistent with propriety and fairness, and must in all cases be injurious to the public service.

With great respect, the undersigned has the honor to remain,
your Honors'

most obedt. and most humble servt.

M. H. PERCEVAL, Coll.

To

The Honble. Commissioners
of H. M. Customs, London.

(Copy.)

QUEBEC, 15th May, 1821.

DEAR SIR,

I have perused the papers you put into my hands and returned herewith, respecting the letters of Mr. Young, the Acting Comptroller. As your justification to the Commissioners appears to me complete, I see no call for any interference on my part in the present state of the matter. I think it right however to enclose to you for perusal, and in order to be put into Mr. Young's hands by yourself; an expression of my sentiments in regard to his conduct in this case, as well as in the application he made to me lately, without your knowledge or concurrence.

Your's, my dear Sir,
very faithfully,

(Signed,)

DALHOUSIE,
Governor,

The Honble. M. H. Perceval, Esqr.
Coll. H. M. Customs, Quebec,

(Copy.)

CUSTOM-HOUSE,

QUEBEC, 17th May, 1821.

MY LORD,

I have the honor to acknowledge the receipt of your Lordship's letter of the 15th inst. which only reached me at a late hour yesterday, returning me the papers your Lordship permitted me some time ago to place in your hands. The assurance that your Lordship has been pleased to give me, that you were quite satisfied with the justification addressed by me to the Commissioners of the Customs, on the different accusations made by the Acting Comptroller, and the other very favourable expressions of your Lordship's letter have so entirely set my mind at rest, that from this, and from other motives, to which, under all the circumstances of my situation, I feel persuaded your Lordship's candour will do justice, I have abstained from taking further communication of the open letter addressed by the Civil Secretary to the Acting Comptroller, which your Lordship kindly authorised me to peruse; and I have handed it over to that officer, according to the directions of your Lordship.

I have the honour to remain, with the utmost respect,

Your Lordship's most obedient,
and most humble Servant,

(Signed) M. H. PERCEVAL, Coll.

(Copy.)

CUSTOM-HOUSE,

QUEBEC, 17th May, 1821.

SIR,

The letter which I have the honor to inclose to you, was transmitted to me by the Civil Secretary, by command of His Excellency the Earl of Dalhousie for my perusal, before handing it over to you. I have not however thought it necessary to avail myself of the permission, and I forward it to you unopened, together with a copy of my letter, to the Governor in Chief, in answer to that with which he honored me upon the subject.

I have the honor to be

Sir,

your most obedt. humble servt.

(Signed,)

M. H. PERCEVAL, Coll.

To

T. A. Young, Esqr.

Actg. Comptr. of H. M. Customs.

(Copy.)

CUSTOM-HOUSE,

QUEBEC, 19th May, 1821.

HONORABLE SIRS,

In answering the several references from your Honors, on the representations of the Acting Comptroller of the 13th, 15th, and 18th November last, the undersigned feels it his duty to state, that under the particular circumstances in which Mr. Young was placed at the Custom-house, as an officer put in by the Provincial Government, until the vacancy should be filled by the King's Government, either by the appointment of Mr. Young, or some other person, to the Comptrollercy, the undersigned felt it incumbent on him to transmit to the Governor in Chief, the Earl of Dalhousie, the accusations preferred against the undersigned, without his knowledge, by the Acting Comptroller, together with the report made by the undersigned on each of Mr. Young's letters, conformably to the orders of your Honors. These documents were submitted to the Governor under a blank cover, and without any communication from the undersigned; and this course appeared to be required by the peculiar difficulty of his position, as, on the one hand, the officer whose province it is to assist the undersigned with his advice, and guard him from error, had not only become his secret accuser to your Honors,

but had recently addressed communications to the Governor, tending to impute misconduct to the undersigned in the duties of the department; and on the other hand, if any strictures had been submitted to the Governor with these papers, it might have been attributed to a desire upon the part of the undersigned, in attempting to bring the influence of Government against the Acting Comptroller, to free himself from the continuance of that scrutiny, which, whether secret or open, he feels no cause to fear.

The papers thus submitted to the Governor have just been returned to the undersigned, with a letter from His Excellency, of which a copy is herewith transmitted, together with a letter addressed to Mr. Young, which was purposely left open for the perusal of the undersigned; and which he was directed by the Governor to put afterwards into Mr. Young's possession. The undersigned, from motives to which he trusts a just construction will be given, declined perusing this letter, and gave it to that officer unopened. The undersigned, however, thinks it proper that your Honors should be made acquainted with all the circumstances attending the communication thus given by him to the Provincial Government, and has therefore entered into these several details.

The undersigned has the honor to remain, with the utmost respect,
Your Honors' most obedient,
and most humble Servant,

(Signed,)

M. H. PERCEVAL, Coll.

To the Honble. Commissioners
H. M. Customs, London.

(Copy.)

CUSTOM-HOUSE,

LONDON, 29th September, 1821.

(No. 23.)

GENTLEMEN,

Having read the Collector's Report of the 11th of May, in return to our order, upon a letter from the Acting Comptroller, relative to the general certificates granted at your Port in pursuance of the order of the Lords of the Treasury, of the 27th June, 1817, in respect to the due landing of goods there.---

We acquaint you, that when such certificates are required by the parties, the same must express the particulars required by our order of the 31st January last, No. 4, upon this subject.

(Signed,)

J. BULLER,

J. WILLIAMS,

J. S. RICHMOND,

G. WILSON.

Collector and Comptroller,
Quebec.