

10. 2. 1971

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APPENDIX, No. 3,

TO THE

FIFTH VOLUME.



APPENDIX TO THE FIFTH VOLUME

OF THE

JOURNALS

OF THE

LEGISLATIVE ASSEMBLY

OF THE

PROVINCE OF CANADA.

FROM THE 20TH DAY OF MARCH TO THE 9TH DAY OF JUNE, 1846,

BOTH DAYS INCLUSIVE,

AND IN THE NINTH YEAR OF THE REIGN OF OUR SOVEREIGN LADY

QUEEN VICTORIA.

BEING THE SECOND SESSION OF THE SECOND PROVINCIAL PARLIAMENT OF CANADA.

SESSION, 1846.

Printed by the Order of the Legislative Assembly.

"GREAT BRITAIN" Steam-Press—ROLLO CAMPBELL, Printer, Montreal—1846.

Appendix
(B. B.)

6th May.

RETURN to an ADDRESS of the Legislative Assembly to His Excellency the Governor General, dated the 28th of April, 1846, praying that he will be graciously pleased to direct the proper Officer to lay before the House, a Statement of the Law Costs due on certain Lands seized by the Sheriff,—the said Lands belonging to Individuals who were transported for taking part in the late Rebellion.

By Command.

D. DALY,
Secretary.SECRETARY'S OFFICE,
Montreal, 6th May, 1846.Appendix
(B. B.)

6th May.

STATEMENT of the LAW COSTS due on certain Lands seized by the Sheriff for the District of Montreal, the said Lands belonging to Individuals who were transported for taking part in the late Rebellion.

No.	Name of Parties.	Nature of Writ.				Total amount of Costs.		
			Prothonotary	Sheriff	Printer	Bailiff	£ s. d.	£ s. d.
42	Our Sovereign Lady the Queen vs. Pierre Lavoie ...	Lands ...	Prothonotary	0 5 0	2 0 10	2 6 6	2 8 0	7 0 4
			Sheriff	1 15 10	3 0 0	2 7 6		
			Printer	2 0 6	2 12 6	2 9 0		
			Bailiff	2 9 0				
5	The same vs. Jean Marie Thibert ...	Lands ...	Prothonotary	0 5 0	1 15 10	2 12 6	2 9 0	7 2 4
			Sheriff	1 15 10	3 15 0	2 10 0		
			Printer	3 15 0	2 10 0			
			Bailiff	2 10 0				
89	The same vs. Charles Bergevin dit Langevin the Elder ...	Lands ...	Prothonotary	0 5 0	1 15 10	3 15 0	2 10 0	8 5 10
			Sheriff	1 15 10	3 0 0	2 7 6		
			Printer	3 0 0	2 7 6			
			Bailiff	2 7 6				
37	The same vs. Jean Laberge ...	Lands ...	Prothonotary	0 5 0	1 15 10	3 7 6	3 9 0	7 8 4
			Sheriff	1 15 10	3 7 6	3 9 0		
			Printer	3 7 6	3 9 0			
			Bailiff	3 9 0				
49	The same vs. Louis Turcot ...	Lands ...	Prothonotary	0 5 0	1 15 10	3 7 6	3 9 0	8 17 4
			Sheriff	1 15 10	3 7 6	3 9 0		
			Printer	3 7 6	3 9 0			
			Bailiff	3 9 0				
38	The same vs. François Xavier Fouchette ...	Lands ...	Prothonotary	0 5 0	1 15 10	2 0 6	2 5 0	6 6 4
			Sheriff	1 15 10	2 0 6	2 5 0		
			Printer	2 0 6	2 5 0			
			Bailiff	2 5 0				
31	The same vs. Joseph Dumouchelle ...	Lands ...	Prothonotary	0 5 0	1 15 10	2 18 6	2 7 6	7 6 10
			Sheriff	1 15 10	2 18 6	2 7 6		
			Printer	2 18 6	2 7 6			
			Bailiff	2 7 6				
88	The same vs. Constant Buisson ...	Lands ...	Prothonotary	0 5 0	1 15 10	2 8 0	2 7 6	6 16 4
			Sheriff	1 15 10	2 8 0	2 7 6		
			Printer	2 8 0	2 7 6			
			Bailiff	2 7 6				
84	The same vs. Basile Roy ...	Lands ...	Prothonotary	0 5 0	2 0 10	2 18 6	2 7 6	7 11 10
			Sheriff	2 0 10	2 18 6	2 7 6		
			Printer	2 18 6	2 7 6			
			Bailiff	2 7 6				
43	The same vs. Antoine Coupal dit LaReine ...	Lands ...	Prothonotary	0 5 0	1 15 10	3 9 0	3 8 0	8 17 10
			Sheriff	1 15 10	3 9 0	3 8 0		
			Printer	3 9 0	3 8 0			
			Bailiff	3 8 0				
32	The same vs. Jacques Goyette ...	Lands ...	Prothonotary	0 5 0	1 15 10	2 0 6	2 5 0	6 6 4
			Sheriff	1 15 10	2 0 6	2 5 0		
			Printer	2 0 6	2 5 0			
			Bailiff	2 5 0				
59	The same vs. François Guertin ...	Lands ...	Prothonotary	0 5 0	2 0 10	2 2 0	3 17 6	8 5 4
			Sheriff	2 0 10	2 2 0	3 17 6		
			Printer	2 2 0	3 17 6			
			Bailiff	3 17 6				

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STATEMENT OF THE LAW COSTS, &c.—(Continued.)

Appendix
(B. B.)

6th May.

6th May.

No.	Name of Partica.	Nature of Writ.	Total amount of Costs.				
			£	s.	d.		
52	Our Sovereign Lady the Queen vs. Charles Roy dit Lapensée the Elder	Lands ...	Prothonotary	0	5	0	6 6 4
			Sheriff	1	15	10	
			Printer	2	0	6	
			Bailiff	2	5	0	
54	The same vs. André Papineau dit Montigny	Lands ...	Prothonotary	0	5	0	6 7 10
			Sheriff	1	15	10	
			Printer	2	2	0	
			Bailiff	2	5	0	
20	The same vs. Joseph Paré	Lands ...	Prothonotary	0	5	0	6 15 4
			Sheriff	1	15	10	
			Printer	2	6	0	
			Bailiff	2	8	0	
28	The same vs. Joseph Robert	Lands ...	Prothonotary	0	5	0	7 2 4
			Sheriff	1	15	10	
			Printer	2	11	0	
			Bailiff	2	10	6	
28	The same vs. Paschal Pinsonnault	Lands ...	Prothonotary	0	5	0	7 16 4
			Sheriff	1	15	10	
			Printer	2	3	6	
			Bailiff	3	12	0	
4	The same vs. Jean Louis Thibert	Lands ...	Prothonotary	0	5	0	7 2 4
			Sheriff	1	15	10	
			Printer	2	12	6	
			Bailiff	2	9	0	
26	The same vs. Jacques Loncin	Lands ...	Prothonotary	0	5	0	6 12 4
			Sheriff	1	15	10	
			Printer	2	3	6	
			Bailiff	2	8	0	
67	The same vs. Jacques David Hébert alias David Jacques Hébert ...	Lands ...	Prothonotary	0	5	0	8 11 10
			Sheriff	1	15	10	
			Printer	3	18	0	
			Bailiff	2	13	0	
7	The same vs. Joseph Guimont	Lands ...	Prothonotary	0	5	0	6 8 10
			Sheriff	1	14	4	
			Printer	1	13	0	
			Bailiff	2	16	6	
10	The same vs. François Maurice Lepailleur	Lands ...	Prothonotary	0	5	0	6 14 10
			Sheriff	2	15	10	
			Printer	1	17	6	
			Bailiff	1	16	6	
47	The same vs. Joseph Marceau dit Petit Jacques... ..	Lands ...	Prothonotary	0	5	0	7 2 2
			Sheriff	1	19	8	
			Printer	1	16	0	
			Bailiff	3	1	6	
66	The same vs. Louis Defaillette	Lands ...	Prothonotary	0	5	0	6 19 6
			Sheriff	1	17	0	
			Printer	1	16	0	
			Bailiff	3	1	6	
15	The same vs. Joseph Jacques Hébert	Lands ...	Prothonotary	0	5	0	11 4 11
			Sheriff	3	11	11	
			Printer	4	1	0	
			Bailiff	3	7	0	
53	The same vs. François X. Prevost	Lands ...	Prothonotary	0	5	0	18 13 3
			Sheriff	4	15	3	
			Printer	4	13	0	
			Bailiff	9	0	0	
21	The same vs. Ambroise Sanguinet	Lands ...	Prothonotary	0	5	0	9 9 10
			Sheriff	4	4	10	
			Printer	1	12	6	
			Bailiff	3	7	6	
13	The same vs. Pierre Théophile Decoigne	Lands ...	Prothonotary	0	5	0	7 0 10
			Sheriff	2	0	10	
			Printer	1	13	0	
			Bailiff	3	2	0	

Appendix
(B. B.)

STATEMENT OF THE LAW COSTS, &c.—(Continued.)

Appendix
(B. B.)

5th May.

5th May.

No.	Name of Parties.	Nature of Writ.	£ s. d.			Total amount of Costs.			
			£	s.	d.	£	s.	d.	
1	Our Sovereign Lady the Queen vs. Joseph Narcisse Cardinal	Lands	Prothonotary	0	5	0	12	15	6
			Sheriff	7	18	9			
			Printer	1	16	0			
			Ballif	2	16	6			
30	The same vs. Ignaco Gabriel Chevrella	Lands	Prothonotary	0	5	0	11	4	4
			Sheriff	5	8	4			
			Printer	2	0	6			
			Ballif	3	10	6			
72	The same vs. Louis Pinonnault	Lands	Prothonotary	0	5	0	14	17	4
			Sheriff	7	19	10			
			Printer	2	11	0			
			Ballif	4	1	6			
73	The same vs. René Pinonnault	Lands	Prothonotary	0	5	0	8	10	10
			Sheriff	3	5	4			
			Printer	1	13	0			
			Ballif	3	7	6			
65	The same vs. Edouard Paschal Rochon	Lands	Prothonotary	0	5	0	17	4	11
			Sheriff	2	13	5			
			Printer	7	7	0			
			Ballif	6	19	6			
44	The same vs. Théodore Béchard	Lands	Prothonotary	0	5	0	14	5	10
			Sheriff	6	6	4			
			Printer	2	15	6			
			Ballif	4	19	0			
46	The same vs. François Bigonessé dit Beaucaire	Lands	Prothonotary	0	5	0	10	11	7
			Sheriff	4	16	1			
			Printer	2	6	6			
			Ballif	3	4	0			
25	The same vs. Théophile Robert	Lands	Prothonotary	0	5	0	9	18	10
			Sheriff	4	0	10			
			Printer	2	0	6			
			Ballif	3	7	6			
71	The same vs. Hypolite Lanctot	Lands	Prothonotary	0	5	0	6	0	10
			Sheriff	3	7	10			
			Printer	1	1	6			
			Ballif	4	6	6			
28	The same vs. Louis Guerin dit Dusault alias Blanc Dusault	Lands	Prothonotary	0	5	0	7	5	1
			Sheriff	2	1	7			
			Printer	2	2	0			
			Ballif	2	16	6			
17	The same vs. David Drosin LeBlanc	Lands	Prothonotary	0	5	0	6	9	4
			Sheriff	2	8	4			
			Printer	2	12	0			
			Ballif	3	4	0			
58	The same vs. Jear. Bte. Bousquet	Lands	Prothonotary	0	5	0	14	17	10
			Sheriff	4	0	10			
			Printer	2	8	0			
			Ballif	8	4	0			
16	The same vs. Hubert Drosin LeBlanc	Lands	Prothonotary	0	5	0	9	7	10
			Sheriff	3	3	4			
			Printer	2	15	6			
			Ballif	3	4	0			
96	The same vs. Samuel Newcombe	Lands	Prothonotary	0	5	0	6	11	10
			Sheriff	1	14	4			
			Printer	1	16	0			
			Ballif	2	16	6			
39	The same vs. Louis Dumouchelle	Lands	Prothonotary	0	5	0	7	7	2
			Sheriff	1	16	1			
			Printer	1	16	0			
			Ballif	3	10	6			

MONK, COFFIN & PAPINEAU,

Prothonotary.

MONTREAL, 2nd May, 1846.

Appendix
(B. B.)

Appendix
(B. B.)

6th May.

6th May.

STATEMENT of FEES and DISBURSEMENTS incurred by the Sheriff in the Seizure and Sale of Lands in the following cases, and in which Monies have been levied.

Number of Process.	Names of Parties.	Sheriffs' Fees.			Bailliffs' Fees.			Printers' Fees.			Total.		
		£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
1	The Queen vs. Joseph N. Cardinal	7	18	0	2	16	6	1	16	0	12	10	6
7	Same vs. Joseph Guimont	1	14	4	2	16	6	1	13	0	6	8	10
8	Same vs. Louis Guérin dit Dusault	2	1	7	2	16	6	2	2	0	7	0	1
10	Same vs. F. M. Lepailleur	2	13	10	1	16	6	1	17	6	6	9	10
13	Same vs. Pierre T. Deçoigne	2	0	10	3	2	0	1	13	0	6	15	10
15	Same vs. Joseph J. Hebert	3	11	11	3	7	0	4	1	0	10	19	11
16	Same vs. Hubert D. Leblanc	3	3	4	3	4	0	2	15	6	9	2	10
17	Same vs. David D. Leblanc	2	8	4	3	4	0	2	12	0	8	4	4
21	Same vs. Ambroise Sanguinet	4	4	10	3	7	6	1	12	6	9	4	10
25	Same vs. Théophile Robert	4	0	10	3	7	6	2	0	6	9	8	10
30	Same vs. Ignace G. Chevrefils	5	8	4	3	10	6	2	0	6	10	19	4
39	Same vs. Louis Dumouchelle	1	16	1	3	10	6	1	16	0	7	2	7
44	Same vs. Théodore Béchard	6	6	4	4	19	0	2	13	6	14	0	10
46	Same vs. Frs. Bigoness	4	16	1	3	4	0	2	6	6	10	6	7
47	Same vs. Jos. Marceau dit Petit Jacques	1	19	8	3	1	6	1	16	0	6	17	2
53	Same vs. François X. Prevost	4	15	3	9	0	0	4	13	0	18	8	3
58	Same vs. J. B. Bousquet	4	0	10	8	4	0	2	8	0	14	12	10
65	Same vs. Edouard P. Rochon	2	13	5	6	19	6	7	7	0	16	19	11
66	Same vs. Louis Defaillette	1	17	0	3	1	6	1	16	0	6	14	6
71	Same vs. Hypolite Lanctot	3	7	10	4	6	6	1	1	6	8	15	10
72	Same vs. Louis Pinsonnault	7	19	10	4	1	6	2	11	0	14	12	4
73	Same vs. René Pinsonnault	3	5	4	3	7	6	1	13	0	8	5	10
96	Same vs. Samuel Newcombe	1	14	4	2	16	6	1	16	0	6	6	10

STATEMENT of FEES and DISBURSEMENTS incurred by the Sheriff in the Seizure of Lands in the following cases, which were suspended by Opposition.

Number of Process.	Names of Parties.	Sheriffs' Fees.			Bailliffs' Fees.			Printers' Fees.			Total.		
		£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
20	The Queen vs. Joseph Paré	1	15	0	2	8	0	2	6	6	6	10	4
23	Same vs. Paschal Pinsonnault	1	15	10	3	12	0	2	3	6	7	11	4
28	Same vs. Joseph Robert	1	15	10	2	10	6	2	11	0	6	17	4
31	Same vs. Joseph Dumouchelle	1	15	10	2	7	6	2	18	6	7	1	10
32	Same vs. Jacques Goyette	1	15	10	2	5	0	2	0	6	6	1	4
26	Same vs. Jacques Longtin	1	15	10	2	8	0	2	3	6	6	7	4
37	Same vs. Jean Laberge	1	15	10	2	7	6	3	0	0	7	3	4
38	Same vs. F. X. Touchette	1	15	10	2	5	0	2	0	6	6	1	4
42	Same vs. Pierre Lavoie	2	0	10	2	8	0	2	6	6	6	15	4
43	Same vs. Antoine Coupal dit La Reine	1	15	10	3	8	0	3	9	0	8	12	10
49	Same vs. Louis Turcot	1	15	10	3	9	0	3	7	6	8	12	4
52	Same vs. Charles Roy dit Lapensée the Elder	1	15	10	2	5	0	2	0	6	6	1	4
54	Same vs. André Papineau dit Montigny	1	15	10	2	5	0	2	2	0	6	2	10
59	Same vs. François Guertin	2	0	10	3	17	6	2	2	0	8	0	4
67	Same vs. Jacques D. Hébert	1	15	10	2	13	0	3	18	0	8	6	10
82	Same vs. Bazile Roy	2	0	10	2	7	6	2	18	6	7	6	10
88	Same vs. Constant Buisson	1	15	10	2	7	6	2	8	0	6	11	4
89	Same vs. Charles Bergevin dit Langevin the Elder	1	15	10	2	10	0	3	15	0	8	0	10
4	Same vs. Jean Louis Thibert	1	15	10	2	9	0	2	12	6	6	17	4
5	Same vs. Jean Marie Thibert	1	15	10	2	9	0	2	12	6	6	17	4

Remark.—It must be observed that the Printers' fees have already been disbursed by the Sheriff.

To the Prothonotaries of the Court of Queen's Bench.

In obedience to the commands of His Excellency the Governor General, conveyed to us by letter from Mr. Secretary Daly of the 30th ultimo, received on the morning of the 1st instant, pursuant to an Address from the House of Assembly to that effect, we herewith transmit a Statement of the Law Costs due on certain Lands seized by the Sheriff, the said Lands belonging to individuals who were transported for taking part in the late Rebellion, as far at least as the said Law Costs bear reference to, or are within the cognizance of the Sheriff of the District of Montreal. The Printers' fees have in all these cases been disbursed and paid by the Sheriff. The proceedings in the above cases took place during the Shrievalty of Messrs. Boston and Barron. In making this return, therefore, which has been compiled with all possible expedition, we crave indulgence for any accidental or unconscious error which may have occurred (if such has occurred,) in consequence of the temporary absence of John Boston, Esquire, one of the present Sheriff, on leave from His Excellency the Governor General.

(True Copy.)

(Signed,)

BOSTON & COFFIN,

Sheriff.

MONK, COFFIN, & PAPINEAU,

Prothonotary.

MONTREAL, 2nd May, 1846.

Appendix.
(C. C.)

7th May.

Appendix.
(C. C.)

7th May.

R E T U R N

TO AN ADDRESS from the Legislative Assembly to His Excellency the Administrator of the Government, dated the 31st March last, praying that His Excellency would cause to be laid before them, " a Statement in detail of the transactions " in the Crown Timber Office in Bytown, for the year 1845, exhibiting the " number of rafts passed, owner's name, the amount of duty upon each raft, the " gross amount of revenue for the year, the names of the agent, clerk and " servants, and the salary to each, and any other expenses connected with the " Office ; also, the amount paid by Government for Surveys, and the amount " paid by each individual lumberman for such services, the number of timber " limits occupied or granted, the locality, the name of the party to whom " granted, and the amount of deposit on each ; together with the whole of the " subject matter of the Commission of Enquiry appointed to investigate the " affairs of the Crown Timber Office in Bytown, and the expense in detail of " such Commission."

By Command,

D. DALY,

Secretary.

SECRETARY'S OFFICE,
Montreal, 7th May, 1846.

Letter from the Assistant Commissioner of Crown Lands to the Provincial Secretary.

CROWN LAND DEPARTMENT,
MONTREAL, 5th May, 1846.

SIR,

In compliance with the requisition of the Legislative Assembly of the 31st March last, I have the honor to enclose Statements exhibiting the number of rafts passed at Bytown, owner's name, the amount of duty upon each raft, the gross amount of revenue for the year, the names of the agent, clerks and servants, and the salary to each, and all other expense connected with the Office ; also, the amount paid by the Government for Surveys, and the amount paid by each individual lumberman for such services ; the number of timber limits occupied or granted, the locality, the name of the party to whom granted, and the amount of deposit on each.

The subject matter of the Commission of Enquiry appointed to investigate the affairs of the Crown Timber Office in Bytown, and the expense in detail of such Commission, will form the subject of a separate communication.

I have the honor to be, Sir,
Your most obedient servant,

T. BOUTHILLIER.

The Honorable
The Provincial Secretary,
&c., &c., &c.

Appendix.
(C. C.)
7th May.

STATEMENT shewing in detail the transactions of the Crown Timber Office, Bytown, for the year 1845. exhibiting number of Rafts passed, Owner's Names, Amount of Duty, Gross Amount of Revenue, Names of the Agents, Clerks, and Servans, and Salary to each, Disbursements and Surveys, together with gross amount Receipts, furnished in compliance with a requisition of the Legislative Assembly of the 31st March, 1846.

Appendix.
(C. C.)
7th May.

BOND.	NAME.	WHITE PINE.		RED PINE.		OAK and E L M.		AMOUNT.		
		Pieces.	Feet.	Pieces.	Feet.	Pieces.	Feet.	£	s.	d.
2/4	Robert Kernahan,.....	200	14,000	.....	.....	..	..	29	3	4
3/6	William Stewart,.....	590	41,300	.....	.....	..	..	86	0	10
7/7	Benjamin Street,.....	70	4,900	.....	.....	..	..	10	4	2
10/8	Andrew Brakenridge,.....	193	13,510	.....	.....	..	..	28	2	11
29/14	Thomas McGeoy,.....	930	65,100	.....	.....	..	..	135	12	6
22/15	Ruggles Wright,.....	1,015	71,050	.....	.....	..	..	148	0	5
23/17	William McLachlan,.....	488	34,160	.....	.....	..	..	71	3	4
"	Ditto. ....	.....	.....	50	1,900	..	..	7	18	4
5/21	Charles Symes,.....	104	7,280	.....	.....	..	..	15	3	4
58/22	John Grierson,.....	506	35,420	.....	.....	..	..	73	15	10
9/28	Phil. McCarger,.....	.....	.....	647	24,586	..	..	102	8	10
"	Ditto.	9	630	.....	.....	..	..	1	6	3
12/29	Allan McNabb,.....	.....	.....	11	418	..	..	1	14	10
11/40	Charles Symes, Junior,....	344	24,080	.....	.....	..	..	50	3	4
41/41	John Murphy,.....	701	49,070	.....	.....	..	..	102	4	7
"	Ditto. ....	.....	.....	7	266	..	..	1	2	2
18/43	William Morrow,.....	154	10,780	.....	.....	..	..	22	9	2
"	Ditto. ....	.....	.....	423	17,060	..	..	66	19	6
14/45	D. McLellan,.....	147	10,290	.....	.....	..	..	21	8	9
159/46	James Hubble,.....	20	1,400	.....	.....	..	..	2	18	4
38/47	James Perrault,.....	520	36,400	.....	.....	..	..	75	16	8
"	Ditto. ....	.....	.....	697	26,486	..	..	110	7	2
17/49	François Leclair,.....	808	56,560	.....	.....	..	..	117	16	8
"	Ditto. ....	.....	.....	347	13,186	..	..	54	18	10
20/53	Robert Kernahan,.....	.....	.....	100	3,800	..	..	15	16	8
30/55	Isaac Coon,.....	268	18,760	.....	.....	..	..	39	1	8
"	Ditto. ....	.....	.....	52	1,976	..	..	8	4	8
35/58	Carmichael & Stevenson,...	812	56,240	.....	.....	..	..	118	8	4
"	Ditto. ....	.....	.....	300	11,400	..	..	47	10	0
15/59	James Hodgins,.....	80	5,600	.....	.....	..	..	16	13	4
26/64	Alonzo Wright,.....	850	59,500	.....	.....	..	..	123	19	2
46/65	Ditto. ....	.....	.....	25	950	..	..	3	19	2
"	Ditto.	580	40,600	.....	.....	..	..	84	11	8
31/67	D. Macfarlane,.....	167	11,690	.....	.....	..	..	24	7	1
"	Ditto. ....	.....	.....	37	1,406	..	..	5	17	2
32/67	Ditto.	224	15,680	.....	.....	..	..	32	13	4
"	Ditto, .....	.....	.....	136	5,168	..	..	21	10	8
27/68	Murdoch Munroe,.....	194	13,580	.....	.....	..	..	28	5	10
"	Ditto. ....	.....	.....	264	10,032	..	..	41	16	0
50/70	William MacLachlan,.....	237	16,590	.....	.....	..	..	34	11	3
"	Ditto. ....	.....	.....	53	1,254	..	..	5	4	6
24/72	Harding & Ryan,.....	598	41,860	.....	.....	..	..	87	4	2
"	Ditto. ....	.....	.....	106	4,028	..	..	16	15	8
42/75	Allen McDonell,.....	21	1,470	.....	.....	..	..	3	1	3
"	Ditto. ....	.....	.....	1,328	58,064	..	..	241	18	8
33/76	Louis Brizard,.....	726	50,820	.....	.....	..	..	105	17	6
"	Ditto. ....	.....	.....	17	646	..	..	2	13	10
"	Ditto. ....	.....	.....	.....	.....	29	986	6	3	3
108/82	Albert Smith,.....	891	62,370	.....	.....	..	.....	129	18	9
"	Ditto. ....	.....	.....	.....	.....	57	1,938	12	2	3
34/83	Ruggles Wright,.....	951	66,570	.....	.....	..	..	138	13	9
"	Ditto. ....	.....	.....	22	836	..	..	3	9	8
37/84	Joseph Perrault,.....	436	30,520	.....	.....	..	..	63	11	8
"	Ditto. ....	.....	.....	502	19,076	..	..	79	9	8
153/90	George Bryson,.....	801	56,070	.....	.....	..	..	116	16	3
"	Ditto. ....	.....	.....	7	266	..	..	1	2	2
"	Ditto. ....	.....	.....	.....	.....	3	102	0	12	9
40/91	Alexander Snedden,.....	177	12,390	.....	.....	..	..	25	16	3
45/95	William Rogerson,.....	.....	.....	930	35,340	..	..	147	5	0
49/96	Gerrard Macrea,.....	494	34,580	.....	.....	..	..	72	0	10
"	Ditto. ....	.....	.....	497	18,886	..	..	78	13	10
101/121	John Egan & Co.,.....	17	1,190	.....	.....	..	..	2	9	7
"	Ditto. ....	.....	.....	.....	.....	9	306	1	18	3
39 1/2/102	Elliott Johnston,.....	137	9,590	.....	.....	..	..	19	19	7
"	Ditto. ....	.....	.....	1,053	40,014	..	..	166	14	6
	Carried forward,.....	15,460	1,081,590	7,791	297,044	98	3,332	3,376	19	8

Appendix.
(C. C.)

STATEMENT shewing in detail the transactions of the Crown Timber Office, Bytown, for the
yea 1845.—(Continued.)

Appendix.
(C. C.)

7th May.

7th May.

BOND.	NAME.	WHITE PINE.		RED PINE.		OAK and E L M.		AMOUNT.		
		Pieces.	Feet.	Pieces.	Feet.	Pieces.	Feet.	£	s.	d.
	Brought forward,.....	15,460	1,081,590	7,791	297,044	98	3,332	3,376	19	8
80/106	Roderick McDonell,.....	...	...	1,351	51,338	...	...	213	18	2
57/107	Arthur McArthur,.....	1,065	74,550	...	...	...	...	155	6	3
61/111	William Forbes,.....	491	34,370	...	...	...	...	71	12	1
"	Ditto. ....	...	...	12	456	...	...	1	18	0
"	Ditto. ....	...	...	...	...	3	102	0	12	9
65/113	Ant. Cullen,.....	521	36,470	...	...	...	...	75	19	7
43/114	Thomas Corcoran,.....	10	700	...	...	...	...	1	9	2
177/119	Robert Conroy,.....	...	...	900	34,200	...	...	142	10	0
94/120	John Egan & Co.....	200	14,000	...	...	...	...	29	3	4
"	Ditto. ....	...	...	25	950	...	...	3	19	2
114/121	Ditto.	76	5,320	...	...	...	...	11	1	8
"	Ditto. ....	...	...	39	1,482	...	...	6	3	6
106/124	Ditto.	181	12,670	...	...	...	...	26	7	11
"	Ditto. ....	...	...	67	2,546	...	...	10	12	2
127/128	Ditto. ....	...	...	985	37,430	...	...	155	19	2
64/127	Caleb Bellows,.....	...	...	7	266	...	...	1	2	2
"	Ditto.	215	15,050	...	...	...	...	31	7	1
105/129	William Stubbs,.....	674	47,180	...	...	...	...	98	5	10
"	Ditto. ....	...	...	4	152	...	...	0	12	8
186/131	Hiram Colton,.....	...	...	34	1,292	...	...	5	7	8
93/132	Ditto.	674	47,180	...	...	...	...	98	5	10
"	Ditto. ....	...	...	24	912	...	...	3	16	0
"	Ditto. ....	...	...	...	...	79	2686	16	15	9
62/134	McKinnon & Aumond,.....	261	18,270	...	...	...	...	38	1	3
"	Ditto. ....	...	...	700	26,600	...	...	110	16	8
56/135	John Hall,.....	309	21,630	...	...	...	...	45	1	3
"	Ditto. ....	...	...	30	1,140	...	...	4	15	0
52/136	Louis Brizard,.....	147	10,290	...	...	...	...	21	8	9
"	Ditto. ....	...	...	604	22,952	...	...	95	12	8
"	Ditto. ....	...	...	...	...	59	2006	12	10	9
47/137	Ruggles Wright,.....	384	26,880	...	...	...	...	56	0	0
48/138	Edward McGillivray,.....	733	51,310	...	...	...	...	106	17	11
"	Ditto. ....	...	...	34	1,292	...	...	5	7	8
51/139	Angus R. McDonell,.....	694	48,580	...	...	...	...	101	4	2
115/140	Hugh Carmichael,.....	1,010	70,700	...	...	...	...	147	5	10
104/142	Ralph Grant,.....	116	8,120	...	...	...	...	16	18	4
"	Ditto. ....	...	...	8	304	...	...	1	5	4
"	Ditto. ....	...	...	...	...	31	1054	6	11	9
53/143	Dickinson & Forsyth,.....	188	13,160	...	...	...	...	27	8	4
59/144	Arthur McArthur,.....	...	...	1,476	56,088	...	...	233	14	0
83/148	George Stubbs,.....	930	65,100	...	...	...	...	135	12	6
"	Ditto. ....	...	...	5	190	...	...	0	15	10
82/150	John Forgie,.....	72	5,040	...	...	...	...	10	10	0
68/151	Rogerson & Skread,.....	97	6,790	...	...	...	...	14	2	11
"	Ditto. ....	...	...	1,362	51,756	...	...	215	13	0
60/159	James Macfarlane,.....	639	44,730	...	...	...	...	93	3	9
"	Ditto. ....	...	...	31	1,178	...	...	4	18	2
"	Ditto. ....	...	...	...	...	5	170	1	1	3
104/155	Masson & Chamberlain,.....	497	34,790	...	...	...	...	72	9	7
"	Ditto. ....	...	...	81	3,078	...	...	12	16	6
"	Ditto. ....	...	...	...	...	2	68	0	8	6
85/156	Angus McGillivray,.....	...	...	90	3,420	...	...	14	5	0
"	Ditto.	934	65,380	...	...	...	...	136	4	2
76/160	Dan. McLachlin,.....	...	...	1,025	38,950	...	...	162	5	10
70/164	Alexander McLaren,.....	...	...	400	15,200	...	...	63	6	8
"	Ditto. ....	...	...	...	...	150	5100	31	17	6
81/165	John Robertson,.....	418	29,260	...	...	...	...	60	19	2
"	Ditto. ....	...	...	745	28,310	...	...	117	19	2
198/168	Ewan McFee,.....	...	...	890	33,820	...	...	140	18	4
176/167	Thomas B. Hyde,.....	...	...	759	28,842	...	...	120	3	6
119/170	James Skread,.....	...	...	915	34,770	...	...	144	17	6
193/171	James Wadsworth,.....	...	...	1,075	40,850	...	...	170	4	2
102/172	Archibald Wilson,.....	119	8,330	...	...	...	...	17	7	1
"	Ditto. ....	...	...	964	36,632	...	...	152	12	8
"	Ditto. ....	...	...	...	...	2	68	0	8	6
86/173	Daniel McLachlin,.....	705	49,350	...	...	...	...	102	16	3
"	Ditto. ....	...	...	356	13,528	...	...	56	7	4
67/174	James McGeoy,.....	717	50,190	...	...	...	...	104	11	3
"	Ditto. ....	...	...	189	7,182	...	...	29	18	6
	Carried over,.....	28,537	2,006,980	21,978	904,150	429	14,586	7,758	19	10

Appendix.
(C. C.)
7th May.

STATEMENT shewing in detail the transactions of the Crown Timber Office, Bytown, for the year 1845.—(Continued.)

Appendix.
(C. C.)
7th May.

BOND.	NAME.	WHITE PINE.		RED PINE.		O A K and E L M.		AMOUNT.		
		Pieces.	Feet.	Pieces.	Feet.	Pieces.	Feet.	£	s.	d.
	Brought over,.....	28,537	2,006,980	21,978	904,150	429	14,586	7,758	19	10
67/176	Rogerson and Skread,...	1,103	77,210	...	...	...	...	160	17	1
	Ditto. ....	...	...	33	1,254	...	...	5	4	6
77/177	Alexander Dunlop,.....	...	...	792	30,096	...	...	125	8	0
84/87	Thomas Kelly,.....	471	32,970	...	...	...	...	68	13	9
78/181	Roderick McDonell,.....	881	61,670	...	...	...	...	128	9	7
92/184	Samuel Adams,.....	772	54,040	...	...	...	...	112	11	8
	Ditto. ....	...	...	465	17,670	...	...	73	12	6
91,186	Richard McConnell,.....	...	...	882	33,316	...	...	139	13	0
73/187	Edward McGillivray,....	633	44,310	...	...	...	...	92	6	3
	Ditto. ....	...	...	122	4,636	...	...	19	6	4
74/189	Charles Symes,.....	...	...	1,409	53,542	...	...	223	1	10
75/190	Isaac Smith,.....	...	...	1,561	59,318	...	...	247	3	2
90/191	Ruggles Wright,.....	323	57,610	...	...	...	...	120	0	5
	Ditto. ....	...	...	23	874	...	...	3	12	10
82/192	Ditto.	774	54,180	...	...	...	...	112	17	6
82/192	Ditto. ....	...	...	26	988	...	...	4	2	4
79/193	Angus R. McDonell,....	572	40,040	...	...	...	...	83	8	4
	Ditto. ....	...	...	263	9,994	...	...	41	12	10
88/194	Ditto.	353	24,710	...	...	...	...	51	9	7
72/195	Edward McGillivray,....	652	45,640	...	...	...	...	95	1	8
	Ditto. ....	...	...	43	1,634	...	...	6	16	2
95/196	McKinnon and Aumont,...	21	1,470	...	...	...	...	3	1	3
	Ditto. ....	...	...	851	32,338	...	...	134	14	10
87/198	Rogerson and Skread,...	851	59,570	...	...	...	...	124	2	1
97/197	John Egan & Co.....	...	...	534	20,292	...	...	84	11	0
87/198	Rogerson and Skread,...	...	...	2	76	...	...	0	6	4
96/200	Roderick McDonell,.....	...	...	439	16,682	...	...	69	10	2
109/201	Samuel Adams,.....	729	51,030	...	...	...	...	106	6	3
	Ditto. ....	...	...	568	21,584	...	...	89	18	8
	Ditto. ....	...	...	...	...	17	578	3	12	3
110/202	Edward Burke,.....	271	18,970	...	...	...	...	39	10	5
	Ditto. ....	...	...	19	722	...	...	3	0	2
	Ditto. ....	...	...	1,128	42,864	...	...	178	12	0
128/204	Charles Colton,.....	1,144	80,080	...	...	...	...	166	16	8
112/205	Pemberton Brothers,....	...	...	1,064	40,432	...	...	168	9	4
115/208	Ditto.	107	7,490	...	...	...	...	15	12	1
	Ditto. ....	...	...	791	30,058	...	...	125	4	10
122/210	Alexander Dunlop,.....	646	45,220	...	...	...	...	94	4	2
	Ditto. ....	...	...	15	570	...	...	2	7	6
113/211	Arthur McArthur,.....	1,034	72,380	...	...	...	...	150	15	10
147/212	Lawrence Centres,.....	472	33,040	...	...	...	...	68	16	8
	Ditto. ....	...	...	11	418	...	...	1	14	10
207/213	John Robertson,.....	...	...	1,137	43,206	...	...	180	0	6
138/214	John Thomson,.....	...	...	1,404	53,352	...	...	222	6	0
148/215	Ditto. ....	...	...	1,328	50,464	...	...	210	5	4
180/216	Ditto. ....	...	...	1,378	52,364	...	...	218	3	8
146/219	John Supple,.....	...	...	1,220	46,360	...	...	193	3	4
117/221	James S. Johnson,.....	...	...	1,190	45,220	...	...	188	8	4
120/222	Ditto. ....	...	...	1,045	39,710	...	...	165	9	2
137/223	Ditto.	552	38,640	...	...	...	...	80	10	0
	Ditto. ....	...	...	391	14,858	...	...	61	18	2
145/224	Lawrence Prout,.....	649	45,430	...	...	...	...	94	12	11
	Ditto. ....	...	...	56	2,128	...	...	8	17	4
	Ditto. ....	...	...	...	...	109	3,706	23	3	3
150/225	Ditto.	206	14,420	...	...	...	...	30	0	10
	Ditto. ....	...	...	2	76	...	...	0	6	4
123,226	George Walker,.....	...	...	1,115	42,370	...	...	176	10	10
144/227	Duncan Grant,.....	553	38,710	...	...	...	...	80	12	11
	Ditto. ....	...	...	204	7,752	...	...	32	6	0
136/228	Atkinson, Osborne & Co.	...	...	1,419	53,922	...	...	224	13	6
143/226	Ditto. ....	...	...	1,370	52,060	...	...	216	18	4
135/230	R. & D. Munroe,.....	499	34,930	...	...	...	...	72	15	5
	Ditto. ....	...	...	491	18,658	...	...	77	14	10
134/232	Foster Armstrong,.....	95	6,650	...	...	...	...	13	17	1
	Ditto. ....	...	...	875	33,250	...	...	138	10	10
158/233	J. B. Poupard,.....	784	54,880	...	...	...	...	114	6	8
	Ditto. ....	...	...	29	1,102	...	...	4	11	10
181/234	Ditto.	780	54,600	...	...	...	...	113	15	0
116/235	Benjamin McConnell,....	23	1,610	...	...	...	...	3	7	1
	Carried forward,.....	44,987	3,148,490	47,673	1,850,560	555	18,870	14,253	2	0

Appendix (C. C.) STATEMENT shewing in detail the Transactions of the Crown Timber Office, Bytown, for the year 1845.—(Continued.) Appendix (C. C.)

7th May.

7th May.

BOND.	NAME.	WHITE PINE.		RED PINE.		OAK and E L M.		AMOUNT.		
		Pieces.	Feet.	Pieces.	Feet.	Pieces.	Feet.	£	s.	d.
	Brought forward,.....	44,987	3,148,480	47,673	1,850,560	555	18,870	14,253	2	0
116/235	Benjamin McConnell,....	...	...	875	33,250	...	...	138	10	10
100/236	John Egan & Co.....	...	...	1,881	52,478	...	...	218	13	2
117/237	Ditto. ....	...	...	1,070	40,660	...	...	169	8	4
133/238	Ditto. ....	...	...	1,533	58,254	...	...	242	14	6
132 1/2/239	John Bennett,.....	151	10,570	...	...	...	...	22	0	5
"	Ditto. ....	...	...	746	28,348	...	...	118	2	4
132/241	Edward McGillivray,....	494	34,580	...	...	...	...	72	0	10
"	Ditto. ....	...	...	160	6,080	...	...	25	6	8
124/242	Alexander McDonell,....	...	...	1,571	59,698	...	...	248	14	10
166/244	Nicholas Sparks,.....	...	...	1,153	43,814	...	...	182	11	2
167/245	Ditto. ....	...	...	1,113	42,294	...	...	176	4	6
152/246	Michael McBean,.....	882	61,740	...	...	...	...	128	12	6
"	Ditto. ....	...	...	227	8,626	...	...	35	18	10
142/247	James McGeoy,.....	954	66,780	...	...	...	...	139	2	6
141/248	Ditto.	669	46,830	...	...	...	...	97	11	3
"	Ditto. ....	...	...	505	19,190	...	...	79	19	2
140/250	Albert Smith,.....	953	66,710	...	...	...	...	138	19	7
151/251	Lawrence Centres,.....	801	56,070	...	...	...	...	116	16	3
187/252	William Dickson,.....	857	58,590	...	...	...	...	122	1	3
"	Ditto. ....	...	...	30	1,140	...	...	4	15	0
156/254	John Hall,.....	...	...	595	25,270	...	...	94	4	2
165/255	John Supple,.....	110	7,700	...	...	...	...	16	0	10
157/256	James Skread,.....	316	22,120	...	...	...	...	46	1	8
"	Ditto. ....	...	...	228	8,664	...	...	36	2	0
155/256	Ditto.	48	3,360	...	...	...	...	7	0	0
"	Ditto. ....	...	...	525	19,950	...	...	83	2	6
154/257	Samuel Adams,.....	...	...	1,317	50,046	...	...	208	10	6
164/258	Robert Young,.....	378	26,460	...	...	...	...	55	2	6
"	Ditto. ....	...	...	14	532	...	...	2	4	4
217/259	John Mitchell,.....	...	...	12	456	...	...	1	18	0
163/260	James Jardine,.....	623	43,610	...	...	...	...	90	17	1
"	Ditto. ....	...	...	5	190	...	...	0	15	10
162/261	Ditto.	541	37,870	...	...	...	...	78	17	11
"	Ditto. ....	...	...	373	14,174	...	...	59	1	2
161/262	Ditto.	553	38,710	...	...	...	...	80	12	11
"	Ditto. ....	...	...	314	11,932	...	...	49	14	4
173/263	Melville & Maxwell,....	567	39,690	...	...	...	...	82	13	9
"	Ditto. ....	...	...	31	1,178	...	...	4	18	2
171/264	J. McGregor,.....	204	14,280	...	...	...	...	29	15	0
174/165	Robert Conroy,.....	...	...	493	18,734	...	...	78	1	2
171/264	J. McGregor,.....	...	...	19	722	...	...	3	0	2
160/266	Duncan Grant,.....	404	28,280	...	...	...	...	58	18	4
"	Ditto. ....	...	...	252	9,576	...	...	39	18	0
202/267	Pousier and Ferrault,....	725	50,750	...	...	...	...	105	14	7
190/268	Alexander Caldwell,....	201	14,070	...	...	...	...	106	14	2
"	Ditto. ....	...	...	1,015	38,570	...	...	29	6	3
"	Ditto. ....	...	...	3	114	...	...	0	9	6
168/269	John Egan & Co.....	...	...	1,635	62,130	...	...	258	17	6
169/270	Ditto. ....	...	...	1,238	47,044	...	...	196	0	4
170/271	Ditto.	30	2,100	...	...	...	...	4	7	6
173/272	Ditto. ....	...	...	151	5,738	...	...	23	18	2
184/273	Ditto.	865	60,550	...	...	...	...	126	2	11
"	Ditto. ....	...	...	216	8,202	...	...	34	4	0
197/274	Ditto. ....	...	...	1,143	43,434	...	...	180	19	6
172/275	John McGregor,.....	618	43,260	...	...	...	...	90	2	6
"	Ditto. ....	...	...	15	570	...	...	2	7	6
200/276	Edward Bourke,.....	...	...	250	9,500	...	...	39	11	8
178/277	Atkinson & Osborne,....	...	...	1,235	46,930	...	...	195	10	10
183/280	George Bryson,.....	775	54,250	...	...	...	...	113	0	5
175/278	Thomas B. Hyde,.....	560	39,200	...	...	...	...	81	13	4
179/279	Atkinson & Osborne,....	...	...	1,225	46,550	...	...	193	19	2
183/280	George Bryson,.....	...	...	29	1,102	...	...	4	11	10
182/282	James Payne,.....	560	39,200	...	...	...	...	81	13	4
"	Ditto. ....	...	...	4	152	...	...	0	12	8
"	Ditto. ....	...	...	...	...	114	3,876	24	4	6
185/283	William Stubbs,.....	351	24,570	...	...	...	...	51	3	9
"	Ditto. ....	...	...	43	1,634	...	...	6	16	2
191/284	Alexander Caldwell,....	202	14,140	...	...	...	...	29	9	2
201/284 1/2	Thomas Ryan,.....	111	7,770	...	...	...	...	16	3	9
	Carried forward,.....	59,570	4,132,290	70,417	2,717,486	669	22,746	20,127	11	3

Appendix
(C. C.)
7th May.

STATEMENT shewing in detail the Transactions of the Crown Timber Office, Bytown, for the year 1845.—(Continued.)

Appendix
(C. C.)
7th May.

BOND.	NAME.	WHITE PINE.		RED PINE.		OAK and E L M.		AMOUNT.		
		Pieces.	Feet.	Pieces.	Feet.	Pieces.	Feet.	£	s.	d.
	Brought forward,.....	59,570	4,132,290	70,417	2,717,486	669	22,746	20,127	11	3
192/286	Foran & Mackie,.....	...	...	1,024	38,912	...	...	162	2	8
196/287	James Wadsworth,.....	...	...	980	37,240	...	...	155	3	4
203/289	Robert McConnell,.....	...	...	1,131	42,978	...	...	179	1	6
195/290	Martin & Morris,.....	...	...	1,197	45,486	...	...	189	10	6
199/291	Ewen McShee,.....	...	...	892	33,896	...	...	141	4	8
194/292	William Byers,.....	...	...	1,005	38,190	...	...	159	2	6
201/293	D. & D. Ferguson,	...	...	997	37,886	...	...	157	17	2
209/294	Archibald Wilson,.....	343	24,010	...	...	...	...	50	0	5
	Ditto. ....	...	...	672	25,536	...	...	106	8	0
205/295	John Egan & Co.....	514	35,980	...	...	...	...	74	19	2
213½/296	Hiram Colton,.....	243	17,010	...	...	...	...	35	8	9
	Ditto. ....	...	...	414	15,732	...	...	65	11	0
208/297	John Bennett,.....	...	...	793	30,134	...	...	125	11	2
216/298	Simon Hill,.....	...	...	1,473	55,974	...	...	233	4	6
206/299	Grant & Patterson,.....	244	17,080	...	...	...	...	35	11	8
	Ditto. ....	...	...	896	34,048	...	...	141	17	4
210/300	John Egan & Co.....	130	9,100	...	...	...	...	18	19	2
	Ditto. ....	...	...	870	33,060	...	...	137	15	0
212/302	W. M. Shorely,.....	295	20,650	...	...	...	...	43	0	5
	Ditto. ....	...	...	716	27,208	...	...	113	7	4
214/304	John Hall,.....	385	26,950	...	...	...	...	56	2	11
	Ditto. ....	...	...	13	494	...	...	2	1	2
211/305	Archibald Wilson,.....	362	25,340	...	...	...	...	52	15	10
	Ditto. ....	...	...	567	21,546	...	...	89	15	6
213/307	John Hall,.....	87	6,090	...	...	...	...	12	13	9
219/308	T. C. Brigham, .....	...	...	1,232	46,816	...	...	195	1	4
220/309	Ditto. ....	...	...	1,241	47,158	...	...	196	9	10
221/310	Gerard McCrae,.....	277	19,390	...	...	...	...	40	7	11
	Ditto. ....	...	...	586	22,268	...	...	92	15	8
218/311	Robert Conroy,.....	...	...	609	23,142	...	...	96	8	6
222/312	Martin & Morris,.....	...	...	1,214	46,892	...	...	192	4	4
226/316	James McGeoy,.....	36	2,520	...	...	...	...	5	5	0
227/317	Ruggles Wright,.....	...	...	1,421	53,998	...	...	224	19	10
231/321	Alexander McDonell,....	...	...	1,325	50,350	...	...	209	15	10
234/323	C. S. McDonell,.....	...	...	200	7,600	...	...	31	13	4
233/324	Alex. McDonell,.....	...	...	1,335	50,730	...	...	211	7	6
	Bruille,.....	...	3,600	...	...	...	...	7	10	0
	P. Tucker,.....	...	...	...	2,002	...	...	8	6	10
	Hamilton,.....	...	3,000	...	...	...	...	6	5	0
223/313	Simon Hill,.....	517	36,190	...	...	...	...	75	7	11
	Ditto. ....	...	...	713	27,094	...	...	112	17	10
224/314	Peter White,.....	...	...	1,234	46,892	...	...	195	7	8
225/315	Ditto. ....	...	...	1,225	46,550	...	...	193	19	2
		63,003	4,409,200	96,382	3,707,298	669	22,746	24,763	0	2
	Less, Private Timber in Bond, 140/250	...	...	...	...	51	16 6			
	do Outstanding Bond, 125/11	...	...	...	...	58	6 8			
								110	3	2
								£ 24,652	17	0

STATEMENT of LICENSES issued for Cutting Timber, in the years 1845-6.

Appendix (C. C.)

7th May.

Appendix (C. C.)

7th May.

NUMBER OF LICENSE.	NAME.	LOCALITY.	DEPOSITE.		
			£	s.	d.
1	A. Montgomery, ...	Bedford and Hinchinbrooke, ...	26	0	10
2	William Price & Co. ...	Bagot and Blitcheild, ...	10	8	4
3	Do ...	Bessetts Creek, ...	10	8	4
4	Do ...	Deep River, ...	13	0	5
5	Alexander Dunlop, ...	Ottawa River, ...	20	16	8
6	H. T. Noell, ...	Madawaska River, ...	10	8	4
7	Arthur McArthur, ...	Constance Creek, ...	26	0	10
8	John Porter, ...	Oso and South Sherbrooke, ...	13	0	5
8½	James Little, ...	Huntley Township, ...	1	0	10
9	John Monahan, ...	Packenham do ...	2	1	8
10	William Low, ...	Do do ...	2	12	1
11	William McKay, ...	Madawaska River, ...	26	0	10
12	Hugh Hamilton, ...	Westmeath Township, ...	5	4	2
13	John Brown, ...	Huntley do, ...	2	12	1
14	Stephen Ferguson, ...	Hinchinbrooke do, ...	10	8	4
15	Alexander Montgomery, ...	Olden and Oso do, ...	13	0	5
16	Archibald Stevenson, ...	Clarendon do, ...	15	12	6
17	James Wilson, ...	Bagot do, ...	5	4	2
18	McDonell Bradley, ...	Goulbourne and Huntley, ...	5	4	2
19	Donald Monroe, ...	Deep River, ...	10	8	4
20	James McCaffrey, ...	Bathurst Township, ...	7	16	3
21	Alexander McLean, ...	McNabb do, ...	7	16	3
22	Duncan McFarlane, ...	Bagot do, ...	15	12	6
23	C. & S. McDonell, ...	Bonchère River, ...	15	12	6
24	Do ...	Do ...	20	16	8
25	Do ...	Do ...	20	16	8
26	Alexander Spearman, ...	Goulbourne, ...	1	11	3
27	Pemberton Brothers, ...	Gattineau River, ...	13	0	5
28	Do ...	Do ...	26	0	10
29	J. L. McDougall, ...	Do ...	26	0	10
30	Alexander McDonell, ...	Cumberland Township, ...	2	12	1
31	Angus McDonell, ...	South Sherbrooke do ...	10	8	4
32	Alexander McLean, ...	Westmeath, do ...	1	0	10
33	John Egan & Co, ...	Dumoone River, ...	52	1	8
34	William Forbes, ...	Packenham Township, ...	10	8	4
35	Benjamin Street, ...	Tarbolton, ...	5	4	2
37	Hugh Carmichael, ...	Coulonge River, ...	52	1	8
38	James Browne, ...	Packenham Township, ...	5	4	2
39	Donald McLean, ...	Lochaber do ...	1	0	10
40	W. Harper, ...	Huntley do ...	1	0	10
42	James Hartney, ...	Bagot do ...	1	0	10
41	George Parker, ...	Russell do ...	10	8	4
43	Lachlin McDonell, ...	Cumberland do ...	1	0	10
44	Adam Dawson, ...	Amable du Fond River, ...	15	12	6
45	C. L. Brigham, ...	Pellewawe River, ...	41	13	4
46	C. & S. Gibson, ...	Eardly Township, ...	5	4	2
47	James White, ...	Huntley, do ...	1	0	10
48	Thomas Davidson, ...	Hull do ...	5	4	2
49	S. J. Dawson, ...	Coulonge River, ...	26	0	10
50	James Teevins, ...	Tarbolton Township, ...	2	1	8
51	S. J. Dawson, ...	Coulonge River, ...	26	10	0
52	Richard Morrow, ...	Packenham Township, ...	2	12	1
53	Joseph Buck, ...	Cumberland do ...	1	0	10
55	M. Coghlin, ...	Eardly do ...	5	4	2
56	Archibald Wilson, ...	Ottawa and Pellewawe River, ...	18	4	7
57	Donald Monroe, ...	McNabb Township, ...	10	8	4
58	Nelson Hetsman, ...	Russell do ...	2	12	1
59	John Yuill, ...	Lavant do ...	23	8	9
60	John Hall, ...	Darling, ...	7	16	3
61	Colin Rankin, ...	Deep River, ...	10	8	4
62	Leonard Hilmer, ...	Russell Township, ...	2	12	1
64	Mason & Chamberlain, ...	Westmeath do ...	7	16	3
65	Abraham Curry, ...	Stafford Township, ...	10	8	4
66	Archibald McBean, ...	Blanche River, ...	15	12	6
67	Alexander McBean, ...	Do ...	20	16	8
68	Perkins, Smith & Co., ...	Templeton Township, ...	13	0	5
69	Foster Armstrong, ...	Deep River, ...	20	16	8
70	H. Lemesurier, ...	Dumoone River, ...	52	1	8
71	J. Egan & Co, ...	McGillivray's Creek, ...	20	16	8
72	G. Walker & Co, ...	Sweya River, ...	36	9	2
73	R. Murray, ...	McNabb Township, ...	2	1	6
74	H. Lemesurier, ...	Madawaska River, ...	26	0	10
75	H.L. Routh, ...	Do ...	26	0	10
76	John Egan & Co, ...	Do ...	52	1	8
77	Do, ...	Calumette Island, ...	15	12	6
78	Do, ...	Black River, ...	41	13	4
79	Edward Bourke, ...	Pellewawe River, ...	26	0	10
80	John Egan & Co...	Deep River, ...	26	0	10
81	Do ...	Chalk River, ...	5	4	2
82	Do ...	Pellewawe River ...	26	0	10
83	Lemesurier, Routh & Co., ...	Do ...	26	0	10
84	Lemesurier, Routh & Co., ...	Do, ...	26	0	10
	Carried over, ...		£ 1,243	3	2

Appendix
(C. C.)

STATEMENT OF LICENSES &c. (Continued.)

Appendix
(C. C.)

7th May.

7th May.

NUMBER OF LICENSE.	NAME.	LOCALITY.	DEPOSITE.		
			£	s.	d.
	Brought over, ... ..	... ..	1,243	3	2
85	John Egan & Co... ..	Chalk River,	36	9	2
86	W. H. Tillston... ..	Bonchère River,	26	0	10
87	John Egan & Co... ..	Little Madawaska River,	41	13	4
88	Do.	Bonchère River,	52	1	8
89	Do.	Do	20	16	8
90	Do.	Do	5	4	2
91	William Rogerson..	Bonchère, Adnuston, &c.	20	16	8
92	Do.	Do	7	16	3
93	Joseph Parent,	Do	10	8	4
94	A. R. McDonell,	Ottawa River,	20	16	8
95	Do.	Do	10	8	4
96	A. McDonell,	Stag Creek,	10	8	4
97	P. Robertson,	McNabb Township,	5	4	2
98	James Bewer,	Dalhousie do	7	16	3
99	A. Caldwell,	Lavant Township,	13	0	5
100	Louis Brizard,	Calumette Island,	10	8	4
101	J. McDonell,	Pellewawe River,	52	1	8
102	A. McDonell,	Do	52	1	8
103	R. McDonell,	Do	31	5	0
104	William Chapman, & Co..	Madawaska River,	15	12	6
105	Do.	Do	52	1	8
106	James Skrcad,	Do	26	0	10
107	James Tobin,	Osgoode Township,	2	1	8
108	John Wilson,	South Crosby and Sherbrooke Township,	4	3	4
109	C. & S. McDonell,	Pellewawe River,	52	1	8
110	A. Snedden,	Darling and Pakenham,	13	0	5
111	Pemberton Brothers,	Pellewawe River,	20	16	8
112	James McLaren,	LaPêche River,	5	4	2
113	Henry Glass,	Drummond Township,	10	8	4
114	John Porter,	Madawaska River,	31	5	0
115	John Bennett,	Ottawa River,	20	16	8
116	Abraham Bowland,	Bonchère River,	7	16	3
117	Achibald Stevenson,	Coulonge River,	13	0	5
118	Archibald Wilson,	Madawaska River,	26	0	10
119	Do.	Blithfield Township,	10	8	4
120	John Porter,	Madawaska River,	15	12	6
121	Allan Gilmour,	Do.	31	5	0
122	Do.	Do.	15	12	6
123	Do.	Do.	15	12	6
124	Do.	Do.	15	12	6
125	Do.	Do.	15	12	6
126	James Wadsworth,	Do.	41	13	5
127	Daniel Weir,	Do.	41	13	4
128	Allan Gilmour,	Pellewawe River,	52	1	8
129	James Gilmour,	Do.	26	0	10
130	John Porter,	Do.	26	0	10
131	Thomas C. Brigham,	Do.	52	1	8
132	Edward Heath,	Clarendon Township,	2	12	1
133	C. L. Brigham,	Pellewawe River,	26	0	10
134	John Supple,	Chalk River,	10	8	4
135	Do.	Do.	15	12	6
136	Do.	Westmeath Township,	7	16	3
137	Do.	Snake River,	15	12	6
138	John Porter,	Indian River,	52	1	8
139	Andrew Porter,	Do.	52	1	8
140	William Byers,	Bonchère River,	15	12	6
141	Anthony Cullen,	Gattineau River,	6	5	0
142	Do.	Do.	10	8	4
143	Do.	Templeton Township,	13	0	5
144	John Egan & Co... ..	Clarendon Township,	26	0	10
145	Henry Lemesurier,	Crayon River,	10	8	4
146	J. & H. Murphy,	Bristol Township,	5	4	2
147	James Jardine,	Indian River,	20	16	8
148	Do.	Do.	20	16	8
149	R. W. Cruice,	Black River,	20	16	8
150	Thomas McGeoy,	Desert River,	26	0	10
151	Do.	Do.	26	0	10
152	John Hall,	Lanark Township,	10	8	4
153	Joseph Aumond,	Coulonge River,	15	12	6
154	Hugh Carmichael,	Litchfield Township,	10	8	4
155	J. B. Poupard,	Allumette Island,	13	0	5
156	Bell & Oliver,	Dalhousie Township,	5	4	2
157	Samuel Adams,	Westmeath do.	5	4	2
158	Do.	Allumette Island,	7	16	3
159	Hiram Colton,	Coulonge River,	15	12	6
160	George Bryson,	Ottawa River,	10	8	4
161	H. L. Wilson,	Desert River,	26	0	10
162	William Rogerson,	Gloucester Township,	5	4	2
163	Ewen McPhee,	Madawaska do.	10	8	4
164	Daniel McLachlin,	Indian River,	10	8	4
165	Do.	Madawaska River,	52	1	8
166	William Stubbs,	Coulonge, do	13	0	5
167	Elliott Johnston,	Bonchère River,	15	12	6
	Carried forward, ... ..	... ..	£ 2,932	14	11

Appendix
(C. C.)

STATEMENT of Licenses, &c., (Continued.)

Appendix
(C. C.)

7th May.

7th May.

NUMBER OF LICENCE.	NAME.	LOCALITY.	DEPOSITE.		
			£	s.	d.
	Carried forward, ...		2932	14	11
168	William Rogerson, ...	Pellewawe River, ...	20	16	8
169	George Lang, ...	Do. ...	10	8	4
170	Egan and Lusk, ...	Black River, ...	31	5	0
171	R. Conroy, ...	Madawaska River, ...	41	13	4
172	M. Council & Co, ...	Ottawa River. ...	15	12	6
173	R. McConnell, ...	Do. ...	20	16	8
174	Do. ...	Do. ...	10	8	4
175	William Rogerson, ...	Madawaska River, ...	20	16	8
176	James Wadsworth, ...	Anthony's River, ...	52	1	8
177	Do. ...	Madawaska River, ...	15	12	6
178	McKinnon & Aumond, ...	Do. ...	26	0	10
180	Joseph Aumond, ...	Do. ...	26	0	10
179	Do. ...	Pellewawe River, ...	26	0	10
181	Do. ...	Deep River, ...	10	8	4
182	Do. ...	Ottawa River, ...	13	0	5
183	Hamilton and Low, ...	Grenville augmentation, ...	13	0	5
184	Do. ...	La Perche River, ...	26	0	10
185	Do. ...	Gattineau do ...	26	0	10
186	Do. ...	Do. do. ...	7	16	3
187	George Hamilton, ...	Do. do. ...	18	4	7
188	Hamilton and Low, ...	Do. do. ...	26	0	10
189	John Thompson, ...	La Perche River, ...	26	0	10
190	C. A. Low, ...	Gattineau do ...	18	4	7
191	Hamilton and Low, ...	Do. ...	20	16	8
192	James Blackburn, ...	Chalk River, ...	13	0	5
193	Thomas McKay, ...	Gattineau do ...	26	0	10
194	John Hall, ...	Darling Township, ...	26	0	10
195	George Stubbs, ...	Allumette's Island, ...	15	12	6
196	William Rogerson, ...	Dumoon River, ...	52	1	8
197	Rogerson & Skread, ...	Pellewawe River, ...	13	0	5
198	William Rogerson, ...	Ottawa do. ...	10	8	4
199	Do. ...	Pellewawe River, ...	13	0	5
200	John Supple, ...	Indian River, ...	10	8	4
201	John Martin, ...	Pellewawe do. ...	26	0	10
202	William Morris, ...	Do. do. ...	36	9	2
203	N. S. Blasdel, ...	St. Joseph River, ...	26	0	10
204	John Egan & Co. ...	Black River, ...	15	12	6
205	H. Lemesurier & Co. ...	Madawaska River, ...	36	9	2
206	Jno. Egan & Co. ...	Mattawa do. ...	26	0	10
207	Do. ...	Temiscamangu Lake, ...	52	1	8
208	Atkinson, Osborne, Co. ...	Indian River, ...	52	1	8
209	G. W. Osborne, ...	Do. ...	31	5	0
210	N. S. Blasdel, ...	Pickanock River, ...	26	0	10
211	J. C. Blasdel, ...	Gattineau River, ...	26	0	10
212	Gilmour & Co., ...	Do. ...	13	0	5
213	J. C. Blasdel, ...	Desert River, ...	10	8	4
214	James S. Johnston, ...	Ottawa River, ...	52	1	8
215	Do. ...	Do. ...	36	9	2
216	Joseph Aumond, ...	Black River, ...	52	1	8
217	Do. ...	Coulonge do. ...	26	0	10
218	Do. ...	Madawaska River, ...	52	1	8
219	Thos. B. Hyde, ...	Do. do. ...	15	12	6
220	Joseph Bell, ...	Ottawa do. ...	15	12	6
221	John Foran, ...	Black River, ...	46	17	6
222	Andrew Dickson, ...	Coulonge River, ...	26	0	10
223	McPherson & Crane, ...	Madawaska River, ...	52	1	8
224	Do. ...	Blithfield Township, ...	10	8	4
225	Thomas Conoran, ...	Hull, Eardly, &c. Townships, ...	13	0	5
226	R. Conroy, ...	Chalk River, ...	31	5	0
227	W. McLachlan, ...	Wakefield Township, ...	18	4	6
228	Nicholas Sparks, ...	Pellewawe River, ...	52	1	8
229	James S. Johnston, ...	Mattawa River, ...	15	12	6
230	Do. ...	Amable Defond River, ...	31	5	0
231	Joseph Aumond, ...	Ottawa River, ...	7	16	3
232	Struthers Johnston, ...	Mattawa River, ...	26	0	10
233	R. Johnston, ...	Do. ...	15	12	6
234	J. Russell, ...	Kugebazan Creek, ...	10	8	4
235	Ruggles Wright, ...	Do. ...	26	0	10
236	Do. ...	Grand Lake, ...	26	0	10
237	Do. ...	Wakefield Township, ...	18	4	7
238	Do. ...	Pickanock River, ...	7	16	3
239	Do. ...	Pickagon Creek, ...	5	4	2
240	W. & J. Thomson, ...	Pellewawe River, ...	41	13	4
241	Duncan McDonell, ...	Bonchere River, ...	13	0	5
242	A. McDonell, ...	Do. ...	10	8	4
243	D. McDonell, ...	Do. ...	41	13	4
244	A. McDonell, ...	Do. ...	13	0	5
245	Do. ...	Do. ...	52	1	8
246	James Skread, ...	Palmerston Township, ...	52	1	8
247	Alonzo Wright, ...	Pickanock River, ...	13	0	5
248	J. R. Wright, ...	Blue Sea Creek, ...	18	4	7
249	Wm. Stubbs, ...	Deep River, ...	10	8	4
	Carried forward, ...		£ 4969	4	0

Appendix
(C. C.)

STATEMENT of Licenses, &c., (Continued.)

Appendix
(C. C.)

7th May.

7th May.

NUMBER OF LICENCE.	NAME.	LOCALITY.	DEPOSITS.		
			£	s.	d.
	Brought forward, ...		4969	4	0
250	William Stubbs, ...	Allumettes Island, ...	10	8	4
251	A. McDonell, ...	Pellewawe River, ...	52	1	8
252	H. W. McDonell, ...	St. Luce River, ...	20	16	8
253	A. R. McDonell & Sons, ...	Do. ...	26	0	10
254	Thos. McGeoy, ...	Eagle River, ...	26	0	10
255	J. Aumond, ...	Do. ...	26	0	10
256	John White, ...	Pellewawe River, ...	10	8	4
257	James McGeoy, ...	Eagle River, ...	26	0	10
258	Edward Massie, ...	Geeboo Creek, ...	26	0	10
259	Robert Tomkins, ...	Blanche River, ...	23	8	9
260	William Stewart, ...	Deep River, ...	10	8	4
261	Wm. Donnelly, ...	Dumoono River, ...	26	0	10
262	John Bennett, ...	Do. ...	26	0	10
263	J. Aumond, ...	... ..	52	1	8
264	James S. Johnston, ...	... ..	7	16	3
265	Edward Massie, ...	... ..	20	16	8
266	Ruggles Wright, ...	... ..	2	12	1
267	McPherson & Crane, ...	Madawaska River, ..	52	1	8
268	Job Moore, ...	Ottawa River, ...	15	12	6
269	John Moore, ...	Do. ...	13	0	5
270	David Moore, junr. ...	Do. ...	15	12	6
271	N. S. Blasdell, ...	Pickanock do ...	26	0	10
272	J. C. Blasdell, ...	Do. ...	13	0	5
273	S. J. Dawson, ...	Arnable Defond do. ...	52	1	8
274	H. L. Wilson, ...	Black River, ...	26	0	10
275	L. & H. L. Wilson, ...	Pellewawe River, ...	23	8	9
276	H. L. Wilson, ...	Black River, ...	26	0	10
277	James Wadsworth, ...	Mattawa River, ..	15	12	6
	Do. Additional on No. 277, ...	... ..	20	16	8
279	H. V. Noel, ...	Darling Township, ...	10	8	4
280	Do. ...	Litchfield do ...	10	8	4
281	Simpson Band, ...	... ..	41	13	4
282	J. O'Brien, ...	... ..	13	0	5
283	J. McCracken, ...	... ..	26	0	10
284	Do. ...	... ..	15	12	6
287	M. McBean, ...	... ..	2	12	1
288	J. O'Brien, ...	... ..	18	4	7
289	H. H. McDonell, ...	... ..	2	12	1
285	M. McBean, ...	... ..	13	0	5
286	J. McCracken, ...	... ..	15	12	6
290	J. Payne, ...	... ..	2	12	1
291	Michael Cullin, ...	Dumoono River, ...	15	12	6
292	B. McConnell, ...	... ..	7	16	3
293	John Egau & Co., ...	Madawaska River, ...	36	9	2
294	Do. for A. Smith, ...	... ..	15	12	6
295	R. McConnell, ...	Jackson's River, ...	26	0	10
296	Do. ...	Ottawa River, ...	7	16	3
297	John Wilson, ...	High Land River, ...	20	16	8
298	A. McDole, ...	... ..	5	4	2
300	J. McCracken, ...	... ..	26	0	10
299	J. O'Brien, ...	... ..	26	0	10
301	Wm. Morrow, ...	Mississippi River, ...	26	0	10
302	George Bryson, ...	Coulonge Lake, ...	5	0	0
180	J. Aumond, additional deposite, ...	... ..	26	0	10
303	Hamilton & Low, ...	... ..	7	16	3
36	Wm. Loucks (omitted,) ...	Russell Township, ...	2	12	1
			£ 6,088	15	8
	Amount Collections on Disputed Limits, ...		£ 128	0	0

1845.

Gross Amount of Revenue for the Crown Timber Office, Bytown.

Amount duty on Square Timber at Bytown, ...	£ 24,855	s. 17	d. 2
Amount duty below Bytown, ...	296	17	3
Amount of Saw Log duty, ...	2,157	11	8
	£ 27,310	6	1

For list of persons employed in Crown Timber Office, Bytown, see last page.

Appendix
(C. C.)

STATEMENT of Collections below Bytown.

Appendix
(C. C.)

7th May.

7th May.

BOND.		£	s.	d.	
A	Graham & Co.,	3	2	6	
B	J. Murray,	4	3	4	
C	A. Cameron,	8	17	11	
D	M. Cullen,	17	3	9	
E	Kennedy & Co.,	17	3	9	
F	J. & W. Douglass,	66	13	4	
H	James Johnston,	7	10	10	
I	H. McMillan,	16	13	4	
J	P. McMartin,	20	0	0	
K	A. McDonell,	2	10	0	
L	A. Cullen,	57	4	0	
M	Henry Lang,	15	6	2	
N	J. McCracken,	8	6	8	
		£	244	15	7

RECAPITULATION of Receipts.

		£	s.	d.	
Collections at Bytown	£24,652 17 0				
Ditto below Bytown	244 15 7				
Ditto deposits on Licences for 1846 No. 1. @ 168,	2960 14 5				
Ditto on Disputed Limits	128 0 0	27,986	7	0	
<i>Less.</i>					
J. Stevenson's disbursements at Bytown,	£1055 17 4				
Ditto. do. on account of Surveyor's Department,	444 0 7				
Ditto. do. for Surveys and laying out Timber limits,	470 17 5	1,970	15	4	
		£	26,015	11	8
<i>Add</i>					
Amount of Licenses (deposits on) from 169 @ 303, for 1846, since returned by Mr. Stevenson	£	3,128	1	3	
Total amount of deposits on Licenses granted for 1846,	£	6,088	15	8	

STATEMENT of Disbursements on account of Crown Timber Office, 1845.

		£	s.	d.	
To Doctor Bridges, advertizing,	0	10	7		
" John Chitty, for sundries	0	3	5		
" Stationery £2 14 3, £1 1 6, £3 10 0, £2 3 9,	9	9	6		
" Repairing Sleigh for Rangers,	0	15	0		
" Wm. Cameron and John Cameron, Rangers during winter above and below Bytown,	107	2	0		
" Postage to 14th July,	6	10	2		
" Wm. McCrae for tin boxes for letters and papers,	2	18	4		
" M. Scarth Stevenson, Clerk, to 1st February,	65	0	0		
" T. Christie, Printing,	1	17	6		
" Joseph Aumond,	0	8	3		
" Skread, repairing Boat Rollocks &c.,	1	13	3		
" Road Surveyor, 10s. Postage to 30 June. £9 7 9,	9	17	9		
" Wm. M'D. Dawson, furnishing to Boat	1	5	0		
" T. Christie, Printing,	2	12	6		
" Postage to 30th September,	7	17	2		
" A. Douglas, Clerk, to 1st September,	85	0	0		
" James Cameron, Counter of Timber, yearly allowance,	80	0	0		
" John Patterson, do. do. do. do.	80	0	0		
" Jean Grégoire, Boatman,	54	12	0		
" Louis Petit, do.	54	12	0		
" J. Stevenson, Collector,	300	0	0		
" Rent of Offices for one year	25	0	0		
" J. Stevenson, expense to Montreal and Hawksbury, ... Gattineau business,	4	0	0		
" Wood for Collectors and Surveyors' Rooms,	11	18	0		
" Lyons, Grey and others, Stationery, £1 15 0, £3 1 6, £2 10 1, £2 1 0,	9	7	7		
" W. Cameron, Check Officer at Chatham,	71	17	5		
" T. Christie, Printing Bonds, &c.,	6	5	0		
" A. Douglas, expenses at Perth, subpoenaed on Timber dispute,	3	0	0		
" Ditto. incidental and petty expenses, Candles, Ink, &c.,	1	18	0		
" Tax on Office,	0	6	11		
" James Stevenson, allowance, collecting below Bytown,	50	0	0		
		£	1,055	17	4

Appendix
(C. C.)

DISBURSEMENTS on account of Surveyor's Department, 1845.

Appendix
(C. C.)

7th May.

7th May.

	£	s.	d.
To Jno. McNaughton, Contingent account from June, 1844, to January, 1845, not handed in owing to his absence when the yearly accounts were made up,	53	10	6
" J. McNaughton, salary to 30th March, to account,	45	0	0
" Kennedy & Blythe, two desks for Surveyors,	6	12	0
" Wm. McDawson's half year salary,	75	0	0
" J. McNaughton's salary to 30th June, to account,	£51	12	7
Ditto. order McDermot,	7	8	1
" Wm. McDawson, half year salary,	59	1	1
" Ditto. furnishing of Office,	75	0	0
" Ditto. expenses to Kingston,	1	17	0
" Arrears of salary due W. McDawson, two years, per account current,	8	0	0
	324	0	7
	120	0	0
	£	444	0
			7

ACCOUNT of Surveys and laying out Timber limits, 1845.

	£	s.	d.
To John Robertson D. P. S. per account,	12	13	0
" Hugh Falls. D. P. S. ditto,	6	0	0
" J. S. Harper, D. P. S. ditto,	8	5	0
" Hugh Falls D. P. S. ditto,	4	0	0
" M. McDermot, D. P. S. ditto,	6	0	0
" John Robertson, D. P. S. ditto,	8	0	0
" Ant. Swallow, D. P. S. ditto H. Low,	30	3	3
" M. McDermot, D. P. S. ditto,	4	10	0
" Gilmour & Co. furnishing to Surveyors,	11	8	0
" Ditto ditto	9	4	0
" Hugh Falls, D. P. S. per account,	28	14	9
" John Robertson, D. P. S. ditto,	65	7	6
" M. McDermot, D. P. S. ditto,	2	0	0
" J. J. Rooney, D. P. S. ditto,	46	5	6
" Ditto D. P. S. ditto,	50	5	0
" Ditto D. P. S. ditto,	14	2	0
" Ditto D. P. S. ditto,	13	10	4
" J. McNaughton, D. P. S. ditto,	14	16	6
" —Geoffries, D. P. S. ditto,	6	0	0
" J. J. Rooney, D. P. S. ditto,	9	1	6
" —Geoffries, D. P. S. ditto,	20	4	1
" M. McDermot, D. P. S. ditto,	2	7	0
" Ditto D. P. S. ditto,	3	0	0
" J. J. Rooney, D. P. S. ditto,	30	0	0
" Ditto D. P. S. ditto,	30	0	0
" Ant. Swallow D. P. S. ditto,	15	0	0
" J. J. Rooney, D. P. S. ditto,	20	0	0
	£470	17	5

Note.—A sum equal to this supposed to have been paid by individual Lumbermen.

STATEMENT of SAW LOG DUTY collected by James Stevenson, for the year 1845.

NAMES.	NO. OF LOGS.	LOCALITY.	RATE.	AMOUNT.			
				£	s.	d.	
William Turner,	6,872	Gattineau,	} 5d	143	3	4	
Hamilton and Low,	15,650	do.		326	0	10	
Do.	21,434	Rouge,		446	10	10	
Perkins and Smith,	1,374½	Blanche,		28	12	11	
J. McLenan,	100	Gattineau,		2	1	8	
Levi Bigelow,	16,550	Lievre,		344	15	10	
Honorable Thos. McKay,	1,356	Gattineau,		28	5	0	
J. C. Blasdell,	7,846	do.		163	9	2	
Do.	2,057	do.		42	17	1	
Do.	4,000	do.		83	6	8	
Baxter Bowman,	26,324	Lievre,		548	8	4	
				£	2157	11	8

List of persons employed in Crown Timber Office, Bytown.

	£	s.	d.
James Stevenson, Collector,	350	0	0
M. S. Stevenson, Clerk, replaced by A. Douglas,	150	0	0
W. Cameron, } Forest Rangers, 7s. 6d. per day, while employed,			
Jno. Cameron, }			
W. Cameron, } Check Officer, 7s. 6d do. do.			
James Cameron, } Counter of Timber, yearly allowance,	80	0	0
John Patterson, } do. do. do.	80	0	0
Jean Grégoire, } Boatman, do. do.	54	12	0
Louis Petit, } do. do. do.	54	12	0
J. McNaughton, } Surveyor (no longer employed),	200	0	0
W. McDawson, } Assistant do. do. Salary as paid by Mr. Stevenson,	15	0	0

Appendix
(D. D.)

7th May.

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7th May.

M E S S A G E

FROM.

HIS EXCELLENCY THE GOVERNOR GENERAL,

TRANSMITTING.

COPIES OF CORRESPONDENCE

RELATING TO

KING'S COLLEGE UNIVERSITY.**CATHCART.**

THE GOVERNOR GENERAL transmits for the information of the Legislative Assembly, the Correspondence relating to King's College University, referred to in their Address of the 21st ultimo.

The Governor General informs the Legislative Assembly, that he is not aware of any charge or charges having been preferred to the Chancellor of the University against any of the Members of the College Council by other parties, beyond that contained in the Documents transmitted herewith.

GOVERNMENT HOUSE,
7th May, 1846.

Schedule of Papers accompanying Governor General's Message of 7th May, 1846.

- 1.—Memorial of the Reverend C. Winstanley.
- 2.—Private Secretary to Registrar of King's College, 20th May, 1845.
- 3.—Report of Committee of College Council on the case of the Reverend C. Winstanley (with Appendix.)
- 4.—Private Secretary to Reverend C. Winstanley.
- 5.—Private Secretary to the President of King's College.
- 6.—Private Secretary to the Principals of Queen's College, Victoria Collège and Collège of Regiopolis.
- 7.—Statement of the Council of King's College (with two enclosures).
- 8.—Statement of the Trustees of Queen's College (with one enclosure).
- 9.—Letter from Principal of Victoria College.
- 10.—Letter from the Very Reverend Angus McDonnell, Collège of Regiopolis.

Appendix
(D. D.)No. 1.—*Memorial of the Rev. C. Winstanley.*

7th May.

(Copy.)

To the Right Honorable CHARLES THEOPHILUS,
BARON METCALFE, Chancellor of the University of
of King's College, &c. &c. &c.

The Memorial of the Rev. Charles Winstanley of the
City of Toronto.

MAY IT PLEASE YOUR EXCELLENCY,

Your Memorialist feels himself very reluctantly compelled to place before Your Excellency, as Chancellor of the University, the following statement relative to a transaction which he has recently had with the College Council, and which appears to Your Memorialist to call for Your Excellency's interference.

Your Memorialist is a Clergyman in Holy Orders of the Church of England, and came to this country in the Autumn of the year 1843.

One of the principal objects which Your Memorialist had in view in leaving England, was to invest his surplus capital in such a manner as might prove advantageous to his family. Accordingly, since Your Memorialist arrived in this country, he has made various purchases of land in the Township of Scarborough for the purpose of agricultural improvement; and with the view of throwing his separate purchases into one property, and thereby giving unity to his agricultural operations, his investments have generally had reference more to the circumstance of the lots lying adjacent to each other than to their intrinsic value.

The first purchase which Your Excellency's Memorialist made with reference to the subject of this Memorial, was a lot of 70 acres, being the south half of lot No. 34, concession A. in the said Township of Scarborough. The east half of lot 35, lying adjacent, was then held under lease by C. Watkins, Esquire, from the Council of King's College. The soil of the latter half is on the whole of an inferior character, but from the manner in which Your Memorialist proposed to extend his property, it became of considerable importance to him to be possessed of it, even at a price beyond its intrinsic value. Mr. Watkins himself was desirous of selling his lease, but as he had no written agreement with the College Council giving him the right of preemption, and could only assure Your Memorialist of their uniform usage in allowing to lessees the privilege of purchase at the termination of their leases, Your Memorialist did not feel disposed to treat with Mr. Watkins until he had ascertained what prospect he had of a conveyance of the fee from the College Council.

Your Memorialist accordingly, about the latter end of the spring of 1844, instructed his son, Mr. Edward Winstanley, to make the necessary inquiries at the Bursar's office, and if he found that a conveyance could be got, to enter into the requisite contract with the College Council. The result of these inquiries was, that the Council had invariably recognized the right of preemption in lessees, and that in the case of Your Memorialist there could not exist the slightest difficulty in obtaining a deed. It was at the same time intimated by Dr. Boys, the Bursar, that as the Council had not determined on the price of the lot in question, a short delay would necessarily occur till the transaction could be completed, but that as the price was always in the first instance fixed by the Council, the matter would be submitted to that body at their first meeting.

Not having heard anything further on the matter for the next three weeks, Mr. E. Winstanley again called

at the Bursar's office after the lapse of that period, when Dr. Boys apologized to him for the delay that had taken place in ascertaining the decision of the Council as to the price, but he observed that Mr. Winstanley need be under no apprehension on the subject of a sale, and as there would be a meeting of the College Council very shortly, he (Dr. Boys,) would take care that the price of the lot in question should not be overlooked. On Mr. Winstanley replying that he would like to know the price as early as possible, inasmuch as he was anxious to close the transaction with Mr. Watkins, who, if any delay should occur, might, in the meantime, dispose of his interest to another party,—Dr. Boys further observed that he (Mr. Winstanley) might set his mind at rest on the subject; that he (Dr. Boys) was well acquainted with the lot in question, which he knew to be very inferior soil,—and he continued, “the minimum price of the College lands is five dollars per acre, and in your case I should certainly say that will be the maximum also.”

Relying on the uniform, and hitherto invariable usage of the College Council, of giving to their lessees the privilege of preemption, and on the repeated promises made to Mr. E. Winstanley by the Bursar, and confident in the assurance that the good faith of the Council would justify the promises of its officers, Your Memorialist felt no hesitation in purchasing the interest of Mr. Watkins, for which he has actually paid the sum of £150.

For the purpose of still further enhancing the value of his property, and of adding to his own personal comfort and convenience, Your Memorialist had, for some time previous to this purchase, had it in view to erect on his property a dwelling house and offices suitable for the accommodation of himself and his family; and being desirous that his dwelling house should occupy a central position in reference to the acquisitions of surrounding land which he had made or was making, Your Memorialist, immediately on completing his contract with Mr. Watkins, commenced building at the extremity of the lot of land first referred to in this Memorial (being the south half of lot 34,) and immediately adjoining the east half of lot 35, the fee simple of which was still in the Corporation of King's College.

While Your Memorialist's operations were going on, but not until he had expended several hundred pounds in buildings and other improvements, a verbal message was left with Mr. E. Winstanley, by one of the clerks of the Bursar's Office, to the effect that the College Council had decided not to sell the lot in question. No reason was assigned for this very unlooked for proceeding; but on making further inquiries, Your Memorialist learned that the Council has suspended for a time the disposal of their lands, and that Your Memorialist's rights had been sacrificed to a new principle which had been introduced into the management. On Mr. E. Winstanley expressing his surprise to Dr. Boys that a refusal to sell should be given after a distinct promise had been made, Dr. Boys merely observed, “that the Council were very arbitrary, but that he thought he could hold out strong hopes that the lot would eventually be conveyed to Your Memorialist.”

Fearing that the matter had not been fairly represented to the Council by the Bursar, and that he might not have informed that body of the repeated promises made to Mr. E. Winstanley, and believing that the new rule adopted by the Council could have no application to cases where distinct promises had been made, Your Memorialist instructed his son to call upon certain Members of the Council, for the purpose of placing Your Memorialist's interests in a proper light. Mr. E. Winstanley was informed that the suspension of

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sales had only existed for a week or two,—that the opposition in the Council to these sales had been got rid of by the appointment of a Sub-Committee, by whom they were now exclusively managed, and that upon application to that Committee, Your Memorialist's rights would be at once recognized. Mr. E. Winstanley accordingly made the application thus advised, to the Sub-Committee, who had now resumed the sale of lands to an extent which Your Memorialist believes shewed no diminution from the former operations of the Council. The result of the determination of the Committee was, that although they were daily making sales in cases where no promises had been made, yet as Your Memorialist's claim had already been refused by the Council, to whom it had unfortunately been referred during the short period that the sales had been suspended, it would be improper for the Committee to recognize it without the sanction of the other Members of the College Council. Mr. E. Winstanley, however, received every encouragement to pursue the claim, and certain of the Members of the Committee, among whom were Drs. Beaven and McCaul, distinctly recognized his rights and promised to support Your Memorialist's interests.

Your Memorialist's claim was accordingly again submitted to the Council, from various members of which he received the most direct assurances of its undoubted success; and, relying on these assurances, his building and agricultural operations were continued. To Your Memorialist's great astonishment, however, he received a few weeks since, not an official, but a verbal and indirect intimation, that his right to a conveyance could not be recognized by the Council.

Your Memorialist has since learned, that a sudden stop has been put to the public sale of lands, in consequence of the intervention of Your Excellency as Chancellor of the University. The object which Your Memorialist has presently in view in troubling Your Excellency is not to disturb any arrangements which Your Excellency might see fit to make for the management of the Endowment. On the contrary, Your Memorialist has been apprehensive that the College Council were disposing of a larger portion of the Endowment than the necessities of the University might require; but Your Memorialist cannot permit himself to believe that Your Excellency's Minute to the Council, by which the sales of lands were temporarily suspended, could bear application to a case where all the essentials of a contract (except that of writing) had existed for nearly twelve months anterior to the date of the Minute itself,—and where, on the faith of that contract, Your Memorialist had purchased an existing lease, and expended large sums of money on improvements from which he could reap scarcely any benefit; still less could Your Memorialist entertain such a belief when he was informed from undoubted sources, that even since the date of Your Excellency's Minute, the College Council have made sales of land to a very considerable extent in other quarters,—to an extent which has forced the conviction on Your Memorialist, that the College Council must have some reason beyond Your Memorialist's knowledge or suspicion, for selecting him as the victim upon whom a refusal to sell would fall with the most unrelenting severity.

Your Memorialist can the less hazard an explanation of the very extraordinary proceedings of the College Council, because he is on excellent terms with the majority of its members, for whom he has always entertained and expressed the most unqualified respect. And in such extraordinary circumstances Your Memorialist is willing, or rather forced to believe that an act of oppression and injustice to a stranger in this country so unprecedented as the one now detailed, could proceed from the members of the College Coun-

cil only under an erroneous apprehension, and under the grossest misrepresentations, on the part of the officials in the Bursar's office, whose conduct throughout has been marked by insincerity and prevarication. Your Memorialist is prepared to establish by unexceptionable testimony the truth of the statements which he has now had the honor of submitting to Your Excellency; and he respectfully thinks that if the Council have exhibited no chariness in relaxing Your Excellency's Minute in other instances, he may with reason hope that Your Excellency's authority may be extended to place Your Memorialist beyond the influence of an order, which Your Memorialist feels confident was not intended to bear a stringent application to cases similar to his own.

Your Memorialist, therefore, humbly prays that Your Excellency will be pleased to limit the operations of Your Excellency's Minute to the College Council in such manner as to allow of a deed to issue from the Corporation in favour of Your Memorialist on his fulfilling his part of the said contract.

And Your Memorialist will ever pray, as in duty bound.

(Signed,) CHARLES WINSTANLEY,
Clerk, M. A. Oxon.

Toronto, May 13th, 1845.

No. 2. Letter from the Private Secretary to the Registrar of King's College.

GOVERNMENT HOUSE,
Montreal, 20th May, 1845.

SIR,

I am commanded by the Chancellor to request that the accompanying Memorial of the Reverend Charles Winstanley may be brought under the consideration of the President and Council, and that a Report thereon may be furnished for His Excellency's information.

If the case be correctly represented by the Memorialist, and the sale of the lot in question has been stopped in consequence of the Chancellor's recommendation that further sales of land should be suspended, His Lordship is of opinion that under the circumstances stated, Mr. Winstanley ought to be permitted to purchase the lot; which appears to have been the course adopted in other instances when applicants were in treaty for land previously to the Chancellor's views above referred to having been communicated to the Council. It may, however, be presumed that there are other reasons with which His Lordship has not been made acquainted, that have induced the adoption of a different course in the case of Mr. Winstanley.

I am desired by the Chancellor to take this opportunity of inquiring what progress has been made in the investigation suggested by his Minute of the 19th of March last.

I have, &c.

(Signed,) J. M. HIGGINSON,

H. Boys, Esquire,
Bursar, King's College.

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No. 3.—*Report of the Committee of College Council on the case of the Reverend C. Winstanley.*

The Land Committee report that they have made minute enquiry into the particulars of Mr. Winstanley's case, as detailed in his Memorial to His Excellency the Chancellor.

It appears that about the latter end of the spring of 1844, application was made verbally to the Bursar by Mr. E. Winstanley, relative to the purchase of the lot south half 38, A. Scarboro', and that when the application was submitted to the Council they declined selling it, principally on the ground that they did not wish to part with any of their property so near Toronto.

On the 14th of June Mr. Winstanley addressed a letter to the Bursar, a copy of which is annexed. (No. 1.)

This was read in Council on July 17th, and the proceedings on that occasion are recorded in the Minute of which a copy is annexed. (No. 2.) A copy of the Bursar's reply is also annexed. (No. 3.)

On February 19th, 1845, the case was entered amongst those intended for the Land Committee at their meeting held on that day. But no action was taken thereon, inasmuch as the Council had already decided that the lot in question should not be sold, and the matter had not been formally referred to the Committee by that body.

On February 26th, 1845, the case was brought under the consideration of the Council by Dr. Beaven, who read a letter from Mr. E. Winstanley, of which a copy is annexed. (No. 4.)

The matter was then referred to the Land Committee by a Minute, a copy of which is annexed. (No. 5.)

In their meeting on April 3rd, the subject was discussed, and it was decided that a recommendation should be made to the Council, that the lot should be sold to Mr. Winstanley. The following were the votes on that occasion.

<i>Affirmative.</i>	<i>Negative.</i>
The Vice President.	Professor Gwynne.
The Dean.	Professor King.

The Chairman (Vice President) giving the casting vote in the affirmative.

On April 12th, 1845, the Committee reported their recommendation, which was negatived by the Council, —the votes being,

<i>Affirmative.</i>	<i>Negative.</i>
The Vice President.	The President.
The Dean.	Professor Croft.
The Principal of U. C. C.	Professor Gwynne.
	Professor King.

The principal grounds of Mr. Winstanley's complaint are, 1st: That the promises given to him in the Bursar's office have not been confirmed by the Council; and 2nd, That they have in this case departed from the practice of recognizing the right of preemption in the lessees.

1. It appears that Mr. E. Winstanley in neither of his letters adverted to the circumstance which is positively asserted in the Memorial, that the Bursar had given a promise that the land should be sold to him.

On the contrary, it is stated in his letter of February 20th, 1845, that the answer which he obtained as to the land being for sale, was received from a Clerk, probably Mr. Hawkins. Now the Council have never recognized the authority of any of their Clerks to enter

into engagements for the disposal of the property of the Institution, either by sale or lease, and although they have generally ratified engagements entered into by the Bursar, yet they do not feel themselves bound to confirm every promise given by that officer, inasmuch as he might exceed his powers.

2. The practice of permitting lessees to purchase the lands which they held under lease, has certainly been (as the Committee believe) the rule adopted by the Council in these matters, and the refusal to sell in such cases the exception. But the Council have not only never recognized any obligation (unless formally expressed) to sell to their lessees, but have published their intention of exercising an option.

The Committee feel it to be unnecessary to enquire into the grounds of the Memorialist's insinuation, that the conduct of the Council has been influenced by any personal feeling towards him, inasmuch as they have no doubt that in this case, as in all other transactions of the kind, the Council regarded solely the interests of the Institution under their care, and are persuaded that not even one member was induced by the personal solicitation to which Mr. Winstanley resorted, to vote either for or against his application.

The Committee regret that the Memorialist should have considered it proper to introduce observations not immediately connected with the facts of his case, and hazarded assertions on points on which it is impossible that he could have had sufficient information.

As he has, however, not confined his remarks to those matters which should have exclusively engaged his attention, the Committee feel it to be their duty to advert briefly to some of the points which he has considered himself at liberty to notice.

The Memorialist states that "Mr. E. Winstanley made the application thus advised to the Sub-Committee, who had now resumed the sale of lands to an extent which Your Memorialist believes showed no diminution from the former operations of the Council. The result of the determination of the Committee," &c. The Memorialist is incorrect as to these facts. No such application was made to the Sub-Committee, nor was the subject ever under their consideration by reference or otherwise. Mr. E. Winstanley certainly had interviews with each of the Members of that Sub-Committee, and learned from two of them, the Vice President and the Dean, that their opinion was that the lot should be sold to him, but neither of them expressed any favourable opinion of his *right*, as is subsequently stated by the Memorialist.

The Committee know not what grounds the Memorialist has for believing that the sale of lands by the Sub-Committee shew no diminution from the former operations of the Council. But of this there can be no doubt that that in which he asserts his belief is contrary to fact.

Neither can the Committee learn from what member of the Council the information was procured, that "the opposition in the Council to sales has been got rid of by the appointment of a Sub-Committee by whom they were now exclusively managed, and that upon application to that Committee, the Memorialist's rights would be at once recognized."

This, however, is certain, that the information by whomsoever given is wholly incorrect.

The Memorialist further expresses the apprehensions which he has felt, "that the College Council were disposing of a larger portion of the Endowment than the necessities of the University might require."

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The Committee cannot but feel that the Memorialist is very unnecessarily apprehensive on a point on which it is impossible that he can have sufficient information to enable him to form any opinion entitled to consideration, and are inclined to think that he has been misinformed as to the grounds on which the Minute of His Excellency, to which he refers, was based.

The Memorialist also states that "he was informed from undoubted sources, that even since the date of His Excellency's Minute, the Council have made sales of land to a very considerable extent in other quarters." The Committee are not aware from what sources the Memorialist derived his information on this subject, but have no doubt that the statement of his informant is contrary to fact. It appears from the monthly returns of land sold since the date of His Excellency's Minute, that but six lots containing 550 acres have been disposed of. Of those there were four which the Council were under engagement to sell; one had been under consideration before the Minute was received, and was decided by the Council at the same meeting in which the document was first read,—and the remaining case was not a new sale, but permission to a new applicant to purchase what had before been sold to another party.

The Committee, in conclusion, desire to observe that there does not appear to be any reason for the complaint of the Memorialist (if he intended his remarks as such) that he received only verbal answers to his applications relative to the lot in question, for it appears that but one letter was addressed by him to the proper officer, and to that one he received a written reply.

The Committee annex (No. 6.) the Bursar's observations on those parts of the Memorial in which reference is made to him or his office.

(Signed,) JOHN McCaul,
Chairman.

June 17th, 1845.

(Appendix No. 1.)

TORONTO, 14th June, 1844.

DR. BOYS,
Bursar, King's College.

SIR,

I regret exceedingly that the College Council have come to the determination you inform me of, as it places me in a very embarrassing position, for upon the assurance I received at the College Office that the Council had rescinded their former order, not to sell their lands, and in all probability the lot I mentioned could be obtained at the minimum price of 25s. per acre, I entered into arrangements with Mr. Watkins (the lessee) to purchase his right from which I cannot now recede, and which I should not for a moment have contemplated, had I not felt secure from my information that I could ultimately obtain the fee simple of the land.

I considered that I was paying dear for it at the minimum price, for the land for agricultural purposes is really worth nothing, and is not, I should imagine, in a situation ever to become valuable for anything else, the frontage being very narrow; in addition to this, it is stripped of its timber, and full of pine stumps. I purchased the adjoining lot of 70 acres for £140 currency, of Col. Allan, in March, which has twice as much frontage, being only £2 per acre, and it has a valuable Cedar Grove on it, and the neighbouring

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farms are to be bought at a corresponding price; but as I have already given £150 for the lease, of course your lot is the one I want.

I shall feel extremely obliged if you will lay this matter before the College Council at their next meeting, as I feel convinced that, on a reconsideration of the subject, they will alter their determination of making a special reservation in my case.

I am, &c.

(Signed,) EDWARD WINSTANLEY.

(Appendix No. 2.)

Extract from the Minutes of the proceedings of the Council of King's College at a special meeting held on the 17th of July, 1844.

Present:—

The Honorable and Right Reverend the Lord Bishop of Toronto, President of the University.
The Rev. John McCaul, L. L. D. Vice-President.
" James Beavan, D. D. Professor of Divinity.
Richard Potter, Esq. M. A. Professor of Mathematics
H. H. Croft, Esq. Professor of Chemistry.
W. C. Gwynne, Esq. B. M. Professor of Anatomy.
F. H. Barron, Esq. Principal of U. C. College.

No. 12. Read a letter dated the 14th ultimo, from E. Winstanley, Esq. representing that from the information he had gained in the College Office that the Council were again selling their lands, he had felt secure that he should be allowed to purchase the East half of Lot No. 35, in the concession A. of Scarboro, and had, in consequence, purchased other land contiguous; and expressing his disappointment at now finding the Council make a special reservation of this lot, and praying of them to reconsider the case and allow him to make the purchase of it.

The Council regrets that Mr. Winstanley should have been under misapprehensions as to their intentions relative to the lot that he wishes to purchase, but cannot alter their determination of reserving it.

A true extract.

(Signed,) H. BOYS,
Registrar, K. C.

(Appendix No. 3.)

K. C. O. TORONTO,
22nd July, 1844.

SIR,

Your letter of the 14th instant was read in the College Council at their meeting of the 17th instant, when I received instructions to inform you, that the Council regret that you should have been under misapprehensions as to their intentions relative to the lot which you wish to purchase, but cannot alter their determination of reserving it.

I have, &c.

(Signed,) H. BOYS,
Registrar, K. C.

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(Appendix, No. 4.)

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TORONTO, 20th February, 1844.

REV. SIR,

As I believe you are one of the King's College Council, I beg to address you on a subject connected with the Land Department of that Institution.

About twelve months ago, I purchased seventy acres of land on the Kingston Road about six miles from Toronto, from the Reverend H. Addington Simcoe, through his Power of Attorney, the Honorable Colonel Allan, and wishing to build a house and lay out grounds there, was anxious to extend my possession. Mr. C. Watkins, a gentleman residing in the neighbourhood, hearing this, sent to me to say that he held the adjoining property as a leasehold from King's College but that he wished to dispose of it. I returned for answer that I would make enquiries at the College Office, and if the fee-simple could be obtained at a reasonable rate, I would relieve him of his lease. I made the application, and was told that none of the College Lands were for sale, and that answer being returned to Mr. Watkins, my negotiations with him were closed. However, some few weeks afterwards Mr. W. told me that he had learned from good authority that the determination of the College Council not to sell their lands had been altered, and that they were now open for sale again, upon which I consented, (not without reluctance) to make enquiries again at the office, and if his information was correct, to negotiate further with him. I therefore attended at the King's College Office, accompanied by my brother and Mr. F. Lewis, (Land Agent,) whom I had employed generally to transact my business. I again inquired if the land, describing it by number, &c. was for sale, and the Clerk answered "yes:" he then, at my request, put down my name as an applicant for the purchase of it; he told me the price would be fixed by the Council at their next meeting. I therefore left the office, perfectly assured that I could purchase the right of soil, and accordingly gave Mr. Watkins £150 for the unexpired term of his lease, which was an extravagantly high price, and was only done that I might be able to buy it from the College. Shortly after I directed Mr. Lewis to make further enquiries (that is, if the Council had determined the price,) which he did, and was told that the sale of that land was refused. Now in the mean time I had built my house, and relying on the information given me when my name was proposed as a purchaser, I had very materially altered my plans with regard to the situation of it,—that is, as I expected shortly to be the owner of the whole property, I had placed my house much nearer to the leasehold than I otherwise would have done. I addressed Dr. Boys in a letter afterwards, but without effect; I might perhaps not so fully have explained it as I ought. My present object in troubling you is to request that you will oblige me by again laying my case before the Committee, as it is a very serious affair to me; the land is of the poorest quicksand, and certainly will never be cultivated under a lease; and I may venture to say that few would be found who could cultivate even if they were the owners; the fact is proved by the surrounding land being all open and lying in common, the owners not thinking it worth fencing. Should there be any doubt entertained respecting the answer given to me at the office, it may not be out of place to say that I can obtain the affidavit of both my brother and Mr. Lewis. I beg to apologise for thus trespassing upon you.

And remain, &c.

(Signed,) EDWARD WINSTANLEY.

(Appendix, No. 5.)

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(D. D.)

7th May.

Extract from the Minutes of the Council of King's College at a meeting held on the 26th February, 1845.

Present:

The Honorable and Right Reverend the Lord Bishop of Toronto, President of the University.
The Rev. John McCaul, L. L. D., Vice President.
The Rev. James Beaven, D. D., Professor of Divinity, &c.
H. H. Croft, Esquire, Proctor, Professor of Chemistry, &c.
W. C. Gwynne, Esquire, M. B., Professor of Anatomy, &c.
John King, Esquire, M. D., Professor of the Theory and Practice of Medicine.
F. W. Barron, Esquire, B. A., Principal of Upper Canada College.

"No. 9. Dr. Beaven submitted a letter from Mr. Winstanley, praying to be allowed to purchase the east half of lot No. 35, in the broken front A. of 'Scarboro', for reasons which he had not fully stated on a former occasion.

"Referred to the Land Committee."

A true extract,

(Signed,) H. BOYS,
Registrar, K. C.

(Appendix No. 6.)

(Copy.)

Remarks of the Bursar on those passages in Mr. Winstanley's Memorial to His Excellency the Chancellor, dated 13th of May, 1845, which relate to the Bursar or his Office.

<i>Passages of the Memorial.</i>	<i>Bursar's Remarks.</i>
----------------------------------	--------------------------

1.

That the result of his inquiries at the Bursar's Office was, "that the Council had invariably recognized the right of pre-emption in the lessees, and that in his case there could not exist the slightest difficulty in obtaining a deed."

It has been the invariable custom of the Bursar to deny any right in the lessees to purchase. The utmost he could have told Mr. Winstanley was this, that if the Council were desirous of offering any particular lot for sale, they would, *in all probability*, give the refusal of it to the lessee.

He may also have admitted the *probability* of their not refusing to sell this lot to Mr. Winstanley.

2.

The Bursar promised to submit the lot to the Council, for the purpose of a price being put on it.

The Bursar made this promise and fulfilled it.

3.

The Bursar said, "the minimum price of the College Lands, is five dollars per acre, and in your case, I should certainly say that will be the maximum also."

The Bursar has not the least recollection of using this expression; however it is a point of no consequence as the question is not about the price of the land.

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4.

Relying on the uniform and hitherto invariable usage of the College Council, of giving the lessee the privilege of pre-emption, and on the repeated promises made to Mr. E. Winstanley by the Bursar.

The Bursar denies having made any promises whatever to Mr. Winstanley, except that he would bring the case before the Council, which he did accordingly.

5.

On Mr. Winstanley expressing his surprise to Dr. Boys, that a refusal to sell should be given after a distinct promise had been made, Dr. Boys merely observed, "that the Council were very arbitrary, but that he thought he could hold out strong hopes that the lot would eventually be conveyed to your Memorialist."

The Bursar never could have admitted that a promise had been made; nor does he think he used the words here attributed to him. If he used the harsh term, "arbitrary," as applicable to the Council, he must have been in jest.

6.

"Fearing that the matter had not been fairly represented to the Council by the Bursar, and that he might not have informed that body of the repeated promises made to Mr. E. Winstanley."

The Bursar never concealed any part of the transaction from the Council, nor ever made any promises to Mr. Winstanley.

7.

"That the rejection of his claims could only have arisen under the grossest misrepresentations on the part of the officials in the Bursar's Office, whose conduct throughout has been marked by insincerity and prevarication," which he professes himself "prepared to establish by unexceptionable testimony."

The officials in the Bursar's Office have done nothing in prejudice of Mr. Winstanley's case. For the Bursar's part, he has brought the case under the consideration of the Council at what he has considered to be the most favourable moments, which was all his duty permitted him to do; and he has acted throughout with a sincere desire to have the sale effected. He is quite certain Mr. Winstanley cannot bring forward any testimony sufficient to sustain the assertions here made.

(Signed),

H. BOYS,
Bursar, K. C.King's College,
14th June, 1845.

No. 4.—Letter from the Private Secretary to the Reverend C. Winstanley.

GOVERNMENT HOUSE,
MONTREAL, 3rd July, 1845.

REV. SIR,

The Chancellor having referred your Memorial of the 13th of May last, relating to certain land which you are desirous of purchasing from the Corporation of King's College, to the King's College Council, and having received from them a Report thereon, I am desired to inform you that His Excellency does not conceive that he would be justified in interfering with

that Body in the exercise of their discretion, in withholding the lot in question from sale, to which they are influenced, not by the Minute of His Excellency referred to by you, but because it appears to them to be conducive to the interests of the University to reserve the land.

The Chancellor, therefore, regrets that it is not in his power to afford you relief.

I have, &c.

(Signed,) J. M. HIGGINSON.

Rev. C. Winstanley,
&c. &c. &c.
Toronto.

No. 5.—Letter from the Private Secretary to the President of King's College.

MONTREAL, 7th March, 1846.

MY LORD,

I am commanded by His Excellency, Earl Cathcart, to state to you his desire, as Chancellor of the University of King's College, to be furnished in a definite and official form with the views of the Council of King's College on the present state of their Charter, as amended by the Statute of Upper Canada, 7th William IV, chapter 16.

His Excellency is apprised that in each of the two last Sessions of the Provincial Parliament, a measure was introduced into the House of Assembly to amend that Act and the Charter, and that on each of these occasions the Council of King's College employed Counsel who were heard against these respective measures.

His Excellency has also been informed, that in the opinions of many, changes are still necessary to make the Institution harmonize with the wants and wishes of the greater portion of the people of Upper Canada, for whose benefit the Institution was created and endowed; although great differences may and do exist in determining what those changes should be.

His Excellency cannot doubt the desire of the College Council that such changes (if any are necessary for this purpose) should be made as are calculated from their character to give general satisfaction, at all events to those classes of the community lying most within the range of the benefits of an Institution of this kind.

His Excellency entertains full confidence that every Member of the College Council will be desirous, so far as his conscientious convictions may permit, of adopting such a conciliatory course as, not merely general policy but also the inferences suggested by the somewhat anomalous position of that Body will, on careful deliberation recommend; and he therefore invites the College Council to take into consideration the present state and condition of the Charter,—its adaptation to its end,—and the amount of change which, in their judgment, will remove any reasonable objections to its general utility.

His Excellency is anxious in no respect to prejudice this important question, and he conceives that his situation, as Chancellor, justifies him in asking for such an exposition of the views of the College Council as will facilitate his arriving at a clear understanding of the whole subject, and enable him at a proper period

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to afford the information which it may be requisite to lay before Her Majesty for Her ultimate consideration and determination.

I have the honor to be,
&c. &c. &c.

(Signed,) J. M. HIGGINSON.

The Lord Bishop,
President, &c.
King's College.

No. 6.—*Letter from the Private Secretary to the Principals of Queen's College, Victoria College, and College of Regiopolis.*

GOVERNMENT HOUSE,
MONTREAL, 9th March, 1846.

REV. SIR,

I am commanded by His Excellency the Administrator of the Government, to state to you his desire to be furnished in a definite and official form with the views of the governing body of

QUEEN'S COLLEGE,
VICTORIA COLLEGE,
COLLEGE OF REGIOPOLIS,

on the present state of the Charter of the University of King's College, as amended by the Statute of Upper Canada, 7th William 4th, chapter 16.

His Excellency is apprised that in each of the two last Sessions of the Provincial Parliament a measure was introduced into the House of Assembly to amend that Act and the Charter, and that on each of these occasions the Council of King's College employed Counsel who were heard against these respective measures.

His Excellency has also been informed that in the opinions of many, changes are still necessary to make the Institution harmonize with the wants and wishes of the greater portion of the people of Upper Canada, for whose benefit the Institution was created and endowed, although great differences may and do exist in determining what these changes should be.

His Excellency cannot doubt the desire of the Council of King's College that such changes (if any are necessary for this purpose) should be made as are calculated from their character to give general satisfaction (at all events) to those classes of the community lying most within the range of the benefits of an Institution of this kind.

His Excellency is anxious in no respect to prejudge this important question, and is desirous of affording to the several Colleges now established in Upper Canada an opportunity of offering such an exposition of the views entertained by each, as will facilitate his arriving at a clear understanding of the whole subject, and enable him at a proper period to afford the information which it may be requisite to lay before Her Majesty for Her ultimate consideration and determination.

I have, &c.

(Signed,) J. M. HIGGINSON.

The Rev. Dr. Liddell,
Principal of Queen's College,
Kingston.

Rev. E. Ryerson, D. D.
Principal of Victoria College,
Cobourg.

The Very Rev. Angus McDonell,
One of the Trustees of the College of Regiopolis,
Kingston.

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No. 7. *Statement of the Council of King's College, with two enclosures.*

KING'S COLLEGE OFFICE,
Toronto, 24th March, 1846.

SIR,

The College Council having deliberated upon your letter of the 5th instant, addressed by command of His Excellency Earl Cathcart, the Chancellor of the University of King's College, to the President of that Institution, expressing His Excellency's desire to be furnished in a definite and official form with their views on the present state of their Charter, as amended by Statute of Upper Canada, 7th Wm. IV. c. 16., have agreed to the following Report, which they request you to lay before His Lordship at your earliest convenience.

I have, &c.

(Signed,) JOHN TORONTO.

J. M. Higginson, Esq.
Private Secretary.
&c. &c. &c.

To the Right Honorable CHARLES MURRAY, Earl Cathcart, of Cathcart, in the County of Renfrew, K. C. B., Administrator of the Government of the Province of Canada, and Commander of the Forces in British North America, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

The Council of the University of King's College beg permission to commence this their Report by tendering to Your Lordship their grateful acknowledgments for the kind and considerate communication which Your Excellency has caused to be laid before them, and to express their hope that such an arrangement of the whole question of the University may now be adopted as shall satisfy every well informed and reasonable mind.

For a brief history of the University of King's College, the Council would most respectfully draw Your Excellency's attention to the Lord Bishop of Toronto's inaugural address as President at the opening of the Institution on the 8th of June, 1843, in which also will be found an authentic account of the great difficulties which attended the procuring of the Charter on account of its open and conciliatory principles which were at that time (1827) without precedent in such institutions either at home or abroad.

The Council would further solicit Your Excellency's notice to their Report of the 31st March, 1832, on a Despatch of Lord Goderich, then Secretary of State for the Colonies. In this Report the various objections made against the Charter were examined and fully answered. Nevertheless, the then Council anxious that the University should go into operation, felt compelled, though with much reluctance to consent to some modification of its provisions; but the concessions they agreed to came to nothing, and produced no satisfactory result: the discussions continued with more or less acrimony till 1837 when the Provincial Statute (7 Wm. 4. c. 16.) was passed, embodying certain charges, which were deemed amendments, and in a great measure following, though not altogether, the Report of the Council just referred to.

The Council respectfully submit that the Union of the Canadas in 1840, has had, as was anticipated when the measure was in progress, a material effect on the Charter of the University, as well as on the amendments imposed by the Provincial Statute.

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1st. As it respects the Chancellor. It was natural to appoint, in the Royal Charter, the Governor of the Province Chancellor of the University; because it was an institution which solely emanated from the Crown, and was to be established at Toronto then the seat of Government where he resided. The President and Senior Professor could have at all times easy access to him and take care that the reasons of all statutes, rules and ordinances should be fully explained and understood before they were proposed to the consideration of the College Council. But since the removal of the seat of Government to Montreal, the President and Senior Professor can have no personal communication with the Chancellor, and frequently all intercourse must be in writing. This renders in a great degree nugatory the wise provision in the Royal Charter which ordains that the Chancellors shall consult with the President and next Senior Member of the Council respecting all statutes, rules and ordinances to be proposed by him to the said Council for their consideration.

2nd. Experience has from the first promulgation of the Charter proved the inconvenience of the Chancellor being the person at the head of the Government as unfortunately giving to the institution a political character. This inconvenience was indeed anticipated by the President when the terms of the Charter were under consideration in London, but his objections were overruled by Earl Bathurst, on the plea that in his character of Chancellor, the Governor would act as the Chancellor, the Governor would act as the Chancellors of the Universities at Home, seldom interfering except on days of ceremony; and so far from admitting any thing political to be mixed up with the University affairs, if he acted at all, it would be only with its authorities. The practical working has not been found agreeable to this plea or intention; and the appointment of Professors being in the Chancellor, much damage may be apprehended from the selection of men not sufficiently qualified, under the existing circumstances of the Province;—in fact it appears that motives of political expediency in at least one such appointment have not been concealed, nor under the present arrangement, aggravated as it is by the distance at which the Head of the University lives, and his comparative unacquaintances in statutes, rules and ordinances by which its operations are guided, and which must increase with every new Governor General, can the recurrence of such instances be altogether prevented.

Again the removal of the seat of Government to Montreal, nearly four hundred miles from Toronto, materially affects the composition of the College Council as settled in the Statute of 7 Wm. 4. ch. 16. By that Statute, it is made to consist of twelve Members. But since the Union of the Provinces, five out of this number, viz: the Chancellor, the Speakers of the two Houses of the Legislature, and the two Crown Officers, can scarcely ever attend at the Board, and therefore can be of little or no benefit to the institution.

From these and other considerations the Council would most respectfully recommend that the Provincial Statute 7 Wm. 4. ch. 16. be repealed, and that the following amendments of the Royal original Charter be embodied in a new Charter to be issued by the Crown.

1. That the Chancellor of the University of King's College be chosen by the Convocation and with strict reference as far as may be practicable to English usage.
2. That the President be also Vice-Chancellor and discharge the duties of the Chancellor in his absence.
3. That there shall be established in the University a Council of appointment to consist of never less than

six Members: The President or Vice Chancellor, the Vice President and the Senior Professor or if necessary to complete the number of six, the next Professor in seniority; the fourth to be chosen by the Board or College or other body representing the Medical Profession, the fifth by the Law Society, and the sixth to be chosen by the Mayor and Town Council of the City of Toronto. The three last to hold office during four years, but may be re-elected. That by this Board the President, Vice President and Professors (except the Professor of Divinity who is to be appointed by the Archbishop of the Province, or Bishop of the Diocese) and the Principal of Upper Canada College shall be appointed, and their respective salaries and emoluments fixed and defined,—the rights of the present incumbents being respected; provided nevertheless that the Board shall make no appointment unless after full examination into qualifications for office, the vote be unanimous, and that in case of difference of opinion, the names of the two candidates having the majority of votes, shall be referred to the Chancellor for his final decision thereon. It shall likewise act as a Board of Audit.

4. That there be within the University of King's College a Caput of seven members, viz: The Vice Chancellor or President and the Vice-President *ex officio*; four Professors selected by the Faculties and to continue in office four years, and the Principal of Upper Canada College; and their rank, seniority and precedence shall be in the above order: That the Caput so constituted shall discharge all the duties and enjoy all the rights and privileges of the present Council as are set forth in the original Charter, to manage the whole property of the Corporation, alienate or exchange the same, purchase new property, &c. &c., provided nevertheless, that the expenses of the University shall not exceed its actual income, exclusive of what may be expended in the erection of the necessary accommodations, furniture, and other matters which may be justly deemed capital. The Caput shall appoint the Masters of Upper Canada College and make all the appointments not otherwise provided for.

5. That the Chief Justice of Canada West, and the Vice Chancellor of the Court of Chancery for the time being, be the Visitors.

6. That although the Council be convinced that a College for educating youth in the principles of the Christian Religion, as well as in literature and the sciences, is less likely to be useful and to acquire a lasting and deserved popularity, if its religious character be left to the discretion of individuals and to the chance of events, and suffered to remain the subject of unchristian intrigues and dissensions, they nevertheless feel that from circumstances over which they have no control, they are obliged to submit to that provision of the Statute of 7 Wm. IV. chap. 16, which relieves the members of the College Council from signing the Thirty-nine Articles; but, at the same time, they acquiesce willingly in that portion of the original Charter which ordains that no religious test or qualification be required or appointed for any person admitted or matriculated as scholars within the said College, or of persons admitted to any Degree or Faculty therein, save only to any Degree in Divinity, which shall be regulated as in the Royal Charter, and according to the forms and regulations required of persons admitted to any Degree of Divinity in the University of Oxford: for whatever opinion may be entertained regarding tests in general by those who dissent from the Church of England, it would seem entirely at variance with the spirit of religious liberty to forbid the imposition of those tests by those and upon those who concur in holding them sacred. They also acquiesce in the declaration required by the Act 7th Wm. IV. chap. 16, and that it ought to be a qualification for all members of the Council and Caput. They

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are further of opinion that an oath of office should be required of all the members of the Council of Appointment.

The Council have thus, after much consideration, laid before Your Excellency their views on the present state of their Charter, as amended by the Statute of Upper Canada, 7 Wm. IV, chap. 15, as well as the alterations which, they think, might with advantage be introduced into a new Royal Charter, and in effecting which they will cheerfully give any aid in their power.

Before leaving this part of the subject, they crave the liberty of Your Excellency's indulgence to some additional remarks which the course of events renders worthy of attention.

Since the establishment of the University of King's College, three other Colleges have been established in Canada West: Victoria College, belonging to the Methodists, Queen's College, belonging to the Church of Scotland; and the College of Regiopolis, belonging to the Roman Catholics. The two former possess University privileges in virtue of Royal Charters. Before the rise of these Institutions, which are entirely exclusive and under the sole management of their respective Churches, the objections made to the University of King's College did not extend to any division of its endowment, but rested chiefly on religious considerations. Recently, however, instead of praying for separate endowments from the liberality of the Crown, the friends of Victoria and Queen's College are eager to cripple the efficiency of King's College, by sharing in her endowment. In justice to the Roman Catholics, it ought to be observed that they have acted with much propriety and moderation, and have made no such claim, although, should a division take place, they believe themselves entitled to consideration.

Now the Council of King's College are not unwilling to admit that when the Government thought fit to grant Charters establishing these Colleges in a new country like this where endowments from individuals are scarcely to be expected, a certain endowment should have been allowed to each, more especially as more than ample means seem to be at hand from the portion of the Clergy Reserves left at the disposal of Government by the 3rd and 4th Victoria, chap. 78, intituled, "An Act to provide for the sale of the Clergy Reserves," &c. which are capable of yielding at once a competent revenue. Were a fair endowment granted not only to these three Colleges, but to such other denominations as to Government may seem meet, the University of King's College may be left untouched, and the 7th Wm. IV, chap. 16, being repealed, it will revert to its original constitution, with the liberty of seeking from the Crown such amendments of the Charter as have been mentioned, and as further experience may suggest for its more efficient and advantageous working.

This appears to be the most judicious and equitable manner of satisfying all parties and restoring peace to the community.

The different religious denominations would thus have the means of educating their youth according to their own wishes, and on their own principles—no room would be left for collisions or heart-burnings, and in a short time collisions on this subject would pass away—the different Colleges would only feel a noble emulation in excelling in sound learning; nor would this plan multiply Seminaries beyond their usefulness; the Government can limit them to the leading divisions of Christianity, and each will have according to their own accounts a sufficient number of students to instruct.

Should this method fail to be entertained by Government, although we can perceive no formidable or even reasonable objection, and a measure be proposed for dividing the endowment in order to bestow portions of the same upon the other three Colleges, the College Council will feel it their duty to protest against such injustice; and, if they submit, it will be under compulsion and with the avowed reservation of their rights to be claimed at the proper opportunity. Willingly to relinquish any part of their endowment which is not more than sufficient to support a University worthy of this great Country, and the increasing wants of its youth, would, in their opinion, be a desertion of their duty. Nevertheless, should such a measure be perpetrated, the College Council would at the least expect that regard should be had to the claim of the Church of England in point of numbers, and to the fact that she furnishes more than half of those who desire a collegiate education. Bearing in mind also that if the Medical Department and Upper Canada College are to continue component parts of the University of King's College, as they ought to do, the division should have respect to the decent maintenance of such valuable portions of the Institution, and which the other Colleges are not required to support.

To leave the endowment entire is more preferable, not only because more just but because it meddles not with vested rights and offers no encouragement to future spoliation or attempts to interfere with the far richer and magnificent endowments of Lower Canada. The Charter should be so altered as to admit no political influence from which it has suffered so much, and be placed under the guidance and management of its own authorities; in like manner the endowments to be granted by the Crown to Colleges of other denominations, should be surrendered freely to their own management, provided that they spend only the annual income and preserve the capital entire.

The object of the Government should be to settle the question on such a just and equitable basis as may satisfy the honest and upright of all parties without regard to the clamours of the factious and the destructive who delight in sowing dissension, and are dismayed at the loss of a grievance.

The Council would have here closed their Report had not their attention been drawn to a Despatch from Lord Stanley while Secretary of State for the Colonies, which has lately appeared in the public prints, and which they deem of so much importance as to solicit for the Commission it recommends Your Excellency's favourable consideration.

The Council are the more inclined to place this document under Your Excellency's special notice, inasmuch as it relates to the constitution of King's College, New Brunswick, which is an exact copy of our Royal Charter, and granted a few days after ours was completed. On two points, and both of great importance, the advantage is with us; our Charter is entirely of Royal Grace, and did not, like that of New Brunswick, emanate in the first place from a Provincial Statute. Again, our endowment is also wholly of Royal Bounty, this University having never, like that of New Brunswick, received assistance from the Legislature of the Colony.

In regard to the measures introduced in each of the two last Sessions of the Provincial Parliament, the Council would remark that the changes they proposed were not merely offensive to the largest class of Her Majesty's subjects in Upper Canada, but totally excluded them, on conscientious principles, from participating in any advantages they might be supposed to offer; and what is worthy of special remark, the class thus offended and excluded are precisely those for whose more special advantage the College was originally founded.

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The Council concur with Lord Stanley in opinion that whatever alterations are required, should be maturely weighed and recommended by men possessing an intimate acquaintance both with the theory and the practice of educating in religion, in literature and science those youths who from their birth, their fortune, or their natural talents, are probably destined for the public service as Legislators, Divines, Jurists, Physicians, Magistrates or Merchants; and we feel disposed, should it be Your Lordship's desire to solicit the appointment of such a Commission as Lord Stanley suggests, provided it be composed of men of high character from Oxford, Cambridge, and Trinity College, Dublin, who are familiar with the economy and discipline of Universities, and whose duty it should be to inquire into the constitution and management of all similar Institutions; regarding which they might procure authentic information and derive a system accommodated to the particular circumstances of this Province, it being quite obvious that it would not be easy to find such men as His Lordship describes in this Province, were there no fear of their being already prejudiced on the University question.

Such a Commission, to be armed with all powers requisite for conducting and defraying the expense of the necessary inquiries: it should be composed of men unanimous in the desire to promote public education among the wealthier classes of society on Christian principles; their range of enquiry should be as unlimited as is the object itself; and the result of their deliberations should be made final; and for this purpose an Address by both Houses of the Legislature should be made to the Crown to appoint such a Commission, and signifying their full acquiescence in the results to which it might arrive, appears indispensable.

Fully concurring in the remainder of this important Despatch, the College Council are encouraged to quote it in the hope that its suggestions may be adopted: "There is happily one principle on which amidst all the discussions a general agreement prevails, and which has been brought into full operation since the commencement of this University, and by that principle the Commissioners might be bound: it is that King's College should be open as it ever has been, so far as its advantages, emoluments and honors are concerned, to every denomination of Christians; but, that according to the original design the public worship performed within its walls should be that of the Church of England, and that the Chair of Theology should be occupied by a Clerk in Holy Orders of that Church, of which of course therefore all graduates in Divinity must be members. These reservations in favor of the Church of England (the Church of the Royal Founder) are made in no spirit to which the members of any other Church could even plausibly object. They proceed on no claim of ascendancy or superiority. Their object is simply to retain for the Anglican Church the advantage actually enjoyed by every other body of Christians in Canada, of having at least one place of public education in which young men may be trained up as Ministers of the Gospel."

Should Your Excellency incline to the appointment of such a Commission as has been suggested, the College Council would willingly surrender their own opinions and suggestions to its guidance and decision; because they feel convinced that aided by its report a Royal Charter might be framed to meet every difficulty.

The whole of this question would thus be drawn from debate in a popular Assembly to a more tranquil, and, for this purpose, a more competent tribunal; without the excitement of those feelings which animate and occasionally discompose the deliberations of the Representative Branch of the Legislature. It would, we

trust, be settled on such a basis as to conciliate the feelings, satisfy the judgment, and promote the interests of all classes; as far as such results are attainable in affairs of this nature.

All which is respectfully submitted.

(Signed,) JOHN TORONTO,
President.

Dissentient from that part of the Report which acquiesces in the exclusion of all religious tests, excepting a declaration of belief in the Inspiration of the Scriptures and the Doctrine of the Trinity, required from the Members of the Council and Caput:—

Because I do not think that it provides sufficiently for unity of action on the subject of religion, on the part of the governing body; and because, the Government of the College having been given in the original Charter to Members of the Church of England exclusively, I think justice will not be done to the Members of that Church in Upper Canada, until that power shall be restored to them; unless it shall be proved that they have in any way abused it.

JAMES BEAVEN,
Professor of Divinity, &c.

Professor Gwynne's objections to the Report of the Council of the University of King's College, and suggestions offered by him in lieu of certain parts of the Report,—to enter which upon the Minutes, liberty was reserved to Professor Gwynne:—

That paragraph of the Report which relates to the appointment of Chancellor of the University annually by election, is objected to, because a periodical election, in the manner proposed, to so important an office in the University, is calculated to create an excitement and to produce a spirit of party rivalry prejudicial to the interests of an Educational Institution; because a similar periodical election has been found in the Universities of Cambridge and Oxford to be a fertile source of division and party feeling amongst the members of those Corporations; because in the opinion of Professor Gwynne, it is desirable that the Office of Chancellor should be as permanent an appointment as possible; because in the University of Dublin, where the appointment of Chancellor is permanent, much good is derived from the absence of those contentions which occur in the Universities named upon the periodical election; because it will be very difficult to find in the Province, persons qualified to fill the office; because the high position of the Governor General of the Province makes him the most proper person in a young Colony to discharge the important trust connected with that Office,—and his continuance in the office would prevent the constant recurrence of the evils which are apprehended from an annual election.

In relation to that portion of the Report providing for the constitution of a Council of Appointment, Professor Gwynne objects to the mixed character of the Council as suggested; because the affairs of the University should not be entrusted to a Board, any of the members of which are nominated by other Corporations, the nature and duties of which do not qualify them as the superintendents in any respect of a University Education, and much evil is to be apprehended

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from collision between the Professors of the University upon the Board, and those Members of the Board appointed by the other Corporations mentioned in the Report; which latter members cannot be supposed to take as great an interest in the affairs of the University as Professors of the Institution; because for the efficient discharge of the duties of the Council proposed, and to secure harmonious action, it is desirable that these duties should be wholly entrusted to the Professors of the Institution.

Professor Gwynne suggests the following proposition, as an amendment upon this part of the Report: That there be within the College a Board of Selection consisting of not less than six members, of whom the President shall, *ex-officio*, be one, and the remainder be elected annually from the whole body of Professors by the majority of the votes of the members in convocation assembled, on _____ day of _____ That it shall be the duty of this Board to select from the candidates presenting themselves for any professional office, or for the office of Principal of Upper Canada College, the names of two or three persons to be transmitted in alphabetical order to the Chancellor, in whom shall be vested the power of *appointing* to the vacant situation one of the individuals so selected. That it shall also be the duty of the Board to act as a Board of Audit. Professor Gwynne conceives that the election of this Board can be safely entrusted to the Members of Convocation, without being productive of the evil consequences alluded to in relation to the election of Chancellor; inasmuch as there will be no *immediate* cause of excitement calculated to create division or rival interests, as the Board may or may not be called upon within the year to discharge the most important duty connected with their office; and he is satisfied that the Members of Convocation constitute the body most capable of appreciating the individuals whose attainments are such as to enable them to discharge this most important duty; and that they *will* select those best capable of supporting the interests and honor of the University.

In relation to that part of the Report which provides for the appointment of the Caput, and defines its duties and responsibilities, Professor Gwynne objects, because he is of opinion, that this Board should as much as possible be assimilated to the Caput of the Universities of Cambridge and Oxford, which latter is composed of the Heads of Colleges. In the University of King's College there is but one College. But in it, there are various departments. He therefore suggests, that the Caput be composed of *permanent* members to represent those several departments; and is inclined to believe that the following alteration in this part of the Report would prove advantageous: That there shall be within the University a Caput composed of the President, Vice-President, or Senior Professor in Arts, the Professor of Mathematics and Natural Philosophy, the Professor of Chemistry and Experimental Philosophy, the Professor of Law, two Professors of the Faculty of Medicine, the Professor of *general* Botany, (when such appointment takes place,) and the Principal of Upper Canada College. That it shall be the duty of this Board to arrange the Curriculum or course of study in the several departments; to appoint the necessary University Officers—the Dean, Proctor, &c., and arrange and distribute the *fees* by which these officers are to be remunerated for their services; to appoint the Masters to Upper Canada College, and direct the general management of that Institution; to appoint persons to fill all the subordinate offices in both Institutions; and finally, to regulate the expenditure of that portion of the *annual income* which, after paying the salaries of the Professors, &c., may be placed at their disposal.

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Professor Gwynne is strongly of opinion that it is of essential importance to the Institution that some means be devised, whereby the real estate and capital of the University may be removed entirely from the immediate control of any individual or number of individuals connected with the University, and placed in the hands of some responsible person or persons whose whole attention should be devoted to the protection of its estates—he or they might be selected by the Board of Selection, and *appointed* like the Professors by the Chancellor, subject, however, to removal from office in case of not giving satisfaction to the Board of Selection and Caput; to which bodies he should be required to make quarterly returns of the state of the endowment and of the actual amount of funds at the disposal of the Caput. He or they should also be required to make such annual returns to the Governor in Council, and in such form as they might deem expedient. Ample security should be required for the trust committed into his or their charge; and, in case of inefficiency or misconduct, the dismissal might take place in manner following, that is to say; if at a special meeting of the members composing the Board of Selection and Caput collectively, convened by any three members composing these bodies, for the stated purpose of taking into consideration the conduct of the officer or officers entrusted with this department, three-fourths of the members present are of opinion that he or they should be dismissed from office, then the removal should take place accordingly.

Professor Gwynne is also of opinion that the salaries of the President, Vice-President, Professors and Managers of the Estate should be determined either by the Act of Incorporation, or in some other mode independently of these officers themselves; and that the salaries so determined, together with the fees derived from the students attending their respective classes, should constitute the remuneration of the several Professors for their professional duties. He also thinks that it would be desirable in like manner to determine the order in which appointments to Chairs already established but not filled up, or hereafter to be established in the University, should take place, and that the salaries of these officers should be also specified; with the understanding that whenever the annual income amounts to a sum or sums over and above that required for the working of the Institution as at present established, equal to the salary or salaries thus determined, the appointment or appointments shall be made.

All which is respectfully submitted.

(Signed,) W. C. GWYNNE,
*Professor of Anatomy and Physiology
in the University of King's College.*

March 26th, 1846.

The Dissent of Professor Croft.

Professor Croft objects to that paragraph in the Report which provides for the election of Chancellor by the majority of votes of the members in Convocation assembled, on the same grounds as those mentioned in the objections of Dr. Gwynne.

(Signed,) HENRY CROFT,
*Professor of Chemistry
&c. &c. &c.*

Appendix
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(1st enclosure in No. 7.)

" NEW BRUNSWICK.

" Message to the House of Assembly, 4th Feb. 1846.

" W. M. G. COLEBROOKE,
" *Lieut. Governor.*" The Lieutenant Governor lays before the House
" the copy of a Despatch referred to in his opening
" Speech, relative to King's College.

" W. M. G. C."

The Document accompanying this Message being
read at the Clerk's table, is as follows :

KING'S COLLEGE.

(Copy.)

No. 342.

DOWNING STREET,
12th November, 1845.

SIR,

Referring to the correspondence which has already taken place between us on the subject of the Act of the last Session of the Legislature of New Brunswick to amend the Charter of King's College, I have now to convey to you the necessary instructions for your guidance in that case.

On the authority of the Solicitor General of the Province, and of the great American Jurist, Mr. Story, you suggest a preliminary doubt, which, if well founded, must supersede all further discussion of this Act. It is the doubt whether the local Legislature possesses any constitutional right to alter the Royal Charter, without the express consent of the Corporate Body, and whether such an Act, if passed, would have the authority of law.

In applying the decision of Mr. Story (whatever that decision may be) to the case of a British Colony, there must obviously be great room for error, unless the most exact attention be given to the inherent distinctions between the constitutions of various States united together in one Federal Government, and those of our own Provinces united together as members of our extended Empire. That Colonial laws, repugnant to the law of England, are null and void, has indeed been repeatedly and very recently enacted by Parliament. But with that exception it has not occurred to me to hear of any cases in which the Courts of any British Colony could lawfully refuse to enforce obedience to the Acts of the Local Legislature.

I do not, however, propose to pursue further this abstract enquiry, since the question to which it refers does not really arise in the present case. It is not the fact, that the Charter of King's College is a Royal Charter in the proper sense of that term; it was not granted by the Crown in the unaided exercise of the Royal Prerogative, but on the authority of the Provincial Act of 1823, (4th George IV. chapter 3,) which enabled the Trustees of the College to surrender their Charter to His late Majesty King George the Fourth, on condition that His Majesty would grant another Charter for the re-incorporation of the College, the terms of which new Charter were partly left by the Act of 1823, and were partly left by that Act to the discretion of the Crown. The question in debate is, therefore, not whether the local Legislature have power to alter a Royal Charter proceeding from the Royal grace and favour, but whether they have power to alter a Charter, the promulgation of which was expressly authorized by themselves, and which, without their authority, could not have been promulgated.

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Neither is King's College exclusively a Royal Endowment. For the General Assembly, first in 1823 and again in 1829, granted large sums for the support of it, and for the erection of the buildings in which the College was held. After the acceptance of such grants, the Crown cannot claim the same unlimited rights as might perhaps have been asserted if the Royal Bounty had been the only source of the collegiate property. The Legislature and the Crown are, at least joint Founders, and as no Legislative Act on this (or indeed on any subject) can be passed without the consent of the Crown, so can no Royal Grant changing the basis of this institution be properly issued without the concurrence of the Legislative Council and Assembly. Between those Houses and the Crown a virtual, if not a formal, compact must be held to result from the acts which they have thus already done in concert and concurrence with each other. In such a state of things it would be at once impolitic and unjust to insist on, or even to propound extreme, and at best, but questionable rights.

It follows, that if the Act transmitted to me for the Queen's assent were otherwise unobjectionable, Her Majesty would be advised to assent to it, without raising any objections; but it is certain that the changes introduced by it are highly offensive to one considerable class of Her Majesty's subjects in New Brunswick, and that the class so offended are precisely those for whose more especial advantage the College was originally founded. Even they, however, have most distinctly recorded their opinion, that the Charter requires some great amendments, and that, in its present form it has failed to produce any advantage commensurate with the expenditure incurred for its support. It has not, indeed, been merely unsuccessful, it has been productive of much positive evil; it has formed a monument but too impressive of the futility of a great project which had aimed at the highest public good, a monument dissuading and discouraging similar undertakings. However just may be the objections to the changes actually proposed in the Charter, it is therefore impossible to deny that numerous and great amendments of it are indispensable.

I have no hesitation in acknowledging my own inability to suggest what those amendments should be. Even if the College were to be established in England, for the education of young men for the highest pursuits of life amongst themselves, I should not scruple to avow the incapacity of Her Majesty's Executive Government to prescribe the right course of academical instruction and discipline to be observed in it. To form a correct estimate of such questions, a far deeper familiarity with them is necessary than is to be acquired during a pupilage in early life at one of our Universities. The science of education, especially in its higher walks, must be learned like other sciences—by patient study and long experience. All our Collegiate Institutions in England have been originally founded or progressively moulded by learned and scholastic men. We have no such institution deriving its internal economy from an Act of Parliament. The failure of a College regulated by an Act of the Provincial Legislature is no just subject of surprize.

The great requisite in the present case appears to be, that the alterations to be made should be maturely weighed and recommended by men possessing an intimate acquaintance both with the theory and the practice of educating in religion, in literature and in science, those youths who, from their birth, their fortune, or their natural talents, are probably destined for the public service as Legislators, Divines, Jurists, Physicians or Magistrates, or as Merchants on an extensive scale. To obtain such advice it would be necessary that a Commission should be constituted, and that it should be armed with all powers requisite for conducting and defraying the expense of the necessary enquiries. It should be composed of men unani-

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mous in the desire to promote education among the wealthier classes of society on Christian principles. Their range of enquiry should be as unlimited as is the object itself. Yet there is happily one principle on which amidst all the discussions before me, a general agreement prevails, and by that principle therefore the Commissioners ought to be bound. It is that King's College should be open so far as its advantages, emoluments and honors are concerned, to every denomination of Christians, but that according to the original design the public worship performed within its walls should be that of the Church of England, and that the Chair of Theology should be occupied by a Clerk in Holy Orders of that Church, of which of course, therefore, all Graduates in Divinity must be members. These reservations in favor of the Church of England are made in no spirit to which the members of any other Church could even plausibly object. They proceed on no claim of ascendancy or superiority. Their object is simply to retain for the Anglican Church the advantage actually enjoyed by every other body of Christians in New Brunswick, of having one place of education in which young men may be trained up as Ministers of the Gospel.

On this head I perceive, indeed, but one question on which any doubt has been thrown; it relates to the religious text to be taken by Graduates in Divinity. The Act before me proposes to substitute for the test taken at Oxford, a declaration of belief in the Holy Scriptures and in the doctrine of the Trinity. Now if it were proposed that Theological Degrees should be granted Christians of every denomination, I could understand the motive which might suggest such an innovation. But when it is agreed that the Graduates are to be members of the Church of England, the imposition on them of a test at once so new and indefinite is recommended by no reason which I can either discover or conjecture. Whatever opinions may be entertained regarding the Oxford tests by those who dissent from the Church of England, it would seem entirely at variance with the spirit of religious liberty to forbid the imposition of those tests by those and on those who concur in holding them sacred.

If the Council and Assembly will concur in providing for the appointment of such a Commission as I have suggested, and for defraying the necessary expenses of it, I trust that no insuperable difficulty would arise in the choice of competent Commissioners.

Aided by their Report, a law might be framed either for altering the Constitution of the College in accordance with it, or for enabling the Crown to issue a Charter for that purpose. The whole of this question might thus be withdrawn from debate in a popular Assembly, to a more tranquil, and for this purpose, a more competent tribunal. Without the excitement of those feelings which must animate and occasionally discompose the deliberations of the Representative Branch of the Legislature, it would, I trust, be settled on such a basis as to conciliate the feelings, satisfy the judgment, and promote the interests of all classes, as far as such results are attainable in affairs of this nature.

In that hope Her Majesty's decision on the Act under consideration will be postponed until you shall have ascertained and reported how far the Legislative Council and Assembly are willing to concur in the course of proceeding which I have thus pointed out.

I have, &c.

(Signed,) STANLEY.

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Report of the Council of King's College at York, (now Toronto) on Lord Goderich's Despatch,—adopted 21st March, 1832.

The College Council having deliberated upon the Despatch of the Right Honorable the Secretary of State for the Colonies, which was referred to them by His Excellency the Lieutenant Governor, and read in Council on Saturday the 10th instant, and the opinions of the Members of the Council upon questions severally proposed to them, it was Resolved by the Council, that the following Report be addressed to His Excellency the Lieutenant Governor as containing their opinion upon the subject of the Despatch, and that His Excellency be requested to transmit the same to His Majesty's Secretary of State.

MAY IT PLEASE YOUR EXCELLENCY,

The Council of King's College have maturely deliberated upon the Despatch of the Right Honorable the Secretary of State for the Colonies respecting King's College, which Your Excellency was pleased to refer for their consideration and Report.

Upon an attentive perusal of this Despatch it appears to be the desire of His Majesty's Government that the members of the Corporation of King's College shall surrender the Charter granted to them by His late Majesty together with the Endowment which has been graciously conferred upon the Corporation. That they are requested to make this surrender upon the assurance of the Secretary of State that no part of the Endowment shall ever be diverted from the object of the education of youth. That it will be proposed to the Legislature of this Province to erect another College upon such principles as they may approve, with a recommendation from the Government that they establish permanently in the new College a Divinity Professorship of the Church of England.

The Council takes these to be in substance the propositions contained in the Despatch, and they beg leave to add that the arguments used to induce a compliance and in the view taken of the difficulties which are supposed to be in the way of proceeding under the present Charter, they cannot but perceive an anxiety upon the subject that claims their respectful acknowledgment, and requires from them a corresponding frankness in answering the reference which His Excellency the Lieutenant Governor has been pleased to make to them.

The Council observes that the request to surrender the Charter is purposely addressed to "The Members of the Corporation," of whom there are at present only the Chancellor and President holding a legal interest in the Charter itself as constituent members of the Corporation. The other gentlemen to whose consideration this Despatch has been submitted, having no other relation to the Corporation than as they happen to be for the time members of the College Council, are doubtful whether it was intended by the Secretary of State to request their concurrence in the surrender, or whether it may not merely have been desired that they should express their opinion upon the expediency of the course proposed. If it has been contemplated that they should join in the surrender, the first difficulty which presents itself is a conviction on their parts, that they have not the power.

His late Majesty very graciously intending to establish an University in this Province, "for the education of youth in the principles of the Christian Religion and for their instruction in Science and Literature," erected by Letters Patent a Corporation, to consist of

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the Chancellor, President, Professors and Scholars of the proposed University, and gave to that Corporation under the style of "The Chancellor, President and Scholars of King's College at York in Upper Canada," a capacity to take, hold and possess, not as personal estate, for the use of the College.

The members of the Council who come under neither of the designations of Chancellor, President, Professors or Scholars, are not made by the Charter constituent members of the Corporation, and they therefore apprehend that they can concur in no act for surrendering the Charter,—in other words, that they cannot yield up a grant they have not received.

It is true that the Charter provides for the existence of a Council within the Corporation, who are to frame Statutes, Rules and Ordinances for the good government of the College, and to manage its revenue, property and affairs; which Council is to consist of the Chancellor, President and seven of the Professors whenever a sufficient number of the latter shall be appointed being members of the Church of England. It is true, also, that in order to provide for the filling up of the Council at the first institution of the College, and previous to the appointment by the Chancellor of seven discreet and proper persons resident within this Province, to constitute in conjunction with the Chancellor and President the first or original Council of the College, a Council has been accordingly constituted by appointing seven persons under the authority of the Charter; but it seems to the Council to admit of no doubt that it is not within the power of the persons so appointed for managing *ad interim* the revenues and property of the College to join in any Act for divesting the College of all its "revenues and property, leaving thereby nothing to be managed;" and it seems to them equally clear that under the general but temporary authority which the Charter gives them "to do such matters and things as to them shall seem good and fit and useful for the well being and advancement of the College and agreeable to the Charter," the persons so appointed could not join in annihilating the Corporation by the surrender of the Charter itself.

Such an act would not be agreeable to the Charter, but on the contrary directly and immediately destructive of it; and as it could not therefore come within the scope of the authority given to the Council by the general expression above referred to, so it seems to be at least equally evident that it could not come within the range of any of those powers or duties of the Council which are specifically enumerated, because these all have relation to the promotion and advancement of the purposes of the Institution, and would be plainly infringed by any act tending to its destruction. On the whole, what is here intended to be stated cannot be more distinctly expressed than by saying that these Members of the College Council consider themselves to have certain powers under the Charter, but none over it.

Although the Council have thought it proper to explain their view of this matter so as to obviate any possible misconception, they are not desirous of enlarging upon this legal difficulty, because they are not sure that the Secretary of State intended to address the request contained in the Despatch to any others than His Excellency the Chancellor and the President, although the general tenor of the Despatch allows that to be implied, and, however this may be, the Council would not be so uncandid as to intimate that the difficulty they have stated is their only difficulty; on the contrary, they wish it to be understood that if their scruples on that point could be removed, they would still not feel it right to concur in surrendering either the Charter of King's College or its Endowment.

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As the Council do not feel, so they cannot profess to feel a sufficient assurance that after they should have thus consented to destroy a College founded by their Sovereign under as unrestricted and open a Charter as had ever passed the Great Seal of England for a similar purpose, the different branches of the Legislature would be able to concur in establishing another that would equally secure to the inhabitants of this Colony through successive generations the possession of a seat of learning in which sound religious instruction should be dispensed, and in which care should be taken to guard against those occasions of instability, dissension and confusion, the foresight of which has led in our Parent State to the making an uniformity of religion in each University throughout the Empire an indispensable feature in its constitution. If the objections entertained by the Council against the surrender of the Charter were not insurmountable, no stronger inducement could be offered than the request which His Lordship's Despatch conveys; for the Council cannot fail to be sensible that such a request can have been dictated only by a supposed necessity for departing from established principles in order to promote the peace and contentment of the Colony.

With the opinions, however, which the Council entertain, and with the opportunity of forming those opinions which their residence in the Colony affords them, they could never stand excused to themselves or others, if they should surrender the Charter, supposing that to be within their power, so long as there is an utter uncertainty as to the measures that would follow. The moral and religious state of more than three hundred thousand British subjects is at present involved in the proper disposal of these questions; and before very many years will have elapsed, more than a million must be affected by them. The Council, therefore, whatever results might be obtained by other means, could not justify to themselves the assuming the responsibility of endangering the very existence of this Institution. They would feel bound to look beyond the movements and discussions of the passing hour, and could not even, if they concurred in the view of present expediency, consent to pull down the only foundation which at present exists in Upper Canada for the advancement of religion and learning upon a system which has not been repudiated by the Government in any part of His Majesty's Dominions.

The College Council would entertain no objection against the surrendering the Charter of Incorporation as a mere formal act, to be immediately followed by the granting of another Charter under the Great Seal upon terms that shall have been fully settled and agreed upon previous to its surrender, so that the existence of a College in Upper Canada should not be dependent upon the chance of the Legislature or the Government devising a Charter which all religious sects, and all parties shall forbear to complain of.

If the power of surrendering clearly lay in their hands, they should feel this caution necessary, because they are strongly impressed with the conviction that the proposition which must be made to the Legislature to concur in framing a Charter for a new College, would either be attended with no effectual result, or would lead to the establishment of such an Institution as would be without an example in the British Dominions; and they are apprehensive that the consequence would very probably be that after the delay of some years, the small chance of an union of sentiments upon this subject might lead His Majesty's Government to give up the attempt, and appropriate the surrendered endowment (which His Lordship declares shall never be diverted from the object of the education of youth) to the advancement of Education in some other manner than by the foundation of an establishment the Council considers to be indispensable to the future welfare of the Colony.

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To give every facility in their power to such measures as are within the discretion of His Majesty's Government for overcoming the supposed difficulty, the College Council take this occasion, the first that has been presented to them, to state what are the modifications of the Charter which in their opinion it would be desirable to introduce, taking the several points which have been the subject of discussion in the order in which they occur. The Council are willing that the Bishop of Quebec being Visitor should not be insisted upon. They approve of the Charter in that point as it stands, and think it liable to no just exception; but, if it be excepted against, they would not regard that provision of the Charter as indispensable, because it is not really essential, and because usage in similar Institutions does not require it. They think, however, that no person should be Visitor who is not a Member of the Church of England, unless indeed it should be thought advisable to make the Court of King's Bench visitor in conformity to a general and constitutional principle.

The Council are willing that the President of the College, on any future vacancy, should be any Clergyman in Holy Orders of the Church of England whom the King may think fit to appoint. That provision in the Charter which makes the Archdeacon of York President; *ex-officio*, the Council admits to be inexpedient since it may very well happen that the qualifications which may very properly lead to an appointment to the Archdeaconry of York may not include all that are necessary for the important and particular duties of President of a College. The Council takes it for granted than no one contemplates any thing else than that the present Archdeacon of York, who specially named in the Charter, is to continue President so long as he may consent to do so.

The Council think it desirable that the subscription to the Thirty-nine Articles should be dispensed with in respect to the Members of the Council, who they would nevertheless recommend should be Members of the Church of England; but if His Majesty's Government deems a relaxation of the Charter on that point indispensable, the Council are disposed respectfully to acquiesce.

With regard to the clause in which mention is made of the religious tests or qualifications to be required of persons to be admitted to a Degree in Divinity, the Council are willing it should be altered so as to read thus: "And we further will, ordain and appoint that no religious test or qualification shall be required of or appointed for any person admitted or matriculated as Scholars within our said College; or of any persons admitted to any Degree, or any Art or Faculty therein, save only of persons admitted within our said College to any Degree in Divinity, respecting whom such regulations may be made as the College Council shall think fit."

The Council have thus respectfully laid before Your Excellency the objections which occur to them against the surrender of the Charter, for the purpose of throwing the whole matter as a perfectly open question before the Legislature, and they have also stated what are the alterations which they think might with advantage be made in the Charter, and in effecting which they will cheerfully give any aid in their power.

Before taking leave of the subject, however, they cannot forbear to declare that they have experienced no little surprize and mortification in perusing some of the arguments which His Majesty's Secretary of State has advanced for proving the propriety and necessity of surrendering the Charter.

In the first place, they humbly submit that the Charter of King's College cannot reasonably be called exclusive and restrictive by comparison with that of any other College in the Dominions of the Crown. And in the next place, they cannot concur in the assumption that anything contained in the Charter has necessarily had the effect of counteracting or defeating the design of the Institution, and depriving the Province of the advantage anticipated from its adoption.

They admit that representations have been made, complaining of their Charter in common with a multitude of other supposed grievances, and that His Majesty's Government in deference to these representations, has suspended the operations of the College Council; but they cannot admit that this suspension of proceeding has been otherwise necessary than from this direct interposition proceeding from His Majesty's Government.

The Council perceives that His Majesty's Secretary of State notices the fact, "that whilst no positive steps have been yet taken for giving to King's College any practical existence, the new College which Your Excellency has established has been forwarded with considerable activity, and is now open for the instruction of youth; from which fact it is assumed that experience has demonstrated that under the peculiar circumstances of Upper Canada, a College with restrictive tests is altogether inoperative for any useful purpose."

The Council do indeed very much regret, that it should have escaped the recollection of His Majesty's Government, that the progress of King's College has been obstructed by such a direct interposition of the Government, under the authority of the Secretary of State, as excludes all inferences of the kind, and such as left no room for deliberation, much less for experiment. In justice to themselves and to prevent further misapprehension on this subject, the College Council take this occasion to explain how it has happened that this Institution, founded on a solemn Charter under the Great Seal of England, has not been called into action in the few years that have elapsed since they were appointed to manage its affairs: they, therefore, beg to state that, upon the arrival of the Charter, which was a short time before Your Excellency assumed the Government of this Province, the necessary measures were taken by His Excellency the then Chancellor, and by the College Council appointed by him, for carrying its provisions into effect. In a short space of time they had purchased a very eligible site for the College; they had had a minute Survey and Report made of the value of all the lands which constitute the Endowment; and had made such arrangements as were rapidly producing the necessary funds. They had procured a model and specifications of suitable buildings, and were on the very point of advertizing for contracts to erect such parts of them as would suffice for the immediate purposes of the Institution.

They were proceeding in all this without difficulty or hesitation when Your Excellency succeeded to the Government of the Province, and in a short time afterwards (acting doubtless upon instructions received from His Majesty's Secretary of State) convened the College Council for the purpose of making to them the announcement that no farther steps should be taken. This announcement was made in terms so positive, that it was declared that one stone should not be put upon another until certain alterations in the Charter had been made or proposed to the Legislature, and that as Chancellor Your Excellency would utterly refuse to concur in any further measures of the Council under present circumstances.

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The Council could but submit in the earnest hope that a more mature consideration of the subject would lead to the removal of a prohibition for which there was not in the judgment of any member of the Council at that time, any adequate cause.

Either at that time or immediately after Your Excellency urged the necessity of enlarging the foundation of the Royal Grammar School at York, in order to make it better serve the purpose of a Preparatory School to the proposed University. In their desire to promote education by all possible means, the members of the College Council have individually and collectively given every aid to this purpose of Your Excellency; and they have cheerfully given their concurrence from time to time in measures so far beyond the original design that they have incurred the responsibility of advancing out of the funds of King's College more than Thirteen thousand pounds, for the erection and support of this minor Institution, to which His Majesty's Secretary of State alludes in his Despatch.

Under such encouragement that Institution has had no difficulty in going into actual operation; and while in consequence of the professed jealousy of the National Church, His Majesty's Secretary of State has, by an express direction to Your Excellency communicated to the College Council, confirmed the injunction against any proceeding under the Royal Charter of King's College; notwithstanding the Principal, Vice-Principal, the two Classical Masters and the Mathematical Master happen at present to be Clergymen in Holy Orders of the Church of England, is proceeding in the business of instruction, and children of parents of all persuasions are availing themselves of its advantages, as it was always evident to the College Council they would unquestionably have done, in respect to King's College, if it had been permitted to be opened.

There is, therefore, this striking difference, that while the one Institution has been allowed and encouraged to proceed, and has been enabled to proceed from the funds thus temporarily advanced, the other possessing a sufficient endowment and founded by a Royal Charter has been restrained from proceeding by a peremptory interposition of the authority of Government. The fact has been the occasion of great regret and disappointment to the College Council, because its effect has been to withhold for some years from the youth of Upper Canada, to the irreparable loss of many, those benefits which no other Institution in the Colony is either calculated or intended to supply. But it is more than ever painful to them now to find that the suspension thus occasioned by the command of His Majesty's Government, is advanced as a proof that the Institution has been established on principles inherently defective, and is made use of as an argument for the surrender of their Charter and endowment.

The College Council cannot but consider this as singularly unfortunate, because they entertain no doubt whatever, but on the contrary are convinced by past and present experience, that all that was wanting to show the unreasonableness of the objections that were urged, was to have suffered the College to proceed in carrying into effect the beneficent objects for which it was provided. They cannot on any satisfactory ground account to themselves why in a Colony of Great Britain, receiving annually vast accessions of inhabitants from the United Kingdoms, those constitutional principles which are necessary to support a national religion should not be as decidedly maintained here as in other Colonies of the Crown.

The Council think it right to state that they are unanimous in the opinions respecting the alterations which might be made in the Charter, except that the Chief

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Justice desires it to be noted that it is not with his concurrence that the assent is expressed dispensing the provision that the members of the Council shall be members of the Church of England, it being his conviction that a College for educating youth in the principles of the Christian religion as well as in literature and the sciences, is less likely to be useful and to acquire a lasting and deserved popularity if its religious character is left to the discretion of individuals and to the chance of events, and suffered to remain the subject of unchristian intrigues and dissensions, than if it is laid broadly and firmly on its foundation by an authority that cannot with any reason be questioned: he would think the necessity for any restriction with respect to the members of the Council superseded, if the Charter were to contain a declaration such as the regulation adopted by the Council of King's College, New Brunswick. (the members of which are required to be of the Church of England,) viz., that no Professor shall teach in the College, any principles contrary to the doctrines and discipline of the United Church of England and Ireland, or to good morals, or the British Constitution as by law established.

He does not desire to see a subscription to the Thirty-nine Articles or any other test exacted, but merely such a declaration of the religious character of the College as shall leave no parent in doubt of the religious principles that are to be imbibed in the University.

All which is respectfully submitted.

(Signed,) JOHN STRACHAN,
Archdeacon of York,
President.

No. 8.—*Statement of the Trustees of Queen's College, with an Enclosure.*

STATEMENT by the Board of Trustees of Queen's College, unanimously adopted, March 14th, 1846, being an "Exposition" of the views of the Board on the subjects mentioned in a recent communication from His Excellency the Administrator of the Government, and as desired to be given "in a definite and official form."

In order that not only the views of Queen's College, but the position of the Church of Scotland in Canada, in reference to King's College at Toronto, may be understood, it may not be unnecessary to state that although the original Charter of King's College was granted in 1827, the College was not opened till 1843. That immediately on the character of the Charter being known in Canada, the most wide-spread dissatisfaction was expressed on account of its exclusiveness. That in their Report on the Civil Government of Canada in 1828, the Select Committee of the House of Commons advised a "change in the Constitution of the College Council," and that "a Theological Professorship of the Church of Scotland should be established in addition to that for the Church of England." That the Members of the Church of Scotland in common with the whole population of Canada, did not, until 1837, see any amendments made in the Charter of King's College, although during the period of ten years the most urgent representations were addressed to the College Council to that effect, by the authorities not only in Canada, but in Britain. That in the hope, however, that the requisite alterations upon the Charter would be effected, the members of the Church of Scotland refrained from taking any steps to originate an Institution for the purpose of educating Candidates for the Ministry until the

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year 1836, when initiatory measures were adopted with the view of establishing merely a Theological Seminary. That after several years more elapsed, and nothing was done to put King's College in operation, even under the amended Charter, the Members of the Church of Scotland felt themselves constrained to use efforts to provide not merely for supplying a Theological, but also a University Education, which the Church of Scotland holds to be indispensable before Students are admitted to the study of Theology. That in 1840, a Provincial Act was passed establishing a "University at Kingston" for the purpose of affording such an education as was deemed requisite, and which many began to despair of seeing furnished by King's College at Toronto, which had been publicly endowed for the very purpose of affording a University Education to such as might desire it.

That said Provincial Act was disallowed, in consequence of the Trustees having applied to the Crown for a Royal Charter with the altered designation of "Queen's College," the Law Officers of the Crown in England having, as follows, expressed their opinion on the point, whether the asked for Charter could be superinduced on the already passed Act of the Provincial Legislature,—that "the Act-already passed may, in point of Law, be confirmed by Her Majesty, but "the proposed Charter could not be superinduced upon it." That "the Act having received the "Royal Assent, has the force of law in Upper Canada, and is binding on the Crown, and that the only "mode seems to be to disallow the Act, and to grant "a new Charter, framed as the original Incorporation "and foundation of the Institution." This opinion was expressed in the end of 1840, and in 1841 a Royal Charter was obtained, establishing Queen's College as a University, under which Charter the Trustees are now acting. The business of teaching in the University was commenced in the beginning of 1842, and has been conducted hitherto in temporary buildings hired for the purpose.

Almost immediately after the work of teaching in Queen's College had commenced, the foundation stone of King's College at Toronto was laid, and thus some proof was given, that University tuition would ere long be begun there also. In consequence of this movement of the authorities of King's College, the Trustees of Queen's College, at their meeting on the 8th September, 1842, embodied their sentiments on the whole subject in a Resolution for the future guidance of the Board in this matter. (See this Resolution.) Acting upon this Resolution, the Trustees of Queen's College, in the beginning of 1843, deeming it an act of propriety and courtesy to the authorities of King's College to do so, appointed a Deputation of two of their number to proceed to Toronto, with authority and instructions to lay before the Council of King's College the exceeding desirableness of union on an equitable basis in so important a matter; to ascertain the sentiments of that Body upon the subject, and, if possible, to secure their co-operation in the attainment of an object so long regarded as necessary. With the view of facilitating the consideration of the subject by the Council of King's College, the Trustees of Queen's College drew up and subscribed a statement embodying the views of the Trustees, and after communication with most of the Members of King's College Council individually, the Deputation left with the President of the College a copy of that Statement, with the request that it might be submitted to the Council for consideration, and that their deliberate opinion as a Body might be transmitted to the Board of Trustees of Queen's College at Kingston. In a communication some time afterwards addressed by the President of King's College to a member of the Deputation, the President intimated that he did not feel it to

be his duty to bring such a subject under discussion or consideration by the Council. The statement of views here referred to was shortly afterwards embodied in the form of a circular addressed to the subscribers to Queen's College by the Trustees. This circular was addressed in the most public form possible to all the subscribers to Queen's College by the Trustees, with the view of eliciting an expression of opinion from the subscribers concerning their approval or disapproval of the sentiments and intimated plan of proceedings which it contains. No expression of dissent from the sentiments contained in that document has ever reached the Trustees from any subscribers to Queen's College. Special attention is requested to that document, because of its agreeing substantially with the principles which form the most striking features of the Bill introduced into Parliament on the subject, by the Honorable Mr. Draper. The Trustees of Queen's College have cordially and earnestly petitioned the Legislature that that Bill may pass into a Law. They regard it as embodying the same general principle as the measure introduced, towards the close of 1843, by the Honorable Mr. Baldwin, and, as the details of Mr. Draper's Bill are more simple, though some of them, in the opinion of the Trustees, manifestly admit of improvement, the Trustees have not hesitated to express their general preference of the latter measure.

While the Trustees believe that to impose any religious test upon *Students* attending the University would not only be unprofitable as regards the interests of the Institution, but detrimental to the general interests of the country, which ought to be made to experience as widely as possible the benefits resulting from a knowledge of the arts and sciences, they are firmly persuaded that to withdraw from the *Professors* the present religious test of the amended Charter, which is also embodied as a part of Mr. Draper's Bill, would prove in the highest degree injurious to the best interests of the community at large, and would also tend to defeat one of the great objects of the University, inasmuch as were the present general test removed, the confidence of all those throughout the country who regard the Articles of Faith which constitute that test essential in forming the foundation of Christian practice, would immediately and justly be forfeited, in the case of every Professor, who, by thus substantially refusing to subscribe it, would be regarded as giving no ambiguous intimation of his freedom to ridicule and sneer at doctrines which his Students may have been trained by parental solicitude and piety to esteem as of supreme importance and value.

The advantages which would result from the passing of Mr. Draper's Bill, the Trustees of Queen's College believe to be incalculable. The bringing together for several years at the most important periods of life of all those youth of the Province who might be expected afterwards to occupy the most influential stations in the community would be secured. The stimulus to exertion caused by a considerable number in a class, would be added to the other motives to successful literary effort,—an advantage *needed* in a country like Canada, where for many years to come University Students must be but few. While no separate Ecclesiastical body in Canada is able adequately to support, or efficiently to conduct a University, each such body, in the exercise of becoming zeal, and liberality on the part of its members, might fairly be expected to be able to support a Theological College, established at the seat of the University. Besides, as each of the three Colleges now in operation in Upper Canada is established, amongst other purposes, "for the education of youth in the principles of the Christian Religion," and as it seems to be admitted to be next to impossible to have the principles of the Christian Religion taught in the publicly endowed University

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by the establishment in it of *Chairs* or *Professorships* of Theology for all the various Ecclesiastical bodies in the country, the Trustees believe, that by a happy conception, the Bill of Mr. Draper removes the difficulty which on this point has been so often expressed by constituting, as *integral parts* of the University, the several Theological Colleges which may now or hereafter be established upon such safe and prudential principles as the Government may prescribe; leaving every such Theological College to have a separate corporate existence, and internal management of its own, and subject to the Governing Body of the University only in such matters as may be of a general disciplinary character; and at the same time giving to each Ecclesiastical Body, through the Theological College, which it may have established, a certain and prescribed amount of representation in the Governing Body of the University. The Trustees of Queen's College regard this as the prominent and most valuable feature in Mr. Draper's Bill. By this measure also Ecclesiastical superiority, caused by anything otherwise than what is fair, equitable and honorable, would be effectually prevented. According to the present amended Charter of King's College, the Trustees believe, with many persons in the Province, that unduly acquired Ecclesiastical superiority is only in some measure *concealed*, not *prevented*; inasmuch as the parties who obtained the original Charter, though now constrained in some measure to act upon the amended one, must be expected, according to the well known principles of human nature, to endeavour to secure the operation of the principles of the Charter which they *sought*, and which even yet they do not scruple to maintain they have neither repudiated nor abandoned. The appointment now and then of a Professor from other ranks than those of the dominant Ecclesiastical body in the College Council, cannot reasonably be expected to secure the object at which the intelligent of the community are aiming in their continued discussion and agitation of this important question; and the Trustees are thoroughly convinced that the longer the Government delay the equitable settlement of this question the more extreme and revolutionary will be the character of the proposals made upon the subject, for the most unworthy political purposes, and that consequently the more difficult will be the task of any administration so to adjust the matter, as to secure the high and noble objects contemplated by the Royal Founder of the Institution. It is believed that unless a speedy, equitable and safe remedy be applied, the case of King's College will afford a proof and illustration of what has hitherto been sometimes witnessed, to the cost of all parties concerned, that the extreme of domination and injustice never fails to produce the opposite extreme of general dissatisfaction and lawless disorder.

With respect to that part of both Bills which have been introduced on this subject,—referring to a pecuniary grant to the Theological Colleges from the funds of the University, the Board of Trustees have to state that, entertaining as they most cordially do what is generally termed the principle of establishments, that it is the duty of the State to provide for the teaching of religion within its boundaries, they have no objection of any sort to the reception of such pecuniary grant.

But, in addition to this, the Board have particularly to state, that Queen's College is an Institution to which the attention of Government, and also that of the Council of King's College ought to have been directed much more than it appears to have been. This belief of the Trustees is grounded on the following considerations:—

As appears from part of a quotation already made, the Select Committee of the House of Commons in 1828, advised, "that a Theological Professorship of the Church of Scotland should be established in

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King's College, in addition to that for the Church of England." In January, 1837, when the amendments on the original Charter were under consideration by both Houses of the Legislature in Canada, the Select Committee of the Legislative Council to whom was referred the Bill sent up from the House of Assembly, amongst other things report as follows: "Your Committee in order to reconcile all interests, felt inclined to propose that a Theological Professorship of the Church of Scotland should be placed on the foundation, as suggested by the Select Committee of the House of Commons in 1828, but on further examination it was found that the College Council has full power to do this without special enactment. Your Committee therefore think it sufficient to recommend it to be done as soon after the College is put in operation as may be convenient."

And the same point is referred to in a communication addressed by Sir George Grey to the Honorable Wm. Morris, of date 1st July, 1837, in the following terms: "Lord Glenelg will direct Sir F. Head to convey to the Council of King's College, the strong recommendation of Her Majesty's Government that a Theological Professorship in accordance with the doctrines of the Church of Scotland should be forthwith established."

And in 1840, when for the urgent reasons before mentioned, the Members of the Church of Scotland in Canada procured an Act to be passed establishing the University at Kingston, the last enacting clause of that Act was found to run thus: "That so soon as the University of King's College, and the College hereby instituted, shall be in actual operation, it shall and may be lawful for the Governor, Lieutenant Governor or person administering the Government of this Province, to authorize and direct the payment from the funds of said University of King's College, in aid of the funds of the College hereby instituted, of such yearly sum as shall to him seem just, for the purpose of sustaining a Theological Professorship therein, and in satisfaction of all claim on the part of the Church of Scotland for the institution of a Professorship of Divinity in the University of King's College, according to the faith and discipline of the Church of Scotland."

Although that Provincial Act was disallowed by Her Majesty, for the reasons specified in a previous part of this statement, in which the opinion of Her Majesty's Law Officers is quoted, yet most assuredly the spirit and design of this last clause of it were not interfered with, as is evident from one of the sentences of that very opinion. That sentence is as follows: "If any Legislative enactment respecting the funds of the University should be necessary, this may follow upon the Charter." Which statement regarding the funds of the University of Queen's College, is repeated in the Despatch of Lord John Russell to the Governor General, to whom the opinion of the Law Officers respecting Queen's College was transmitted.

But not only has there been a Provincial enactment, sustained by a specific mention from London, both on the part of the Law Officers of the Crown, and of Her Majesty's Principal and Under Secretaries of State for the Colonies, that there should be an annual payment from the funds of King's College to Queen's College, but there is abundant and satisfactory evidence to prove, that by parties representing the Government in Canada, King's College, and Queen's College, respectively, specified the sum to be obtained by Queen's from the funds of King's College was a thousand pounds per annum.

Although, however, the facts are as now stated, and although there has been for the last three years a Theolo-

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gical Professor in connexion with the Church of England in King's College, neither the Government nor the Council of King's College has done any thing in reference to a subject, on which the Imperial Government has made the strongest representations, and which has also been matter of negotiation on the part of the authorities of King's with the friends of Queen's College. Moreover, although Queen's College has been established by private means alone, which being obtained almost entirely in this country, it cannot but be well known, must be altogether insufficient to support a University; and although the Royal Charter, which was declared to be necessary for the purposes sought to be attained, was procured at the heavy expense of upwards of seven hundred pounds, yet with the exception of a grant of five hundred pounds from the Legislature at the close of last Session, for the year 1842, (the first year during which Queen's College was in operation) nothing whatever has been granted out of the public funds of the Province for the support of this Institution, while very different has been the treatment shewn not merely to similar, but also to very different literary Institutions throughout the country.

The Board of Trustees feel prompted and encouraged to enter thus fully into all these matters, from observing the desire expressed by His Excellency "of affording to the several Colleges now established in Upper Canada an opportunity of offering such an exposition of the views entertained by each as may facilitate his arriving at a clear understanding of the whole subject."

It will thus be seen, that the position occupied by Queen's College, and by Upper Canada in reference to a University Education, is substantially this, that at a time when the people of Western Canada might reasonably have expected that some provision should be made for securing to them and their posterity the benefits of a Literary and Scientific Education "founded on the principles of the Christian Religion," a munificent provision was made by Royal Bounty for this important purpose; that after a lapse of thirty years, a Charter from the Crown was obtained for the establishment of the University, the terms and character of which, when it was obtained, were unknown by the very people whose general and lasting welfare was meant by the endowment of the Royal Founder to be secured, and when the people did know the character and terms of the Charter, their disapprobation of them was expressed in the most emphatic and unequivocal manner; that for ten years the procurers and holders of the Charter, contested and challenged the right and the power of any authority whatever either in Canada or in Britain, to wrest it from them, or even to change it; that the Members of the Church of Scotland, foreseeing no issue to this contest, and ignorant as to the character of that issue, perceiving also, that as time passed away, the literary and religious interests not only of their own body, but also of the public generally, were suffering loss, began to adopt measures with the view of accomplishing by private liberality what they fondly hoped to have seen attained by means of Royal Bounty; that even after certain amendments on the original Charter were made, no successful efforts were put forth by the Council of King's College to put it in operation until after the business of tuition in Queen's College had commenced, and also until after "the Upper Canada Academy" established under that title by the Wesleyan Methodist Church five years previously, had been incorporated under the name and style of "Victoria College" at Cobourg; so that whereas the summer of 1841 saw Upper Canada without a College at all, the summer of 1843 exhibited the same country with three Colleges; not the least extraordinary feature of this exhibition being, that the acting authorities of the publicly endowed University did not proceed to lay its found-

ation stone until after the two others were in actual operation; superficial observers being thus tempted to draw the one or the other of two conclusions, both equally erroneous,—either that a College is a very different thing from what most educated persons are accustomed to believe it, or that Western Canada, in less than two years had made such rapid advances in the desire of enjoying a Literary and Scientific Education as from having none, to have passed into the condition of having three Universities;—the historical fact all the while being, that if the publicly endowed University had, instead of being started last, been put in operation first, and on such safe and liberal principles as were set forth by the people of Canada, and also by the Imperial Government, after the true state of the Province had become known in England, the two Universities which were first in operation, would never, as Universities, have been thought of. From the moment when the three Colleges now in Upper Canada were in operation, it became inevitable that the public should regard them as rival, not really needful Institutions, and as the one is munificently endowed, and the other two are not, it is rendered certain that in consequence of privileges and rewards held out to Students by the publicly endowed College which it is impossible for privately established Colleges to offer, most of the very limited number of University Students in the country will be attracted to the place whence pecuniary and literary honors will be most likely to flow upon their present and future course; and finally, it will be seen, that so far as Queen's College is concerned, not only has that equitable share in the management of the affairs of King's College justly claimed by the Members of the Church of Scotland been denied and resisted, but also that what has repeatedly been the subject of the strongest representations by the Imperial Government, as well as of negotiation with the Government of this country, and the acting authorities of King's College, has been unjustly withheld.

Viewing all which considerations, the Board of Trustees of Queen's College entertain very decidedly the conviction, which they have on many occasions and in many modes presented to Parliament, and to the Government, that the only effectual way of making King's College as extensively useful as it was meant to be, and at the same time of safely guarding the interests alike of Literature, Science and Religion, is to present inducements to the various Ecclesiastical Bodies in the Province who may chose to avail themselves of such inducements, to establish merely Theological Colleges, with a certain amount of representation to each in the Council of King's College; and, upon this principle, so to deal, with the question of grants of money from the funds of the University to the Theological Colleges which may be established as constituent parts of the University, as justice and equity demand. In other words, the Board believe, that the only safe way of settling this question is immediately to mark with Legislative authority a measure bearing the essential features of the Bill introduced during the last Session of Parliament.

Extracted from the Minutes of the Board of Trustees of Queen's College, by

(Signed,) J. WILLIAMSON,
Secretary.

(Enclosure

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(Enclosure in No. 8.)

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(Copy.)

RESOLUTION of the Board of Trustees of Queen's College, adopted 8th September, 1842.

Resolved,—That inasmuch as since the recent movement for the commencement of King's College, Toronto, doubts have been expressed to this Board from various quarters of the expediency of making Queen's College anything more than a Theological School, this Board feel themselves called on to adopt the following Resolutions: That they in common with the Presbyterian population of the Province, always entertained the conviction that it was most expedient that King's College with its ample public endowment should be in the proper sense, the University for the whole population without respect to the religious creed of the Students, and that they were led to take measures for founding and establishing a separate College, only when the prospect of the actual commencement of King's College, and the attainment by the Presbyterian population of their due influence in the administration of that College seemed to be indefinitely postponed; that, now when these circumstances are altered, inasmuch as measures are in progress for beginning the business of instruction in King's College, and a spirit of conciliation and liberality pervades the Councils of the Provincial Government, the Board feel themselves called on to declare, that they have no wish to appear to stand in an attitude of rivalry to the Institution, but rather to help it forward as far as they can, consistently with those interests which are committed to them by Royal Charter, and that they are ready to concur in any Legislative enactment that shall empower them to limit Queen's College to the department of Theological instruction, and that shall authorize the removal of said College to Toronto; provided, that the other powers and privileges conferred by the Charter shall not be infringed on, and provided further, that a fair and virtual influence shall be conceded to this Board and the Professors of Queen's College in the administration of King's College, and that all reasonable aid and facilities shall be afforded to this Board, for making the change herein contemplated.

And that this Board shall appoint Commissioners to communicate this Resolution to His Excellency the Governor General, and to take such other action respecting it, as they may see fit, the Board declaring that they do not in the mean time, either for themselves, or for any part of the Presbyterian population, forego any of the claims which they have on King's College, that on the other hand they will exert themselves to the utmost to obtain the endowment of a Theological Professorship from the funds of said College, for which the Government is in various ways pledged to the Presbyterian Church, and also to put Queen's College on the most effective footing according to the present scope of the Charter, as a general Literary and Philosophical as well as Theological Seminary.

Extracted from the Minutes of the Board of Trustees of Queen's College, by

(Signed,) J WILLIAMSON,
Secretary.

Kingston, 16th March, 1846.

No. 9.—Letter from the Principal of Victoria College to the Private Secretary.

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COBourg, 17th March, 1846.

SIR,

I have the honor to acknowledge the receipt of your letter of the 9th instant, stating the desire of His Excellency the Administrator of the Government to be furnished in a definite and official form with the views of the Governing Body of Victoria College,—on the present state of the Charter of the University of King's College as amended by the Statute of Upper Canada, 7th William IV., chapter 16.

From your communication it also appears, that His Excellency is desirous of ascertaining the views of each of the Upper Canada Colleges on the whole subject of the University Question which is now agitating the public mind.

As the members of the Board of Victoria College reside in various parts of the Province, it is not possible to call them together at this season of the year. In order, therefore, to comply with your request as far as practicable, I shall be under the necessity of adverting to the proceedings which the Board of Victoria College has at different times adopted on this subject, and then subjoin some remarks of my own.

The Board of Victoria College did not originate any agitation on this question; but its attention was formally called to it by the introduction of Mr. Baldwin's Bill into the Legislative Assembly in October, 1843.

On the 25th of that month a special meeting of the Board was called to consider that Bill. I will extract so much of the proceedings of the Board as have reference to the general question.

"The Chairman stated the object of the meeting. After which he read a copy of a Bill now before the Provincial Legislature to provide for the separate exercise of the Collegiate and University functions of the College established at the City of Toronto, in Upper Canada; for incorporating certain other Colleges and Collegiate Institutions of that division of the Province with the University; and for the more efficient establishment and satisfactory government of the same.

"The Board proceeded to consider the Bill, and after long and careful deliberation thereon, the following Resolutions were adopted, viz.:

"1st. Resolved,—That this Board has observed with the greatest satisfaction and thankfulness, the just and generous efforts of the Government to render the benefit of an University Education accessible to all classes of the inhabitants of this Province to the greatest possible extent, without reference to forms of religious faith; securing the equitable rights and privileges of all, without offence to the peculiar opinions of any; and recognizing the Inspired Volume as the basis of the whole system.

"2nd. Resolved,—That such were the Christian and patriotic objects of the amended Charter of the University of King's College, which by annulling a Sectarian test and supremacy, and placing that Institution in its management and professorships upon the broad ground of Inspiration of the Scriptures and the doctrine of the Trinity, clearly contemplated its operations upon that liberal and Christian foundation; but the noble and comprehensive objects of the Charter

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have been entirely defeated and abrogated, the sectarian Charter has been virtually restored by the partial and exclusive manner in which appointments to that Institution have been made, and its affairs managed,—apart from the misappropriation of large portions of its funds.

“3rd. Resolved,—That the University Bill appears to provide effectually against the abuses which have been practised under the general and indefinite provisions of the amended Charter, and for the future management of the University upon principles of justice and fairness to all parties, and under the control of persons identified with the Province, and interested in the efficient operations of the University, and in the judicious expenditure of its funds.

“4th. Resolved,—That viewing the general objects and provisions of the Bill in this light, we cordially concur in them, and give the Bill our warm approbation and support; although its present application to the Wesleyan Methodist Church, as a body, from circumstances peculiar to ourselves, deprives us of important rights and privileges that we enjoy, without conferring upon us any corresponding advantages; since all the resources which we have been able to obtain; both in this Country and in England, for the erection of College Buildings, have been expended in the erection of a commodious and expensive edifice, at too great a distance from the seat of the University to render any of its advantages available to the Scholars and Students of Victoria College.

“5th. Resolved,—That in view of the peculiar inconveniences and disadvantages to which the operations of the Bill must necessarily subject us, without its being in our power to enjoy the benefits of the University, we appeal to the just and enlightened consideration of the Government, to grant us such assistance as our peculiar circumstances suggest; and to aid us to the utmost of its power in making any arrangements which may be hereafter deemed expedient and advisable, to secure to the persons under our instruction the advantages of the University.

“6th. Resolved,—That while we concur in the general objects and provisions of “The University Bill,” we beg to submit the following matters of detail, as appearing to require amendment or modification:

* * * * *

“4th. While the Inspiration of the Scriptures is recognized in the former part of the Bill, the sixty-fourth clause disallows the requirement of any religious qualification of any Professor, Lecturer, &c. We are not aware that the qualification required by the amended Charter, that every Professor or Teacher or other Officer, should profess his belief in the Inspiration of the Scriptures and the doctrine of the Trinity, has ever been objected to on the part of any considerable portion of the community,—on the contrary, we believe, it has given universal satisfaction; and, we should regret extremely to see that Christian provision excluded from the Charter of the University.

* * * * *

“5th. This Board begs furthermore to state, for the information of the Government, that Victoria College, from the terms of the subscriptions by which its Buildings have been erected, and the provisions of the Charter by which it has been incorporated, must necessarily continue to be, as it has heretofore been, a Literary Institution, embracing the English as well as Collegiate Departments of educational instruction, open to all classes of Students, without any Religious test; with the establishment of a Divinity Professorship upon its foundation.”

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On the 5th of May, 1845, a meeting of the Board of Victoria College was held, when the Bill, introduced by the Honorable Mr. Attorney General Draper into the House of Assembly at its last Session was considered.

The following is the Minute of the proceedings of the Board on the subject:

“Took up the consideration of the University Bill now pending in the Legislature, and

“1. Resolved, That in view of our peculiar circumstances, the Board recommend the Conference to petition the Legislature to grant a sufficient and permanent endowment for Victoria College where it is now located.

“2. Resolved, That in the event of the foregoing not being obtained, the Board recommend that the proposed University Caput be so constituted, as to give each College incorporated in said University a fair share of representation in the Councils thereof.”

Again, at another meeting of the Board held the 1st of last October, the subject was taken up and the following Resolution adopted:

“Resolved, That while the Board of Victoria College has no desire to embarrass the Government in the University measure, yet this Board deems it expedient that the operations of Victoria College be continued at Cobourg; and should it be impracticable to divide the University Endowment, for the support of separate Colleges, that arrangements be made to place Victoria College on terms equally favourable with all other Colleges in the University in the constitution of the Caput,” &c., &c.

Such are the proceedings which the Board of Victoria College has at different times adopted on this question.

From these proceedings it will be seen:

1st. That the Board has not been disposed to dictate to the Government any particular view, as to the mode of disposing of the University question.

2nd. That the evils complained of in reference to the University of King’s College, have been regarded by the Board of Victoria College (as expressed in the 2nd and 3rd Resolutions adopted in October, 1843,) as *practical* rather than *theoretical*—that the fault is not so much in the amended Charter as in the manner in which it has been administered.

Had the Members of King’s College Council been so selected as to constitute a fair representation of the religious feelings of the country, and the Professors been appointed, and the services established in accordance with the obvious spirit of the amended Charter, probaby no dissatisfaction would have been created.

But public expectation having been disappointed in the manner in which the amended Charter has been carried out, and the funds of the University have been expended, the demand is made by many for another alteration in the Charter, with a view to correct past abuses and prevent the recurrence of them.

3rd. That while the Board of Victoria College has not been disposed to press upon the Government any one mode of settling this question, neither has it refused to sustain any relation to the Provincial University which might be required of Victoria College in common with other Colleges.

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There are, however, some circumstances which I cannot omit noticing in regard to the views of the Board and the case of Victoria College.

The first is, that the Buildings of Victoria College are situated at Cobourg. It cannot, therefore, derive any benefit to its pupils from its connexion with the University situated at Toronto. If its incorporation with the Toronto University be not accompanied with an increase of pecuniary aid, the change in its relations will be one of sacrifice and loss in every respect. Should the Board be remunerated for the Buildings so as to be able to erect a new establishment at Toronto, the case would be different.

Another circumstance requiring notice is, considering *where* Victoria College is situated, that the resources of the Wesleyan Body have been literally exhausted in erecting the Buildings (on which a debt still remains); that they have been erected by subscription for specific objects; that the Institution affords the only means of giving to a great portion of the youth of the Wesleyan Methodist Church a superior practical education; of furnishing facilities for the education of the sons of Wesleyan Ministers, and providing for the more thorough education and training of the Wesleyan Clergy; the Board have felt it imperative that the operations of the College should be continued.

They have not been ambitious as to the privilege of conferring Degrees in the Arts and Sciences; but they have been chiefly anxious to obtain the requisite endowment or assistance to enable them to accomplish these benevolent and patriotic objects for which the Institution was originally established.

Under the present circumstances of the Province, it is not possible that a University Education can be attained by the Clergy generally; or that more can be done in this respect than is now doing by the Lord Bishop of Toronto, aided by the Propagation Society, (at whose disposal a large portion of the proceeds of the Clergy Reserves has been placed) in the Episcopal Theological Institution at Cobourg, where young men are aided in procuring a good classical education, and are regularly instructed in the Science of Theology. This is what is sought to be done in respect to the candidates for the Wesleyan Ministry.

Again, the system of the Wesleyan Ministry rendering the frequent removals of the Ministers necessary, and their means of support being extremely limited, they can give their sons no other education than that which may be obtained in the Schools near which they are from time to time situated. It is not practicable under such circumstances for the Wesleyan Ministers to give their sons even a tolerable education, without some Institution which will be accessible to them upon reduced terms, and which will provide for the moral as well as intellectual education of their sons.

With a view to these high and benevolent interests, apart from the more general and popular objects of Victoria College, the Board have felt it their duty to insist upon its continued operations.

The case of the Wesleyan Body in connexion with Victoria College is simply this: the Wesleyan Body have made exertions beyond those of any other persuasion in Upper Canada, to improve the state of education among their Clergy and People; they did so with the expectation and assurance that their efforts would be suitably encouraged by the Government, and their lack of means be thus supplied. Large appropriations by Government have been made for many years to the Clergy of the Churches of England, Scotland, and Rome,

while not a farthing has been granted to the Clergy of the Wesleyan Methodist Church, whose labours have been confessedly more extensive and more self-sacrificing than those of either of the other three persuasions above mentioned.

The Wesleyan Conference and the Board of Victoria College on its behalf, have repeatedly submitted these facts to the consideration of the Government, and have entreated as some mitigation of the inequality of the treatment of the Wesleyan, and the three other leading religious persuasions in the Country, additional aid to Victoria College.

Up to the present time their representations and entreaties have been in vain; not a six-pence has been as yet allowed them from the settlement of the Clergy Reserve question. The only assistance obtained is the continuation of the pittance recommended by Lord Sydenham, in order to relieve the Institution from otherwise inextricable embarrassments. The continuation of this Grant has mitigated the pressure of the debts owing by the College, but has not been sufficient to enable the Board to employ a single additional Teacher though the Institution has been incorporated as a College, and the higher branches of collegiate instruction have been attempted to be given.

The dissatisfaction which this unequal and painful state of things was calculated to create among the Wesleyan Ministers and People, has been partially counteracted up to the present time by assurances and expectations that the Government would do them justice at least to some extent; as such has been the principle of policy avowed both by the Imperial and Provincial Governments.

But the moment the hope of such a result is extinguished, deep and universal dissatisfaction, increased by the bitterness of disappointment, will take possession of the minds of the Ministers and Congregations of the Wesleyan Methodist Church.

The number of our regular Ministers in Upper Canada exceeds 140, and from the number of their Congregations, and the period and extent of their labours, their circumstances and wishes on this question deserve, I submit, the most favourable consideration of the Government.

My present connexion with Victoria College is merely honorary; but I speak from a perfect knowledge of facts, which it is not in my power to change or modify, and which I have felt it my imperative duty to submit to the consideration of His Excellency in connexion with the settlement of the University Question.

I have the honor to be, &c., &c., &c.

(Signed,) EGERTON RYERSON.

J. M. HIGGINSON, Esquire,
Private Secretary,
&c., &c., &c.

No. 10.—*Letter from the Very Reverend Angus McDonell, College of Regiopolis.*

(Copy.)

MONTREAL, March 24th, 1846.

SIR,

I have the honor to acknowledge your communication of the 9th instant, informing me as one of the Trustees of the College of Regiopolis, that you were

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commanded by His Excellency the Administrator of the Government to state to me his desire to be furnished in a definite and official form with the views of the Governing Body of the College of Regiopolis on the present state of the Charter of the University of King's College as amended by the Statute of Upper Canada, 7th William IV, chapter 16; and I take this opportunity of transmitting to you for and in behalf of the Corporation of the College of Regiopolis their views upon the subject, for the information of His Excellency.

The Corporation of the College of Regiopolis are averse, as a general rule, to any tampering or interference with private rights, and had the University of King's College been endowed with private instead of public property they would feel themselves bound both in honor and justice to make every exertion to manifest publicly their disapprobation of any step taken by the Legislature to interfere with the same; and even as matters stand at the present, and however much they individually disapprove of the manner in which, what they consider public property, and should have therefore been applied for the advantages of all the members of the community without reference to sect or denomination of Christians, has been misapplied, yet, as a body, they were determined not to have expressed any opinion upon the subject, and such would have been their conduct, had not His Excellency called upon them for an expression of their opinion upon the same.

However much the Members of the Corporation of the College of Regiopolis feel interested in the prosperity of the establishment with which they are connected, and however much they see the necessity of its being endowed by some permanent grant from the Provincial Legislature in order to place it upon a lasting and useful footing, they nevertheless take the liberty to state for the information of His Excellency, that they would much rather see the Institution endowed in some other way than to receive a portion of the property now vested in the Corporation of the University of King's College, however unwise the grant might have been in its origin.

The Members of the Corporation of the College of Regiopolis beg further leave to state for the information of His Excellency, that they are of opinion such an endowment can be made without infringing on the vested rights of any other Institution, and in a manner much more congenial with their own feelings and with those of the community to which they belong,—they mean, out of the unalienated Estates formerly possessed by the Order of the Society of Jesus, the proceeds of which can never be justly diverted from the ends which the donors had in view, that is, the Education of the Catholic Youth, and the spread of the Catholic Faith in Lower Canada.

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The Corporation of the College of Regiopolis are aware that in order to harmonize with the wants and wishes of the greater portion of the people of Upper Canada, for whose benefit the University of King's College was founded, many changes are still necessary to be made in the Charter of that Institution, but they are, on the other hand, also aware that there exists such a variety of opinions, some of them so illiberal and unreasonable, whereas others under the deceptive appearance of liberality would exclude from the Institution every species of Religious Instruction, and introduce instead thereof a perfect system of infidel teaching, that they find it difficult to determine what those changes should be.

The Corporation of the College of Regiopolis are not convinced that in order to procure for the youth of Upper Canada the blessings of a proper system of Education, a University is at all necessary, and more especially one endowed on the large scale on which that of King's College has been through the munificence of the Government. They are much inclined to believe with a renowned author that, "the reputation of Universities is almost always shortlived, or else it survives their merits; if they are richly endowed, Professors become fat-witted, and never imagine that the Arts and Sciences are any thing else but incomes. If Universities slenderly endowed are rendered famous by the accidental occurrence of a few great Teachers, the number of Scholars attracted by the reputation of the place make the situation of a Professor worth intriguing for. The learned pate is not fond of ducking to the golden fool. He who has the best talent for getting office has most commonly the least for filling it; and men are made Moral and Mathematical Teachers by the same trick with which they are made Tide Waiters and Clerks of the Customs".

Under the above convictions, the Corporation of the College of Regiopolis are of opinion that it would be much more beneficial for the community at large, if the Charter of the University of King's College were repealed: and the four Colleges already chartered, that is King's College, Toronto, Victoria College, Cobourg, Queen's College, Kingston, or wherever else the Trustees choose to erect it, the College of Regiopolis, Kingston, and a College of Law and Medicine to be erected somewhere in the Province, endowed out of the proceeds of the property now vested in the Trustees of the University of King's College.

I am, &c.

(Signed,) ANGUS McDONELL,
Vicar General.J. M. Higginson, Esquire,
Civil Secretary,
&c. &c. &c.

Montreal:

PRINTED BY LOVELL & GIBSON.

ST. NICHOLAS STREET.

DOCUMENTS

Respecting KING'S COLLEGE, laid before the Legislative Assembly by the Honorable Mr. Attorney General Draper, by Command of His Excellency the Governor General, on the 7th May, 1846.

No. 1.—Memorial of the Professor of Anatomy and Physiology.

No. 2.—Report of Committee on the Memorial of the Professor of Anatomy and Physiology.

No. 3.—Opinion of the Visitors of King's College.

No. 1.—Memorial of the Professor of Anatomy and Physiology.

To The Right Honorable SIR CHARLES THEOPHILUS METCALFE, Baronet, Chancellor of the University of King's College, &c. &c.

The Memorial of the undersigned, Professor of Anatomy and Physiology in the said University,

MOST RESPECTFULLY SHEWETH :

That from the time of the appointment of Your Excellency's Memorialist to a Professor's Chair, and to a seat in the Council of the said University, he has perceived with regret and alarm the system pursued of alienating the extensive Estates with which the Institution was originally endowed, and the conversion of the said Endowment into money, and above all the using the Capital proceeds of the alienations aforesaid to meet and bear current expenditure.

That it appears from the monthly returns made by the Bursar to the Council, that the Committee appointed for the sale of land, are proceeding with the alienation of the Estate to a very considerable extent,—and Your Excellency's Memorialist is therefore led to apprehend a continuance of this system, a system which he firmly believes to be destructive of the best and most permanent interests of the Institution, and which, however convenient it may be found for present purposes, will assuredly call forth public censure and reprobation hereafter. Your Excellency's Memorialist therefore respectfully addresses Your Excellency for a threefold purpose.

First.—To pray Your Excellency to interpose the authority vested in Your Excellency for the preservation of the Endowment of the College in its present shape—of land,—a species of property which, in the circumstances of this country, must in the lapse of time become vastly increased in value, and which in all countries has been found the most secure, and most available for the support of permanent Institutions of learning, and for the prevention by the most rigid rules of the use of any portion of the Capital Endowment of the said Institution in the current expenditure thereof.

Secondly.—That Your Excellency may understand the motives of Your Memorialist's opposition to the proceedings of the College Council, on questions of alienation of the Endowment and of expenditure, motives which are liable to be misunderstood, and still more liable to be misrepresented; so that the conduct of Your Excellency's Memorialist, which he feels to be disinterested, and to proceed from the purest sense of duty, and from zeal for the advancement of Science in Canada, may not be set down to any factious desire on his part to impede the majority of those with whom he is associated in the measures which they see fit to adopt in the management of the University affairs.

And, *Thirdly.*—Your Excellency's Memorialist makes this respectful representation, to the end that should the present system of alienation and waste continue to be pursued, that he, or those who may happen to be interested in the reputation he is desirous of maintaining and leaving behind him, may when the time comes when the consequences of the present course of the College Council shall be felt and reprobated, have the means of shewing that he, as a Member of the College Council, left no means in his power unused which might have a tendency to protect the College Endowment, and to preserve the same unimpaired to futurity.

Your Excellency's Memorialist therefore most humbly represents that the College Charter, while it ordains and grants that the Chancellor, President and Scholars, and their successors, shall be able and capable to have, take, receive, purchase, acquire, possess, hold, enjoy and maintain, to and for the use of the said College, any messuages, lands, tenements and hereditaments, and while the same Charter grants to the Council of the said College the power to make Statutes, Rules and Ordinances for the management of the Revenues and Property of the said College, the said Charter gives no express power to the said Council or to the Corporation of King's College to alienate the whole or any part of the landed Endowment; and Your Excellency's Memorialist humbly conceives that had it been in contemplation of the Crown, when the said Charter was granted, that the landed Endowment of the said College should be transmuted into money, or that the Capital arising from the transmutation thereof should be used for temporary or current purposes, some expression of such design would be apparent in the said Charter; and the absence of any such expression leads Your Excellency's Memorialist to the conclusion, that when His late Majesty King George the Fourth granted His Royal Charter for a seat of learning, which was to exist for all time thereafter, His Majesty intended that all the landed Endowment of the College should be retained in the same perpetuity. But if the Members of the present Corporation have and exercise the power of alienation of a part of the said landed Endowment, they or their successors may alienate the whole, and if present convenience be a sufficient argument for using the capital Endowment of the Institution now, the same inducement will be probably found sufficient at all times so long as the Endowment lasts. Your Excellency's Memorialist therefore most humbly represents to Your Excellency, not only that the alienation and use of the said Endowment in the manner represented is contrary to all principle or intention of perpetuity in the Institution, but it is also a most dangerous precedent to be set by the Council, who now act at what may be called the commencement of the operations of the University.

That Your Excellency's Memorialist from the consideration of the necessity of the preservation of landed Endowment for the purpose of giving permanency to Institutions for the promotion of learning and science,

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was led to enquiry as to the manner in which Endowments were preserved to Colleges in England, and he found that the same evil which he now complains of existed there, and that its recurrence was prevented by what Lawyers call the restraining Statutes of Queen Elizabeth. That the said Statutes being in their nature general and highly remedial, Your Excellency's Memorialist humbly conceives that they were introduced into this Province by the Provincial Statute which adopted the Law of England in Upper Canada in all matters of civil right.

The Statute 13, Elizabeth, chapter — is reputed by Lord Coke to extend to prevent the alienation of Collegiate Endowments as adjudged in the case of the Master and Fellows of Magdalen College in Cambridge. In that case the College sought to alienate a portion of its Endowment by the device of conveying the same to the Queen, for the purpose of a grant from Her Majesty to a stranger.

And it was unanimously resolved by the Court upon solemn argument, that the said Statute 13, Elizabeth, extended to restrain the Master and Fellows of the said College from conveying parcel of the possessions of the said College to the Queen, although the Queen was not named in the Statute, and the reasons given by the learned sages of the Law who adjudged that case for extending the construction of the Act so as to make it embrace conveyance to the Queen's Majesty, though not specially named, are, in the mind of Your Excellency's Memorialist, conclusive against any narrowness of construction of the same Act, which would prevent its operation in a Province where the English Law has been generally adopted.

For may it please Your Excellency, if the Court rightly and justly could in the case of Magdalen College say, "God forbid that by any construction of the Queen who made the Act should be exempted out of this Act 13, Elizabeth, which provides necessary and profitable remedy for the maintenance of religion, the advancement of good literature, and the relief of the poor." It may well be said in this Province, God forbid that by any construction the same Act should be held not to extend to this Province, where the same good is to be accomplished by its provisions, and the same dilapidations prevented by its enforcement as in the country from which our Law was taken.

If, may it please Your Excellency, there was anything in the circumstances of this Province which made it inconvenient that the whole landed Endowment of King's College should be preserved in that shape, it is, as Your Memorialist humbly conceives, but reasonable to suppose, that some mention would have been made of the inconvenience in the College Charter; and instead of an Endowment in land, an Endowment in money, or the proceeds of the sale of the land would have been granted; or if any such circumstances are supposed to exist now the Legislature is competent to provide a remedy by permitting the alienation of a limited portion of the landed Endowment; but it appears to Your Memorialist that nothing short of the clearest case of incompatibility with the circumstances and general Institutions of the Province, of any Institution of learning being supported in the whole or in part by income arising from land, could authorize the Corporation of King's College of its own head to abrogate the Statute 13, Elizabeth; for, may it please Your Excellency, if it be proper that any portion of the landed Endowment of the College should be preserved, that Statute surely applies to that portion; and if it apply to that portion of the Endowment which should be preserved, that portion comes within the reason and remedy of the Statute; and as all English laws in force in England at the time of the adoption of English Law in Upper Canada, the reason and remedy of which are applicable to circumstances and things existing in the Province, are law in the Province, and as it is not competent to individuals or bodies public or private to dispense with law, or to limit its operation according to their judgment, it appears to Your Excellency's Memorialist to follow incontrovertibly, that the Statute 13, Elizabeth, is in force in Upper Canada as in England, and that the Corporation of King's College

has no more authority to limit its operation than the Master and Fellows of any College in the English Universities.

Influenced by these considerations Your Excellency's Memorialist has taken occasion to bring the legal question of alienation and the mode thereof, under the notice of the College Council, and on the 24th January last he submitted a motion (*vide* Appendix A No. 1,) to the Council to the effect, that if the system of alienation were to proceed, it should at least do so under the advice of eminent professional men. Knowing that so many individuals of acknowledged and eminent learning and talents had been of the College Council when alienations of the Endowment were permitted, Your Excellency's Memorialist at one time supposed that the legal question had been fully considered, and that sales of the land might legally be made at the full value of the property, and the proceeds thereof reinvested; and Your Excellency's Memorialist was induced from the same fact to suppose that such alienation was known to consist with the intentions of the Sovereign in granting the Endowment; but upon referring carefully to the archives of the Institution, Your Excellency's Memorialist cannot find that the legal question has ever been directly considered, and so far from any intention appearing on the part of the Home Government to permit such alienation, Your Excellency's Memorialist finds that, for the purpose of giving the College an immediate income, the Government had substituted Crown Lands under lease, for a portion of the Wild Lands once intended as the Endowment. This income was at the time of this concession supposed to be one thousand pounds per annum, and to be progressively increasing. And in addition to this, and as it were for the purpose of shewing the intention of Government that no portion of the estate should be alienated, the University was authorized to take from the proceeds of lands sold to the Canada Company one thousand pounds per annum, which latter sum for sixteen years was intended for the erection of the requisite Buildings.

Your Excellency's Memorialist found on examination of the archives of the College, that although the custom of selling the lands prevailed almost from the very foundation of the Institution, and has continued to prevail ever since to a greater or less extent, although that the composition of the Council has constantly varied, yet whenever the Council has considered the subject on its being formally brought under their notice, the alienation of the Estate by sale has invariably been stopped, but the custom appears to have again continually crept in apparently when members were off their guard, and sometimes when there was not even a *quorum* of the Council present. This fact will appear on a reference to the Journals of the College Council, and the Journals will likewise shew, that whatever difference of opinion prevailed in the Council relative to the propriety of selling the land, and funding the Endowment, none of the members seem to have contemplated the appropriation of any portion of the principal to meet current expenses.

During the administration of Sir Charles Bagot in 1842, the custom of selling seems to have been almost abandoned, and the attention of the Council to have been laudably directed to providing ways and means for erecting the necessary buildings without trenching upon the Endowment, and to increasing the annual income so as to enable the University to go into immediate and efficient operation. The Finance Committee made a Report, and the Council passed two resolutions in February and March, 1843, on the subject, (*vide* Appendix No. 2,) yet notwithstanding these facts, and although the Council had for a considerable time abandoned the idea of selling the Endowment, yet afterwards during the time when there was no College Council in existence, in the interval prior to the formation of the present Council, sales of the University lands were effected upon a very extensive scale, and the very first act which the present Council was called upon to perform was the sanctioning the alienation of £5,000 of Government Debentures bearing six per cent, per annum, interest.

This last measure was urged upon the new Council before its members had an opportunity of becoming

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acquainted either with the acts or views of their predecessors, but the vote of Your Excellency's Memorialist is recorded as dissentient on that occasion.

Your Excellency's Memorialist further humbly submits, that even if it were taken for granted that the College Council has the power of alienating the Endowment of the Corporation, this can only be effected by the means pointed out in the Charter for the management of the College property, that is to say, in obedience to By-laws regularly proposed and passed in that behalf; for it is of all things the most absurd to suppose, that the Charter required property to be managed under the direction of Statutes emanating in the first instance from the Chancellor, and at the same time to imagine that the same property might be alienated altogether with less formality and less deliberation.

Had the provisions of the Charter, if they can be held to authorize alienation, been adhered to in times past, Your Excellency's Memorialist believes the Endowment would now be in a more flourishing condition, the Estate would not then have been at the immediate disposal of a body continually changing as to its members and liable to be called upon to pass hasty resolutions, authorizing sales or confirming sales made without authority, laws could scarcely have been passed without a review upon each occasion of the state of the Endowment or without the adoption of deliberate plans for the future, whereas by means of continual sales the property of the College may become seriously infringed upon, without any of the parties concerned being aware of the extent of the injury until it would be too late for remedy.

Your Excellency's Memorialist is by no means desirous that the sales made under the authority of the College Council hitherto, should be avoided, but he desires most seriously to raise the question of their legality, that purchasers may be confirmed in their rights by the only legal means, namely legislative enactment, which can hardly take place without some statutory definition, and limitation of the power of the Corporation, to alienate and destroy the Endowment upon which the useful existence of the Institution depends. The College was erected not for the sake of those who have the direction of its affairs; and the public, which is the party really interested, never could tolerate the unlimited exercise of the destructive power of alienation assumed, and, as Your Excellency's Memorialist believes, usurped by the College Council. Dilapidated and reduced as the Endowment is, enough may yet remain to sustain the Institution; and should this fortunately prove to be the case, former waste and reduction for temporary purposes may be forgotten; but Your Excellency's Memorialist humbly conceives, that the danger of the consequences of reduction of the Endowment has now become imminent, and that no arguments of convenience or expediency will justify its being further incurred.

The present annual income of the University if properly managed is, in the opinion of Your Excellency's Memorialist, ample to enable the country to derive from the Institution all the substantial and practical advantages which in its present circumstances it is capable of deriving from a seat of learning and science, but will not afford the sacrifice of any portion of it, either to show or useless forms. That income being derived from land it must increase with the growth of the Province in population and resources. If, however, the landed Endowment should be alienated, and the proceeds reinvested in money securities, the least that can happen is, that the income will be fixed, while there is a danger by no means remote of its being materially reduced by the introduction of monied capital. In short, every circumstance of improvement in the country which can be looked for, will tend to lessen the income from an Endowment in money, and to increase the yearly profits derivable from the land.

It is but reasonable to suppose that lands which possess the greatest intrinsic value usually are sold first. The accuracy of this presumption will be manifest on a comparison of the average prices received for lands in

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the years 1843 and 1844, respectively, where a decrease in the value of land to the amount of 2s. per acre, appears in the latter year as compared with the former. The portion of the College Endowment which has been sold would therefore appear to be in proportion the most valuable, and the portion which remains comparatively the least available. The Endowment was made when little was known of the lands intended to be conceded, and it is but too probable that out of the remains of 290,000 acres of land a considerable portion will be altogether valueless. There is every reason to believe that such will be found to be the case, and should the College Council as proposed, proceed to alienate 50,000 acres more of the saleable land, fancying that 100,000 acres would remain as a source of available income, it is certain that an error will have been committed which no time or events can remedy.

The system of alienation at present pursued appears to Your Excellency's Memorialist most indiscreet and improvident. In the early settlement of the Province the Crown Reserves were leased almost at nominal rents, great ulterior advantages being looked forward to at the termination of the leases. Such was the nature of the property placed in the hands of the Corporation of King's College in exchange for the wild unoccupied lands originally intended to be conceded, although for nearly twelve months Your Excellency's Memorialist, as the Journals will shew, has sought information in vain as to the number of leased lots so granted; to these leased lots are to be added the lots which the College Council in pursuance of the same leasing system, granted upon lease, so that by the returns furnished by the Bursar in 1843, they are left in possession of only 54,780 acres out of 290,000, and the sales have been effected out of these leased lots, at a price in many instances scarcely exceeding that which the College placed upon its wild lands. When Your Excellency's Memorialist remonstrated against this course of proceeding he was met by the Bursar with the statement that the College Council were pledged so to act,—a statement for which Your Excellency's Memorialist can find no foundation, and of which the late Council of King's College appear to have entertained no idea.

It appears to Your Excellency's Memorialist that there is no necessity to alienate any portion of the Endowment for the purposes of erecting the University Buildings. The arrears of interest and rents, which are legitimately applicable for this purpose, according to the returns made in 1843, amount to £34,798. Sir Charles Bagot was of opinion that the University Buildings should be erected with the proceeds of these arrears. The Bursar in his returns to Parliament in 1842, proposes to give time to the persons indebted, so as to divide the claims upon them into annual instalments, for a space not exceeding five years. How far this proposition has been carried into effect Your Excellency's Memorialist does not know. The amount of the sum in arrear remains however unchanged in the returns of 1842 and 1843, and notwithstanding that the College income is said to be indebted to this sum in the amount of £1250 per annum, it still remains dead capital.

Your Excellency's Memorialist may further add that the Sub-Committee of the College Council to whom is entrusted the sale of College Lands, are gentlemen inexperienced, and wholly unacquainted with the value of lands in this country, and consequently in no respect qualified to fulfil satisfactorily the important duty required of them, if such a duty can be delegated to any Committee by a Resolution of the College Council.

Your Excellency's Memorialist trusts that he has laid before Your Excellency sufficient grounds for Your Excellency's interference; and to shew Your Excellency that his opposition to the measures of the Council has been in no respect factious and unreasonable.

It only remains for Your Excellency's Memorialist humbly to pray Your Excellency to enquire into the legality of the proceedings of the College Council in the alienation of the landed Endowment, in the transmutation

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of the same into money securities, and in the use of the capital Endowment or any part thereof, in payment of or in advance for current expenses.

And if Your Excellency should be advised that such alienation, transmutation and application may legally be made without Legislative authority, to pray Your Excellency that the same may take place under the sanction of College Statutes, in which the powers to be exercised and the extent of the property to be affected by them shall be strictly limited and defined.

And if Your Excellency should think fit to propose the sale of any portion of the landed Endowment of the College or the use of any of its capital, that the same may not be used to meet current expenses, but that the latter may be limited and reduced as a matter of actual necessity, instead of the expenditure being considered of necessity to the injury of the Endowment.

With the view of insuring this object Your Excellency's Memorialist moved in the College Council an amendment to the Statutes lately transmitted to Your Excellency respecting the salaries of the Officers, to the effect that these salaries should be paid out of the annual income. This amendment was approved of, and it was agreed that Your Excellency's attention should be called to it in the address lately transmitted to Your Excellency, recommending some trifling additions to the College Statutes. When informed by the President and Bursar that the income would not admit of any additional expenditure, Your Memorialist agreed to the non-increase of the salary of Professor Sullivan, although at the time Your Memorialist expressed and considered that there was not in the establishment an officer so badly remunerated for his services, an opinion which Your Memorialist entertained in common with almost every Member of the Medical Faculty, and upon the same ground Your Excellency's Memorialist opposed an additional allowance to Dr. Beaven.

Your Excellency's Memorialist is aware that on the occasion when the question arose relative to the payment of the Professors' salaries in sterling money of Great Britain, his vote on that occasion exposes him to the charge of inconsistency, and of desiring to increase instead of to lessen expenditure; but Your Excellency's Memorialist had then in view to move a Resolution which would have had the effect of opening the whole question regarding salaries, so that the same might have been placed on a scale in accordance with the actual income of the Institution. Your Excellency's Memorialist had not then, nor has he now, any desire to increase his own salary,—though in the first instance he considered himself entitled to the amount promised him, and in consideration of which he had given up his private practice; and he could not see the justice of reducing the salaries of Professors who were called on to discharge the greatest amount of duty, in order to raise to an equality the salaries of others who were not expected to perform duties to half the amount. But Your Excellency's Memorialist makes no complaint as to himself, his salary being as high as the present income of the College will admit of.

Your Excellency's Memorialist had resolved upon addressing Your Excellency on these subjects previously to the arrival of Your Excellency's late Minute to the College Council, and finding that Your Excellency required information touching some of the subjects to which he was about inviting Your Excellency's attention, he thought it right to inform the Council that he was then preparing a Memorial to Your Excellency respecting matters connected with the University. Your Excellency's Memorialist took this course, fearing that otherwise he might be exposed to unpleasant remarks.

The Bursar having now prepared a statement of the affairs of the Institution by way of answer to Your Excellency's enquiry respecting the protest entered by Your Excellency's Memorialist, Your Memorialist takes leave to append hereto abstracts of the Bursar's returns for the years 1843 and 1844, (*vide* Appendix B.) with a few observations relative to the various items, from which Your Excellency will observe that although the sources of available income have been materially diminished during the last year, the income itself as stated by the Bursar remains the same in both years.

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Your Memorialist is at a loss to understand upon what other basis the Bursar should have predicted the income for 1845 than upon the sources specified in his returns, and as the income in each year must bear an exact proportion to the amount of the Endowment, Your Memorialist most humbly apprehends that to exhibit a present income on a diminished Endowment equal to that which was predicted on the larger Endowment of former years, can only be done by trenching upon the capital of the Institution, a system which must ultimately terminate in its ruin.

For these reasons and knowing of no new source of income available to the College, Your Excellency's Memorialist hopes and prays that Your Excellency will take the statement of Your Excellency's Memorialist into consideration, and adopt such measures as will restrain the expenditure of the University within its actual income, let the same be large or small, and as will preserve to futurity what remains of the once munificent Endowments intended to establish and perpetuate a University for the advancement of Learning and Science in Upper Canada.

And Your Excellency's Memorialist, as in duty bound, will ever pray, &c.

(Signed)

Wm. C. GWYNNE.

February 13th, 1845.

APPENDIX A. No. 1.

Resolved, That the opinion of the Attorney and Solicitor be requested on the following points: First, Whether the sales of land (the property of King's College) which have hitherto been made, are valid, the said sales having in most instances been effected by a mere Resolution of the Council and not by Statute emanating from the Chancellor, as the Charter appears to require. Secondly, Whether the Council of King's College is not altogether deprived of the power of alienating the real estate of the University by sale, by what are called the restraining Statutes of Elizabeth?

This Resolution was proposed by Your Memorialist at a meeting of the Council held on Friday, 24th January, 1845, but does not appear on the Minutes of that date in consequence of its not having been seconded.

No. 2.

Extracts from the proceedings of Meetings of the College Council held in February, 1843, and in the month of March of the same year.

February, 1843.

PRESENT:

THE LORD BISHOP.
THE VICE CHANCELLOR.
DR. McCAUL.
MR. ALLAN.
J. S. MACAULAY.
L. P. SHERWOOD.
H. G. GRASSETT.

The Council resolved that the following scale of rents shall henceforth be observed in granting original Leases for full lots of 200 acres of College Lands, and that on renewal Leases the same scales shall be applied in addition to the rent existing at the termination of the old Lease.

First seven years,.....£ 5 per annum.
Second do. do. 10 do. do.
Third do. do. 15 do. do.

March 7th, 1843.

PRESENT:

LORD BISHOP.
MR. SMALL.
DR. McCAUL.
J. S. MACAULAY.
L. P. SHERWOOD.
H. G. GRASSETT.
DR. WIDMER.

In reference to the scale of rents established by the 13th Minute of the last meeting, it was resolved that in cases where a lot is divided into half lots, the terms shall be for each half lot as follows:

First seven years,.....£3 per annum.
Second do. do. 6 do. do.
Third do. do. 9 do. do.

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A P P E N D I X B.

STATEMENT shewing a diminution of that portion of the Endowment upon which the Income of the University is predicted from the Returns furnished by the Bursar to the Land Committee of the College Council, in February, 1843, and to the Chancellor and House of Assembly, in January, 1845.

	ENDOWMENT IN 1843.			ENDOWMENT IN 1845.			ESTIMATED INCOME ESTIMATED FOR 1843.			ESTIMATED INCOME FOR 1845.			Capital invested, increased,.....	£	s.	d.
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.				
Amount invested in Debentures, Bank Stock, Mortgages,.....	42,819	6	9	44,755	17	0½	2,511	13	2	2,643	2	0	Capital invested, increased,.....	1,936	10	3½
Rent Roll, estimated at, per annum.....	16,798	0	6	16,000	0	0	1,500	0	0	1,500	0	0	The Rent Roll remains the same in both years, although from the Returns it appears that the Leased Lands are diminished to the extent of 6,710 acres.			
Arrears of Rents, (estimated in 1842).....	67,649	10	0	67,491	0	0	500	0	0	100	0	0	The Income in 1845 is barely the Interest of £1,700, the diminution of Capital, is.....	798	0	0
Outstanding purchase money.....	18,000	0	0	16,552	0	0	3,900	0	0	3,900	0	0	No credit has been apparently given to the Proceeds of Land sold in 1844, amounting to £6,335, while the Capital is diminished by Capital diminished by.....	158	18	1
Arrears of Upper Canada College.....	6,402	0	0	4,000	0	0	750	0	0	700	0	0	Capital diminished by.....	1,448	0	0
Dues of ditto.....							100	0	0	100	0	0	Capital diminished by.....	2,402	0	0
Dues of University Students, say 30 at £27 10s. each,.....							1,125	0	0	1,350	0	0	Capital diminished by.....	4,806	18	1
* Parliamentary grant,.....							740	0	0	800	0	0	Deduct increase as above,.....	1,936	10	3½
							11,126	13	2	12,204	4	2	Decrease,.....	2,870	7	9½
													Value returned of Leased Land, sold in 1844.....	6,335	0	0
													Total decrease of Capital, since 1843,.....	9,205	7	9½

* NOTE.—This grant was supposed in 1843 to be too precarious to be calculated upon. In 1845, it is relied on as Income.

STATE of the ENDOWMENT in the years 1843 and 1844.

	ON LEASE.	UNOCCUPIED.	TOTAL IN 1843.	ON LEASE.	UNOCCUPIED.	TOTAL IN 1845.
King' College.....	89,759	17,816	107,575	84,934	18,851	103,775
Upper Canada College.....	5,816	36,980½	42,796½	3,931	38,573½	42,504½
	95,575	54,796½	150,371½	88,865	57,424½	146,279½

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No. 2.—*Report of Committee on the preceding Memorial.*

(Copy.)

The Committee to whom Professor Gwynne's Memorial to the Chancellor (bearing date February 13th, 1845,) was referred, report that they have investigated with much care the objects which the Memorialist brings under the attention of His Excellency, in that document. The principal are the alienation of the Estate, and the conversion of the Endowment into money,—and the use which it is asserted has been made of the capital proceeds to meet and bear current expenditure.

1.—*Of the alienation of the Estate.*

The grounds on which the Memorialist founds his surmise that the College Council does not possess the power of selling the property of the Corporation, are these: (a). The absence of any expression in the Charter giving the power of alienation. (b). The applicability of the restraining Statutes of Elizabeth to the Institutions of this Province.

(a) The absence of any expression in the Charter giving the power of alienation.

Of the land which has been or is in the hands of the Corporation, 225,944 acres were conveyed by patent as the Endowment of the University, and about 66,000 were conveyed in trust for Upper Canada College.

With regard to the latter of these, there can be no question as to the power of selling, for it is expressly stated that the land was conveyed in trust to be sold for the payment of the sums advanced by the University for the support of that Institution.

The only point then, about which a question can be raised is, whether the Council have the power of alienating by sale the 225,944 acres, which formed the Endowment of the University. In order that a correct opinion may be formed on this subject, it appears necessary to take a brief view of the circumstances under which the Endowment was granted.

In a Despatch from His Excellency Sir Peregrine Maitland to Lord Bathurst, (dated December 19th 1825), it is suggested, that an exchange should be made of those lands available for the Endowment of a University, "from that portion of the Crown Reserves which remains to the Government,"—and the reason of this suggestion is subjoined in the following words: "as being under lease, the latter could be almost immediately disposed of at an average price of not less than 10s. per acre. There are about 200,000 acres of Crown Reserves at present occupied, and a sum would thus be produced that would admit of the immediate establishment of a University on a scale that would render it effective."

It appears then from the Lieutenant Governor's Despatch suggesting the measure, which resulted in the Endowment of King's College, that the inducement for giving the Crown Reserves in lieu of the lands to which the University was entitled, was, the facility with which these Reserves might be sold.

In a Report also by the present Lord Bishop of Toronto, (bearing date March 10th, 1846,) the sale of the lands to be received in exchange is specially noticed as the principal feature which recommended the exchange.

On the 15th March, 1827, the Charter was issued,—and on the 31st of that month Lord Bathurst authorizes Sir P. Maitland "to exchange such Crown Reserves, as have not been made over to the Canada Land Company, for an equal portion of the lands set apart for the purposes of education and foundation of a University, as suggested in your Despatch of December, 19th, 1825, and more fully detailed in Dr. Strachan's Report of the 10th March, 1826, and," the Despatch continues, "you will proceed to endow King's College with the said Crown Reserves, with as little delay as possible." Accordingly, on the 3rd

January, 1828, the patent was issued whereby the portion of the Crown Reserves was conveyed to the Corporation as the Endowment of the University.

In that instrument, although a similar formula to that in the Charter is adopted, whereby the Corporation are authorized "to have, take, receive, purchase, acquire, hold, possess, enjoy and maintain, the word "sell" being omitted, yet the power of selling is clearly recognized, for a provision is made, "if the lands should come into possession and tenure of any person whomsoever either "by virtue of any deed of sale," &c.

In one portion of the land thus transferred, (the township of Wilmot) the price for which it was to be sold per acre by the Corporation was fixed by the Government.

Nor did the Council on receiving the lands given in exchange, at all doubt their power to sell, for in February, 1828, public notice was given by their authority, that they would either renew the leases or sell, as might appear expedient to them or to the lessees. And at their fourth meeting in May, they fixed their minimum price at twenty shillings per acre, and directed the advertisement of all their lands in the Home District for sale, and the announcement that those in the other Districts would be offered for sale as soon as the necessary arrangements could be completed.

From that time up to the present period this power has been exercised, nor until recently has any objection to it been ever advanced by any Member of the Council, although the highest legal authorities in the Province have been amongst its members, and the subject has been more than once a topic of conversation during their sittings.

The Committee are of opinion, then, that the objection of the Memorialist, founded on the omission of the words "to sell," or some such equivalent terms in the Charter, is not to be entertained as valid, inasmuch as it appears that the Lieutenant Governor, when recommending the present grant as more desirable than the original appropriation, stated as its principal advantage, that it could be immediately sold; that the Bishop of Toronto in his Report also contemplated the alienation of these lands; that the Secretary of State, after the Charter had been granted, authorized the exchange as recommended by the Lieutenant Governor and Bishop; that the Deed of Endowment expressly provides for the case of the lands being alienated by sale; that the lands appear to have been accepted under the impression that they might be sold; and the Council proceeded forthwith, after the issue of the Deed of Endowment, to offer them for sale, and have continued since that period to pursue that mode of alienation as appeared to them expedient.

(b) The applicability of the restraining Statutes of Elizabeth to the Institutions of the Province.

In considering this argument, the Committee will not enter into the purely legal question, whether the Statutes referred to are or are not in force in the Province, under the authority of the Provincial Statute, whereby the Law of England was adopted in matters of civil right. They will merely observe that the applicability of all Imperial Statutes cannot be necessarily inferred from the existence of that Provincial Statute; of this, however, they are certain that these Statutes of Elizabeth have not been acted upon; and they feel persuaded, that such restrictions are wholly unsuitable to the circumstances of an Endowment, such as that of the University, situated in a country where there is so great facility of obtaining the fee simple of land,—where rents are necessarily so low,—where leases are seldom taken, (except in particular localities,) unless with the prospect of purchasing, and where it is most desirable to give every encouragement to settlers to remain.

A moment's consideration of the result which must have followed inability to sell, will shew that such restraint would have been most highly injurious.

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The rental of the leased lands when transferred to the University, was estimated at about £1,000 per annum. It appears highly improbable that even that small income could have been collected; and this is strongly supported by the fact of the present large accumulation of arrears of rent. In many cases also there was an engagement to renew, and of course until these renewals expired, the annual revenue must have remained very low. The greater part of the lands which were not leased would most probably have continued unoccupied to the present day, for the applicants would either have withdrawn their claims on finding that they could not obtain the fee simple and secure their improvements, or, if they accepted a lease, would merely have used it for the purpose of stripping the land of timber; Upper Canada College could not have been built or supported; the site of the University could not have been purchased or improved, and the opening of the Institution must have been postponed to a period indefinitely remote; a great part of the property would be lying unoccupied, and most probably plundered of the timber; a considerable portion of the small income withdrawn from the service of the Institution for the payment of the Land Tax; the lease-holders dissatisfied that they were debarred the privilege, which the settler most highly values, of securing his improvements by purchase for his family, —and the whole community discontented that the wild lands of the Institution were stopping the progress of improvement, whilst the objects for which the Endowment was granted were wholly neglected.

The Committee cannot dismiss this part of the subject without expressing their surprise that the Memorialist should not have supported his opinion relative to the applicability of the Statutes referred to, by citing the portions of those Statutes on which his argument was founded, and producing the opinions of professional men qualified to pronounce in such a matter. Nor can they forbear adding that the visitors are the proper authorities for deciding questions of this nature; and that according to the usage or laws of every University with which they are acquainted, such subjects never have been nor are referred to the Chancellor.

In this University such a course is peculiarly objectionable, inasmuch as by the Charter the highest Officer is a member of the Council, and thus participates in the responsibility for the acts of that body; hence it has been the practice of the Council to submit a copy of the Minutes of each meeting for the information of His Excellency, when he has not been present.

But the Memorialist founds a collateral proof "of the intention of the Government that no portion of the Estate should be alienated," on the fact that the University was authorized "to take from the proceeds of lands sold to the Canada Company £1,000 per annum, which latter sum for sixteen years was intended for the erection of the requisite buildings." The Memorialist seems to forget that if the grant of that annual payment be evidence of the intention of the Government, that no portion of the Estate should be alienated, the withholding of it after little more than a fourth of the period for which it was promised is equally conclusive of their opinion that the further sum required for Buildings should be taken from the University funds; nor can it be believed that it would have been expected by any one who had the least acquaintance with the state of the Endowment, that the annual income derivable from the rents would have been sufficient at once for the current expenses of the Institution, and for the erection of the necessary Buildings.

The Memorialist also advances in confirmation of his views, "that whenever the Council has considered the subject (*scil.* alienation,) on its being formally brought under their notice, the alienation of the Estate by sale has invariably been stopped, but the custom appears to have again continually crept in, apparently when members were off their guard, and sometimes when there was not even a *quorum* of the Council present."

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The Committee are not aware that the Council have ever stopped the practice of selling the lands of the University through any doubt of their right to alienate the Estate in that way; nor is there any record on the Minutes of the Council since its first meeting, which would warrant such an opinion. They certainly have at different times for various reasons suspended both selling and leasing, and the question of retaining a considerable portion of the Estate as a permanent Endowment has been more than once brought forward. The majority of the Council, however, never declared their concurrence in this until April, 1844, when a recommendation of the Land and Building Committees to the effect, "that 100,000 acres should be reserved as the perpetual Endowment of the University," was carried.

The Committee are of opinion that the words of the Memorialist, "whenever the Council has considered the subject on its being formally brought under their notice, the alienation of the Estate by sale has invariably been stopped," do not give a correct view of the action of the Council or their motives on the occasions to which reference is made.

In July, 1839, the Resolution passed by the Council on the subject was in these words, "that until a new valuation of the lands belonging to the University be made, no more applications to lease or purchase be entertained."

In December, 1839, the President "suggested the propriety of the Council taking into consideration, whether some limitation should not be placed to the alienation by sale of the University Lands,"—but the subject was deferred.

In January, 1840, the subject was again noticed, and again deferred.

In February, 1840, "the Lord Bishop of Toronto moved that 100,000 acres of land be retained as the permanent Endowment of King's College, and 25,000 acres of land be retained as the permanent Endowment of Upper Canada College; the said lands to be placed under lease of 21 years, and that at the expiration of each lease, the same be renewed with such rise of rent as may be determined by Arbitrators." After some discussion this motion was withdrawn, and the following motion was substituted, and was assented to by the Council; "that before concluding upon the propriety of permanently retaining any considerable part of the estates belonging to the University and Upper Canada College, the Council are desirous of obtaining correct information on the value of the lands held, and of the returns stipulated for, and actually received under leases already granted, which information it is understood is in course of being obtained; in the meantime all further grants of leases or sales of land to be suspended." The reason of the withdrawal of this motion, although not recorded on the Minutes, was the decided objection expressed by the Chancellor, who was then present, to keeping a landed Endowment.

The next occasion on which the Committee find that the subject is noticed on the Minutes, was in January, 1841, when the consideration of applications to purchase to the extent of 5,400 acres was deferred, "the Council proposing at their next meeting to take into consideration whether it may not be advisable to adopt some new regulations on the subject of alienating the College property."

In March, 1842, the Report of the Finance Committee was presented, in which the principle of alienation by sale is recommended, even to the extent of all the lands then leased. This Report was adopted by the Council.

The Committee are not aware of any further action, or notice of the subject by the Council, until April, 1844, the particulars of which have already been given.

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The Committee cannot discover any grounds for the opinion expressed by the Memorialist, that "the custom appears to have crept in apparently when the members were off their guard," nor is there anything which they can find, to justify the assertion that the custom crept in "when there was not even a *quorum* of the Council present." Lands have been sold under such circumstances, undoubtedly, for power was given (in order to expedite and facilitate business) on more than one occasion, to a number of members less than five, to decide on the applications of intending purchasers; but, the practice of selling, when stopped, has never been resumed but under the authority of the Council.

The Committee are also unable to discover the authority on which the Memorialist has stated that, "during the administration of Sir Charles Bagot, 1842, the custom of selling seems to have been almost abandoned;" for it appears from the Bursar's returns for 1845, that the number of acres sold in the year 1842, exceeds the average of the seventeen years during which the Institution has existed. The average yearly sale of the lands of the University has been about 7,200 acres, whilst the amount sold in 1842, is 7,504. In fact, it was during this administration, in 1842, that the Council adopted the principle (as developed in the Report of the Finance Committee presented on March 15th, of that year) of borrowing from incoming capital for current expenses, and paying it back with interest, mainly by means of alienating all the leased lands. From that time the necessity of selling the Estate was fully recognized and acted on; and although some members were still desirous of retaining some of the leased lands, the practice seems to have been uniformly persevered in until the beginning of 1844, when a Committee was appointed to report on the state of the Endowment. In April of that year they submitted a recommendation to the Council on the subject, and the result of the discussion thereon was the adoption of a resolution to resume the sale of lands.

The Memorialist further advances on this subject the following remark: "The Finance Committee made a Report, and the Council passed two Resolutions in February and March, 1843, yet, notwithstanding, these facts, and although the Council had for a considerable time abandoned the idea of selling the Endowment, yet afterwards, during the time when there was no College Council in existence, in the interval prior to the formation of the present Council, sales of the University lands were effected upon a very extensive scale, and the very first act which the present Council was called upon to perform was the sanctioning the alienation of Government Debentures bearing six percent. per annum, interest." The Committee cannot conjecture to what Report of the Finance Committee the Memorialist refers—the only Report was presented in the year 1843. The Memorialist himself and Professor Croft were appointed a Finance Committee in October of that year, "to examine into the state of the resources of the University, and especially the state of the arrears of monies due to the University," but no action was taken by that Committee, nor was any Report or suggestion ever offered by them to the Council.

If the Memorialist intended to refer to the Report of the Finance Committee presented in March, 1842, he has been most unfortunate in his reference, as the principles on which that Report is based (as is evident from what has been before stated) are most adverse to his views. The Committee believe that the two Resolutions passed in February and March, 1843, were not founded on any Report—there is certainly no evidence whatever that they were; nor is there any thing to lead to the inference that it was the intention of the Council, when passing these, to abandon the sale of the Endowment.

In August, 1839, a Committee recommended the mode of leasing the College lands to the consideration of the Council. The Committee were of opinion, "that the rent should be in some degree proportioned to the value of the land." Since that time the increase of the rents

has been repeatedly the subject of conversation at the Council table, and at length, in 1843, was reduced to the form of Resolutions as the Memorialist states, but certainly neither then nor at any other time (except at the period already mentioned, April, 1844,) has the Council come to any resolution to stop the alienation of the Estate by sale at a fixed limit. Whilst the consideration of these Resolutions, in 1843, engaged the attention of the Council, the lands were being sold; when they had been passed the lands continued to be sold; nor was there any member of the Council which immediately preceded the newly formed body (comprehending the Professors) that had ever expressed a doubt of the expediency of, or rather necessity for, selling the lands to enable the University to go into immediate and effectual operation.

But the Memorialist states that "the Council had for a considerable time abandoned the idea of selling the Endowment." If the Memorialist had offered any proofs of this assertion, it might be necessary to inquire into their validity. As he has not, it only remains for the Committee to state in reply, that the assertion is wholly without foundation. The Memorialist also states that "during the time when there was no College Council, sales of the University lands were effected upon a very extensive scale." The Committee have no doubt that the sale of the University lands was continued during that time, but it certainly was not resumed then after it had been previously stopped. The general Returns for 1843 will prove that the sales were conducted with at least as much caution as usual; for the amount sold was less than what had been sold during some other years, and the average price per acre is, for the King's College Estate, higher than that for any other year but one; and for the Upper Canada College Estate, the highest of all. On minute enquiry into the sales effected during the time, "when there was no College Council," *scil.* from the beginning of April to the close of September, a period of about six months, they find that the amount of acres sold in that half year is only about two-thirds of that sold in the other, when there was a College Council holding regular meetings; whilst the average price per acre of King's College lands, sold in that period, exceeds not merely that of the other six months, but that of any year since the foundation.

But the Memorialist continues with reference to the management during this period, "the very first act which the present Council was called upon to perform, was the sanctioning the alienation of £6,000 of Government Debentures." The Committee both are and were at a loss to know the ground of the objections of the Memorialist to the application of that amount of funds. He knows as well as they that during 1843, the building on the University grounds was in progress, and was not completed until the close of that year; that as the University opened on June 8th, heavy expenditure was necessarily incurred in preparations; that at the last meeting of the former Council, on April 8th, the Bursar was directed to pay upwards of £1,500 on account of Mr. Ridout's property,—and that the statement of the funds, as exhibited on the last Wednesday in March, shewed a debt of £3,000 to the Bank of Upper Canada. Is there any thing to excite astonishment or to justify censure in the fact that, in September of that year, the Council were called on to pay £3,500 out of their capital to meet the expenditure on buildings and outfit during the previous period of six months, when that outlay was necessarily made? During that period, independently of a number of smaller accounts paid for fittings, &c., there were disbursed on account of Mr. Ridout's property more than £1,500,—to Mr. Richey the builder, £1,950,—on account of the general Library, upwards of £650,—and to Mr. Paget, on account of Medical Library and Instruments, about £950. Is it, the Committee would ask any one who took the trouble of investigating the subject with the object of aiming at the truth,—is it extraordinary that the debt, which at the end of March was £3,000, should have been increased at the end of September to £6,500, when during that time payments were to be made on account of buildings, investment in land, and preparations for commencing the business of the University? Is there any thing which deserves censure in the

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fact, that the expenditure on the buildings in the temporary occupation of the University, and the requisite outfit for commencing business therein (including Medical and general Library and Surgical instruments) should have required an outlay of invested capital of about £500? for those objects have required no more, as will be apparent on deducting from £6,500 taken from debentures in September, £3,000 on account of the former debt in March,—£1,590 on account of investment in land as directed by the Council,—and £1,500 advanced on account of the S.E. Wing.

The Memorialist appears from his subsequent observation to derive satisfaction from the remembrance that his vote is recorded as dissentient on that occasion. As the Committee have fully stated the circumstances under which the Council were called on to perform that act, they feel it to be unnecessary to offer any opinion on the Memorialist's conduct then. They will merely observe, as he has called attention to the subject of his sole dissents from the majority of his colleagues, that his recorded dissents during the twenty months in which he has been a member of the Council, have been more numerous than those of all the members of that body during the preceding period of the existence of the Institution, about sixteen years.

The Memorialist further submits that "even if it were taken for granted that the College Council has the power of alienating the Endowment of the Corporation, this can only be effected by the means pointed out in the Charter for the management of the College property, that is to say, in obedience to By-laws regularly proposed and passed in that behalf." The Committee do not clearly understand what the Memorialist suggests—whether that there should be a general Statute, declaratory of the powers of the Council, (in the expediency of which the Committee concur),—a Statute limiting the amount to be alienated, (which also is conformable to the wishes of the Committee),—or a Statute warranting each sale of land, which appears to them at once unnecessary and injurious. Neither can the Committee perceive any reason for the Memorialist's belief that "had the provisions of the Charter (if they can be held to authorize alienation) been adhered to in times past, the Endowment would now have been in a more flourishing condition." By adherence to the provisions of the Charter, it is presumed that the proposal and passing of By-laws relative to the alienation of the Estate is intended. But it does not appear that the action of the Council under such By-laws would, in any respect, have differed from what it has been without them.

On the assertion of the Memorialist that Legislative enactment is the only means whereby purchasers may be confirmed in their rights (on the supposition that the Council had not the power to alienate the lands by sale) the Committee desire to offer no opinion, until it shall have been decided that the Council had not that power. It will then be incumbent on the Council to consider what is the proper course to pursue, in order to confirm the purchasers of the lands of the Corporation in their legal rights. At present the only object for which it seems expedient to invite the action of the Legislature is to repeal the Act of 1837, the provisions of which are not only seriously injurious to the University, but seem to have produced general dissatisfaction throughout the Province, among both the friends and enemies of the original Charter.

The Memorialist states that the accuracy of his presumption, that "the lands which possess the greatest intrinsic value are sold first, is manifest on a comparison of the average prices received for lands in the years 1843 and 1844, respectively, when a decrease in the value of land to the amount, of 2s. per acre, appears in the latter year as compared with the former." On examining the Reports of the sales during seventeen years, the Committee find that this inference is not warranted, for the average of the sales during each of the first thirteen years is less than the average of the last four. The lowest average of this latter period is 30s. 4½d. The lowest of the former 16s. (when a large amount of

sales was effected in Wilmot, where the price fixed by Government was 12s. 6d. per acre,) whilst the highest average of these two periods are respectively 32s. 10½d. in 1842, and 26s. 5½d. in 1839. It may be true that the lands first sold were of greatest intrinsic value; but the proof offered by the Memorialist is certainly insufficient.

The Memorialist further states, it is believed, as evidence of the evils resulting from the system of selling, as hitherto practised, by the Council, that "although for nearly twelve months, as the Journals will shew, he has sought information in vain as to the number of leased lots originally granted; to these lots are to be added the lots which the College Council, in pursuance of the same leasing system, granted upon lease, so that by the Returns furnished by the Bursar in 1843, they are left in possession of only 54,780 acres out of 290,000, and the sales have been effected out of these leased lots at a price in many instances scarcely exceeding that which the College placed upon its wild lands."

As the Committee cannot trace any connected argument in this passage, they will merely observe that they have no reason to believe that the delay in submitting the information asked for by the Memorialist, has arisen from any other causes than the difficulty of collecting accurate details, and the constant pressure of business in the Bursar's Office requiring his immediate attention. They are wholly unable to perceive the connexion which exists between that delay and the addition to the lots originally leased by the College Council; although it is true that the Memorialist has sought that information in vain for nearly twelve months, yet it does not appear in any way to follow from this, that to these leased lots (regarding which information has been sought) are to be added, &c. As the statement that "by the Returns furnished by the Bursar in 1843, the Corporation are left in possession of only 54,780 acres out of 290,000 acres," might possibly be misunderstood, it seems expedient to observe that even at the beginning of the present year the portion of the Endowment on lease and unoccupied was more than half the whole amount granted.

The Memorialist is most probably correct in saying that "the sales have been effected out of the leased lots at a price in many instances scarcely exceeding that which the College placed on its wild lands." But it must be remembered that the minimum price, as fixed by the Council, was placed without reference to the existing value of the wild lands belonging to the Corporation, and that its object was to secure the possession of the portions of the Endowment at present considered of but little value, until they reached the arbitrary standard,—consequently it might in some cases happen, that the nominal value of the wild lands might exceed the real value of the leased lots.

With reference to the opinion of the Memorialist, that "there is no necessity to alienate any portion of the Endowment for the purpose of erecting the University buildings," it appears unnecessary to offer any other observations than that this whole subject was most fully discussed by the Council in 1842, and that there is on the minutes a most elaborate Report by Captain Macaulay, on the state of the finances, which was made the basis of action in bringing the establishment into operation; and that the proposition of His Excellency Sir Charles Bagot, to pay the expenses of the buildings out of the arrears of interest and rent was fully considered previously to any proceeding being taken as to erecting the wing at present completed.

The Committee will now proceed to the consideration of the second principal topic of the Memorial, *scil.* "the use which it is asserted has been made of the capital proceeds to meet the current expenses."

The chief if not the only argument, advanced by the Memorialist on this subject, is derived from a comparison of the state of the Endowment in 1843 and 1845, as exhibited by him in Appendix B. On the supposition that the details as therein given by the Memorialist are correct, it is

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easy to shew that his inference is not warranted. The result at which he arrives is that "the total decrease of capital since 1843 is £9205 7s 9d $\frac{1}{2}$." But he forgets that during that period considerable sums had been spent on objects to which capital is legitimately applicable. On comparing the assets, as given by the Bursar in 1842, with a similar return for 1845, it appears that there is a great increase in the latter year produced by the completion of the building and by the provision of outfit. In 1842 there had been spent on buildings and outfit, £8731 10s. 5d; of this £6000 were for the building. The balance of the rest of it, more than £4000, was paid in 1843. The outfit in 1845 is stated at £7000, from which it appears that more than £4000 were spent on this during 1843 and 1844. To this also must be added £1000 paid in the latter year on account of materials for the west wing. It appears then that the alleged decrease of capital can be satisfactorily shewn not to have been caused by expenditure on current charges, but on legitimate objects.

But the statement as given by the Memorialist in that tabular view is in some respects inaccurate; in the first place, the year 1843 is throughout substituted for 1844 or else 1845 for 1844. The two returns of the Bursar, to which reference is made, extend respectively to December 31st, 1843 and 1844, and therefore give the state of the Endowment at the beginning of 1844 and 1845. Again, the amount of purchase money outstanding in 1845 should be £68,389, not £67,491. For this inaccuracy, however, it is probable that the Memorialist is not responsible, as the latter sum was erroneously given by the Bursar himself when the returns were first submitted to the Council. The same excuse cannot, however, be made for the statement of the Upper Canada College arrears. In this item it is stated by the Memorialist that the capital has been diminished by £2402, the difference between £6402, the amount of those arrears as given by him in the column for the Endowment in 1843, and £4000 the amount given in the column for the Endowment in 1845. That the Memorialist is inaccurate in both these accounts, a reference to the Bursar's returns, from which he professes to derive his information, will shew that he has not correctly represented that Officer's statements relative to this item. In the returns furnished to the Land Committee, the following is the Bursar's statement:

Arrears of Upper Canada College.—At the end of 1842, these amounted to £6402 0s. 4d. They have been diminished since; probably as much more will be collected as will produce, per annum, £100.

The Memorialist had therefore no authority from the returns for stating that the arrears of Upper Canada College were, at the period to which he refers, £6402.

In the returns furnished to the Chancellor and House of Assembly in 1845, these arrears are stated to be £5805 7s. 3d., both by the Collector of the College and the Bursar. The latter indeed, in the estimate of the assets, has made the following entry: "College dues in arrear £5805 7s. 3d.—say £4000." But it is evident that the assertion of the Memorialist, that under this head there has been in one year a diminution of capital to the amount of £2402 is wholly unauthorized by the returns from which he appears to derive his information.

In some of the observations also offered by the Memorialist on different items, the Committee regret to perceive evidence of want of due consideration.

The Memorialist observes in reference to the *Rent Roll*, that "it remains the same in both years, although from the returns it appears that the leased lands are diminished to the extent of 6710 acres," as if he thought that these two facts were incompatible. If he had recollected that in the rents there is a septennial augmentation, and that every year rents are entering on their second or third periods, he would have been at no loss to understand how it might be that although the number of leased lots was diminished yet the rental remained unchanged.

The Committee cannot understand why the Memorialist should have used the term *Rent Roll* as applicable to this head. It certainly is not used in the Bursar's returns, nor is it the proper term for the item as given in these returns. The Bursar does not give an estimated *Rent Roll*, but estimates the receipts for rents: the *Rent Roll* probably much exceeds the estimate, but it is not likely that the receipts will.

The observation of the Memorialist on the outstanding purchase money "no credit has been apparently given for the proceeds of lands sold in 1844," contains an unwarrantable insinuation against the Bursar, whose integrity and accuracy the Committee have no reason to doubt. If the Memorialist had made proper inquiry regarding the subject, previously to hinting his suspicions, he would have found that the amount of purchase money received in that year was about the same as the amount of the proceeds of land sold, and therefore the amount of purchase money outstanding must remain about the same in 1843 and 1844.

But, however, although the Memorialist has failed to prove that the capital has been applied to the payment of current expenses, it is highly important to inquire whether it is the fact that there has been such an application of the capital. It is plain, that strictly speaking, the sums received by transmuting the Endowment into money should be regarded as capital; whilst the rents and interest on instalments due form the annual income. This capital is to be employed in two ways,—either in purchasing profitable investments, or in buying the stock necessary for conducting the business of the establishment, i. e. grounds, buildings and outfit. It is also evident that the annual income consisting of rents and interest on instalments due, may be legitimately expended on current expenses. The Committee subjoin some tabular views, from which, they conceive, it will be apparent that not only has the capital not been applied to pay current expenses, but that a considerable sum has been taken from the annual income, and applied to purposes to which capital is legitimately applicable; for the capital at present in existence in money, securities and stock, is much greater than the amount of capital actually received for the sale of lands during the existence of the Institution.

But it may be said, although the capital has not been encroached upon in any improper way during the past seventeen years, yet the present annual income is inadequate to bear the present charges on it. The Bursar's estimate of income contains ten sources:

- 1.—The interest on investments in Debentures and Bank Stock.
- 2.—The interest and rents from investments in Mortgages and productive Estates.
- 3.—The rents for lands under Lease.
- 4.—The accruing interest on the purchase money outstanding of Lands sold.
- 5.—The interest on arrears due for interest on Purchase Money.
- 6.—The same on arrears due for Rents.
- 7.—The dues for Students in the University.
- 8.—The dues for Scholars in Upper Canada College.
- 9.—The interest on arrears due to Upper Canada College.
- 10.—The annual Grant made by the Legislature to Upper Canada College.

Of these the sources of income which may be regarded as certain, are Nos. 1, 2, 7, 8, and probably 10. Nos. 3, 4, 5, 6, and 9, may be regarded as uncertain.

The advantages of this classification of the sources of income will be apparent when it is remembered that whatever the annual receipts may be the annual charges must be met.

The estimate of the annual income for No. 2 is probably not too high; but there is, however, some uncertainty such as is almost necessarily incidental to the rental of leased property in this country, and indeed this uncertainty is one of the strongest arguments which can be advanced against retaining the present landed Endowment.

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With regard to Nos. 4, 5, 6, and 9, the Bursar gives the estimate of what he considers may be at present spent in anticipation of their future collection.

But the Committee do not consider it necessary to enter into the discussion of the accuracy or inaccuracy of this estimate, as it appears to them unquestionable that for some years it may be occasionally necessary to pay the annual expenses from some other source than the mere annual income collected from these sources regarded as capital.

This was the opinion of the Finance Committee in 1842, and it was on the supposition of the necessity of this that their Report was based.

The following extract from that Report will sufficiently explain the opinion of the Committee and of the Council :
 "In the account current, £4,000 is entered as the charge on account of the University for the present year, and £4,000 to procure books and instruments, to furnish the Museum, Laboratory, and incidental expenses; £18,000 is appropriated as a building fund, to be expended within four years from this date; £2,145 is allowed as the annual charge on account of Upper Canada College; £1,500 for the expenses of the Bursar's Office, which includes keeping the grounds in order and sundry incidental expenses. The several sums required to be borrowed may be taken from the incoming capital of the Institution, the receipts of which will probably fully meet these demands."

The debt proposed to be incurred will be repaid in 1865, when the annual income will amount to £14,000, together with the rents which may be receivable on 70,000 acres of land, which will yet remain unsold.

The Committee have assumed that 6,400 acres of land, which is below the average amount of annual sales, will be sold annually at an average price of £1 5s. per acre, until all the lands now under lease and improved have been disposed of, viz : about 96,000 acres.

To this Report is subjoined a paper, giving the estimated expenditure on account of the University and Upper Canada College, from 1842 to 1867, in which the interest of the sums borrowed from capital is charged.

The Report is well worthy of careful consideration, as it fully manifests the principle on which the present or even increased charges may be met without impairing the Endowment. To this also, it is right to add, that the sum borrowed during seven years from income, may be repaid to it out of incoming capital. The Committee having attentively examined the subject, have arrived at the conclusion, that there is no reason to apprehend that the capital will be encroached on by maintaining the present expenditure, if the principles recommended in the Report of the Finance Committee in 1842 be carried out. In this Report, they conceive, an improvement may be effected as to the income estimated there, if a portion of the capital instead of being invested in Debentures yielding a fixed interest, were invested in lands yielding an equal or higher interest, and which would increase in value with the improvement of the country. It seems also worthy of consideration whether the Corporation might not legitimately and advantageously apply a portion of their surplus to the purchase of wild lands at the Government prices, in localities where improvement is expected.

Before concluding this Report, the Committee feel it to be due to themselves to notice an observation of the Memorialist on "the Sub-Committee to whom is entrusted the sale of College Lands." "They are," he states, "gentlemen inexperienced and wholly unacquainted with the value of lands in the country, and consequently in no respect qualified to fulfil satisfactorily the important duty required of them."

Although the Sub-Committee readily admit that they have not had the same kind of experience in land transactions as the Memorialist has had, and have no desire to compare their reputation in matters of this nature with his, yet they do not believe that the interests of the Institution have suffered from their management of the affairs which the Council entrusted to their care; nor can they omit remarking that the Memorialist was himself more than once asked to act as a member of that Sub-Committee. He declined, it is true, on the ground that

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he did not wish to be a party to the alienation of the Estate of the University by sale, but yet (it appears to the Committee) he might, without any compromise of his opinion on this subject, have given his assistance in valuing the lands belonging to Upper Canada College, which, there is no question, were conveyed to the Corporation for the purpose of being sold.

This course certainly would have been more becoming than first to refuse the aid of his experience and acquaintance with the subject, and then to find fault with those who at least have done their best to discharge the duty which was committed to them. The Committee cannot but feel that the Memorialist should have been amongst the last of the Members of the University to raise any question as to qualifications for or attention to important trusts. They also conceive that it would have been more judicious for him to have deferred any strictures on the course pursued by the former and present managers of the Institution in their desire to promote its success, until he had himself given some more convincing demonstration, than any which he has yet manifested, of the zeal and ability with which he prosecutes its welfare. Neither can they think that charges implying negligence and inaccuracy, come with a good grace from an individual who has himself exhibited both in the very document in which he prefers those charges, and whose characteristics as a member of the Governing Bodies, have certainly not been diligence or precision.

The Committee do not question the motives which have induced the Memorialist not merely to oppose the views of his colleagues in Council, but also to place them in an unfavorable light before the Chancellor and the public, but they will express their conviction, that such a course is most highly injurious to the Institution, and that no establishment, especially an University, can be well conducted if the Officers will not be satisfied to yield their opinion to that of the majority. But if the resistance of the minority should be able, as in the present case, to impede the operations or stop that course which the rest of the Governing Body consider to be necessary for the prosperity of the establishment, it appears to the Committee that not merely the reality but the very semblance of government is destroyed, and that anarchy and ruin must be the result.

There are some other topics incidentally noticed in the Memorial, which the Committee think open to animadversion, but as they are not immediately connected with the principal subjects, they deem it advisable to forbear noticing them at present, particularly as the number of those on which they have considered it necessary to offer remarks, has been so great; they will therefore submit the following suggestions:

1. That the sale of lands shall be resumed and continued until all the present Endowment shall have been disposed of, except such lots as may be advantageously kept under lease.
2. That the collected proceeds of such sales shall be funded in three ways: 1. Debentures; 2. Profitable estates; 3. Wild Lands in favorable localities.
3. That the collection of the arrears of interest and of rent shall be more strictly enforced; a sufficient time being fixed within which all must be paid.
4. That the Bursar shall submit with his usual quarterly returns, a balance sheet, shewing the receipts and expenditure on account of Capital and Income distinctly separated. For Capital he shall take as receipts the proceeds collected of lands sold; and, as disbursements, all payments for investment for buildings, for outfit, and such other expenditures as are usually borne by Capital. For Income he shall take as receipts all rents, interest, dues and fees collected, grants made, and miscellaneous items not before mentioned; and as disbursements, the expense of management, and the salaries and contingencies of the University and College.

If it should happen that one of these services requires aid from the funds of the other, such circumstance shall be particularly noticed, and the service so borrowing shall be debited with the loan, and charged with interest thereon.

(Signed,) JOHN McCAUL,
 King's College, Chairman.
 28th May, 1845.

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No. 1.—KING'S COLLEGE.

TABULAR view of the Receipts and Expenditure on account of Capital from the year 1828, to January 1845.

RECEIPTS.	AMOUNT.			EXPENDITURE.	AMOUNT.		
	£	s.	d.		£	s.	d.
Royal Grant for Buildings,.....	4,999	19	9	University grounds with improvements,.....	13,563	17	6
Proceeds of sales collected,.....	85,816	1	1	S. E. Wing,.....	10,290	5	2½
				Materials for S. W. Wing,.....	1,000	0	0
				Drain,.....	200	0	0
				Anatomical Theatre and Fittings,.....	391	18	11
				Chapel, Hall, Library, Apparatus, Museum, and Stock in general,.....	7,186	17	2½
					32,632	18	10
				Balance,.....	58,183	2	0
	£ 90,816	0	10		£ 90,816	0	10

It appears from the above, that the Capital received exceeds the Capital spent by £58,183 2s.

No. 2.—KING'S COLLEGE.

TABULAR view of the Receipts and Expenditure on account of Income from the year 1828 to January 1845.

RECEIPTS.	AMOUNT.			DISBURSEMENTS.	AMOUNT.		
	£	s.	d.		£	s.	d.
Interest,.....	36,045	2	0½	Management,.....	16,769	10	2
Rents,.....	19,532	4	4½	Salaries and all other current expenses,.....	12,491	16	11½
Dues and fees,.....	1,249	13	2		29,261	7	1½
				Balance,.....	27,565	12	5½
	£ 56,826	19	7		£ 56,826	19	7

It appears from the above, that the Income received exceeds the Income spent by £27,565 12s. 5½d. It remains then to account for the two balances.

Capital £58,183 2 0
Income 27,565 12 5½
£85,748 14 5½

No. 3.—UPPER CANADA COLLEGE.

TABULAR view of the Receipts and Expenditure from the year 1829 to January 1845.

RECEIPTS.	AMOUNT.			EXPENDITURE.	AMOUNT.		
	£	s.	d.		£	s.	d.
Parliamentary grants,.....	13,099	19	1	Buildings and Grounds,.....	18,948	2	3
Proceeds of sales of land collected,.....	10,430	3	1	Salaries and all other current expenses,.....	70,573	19	1½
do. of Town lots,.....	1,235	7	9	Debts and investments,.....	1,759	4	0
Interests,.....	2,626	4	8				
Rents,.....	394	9	11				
Dues,.....	24,825	1	10½				
	52,611	6	4½				
Balance,.....	38,669	19	0				
	£ 91,281	5	4½		£ 91,281	5	4½

It appears from the above, that the Expenditure exceeds the Receipts by £38,669 19s. which amount was supplied from the funds of the University.

No. 4.—UPPER CANADA COLLEGE.

TABULAR view of the application of the surplus Capital and Income of the University.

	£	s.	d.
Debentures, Mortgages, Cash, &c,.....	47,078	13	5½
Buildings and Grounds, Upper Canada College,.....	18,948	2	3
Salaries and current expenses of Upper Canada College,.....	19,721	16	9
	£ 85,748	14	5½

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No. 3.—*Opinion of the Visitors of King's College on the subject of the two preceding Documents.*

The Visitors of King's College have been requested by His Excellency the late Governor General, as Chancellor of the University, to state whether in their opinion it is competent to the College Council to sell or alienate the lands which formed the Endowment, for any and what purposes?

2ndly. Whether anything can be done by mere vote of the Council which the Statute authorizes to be done by Statute, Rule and Ordinance?

3rdly. Whether a Statute ought to be passed for the appropriation generally of all monies to be expended, that is to say, a gross sum for the Bursar's Office, a gross sum for any other incidental expense (the Library for example,) and especially for the salaries of Professors and other Officers of the Institution?

The Visitors would gladly (if they could with propriety) forbear expressing opinions upon these questions, especially upon the first of them, because they are sensible that although it is strictly in their capacity of Visitors that they have been thus referred to, yet their opinions are likely to be regarded in general as judicial, and they feel that as the doubts which have suggested these questions may at any moment give rise to legal proceedings in the Court of Queen's Bench, affecting the rights of parties unconnected with the College, it would be much more satisfactory to such parties that the Judges should be in a situation, after hearing the arguments that might be addressed to them, to pronounce a judicial decision in any such case unbiassed by any previous declaration of their opinions.

But being in fact made Visitors by an Act of the Legislature, and their duties as such not being limited by the Charter to any special objects as is sometimes the case, nor directed to be performed in any peculiar manner, they consider that they have no right to withhold from the Institution any advantage which it may be supposed can be derived from their discharging fully the duties of Visitors in the sense which belongs to the office, in connection with such a Corporation as that of King's College; in other words, as the Bishop of Quebec must have done if he had continued to be the Visitor, according to the original Charter.

The Visitors are aware that the Court of Queen's Bench in England are by law Visitors of many Corporations; but those are Institutions of a different kind and for different purposes; and the duties of Visitation which are considered to be incumbent in the Court in such cases are of a different nature, having other objects in view and are performed only in the open and regular exercise of judicial functions upon a proper formal proceeding, at the instance of some party having a substantial interest in the question moved.

The Statute 7 William, IV. chap. 16, however has made not the Court, but the Judges of the Court, Visitors of King's College; and being the only Visitors of this Eleemosynary foundation, they suppose it to be incumbent upon them to do whatever Visitors of such a Corporation should do, to whom the duty has been committed in an unrestricted sense.

The Visitors have thought it right to state these considerations, because if there be any inconvenience or impropriety in committing a duty of this description to the Judges, it rests with the Legislature to place the matter on another footing.

The Visitors further beg leave to state that they are not aware that it is regularly a part of the duty of Visitors to answer references upon abstract questions of law affecting the Institution or its proceedings, but they consider their duties are rather to visit the College when they apprehend that there may be some abuse or irregularity requiring to be checked,—to afford redress to any

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member or officer of the Institution complaining of injustice,—to keep the Governing Body of the Corporation within the terms of the Charter,—and to exercise the power of supervision in regard to the Statute that the Charter has committed to them.

For the direction of the Council upon any doubtful legal question that may present itself, the more regular course would seem to be to take the opinion of Counsel and to abide by that opinion, leaving it to the Visitors to interfere in their discretion when they have reason to think that anything wrong has been done, or upon an application from some party entitled to look to them for redress.

Having offered these explanations of their sentiments upon a subject which has been little canvassed in this country, and offered them rather with a view of their being considered in connexion with any reference which it may be proposed to make to them hereafter, than by way of urging objections on this occasion which might create embarrassment, the Visitors proceed to state:

1stly. That in their opinion it is competent to the College Council to sell or alienate the lands which form the Endowment, in order to raise funds for carrying on the proper business of the Institution.

2ndly. That in their opinion there may be many things legally done by vote or resolution of the Council which the Charter authorizes to be done by Statute, Rule or Ordinance.

The Visitors have answered this question strictly in the terms in which it is proposed to them. It need hardly be said that if there be anything which the Charter requires to be done, by Statute, Rule or Ordinance, such matters cannot be done by mere vote of the Council.

3rdly. In the opinion of the Judges a Statute ought to be passed, authorizing any permanent or stated appropriations of money in the shape of salaries to Professors or others, and that any other payment of contingent account whether for the Library or other incidental purposes, or for the ordinary current expenses of the Institution, should be made under the authority of some Statute, Rule or Ordinance, either specifying the particular service and expenditure, or directing prospectively how such charges may be incurred and defrayed as the occasion arises, and providing for the subsequent passing of the accounts.

When the Visitors speak of this as being fit to be done, they do not go so far as to say that it is to the full extent necessary in strictness of Law, so that whatever has been done otherwise is illegal; they do not conceive that the power given to the Council of King's College to make Statutes, Rules and Ordinances respecting the management of the revenues and property of the College, was given in any other spirit or intended to be exercised in any other manner than the power to make Statutes for such purposes as is understood to be given, and is usually exercised in other similar Institutions; and the Visitors have, unfortunately, not had the means of observing what is the course usually practised in that respect in other Colleges governed under similar Charters.

The Visitors have no doubt that the College Council may (subject to the approval of the Visitors) make Statutes which shall extend to and control the expenditure of the revenues in every particular, and in regard to the minutest and most ordinary charge, so that no expenditure could afterwards rightly take place which should not be made in strict conformity to such Statutes.

But so long as such Statutes have not been made, the Visitors do not express the opinion that the Governing Body of King's College may not by analogy with other Corporations make many disbursements in the ordinary conduct of their affairs by their mere resolution or order, and without a formal statute.

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To prevent complaints and misunderstanding, and for the satisfactory discharge of the duties committed to them, the Council would, in the judgment of the Visitors, do well if they should carefully provide that not merely the manner in which the revenues and property shall be *managed*, but also the appropriation and use that shall be made of the revenues and property, shall as far as can be done be provided for by statute.

In speaking of King's College and of the conduct of its affairs as regards the care and disposition of its revenues and property, the Visitors have assumed, as the Provincial Legislature appears to have done, that the College Council, which includes the Chancellor and President, is the Governing Body of the Corporation, and that in fact it is the Council and not the Chancellor alone that represents the Corporation, as well for administrative purposes as in the exercise of the Legislative powers committed to it by the Charter.

This is not expressly stated in the Charter, but we have no doubt that it was so intended and has been always so understood, and that in the absence of any other provision, it results from the supreme or Legislative power being committed to the Council.

(Signed,) J. B. ROBINSON, C. J.
J. JONES, J.
A. McLEAN, J.
C. A. HAGERMAN, J.

Dissentient: J. B. MACAULAY, J.

Toronto, 17th December, 1845.

A true copy,

(Signed,) H. BOYS,
Registrar, K. C.

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(D. D.)

7th May.

Montreal :

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ST. NICHOLAS STREET.

REPORT

OF

THE COMMISSIONERS APPOINTED TO ENQUIRE INTO THE STATE AND ORGANIZATION OF THE

CROWN LAND DEPARTMENT.

To His Excellency, Lieutenant General the Right Honorable Charles Murray, Earl Cathcart, of Cathcart, in the County of Renfrew, K. C. B., Administrator of the Government of the Province of Canada, &c., &c., &c.,

May it please Your Excellency,

The undersigned Commissioners appointed to enquire into the state and organization of the Crown Lands Office, (Appendix A. 1 & 2,) beg leave to Report:—

That, in prosecuting their enquiries, in addition to calling for and receiving from the Crown Lands Department numerous Returns, (Appendix A. 3,) shewing the extent of the business of that Department, as far as it relates to the sale and management of the Public Lands under the Act 4 and 5 Victoria, chapter 100, the manner in which it is carried on, and the expense incurred in its management, they also addressed letters (Appendix B. 1.) to numerous individuals in various parts of the Province, requesting them to state their opinion of that management, and to bring under the notice of the Commissioners any causes of complaint which they might know to exist.

They have also made enquiries into the mode in which the affairs of the Canada Company are conducted (Appendix B. 3); and, as far as such information is likely to be useful, into the system at present pursued by the Government of the United States in the disposal of the Public Lands of that country. (Appendix B. 6.)

The answers to the queries addressed to the different parties on these subjects (Appendix B. 2, 3, and 6,) are submitted herewith.

It will be remarked, that in those given by the different gentlemen addressed in this Province, few important changes in the principal features of the present system are suggested, though there are many conflicting opinions as to the advantages, or otherwise, which the system itself possesses for the disposal and settlement of the Public Lands, and as to the manner in which that system has been administered.

In the disposal of the Lands of the Canada Company, the Commissioners of that body have to contend against few or none of the difficulties which necessarily render the Government system more complicated. They have but one description of Land to dispose of, and that by sale only; but it is to be remarked, that their system of sale is at once more simple and economical, and that it appears to have given satisfaction to the public.

The principal difference in the system of sales of Public Lands in the United States, and that pursued in this Province, is to be found in the small number of local Agents employed in the former country; in proportion to the quantity of Land placed at the disposal of each, and the separation of the Offices of these Agents from that of the Receivers of public monies paid for Lands. The Com-

missioners are without the means of ascertaining the percentage on the proceeds of the Public Lands charged for their sale and management.

In examining into the different Statements furnished by the Crown Lands Department, (Appendix A. 3,) the Commissioners cannot avoid being at once struck by the very great expense incurred in the management of the Public Lands, and the great increase of the business, and, consequently, in the expenditure of the Crown Lands Department, which that management would appear in part to have given rise to; and they have given their earnest attention to its causes.

It is shewn by the accompanying Statement, (Appendix B. 7, Table 1,) that the gross receipts for Crown Lands for the eight years ending 31st December, 1845, amount to £204,890 4s. 9d., against which is charged, as expenditure, £52,925 10s. 11½d., or nearly 26 per cent, on the whole amount received. It appears also, on further examination, that the expenditure in proportion to the receipts has been regularly increasing. For the four years ending 31st December, 1841, the receipts are £55,208 1s. 3d., and the expenditure £12,622 17s. 0½d., or nearly 23 per cent, while for the latter period of the same number of years, ending 31st December, 1845, the receipts are £149,682 3s. 6d., and the expenditure £40,304 13s. 11d., or nearly 27 per cent on the whole. It is evident that if the whole amount received had been cash, the percentage of expenditure would still have been extremely high; but when it comes to be seen that out of the sum of £35,208 1s. 3d. received in the former period, only £15,572 11s. 9d. is cash, and, in the latter period, out of £149,682 3s. 6d. only £4,033 3s. 9d. is money, and that the remainder is made up of Land Rights and Scrip, it would seem so out of all proportion to the revenues of the Department as to call imperatively for a more economical system.

The results are, that, for this period of eight years, during which the present system of disposing of the Public Lands has gradually been coming into full operation, a sum of £28,320, besides what has been received in Cash, has been withdrawn from the revenue derived from the duties on Crown Timber, (Appendix A. 3, II., Ques. 12,) to defray the charge of alienating 426,211 acres of the valuable Lands of the Crown, besides 2,577 Town and Park Lots. In addition to the amount thus taken from another and productive source of revenue, a further sum of £16,053, has been withdrawn (Return E. Appendix A 3, III.) to repay the Clergy Reserve fund that amount received in Scrip, in payment for these Lands in the years 1839, 1840, 1841. A considerable sum has also been expended on the Owen Sound Settlement, (Ques. 13, Appendix A. 3, II.) £6,233 7s. 2d., including the Parliamentary grant, making in the whole for the alienation of the quantity of Land above named, and for the extinction of Land Rights and Scrip, a charge to the Province, of £40,606 7s. 2d. It is true, that during the period that this large expenditure has been in progress, a very considerable number of claims on the

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Government, for Lands, have been settled either by the issue of Scrip, or by the termination of Locations by the issue of Patents or by forfeiture.

There are still, however, a large number of these claims for Lands under location, which remain unsatisfied. By a Return from the Crown Lands Office, (Appendix A. 3, III., Tables F. a. and G. a.) in Canada West alone, there are 506,753 acres located to claimants of various descriptions, for which no Patents have issued, and a large amount is in the same position in Eastern Canada, of which no return has been made to the Commissioners, but estimated by Mr. Bouchette at about 80,000 acres; besides these, there are yet unsatisfied claims for Scrip, (Appendix A. 3, IV.) to the amount probably of £70,000, and past experience shews that until these claims cease to exist, they will continue to create a great deal of work for the Land Department, and, as a consequence, an expenditure out of proportion to its revenues. Their existence is the cause of endless correspondence; it gives rise to many ill-founded claims on the consideration of the Government made by Squatters, and it prevents the Department shewing clearly the whole of the Public Lands at their disposal.

It will be seen, that one of the most important items in the expenditure of the Department, (Appendix A. 3, III., Return D. and Appendix B. 7, Table IV.,) is caused by the appointment of Local Agents in each District of the Province.

The gentlemen before referred to, to whom queries were addressed by the Commissioners, are divided in their opinions, as to whether the services of these Agents are beneficial to the public or not. (Appendix B. 2, Answers to Query 4.) Some consider their appointment as having facilitated the settlement of the Public Lands, whilst others, and these last form a small majority, are of a contrary opinion.

It seems to the Commissioners extremely questionable whether their services, as far as the general interests of the public are concerned, are really of any value. The Canada Company had at one time persons in this capacity acting for them in almost every District of Upper Canada; (Appendix B. 3,) they have for some time ceased to employ them altogether, their employment having been attended with the most unpleasant consequences; and so far from their being of any assistance, they were found an impediment to the transaction of business.

In the United States, one Agent is found sufficient for a large tract of country. It will be seen on reference to the evidence of the Assistant Commissioner of Crown Lands (Appendix A. 6,) how limited their powers are, and in how trifling a degree they can, in reality, give information or assistance to parties applying for the purchase or grants of Public Lands. It will appear also, on reference to the evidence given by Mr. Spragge and Mr. Dean, (Appendix A. 4,) that far from diminishing the labor and expense of the Chief Office, they have, to a great extent, increased both; and the large increase in the correspondence and other business of the Department further shew that they in no degree decrease its labours; it is evident indeed, that without powers equal to those of the Commissioner of Crown Lands himself, they cannot diminish the labor, because in every case where the mode of proceeding must necessarily differ from that laid down in their letter of general instructions, (Appendix A. 3, III., Return W.) they are compelled to refer to the Chief Office; and it is sufficiently obvious that such a power can never be given to so great a number of small Agents. Another and a most serious objection to the employment of these Agents may be found in the impossibility of ascertaining the amount of public monies in their possession beyond that shewn by their own statement. (Appendix A. 3, I.—Queries 8, 9, and 12; also, Appendix A. 4, II, Mr. Dean's evidence.) The documents furnished by the Office shew that defalcations to a considerable extent have already occurred, (Returns A. O. in Appendix A. 3, and Table B. accompanying Mr. Dean's answers,) and they are of course liable to recurrence. In some instances,

years have elapsed before these defalcations were brought to light, and although it may be possible in some cases to recover any deficiency of this nature from the Agents themselves or their sureties, yet more or less expense must necessarily be incurred by the Government in proceedings for that purpose, and more or less inconvenience be suffered by the purchasers of Public Lands; and it is clear that the Crown Fund must sustain all losses of this nature, which have been or may hereafter be incurred.

Another great cause of the increase of the business of the Department, and consequently of its expenditure, appears to have been occasioned by treating claims for Land or Scrip as money. They have thus become mixed with money itself, and have led to a most complicated and expensive system of book-keeping. If, instead of issuing Scrip, which is attended with considerable expense, a certificate setting forth the right of a party to Land had been given, and this certificate had been taken as payment for Lands to its extent, the numerous fresh applications to the Government for the issue of Scrip to satisfy claims which are unquestionable, and which had been before admitted; would have been avoided, and a great deal of labor and expense saved to the Department; but when Scrip had been issued, the Land purchased with it should have been treated simply as located, and the Scrip itself ought never to have appeared in the cash books of the Department. In addition to other causes of expenditure to which the present method of treating Scrip has given rise, it has caused it to be looked on as money in the remuneration to Agents who have received their per centage in cash, in full, on the nominal amount of an article which, in the market, is not worth more than 50 per cent; whereas, by a different arrangement, they would have been allowed for the trouble of making locations, a remuneration probably in some proportion to that formerly allowed by the Government to those who were employed in similar service.

The charge for Postage is also unreasonably large. (Tables I. and II. Appendix B. 7, also Appendix A. 6, Queries 22 and 23.) It has, for some years, been rapidly increasing, and is now at the rate of upwards of £1000 a year, a sum which, under a different management, would go far towards defraying the whole expense of the Department. It would only be just that, in all cases, parties applying for any favor or indulgence from the Government, or seeking information for their private benefit, should transmit such documents as are required to substantiate their claims, without expense to the public. But at present not only is the expense borne by the Department, but replies to all applicants on business which concern themselves alone, are sent free. As may readily be supposed, this course has created for the Office an immense correspondence, and induced numberless applications which, but for it, would never have been made.

After the existing claims for Land or Scrip shall have been satisfied, that part of the Department formerly the Surveyor General's Office, will become, in a great degree, an Office of record only; and as the information it will be capable of affording, will be sought chiefly for private purposes, it may perhaps be desirable that the public revenue should be relieved from some portion of the expense of its management, by the exaction of moderate fees for such information, to go to the benefit of the "Fee Fund."

It will be observed that, with only two exceptions (Appendix B. 2, Q. 7.) the gentlemen before referred to are in favor of reverting to the system of selling the Crown Lands on credit. The Government have already adopted the principle in its fullest extent in the disposal of the Clergy Reserves; and, though the present system of prompt payment is attended with much less trouble and inconvenience, and presents many advantages, yet the opinion in favor of the other is so general, and it is considered so much better suited to the wants of the country and to facilitating its settlement, that it would probably be advisable to adopt it.

On referring to the Returns from the Crown Lands Office (Appendix A. 3, and Tables II. and III. Appendix B. 7.) it will be observed that the charge for the sale and

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management of the Clergy Reserves has also been regularly increasing. For the four years ending December 31st, 1841, the gross receipts for these Lands were £87,003, and the expenditure £8,912 12s. or nearly 10½ per cent. For the four years ending December 31st, 1845, the receipts were £104,350 6s. 1d. and the expenditure £26,185 8s. 4d. or 25 per cent. By instructions from Mr. Secretary Murdoch, of August 10th 1841, (Appendix A. 7,) the Clergy Reserve Fund has been charged with a per centage (40 per cent) on the whole expenses of the Crown Lands Department, and this charge has, to a considerable extent, relieved the Crown Land Fund during that period.

The Commissioners are, however, of opinion, that a charge made on this principle is liable to the gravest objections, as it subjects the Clergy Reserve Fund to a proportion of expenses which have no reference to it; and it is obvious, that in the event of there being improper or erroneous expenditure in the management of Crown Lands, this expenditure will thus affect those Lands devoted to the religious instruction of the people, which should be as profitably and as economically managed as possible. It is the opinion of the Assistant Commissioner of Crown Lands, that the charge on the Clergy Fund should not exceed 20 per cent, on the expense of the whole Department, (Appendix 3, II., and A. 7, Queries 36 and 37;) and the propriety of burdening it with the present charge is still more questionable, when it is seen that for several years previous to 1845, (Return E. Appendix A. 3,) no sales of these Lands were made, and that the amount charged against them is merely for the collection of monies due by individuals for Lands previously purchased. Reference is requested to the proposal of Absalom Shade, Esquire, herewith submitted, (Appendix B. 5,) to undertake the sale and management of the block of Clergy Reserves and Crown Lands situated to the North and West of Woolwich, Waterloo, &c. for a remuneration of six per cent, on the amount received. This proposal is for the consideration of the Government, but the Commissioners, in relation to it, would express their conviction that the service can be well and efficiently performed for the remuneration proposed.

The attention of the Commissioners has been called to the valuation of Clergy Reserves lately made in many Districts of the Province. The Townships of Peel and Wellesley in the Wellington District, are valued at prices varying from 2s. 6d. to 12s. 6d. per acre, and the Commissioners have the opinion of Absalom Shade, Esquire, and the Hon. James Crooks, that these Lands are worth on an average, at least, 15s. per acre, and could be sold at that rate. It will be seen by the evidence of gentlemen, (Appendix B. 8,) who are competent judges, that the valuation of these Lands in the Brock, Colborne and Midland Districts (Return V. Appendix A. 3,) are below what they are fairly worth; and the opinion of the Assistant Commissioner of Crown Lands (Appendix A. 6, Query 33,) goes to confirm this evidence as to the valuations generally throughout the Province. By a regulation of the Crown Lands Office, no Clergy Reserves are to be sold at a lower rate than the upset price of Crown Lands; and the answers given by Mr. McNabb (Appendix A. 4,) shew that unoccupied Clergy Reserves in many Districts, valued at prices ranging from 1s. 3d. to 7s. 6d. per acre, have been sold at 8s. per acre. The parties appointed to value these Lands, appear generally to have been chosen, not from any peculiar fitness they possessed for the duties required of them. Some of them were incompetent, and others irresponsible; and the Commissioners, from their own knowledge and from the evidence before them, have no hesitation in expressing their conviction that little or no reliance can generally be placed in their valuation, and that they are generally far below what the Lands are fairly worth.

Few or no complaints have been made regarding the expenditure in the management of the Public Lands, the burden falling on no one personally; but it is different with the management of the Department itself, as the complaints made by the late James H. Kerr, and others, will shew. (Appendix B. 9; also, Appendix B. 2, Queries 1, 2 and 3.) These complaints have arisen partly from the necessity that exists, or is supposed to exist, under the pre-

sent Statute, of referring such a large proportion of the applications made to the Crown Land Department for Patents, or the purchase of Land, or the issue of Scrip, to the Honorable the Executive Council, to obtain an authority for the issue of such Patents or Scrip, and partly from the absence of that prompt and vigorous decision on and despatch of business by the Department itself, (Returns T. and U. Appendix A. 3,) which the nature of the service peculiarly requires.

The opinion of the Commissioners, looking at the whole of the evidence before them, is, that the present system of disposing of the Public Lands is liable to many objections, and that the administration of it has been such as to fail in giving satisfaction to the public.

With a view to the adoption of a better and more economical system, the Commissioners beg to make the following recommendations:—

That the District Agencies be discontinued.

That in lieu thereof, if it be found inconvenient from distance or otherwise, that the Land business of the whole Province should be conducted at the Seat of Government, one Office be established in Canada West, and another in Canada East, for the transaction of all business in each section of the Province.

That these Offices be put under the charge of efficient persons, who shall be empowered, under general instructions from the Government, to sell and dispose of all vacant Crown Lands and Clergy Reserves which shall be open for sale, and to settle and dispose of all admitted claims against the Government, whether for Land or Scrip, without further reference to the Council.

That measures be taken to close all claims against the Government for Land by locatees or for Scrip, within two years.

That all Scrip issued prior to January, 1846, be called in before January, 1848, and all Scrip issued after that date be made payable within two years of its date, and not afterwards.

That all Lands assigned in liquidation of Scrip be treated simply as locations, for which Patents shall at once issue.

That the Crown Lands Office require all parties to pay their Postage, and discontinue the practice of prepaying Letters or Documents not strictly on Government service, which are sent from the Office.

That sales of Crown Lands be made on a credit, taking not less than $\frac{1}{3}$ or $\frac{1}{4}$ of the purchase money down; but that Cash only be received in payment of such sales.

That instead of a proportion of the expense of the Department, the Clergy Reserve Fund shall be charged with a per centage on the amount actually received for Lands sold or monies received on its account, such charge not to exceed six per cent.

In order to ensure vigilance and economy in the expenditure of the Funds, the Commissioners would also recommend:

That the gross proceeds of the sale of Lands, and all monies paid into the Crown Lands Office or to its Officers, be transferred at once to the Receiver General; and that all salaries and disbursements of the Office be covered by a Warrant on the Receiver General's Department, as is practised in all the other Government Offices.

All which is respectfully submitted.

(Signed,) WM. MORRIS,
JAS. HENDERSON,

Montreal, April 16th, 1846.

The undersigned dissents from that part of the Report which describes in detail the changes recommended by the other Commissioners.

(Signed,) D. B. PAPINEAU.

Montreal, April 16th, 1846.

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APPENDIX.

- A. 1.—Letter of Provincial Secretary transmitting Letters Patent.
- A. 2.—Letters Patent appointing Commissioners.
- A. 3.—Returns and information obtained from the Crown Land Department:—
- I. Relating to Agents.
 - II. Relating to Sale, &c. of Crown Lands, Clergy Reserves, &c.
 - III. Tabular Returns referred to in the above.
 - IV. Issue, &c. of Scrip.
 - V. Internal arrangements of Crown Lands Office.
- A. 4.—Questions put by the Commissioners, through the Commissioner of Crown Lands, to Clerks in the Department, with their Answers:—
- I. W. B. Spragge, Esquire.
 - II. John Dean, Esquire.
 - III. Alexander M'Nabb, Esquire.
- A. 5.—Memorial of T. D. Harington, Esquire, on the issuing of Land Patents.
- A. 6.—Additional Evidence of the Assistant Commissioner of Crown Lands.
- A. 7.—Letter of Mr. Secretary Murdoch, fixing Charges to be made on Clergy Fund.
- B. 1.—Circular of Enquiry, and to whom addressed.
- B. 2.—Answer to Queries in above Circular.
- B. 3.—Answers to Enquiries made of Canada Company, relating to their mode of transacting business.
- B. 4.—Letter of William Hamilton Merritt, Esquire, M. P. P.
- B. 5.—Proposal of Mr. Shade to dispose of Lands, &c.
- B. 6.—Outline of the System adopted in the United States.
- B. 7.—Tables compiled from Returns from Crown Land Department.
- B. 8.—Evidence on the valuations of the Clergy Reserves.
- B. 9.—Complaints of James Hastings Kerr, Esquire.

A. 1.

Copy of Letter of Provincial Secretary Daly, transmitting Letters Patent appointing Commissioners to enquire into the organization and state of the Crown Lands Department.

Secretary's Office,
Montreal, 9th August, 1845.

Sir,

I have the honor, by command of the Governor General, to transmit to you herewith a Commission appointing yourself, the Honorable William Morris, and James Henderson, Esquire, Commissioners to enquire into the organization and state of the Crown Land Department.

I have the honor to be, Sir,
Your most obedient servant,

(Signed,) D. DALY,
Secretary.

Hon. D. B. Papineau,
Commissioner of Crown Lands,
&c. &c. &c.

A. 2.

Copy of Letters Patent appointing Commissioners.

[L. S.] Province of Canada.

(Signed,) METCALFE,

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c. &c. &c.

To all to whom these presents shall come, *Greeting*:—

Know ye that We, reposing trust and confidence in the loyalty, integrity, and ability of the Honorable Denis Benjamin Papineau, Our Commissioner of Crown Lands, the Honorable William Morris, Our Receiver General, and James Henderson, of the City of Montreal, Esquire, have been pleased to nominate and appoint, and do by these presents nominate and appoint, the said Denis Benjamin Papineau, William Morris, and James Henderson, to be Commissioners to enquire into the organization and state of the Crown Lands Department of and in Our said Province of Canada, and to investigate the system of conducting the business thereof, and to report upon the said several matters, and whether in their opinion any change may be made therein. And We charge and command all persons to be aiding and assisting the said Commissioners in the performance of the duties hereby assigned to them; giving them, the Commissioners aforesaid, full power and authority to call before them any person and persons, and to inspect all books and papers they may desire, with a view to their obtaining such information as they may deem necessary for their guidance and assistance therein.

In testimony whereof We have caused these Our Letters to be made Patent, and the Great Seal of Our said Province to be hereunto affixed. Witness, Our right trusty and well-beloved Charles Theophilus, Baron Metcalfe, of Fernhill, in the County of Berks, G. C. B., one of Our Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor in Chief in and over Our Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice-Admiral of the same, &c. &c. &c. At Montreal, this sixth day of August, in the year of Our Lord one thousand eight hundred and forty-five, and in the ninth year of Our Reign.

By Command,

(Signed,) D. DALY,
Secretary.

(Signed,) W. H. DRAPER.

A. 3.

Information and Returns obtained from the Crown Land Department, as furnished by the Assistant Commissioner, Tancred Bouthillier, Esquire.

I. Relating to the Local Agent.

Q. 1. Required a Statement of the accounts at this time, (16th August, 1845,) as well between the present District Agents as between those who have been dismissed, or have resigned, or otherwise, and the Crown Land Department, shewing the balances, if any, due by each?—*Vide Returns A.*

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Q. 2. If there be balances due, at what periods did they accrue?—*Vide Returns A.*

Q. 3. What is the difference, if any, between the amount claimed by each Agent for commission and charges, and that allowed or proposed to be allowed them by the Department; and the period when such differences occurred?—*Vide Returns A.*

Q. 4. Do the Agents make Returns of sales and of all monies received by them, punctually at the end of each month, or are such Returns frequently delayed; if so, for what length of time, and what are the causes of such delay?—With the exception of the defaulters who are more particularly noticed in the accompanying Statements (A.), the regularly appointed Agents are generally punctual in the transmission of their Returns.

Q. 5. In the event of an Agent having received sums of money of which he has made no Return, has the Department any means of ascertaining the fact and the amount of such payments, or any check to prevent the Agent retaining the monies?—The Department has at present (10th September, 1845,) no immediate means of ascertaining that an Agent has received monies of which he has made no Return, nor check to prevent his retaining such monies.

Q. 6. Are there instances in which receipts from the Agents to parties for payments made to them, have come to the knowledge of the Department, and of which the Agent had rendered no account; if so, to what amount?—There are many instances in which Agents' receipts for payments made to them have come to the knowledge of the Department, and of which those Agents had not rendered any account. This has been the case to the amount of nearly three thousand pounds since the establishment of District Agencies. (10th September, 1845.)

Q. 7. Are there instances in which the Agent has retained in his own hands sums of money which his Returns shew him to have received?—There are a few such instances.

Q. 8. Are there any instances in which an Agent lately appointed has returned monies paid to him as third or fourth instalments on lands sold, when the books of the Department shew the previous instalments not to have been received?—There are such instances.

Q. 9. When a new Agent has been appointed, and the former one refuses to give up his books or render any statement of his accounts, does the Department possess the means of giving the new Agent a statement which can be relied on as correct, shewing the lands yet unsold, and the amount due on former sales?—In the cases alluded to, if Returns have been regularly furnished by the late Agent, the Department may supply the new one with a correct statement of the lands yet unsold, and of the amount due from sales; but this, of course, requires time and labor.

Q. 10. Can the Department, from the experience of past years, be warranted in believing that there are no receipts of their Agents outstanding, of which no account has been rendered; and are such receipts frequently presented?—From past experience I think I am warranted in believing that, with the exception of those from Agents known or returned as defaulters, there are not many outstanding receipts of which no account has been rendered. (10th September, 1845.)

Q. 11. Is it not probable, from past experience, that Agents' receipts for monies of which no account has been rendered, may be outstanding for many years without the knowledge of the Department, and that they may be presented when recourse for the amount can be had neither against the Agent nor his sureties?—This contingency could, I conceive, only occur in case of death, resignation, or removal, and might be in some measure guarded against by giving proper notice to the sureties, and directing the new Agent to make a general and immediate call upon all parties in his District appearing in arrear, which would, no doubt, bring to light any irregularity on the part of the

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late Agent; but the Department will always be more or less exposed to losses with its Agents. Means of control have been some time in contemplation.

Q. 12. Is it the opinion of the Department that the employment of Agents in the various Districts greatly, or in any degree, diminishes the trouble and expense that would attend the sale of Public Lands, if such sales were made directly by the Office to purchasers; or will the labor and expense of keeping accounts and corresponding with the Agents greatly exceed what would be required in transacting business with purchasers themselves?—Were all sales to be made in the Office to the first applicant, without regard to adverse claims, and for cash in hand only, they could be managed with less expense and trouble to the Department, and much more expeditiously than through District Agents; but this is hardly practicable under existing circumstances. Lots are frequently offered for sale, particularly in old settled Townships, which have been occupied twenty or thirty years, the conflicting claims to which, as also to locations which have been forty or fifty years in abeyance, necessitates a great deal of local information, which can only be obtained through resident Agents. I may add, that District Agents are a great convenience to settlers, and other purchasers, who generally wish to examine the land they intend to buy, and who would be put to considerable expense and loss of time if, instead of being able to complete their purchases in the locality of the land, they were compelled to travel back to the Seat of Government for that purpose, frequently from very distant parts of the Province. Agents are also found, if not actually necessary, at least very useful in the protection of public property throughout the Province; and I have no doubt that, with the additional powers which it is hoped will soon be obtained from the Legislature, the District Agents will be able to secure, annually, dues on public timber (now lost to the Province) to an amount equal to that paid to them collectively for commission. It therefore appears to me that a well-regulated system of District or Local Agents would be better suited to the wants of the country generally, and the exigencies of the Department; and if remunerated by a per centage on actual receipts, varying from 5 to 2½ per cent, I do not think it would be found much more expensive than any other system that can be proposed. I do not think, moreover, that it would be possible to manage efficiently the business of the Department, the details of which extend from Gaspé to Sault Ste. Marie, without the employment of paid external Agents of some description.

Q. 13. Have there been many new Agents appointed since the present system was first acted on, and does it seem probable that changes in this respect will frequently occur in future?—There have been many Agents appointed since the present system has been acted upon, and changes, although it is not probable they will be so frequent hereafter, will always occasionally occur.

Q. 14. When a new Agent is appointed, is there not generally much difficulty and delay in having accounts arranged with his predecessor, and in transacting business with which the new Agent must necessarily be, in a great measure, unacquainted?—The Department has frequently met with difficulties and delays in the transfer of the business and accounts of one Agent to another. It must necessarily take some time to instruct the new Agent and make him acquainted with the details of pending sales.

Q. 15. Has the Department been in the habit of settling accounts with its Agents in the respective Districts quarterly, half yearly, or annually; and at what period?—The Agent's monthly Returns are also monthly accounts current, as each has a recapitulation of the receipts and remittances during the month, and shews the amount kept back on account of commission. General accounts current are sent by the Office as regularly as the press of business will admit, once a year.

Q. 16. Required, in addition to that formerly given, a statement of the accounts of the Agents of the Department up to the present time, (February 1846,) shewing the amount of sales made by them, the amount of mo-

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ney and Scrip received, and the expenses attending sales and collections; shewing also whether the defalcations that then existed have increased or diminished, and to what extent?—*Vide* Returns O.

Q. 18. Is there any general code of instructions from the Department to regulate the Agents in their proceedings, and by which the remuneration allowed for their services is fixed; if so, please to furnish this Commission with a copy of the Instructions now in force (31st March 1846)?—*Vide* Return W.

Q. 19. By the Returns A, it is shewn that on the 30th June 1845, there were defalcations or arrears in the collections made by Agents, amounting to £3,546 18s. 1d. and by Returns O, supplementary to the former, that the deficit in the Agents' remittances to 31st December 1845, amounts to £3,751 15s. 10d.; what fund has hitherto been charged with this deficiency?—The defalcations remain at the debit of the respective Agents.

A. 3.

II. Relating to the state and management of the Crown and Clergy Lands.

Q. 1. Required a Statement shewing the number of acres sold annually by each Agent from 1839 to 1844 inclusive, also in the half year ending 30th June 1845, together with the amount received on account of Lands sold and as payments on former sales, specifying the sum paid in Land Rights or Scrip, and in Cash respectively, and shewing the amount allowed each year to the Agent for commission and all incidental charges?—*Vide* Returns B. C. D. F. G.

Q. 2. Required a Statement shewing the number of acres of Crown Lands sold in each year from 1st January 1838 to 31st December 1844, inclusive, also for the half year ending 30th June 1845, the amount received for Lands sold and for instalments due on former sales, specifying the sum paid in Land Rights or Scrip, and in Cash respectively, and the expenses of sale and management including all charges?—*Vide* Returns B. C. D. F. G.

Q. 3. The same Statement respecting Clergy Reserves, and the opinion of the Commissioner of Crown Lands as to what he thinks would be a fair charge on the Clergy Reserve Fund for the sale and management of the Clergy Reserves from 1st January 1845?—The first part of this enquiry is answered by Statements E. H. J. In a Report submitted in August 1844, I suggested a reduction of fifty per cent on the present charge for the Office management of Clergy Reserves. Forty per cent of the general disbursements of the Crown Land Department was directed by Lord Sydenham to be charged annually to the Clergy. I proposed twenty per cent, being a combined proportion of one-fourth disbursements in the Commissioner's Office, and about one-eighth on those of the Surveyor General's Office for the year 1843. The disbursements so to be divided to comprise stationery, salaries, postage, and all office expenses, such as furniture, rent, fuel, &c. &c. &c. These expenses, in 1843, amounted to £8,000, one-fifth of which would make £1,600. In 1844, the disbursements amounted to £7,000, and would leave £1,400 for the Clergy. This year (1845) they will probably exceed £8,000. I cannot estimate than on an average at less than £7,000 per annum. A fixed annual sum of £1,400 or £1,600 might perhaps be adopted for the management of the Clergy interest. Whatever sum or proportion is fixed upon, it will have to be apportioned between the different lands under which the Clergy Accounts are to be kept. The above is independent of the Commission paid to Agents.

Q. 4. (6th February 1846.) Required same Statements as A. B. C. D. E. F. G. H. J., continued for the half year ending December 1845?—*Vide* Returns O. P. Q. R. S.

Q. 5. (6th February 1846.) Required the amount of interest, rents, dues received on account of Crown Lands and Clergy Reserves in Upper and Lower Canada from

1st January 1838 to 31st December 1845, given in separate years, the last year being divided into half years?—*Vide* Returns P. and X.

Q. 6. Required a Statement shewing the number of acres sold, amount of sales, amount of receipts, specifying principal, interest and rents received on Crown Lands for the years 1828 to 1837 inclusive, together with a Statement of expenses of management during the same period?—(No Return.)

Q. 7. Required a Statement shewing the amount of Crown Lands open for sale, distinguishing those the sale of which is prevented from being carried out in consequence of the claims of occupants or otherwise?—(20th September 1845.) The Crown Lands for sale are estimated,

In Upper Canada at	2,160,652 Acres.
In Lower Canada at	1,500,000 do.
	3,660,652

Q. 8. What quantity of Clergy Reserves are now open for sale?—(20th September 1845.) The amount of Clergy Reserves to be disposed of, is

For Upper Canada	1,481,631 Acres.
For Lower Canada	600,078 do.
	2,081,709

Q. 9. What is the amount of Land located since 1st January 1832, for which no Patents have issued?—*Vide* Return F. a.

Q. 10. Required a Statement shewing the amount of Lands included in the list published by an Order in Council 4th April 1839, which have not yet been patented or sold, distinguishing the heads under which these Lands have been classed by the Council?—*Vide* Return G. a.

Q. 11. (31st March 1846.) Required a Statement of the Clergy Reserves lately applied for in the Brock District, with the value put upon them by the persons employed to value them?—*Vide* Return V.

Q. 12. In the Statement of the revenue arising from the sale of Crown Lands for the period from 1st January 1838 to 31st December 1845, (furnished by Return B. and Supplement,) the gross receipts in Cash appear to amount to £24,605,—and the disbursements, including Surveys, Commissions to Agents, Contingencies of Office, &c. (Returns F. G. and Supplement S.) are £52,925; out of what fund is the difference paid?—The difference has been paid out of the Timber fund.

Q. 13. (31st March 1846.) What amount has been expended on the Owen's Sound Settlement to the present time, including the Parliamentary Grant, and from what source has the money expended been obtained?—(3rd April 1846.) The total amount expended on account of the Owen's Sound Settlement appears to be £6,233 7s. 2d. on account of which has been received from Receiver General by Warrant £5,413 1 10
Paid out of the Funds of the Department
and charged to Government... .. 820 5 4

£6,233 7 2

Q. 14. What was the average per centage paid for surveying Lands in Upper Canada during the time that system prevailed?—In Upper Canada where the system prevailed, the average per centage paid was nearly 4½.

Q. 15. Did the practice of paying for Surveys by a per centage ever exist in Lower Canada; if so, what per centage was generally allowed?—I am not aware that the practice ever existed in Lower Canada.

A. 3.

III. Tabular Returns, &c. referred to in the above.

Appendix
(E. E.)

12th May.

Appendix
(E. E.)
12th May.

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(E. E.)
12th May.

A. (Lower Canada.)

STATEMENT of BALANCES due to or from Agents, amount of Payment made them for various Services and Contingencies, furnished in compliance with the Requisition of Commission of Enquiry, Crown Land Department.

Agents' Names.	Balance against Agent, 30th June, 1845.		Balance in favor of Agent, 30th June, 1845.		Remarks.	Amount paid Agent, for Services and Contingencies.		Amount of unsettled Claim.	
	£	s. d.	£	s. d.		£	s. d.	£	s. d.
J. Burrows...	8	13 8			Has a claim	17	7 9		
D. M'Lean	28	12 11			Receipts charged to him not returned to this Office				
J. Simpson...	10	9 11			Advances on account of explorations				
S. Grant	23	5 0			do	0	12 1		
G. Du Berger	432	6 6							
John Kane	41	5 1							
W. Bowron	1	14 7	0	5 7					
H. Hoyle			11	15 3					
W. Hall			3	19 4					
T. Barron			222	12 3	Salary				
W. Hargrave			0	1 2					
A. Ross			1	10 11					
Owen Quinn			6	18 11					
W. Morrison			114	11 11	Scrip on account of sales not yet charged				
G. L. Marler			892	11 10	Remittances in advance of Return...				
E. Martel			73	10 8	Commission				
John Felton			0	5 3					
A. Daley			127	15 1	Remittances on account of sundry sales				
W. Radford			2	2 5					
A. B. Lavallée			7	5 0					
P. Gauvreau			2	14 7					
R. Bourdages			2	0 0					
J. B. Martin			104	11 9	Debits yet to come in. Owes about £180				
C. F. Fournier			9	13 2					
L. Bigelow...			55	10 10					
Estate of G. Black					Return not yet complete				
Edmund Peel			3	16 0					
T. Griffiths									
E. M'Gie									
A. Bochet									
		£605 8 6		1636 19 2			£570 1 10		

(For Supplementary Return for half-year ending 31st December, 1845, vide O.)

CROWN LAND OFFICE,
10th September, 1845.

Appendix
(E. E.)
12th May.

Appendix
(E. E.)
12th May.

A. (Upper Canada.)

STATEMENT of BALANCES due to or from Agents, amount of Payments made them for various Services and Contingencies, furnished in compliance with a Requisition of the Commission of Enquiry, Crown Land Department.

Agents' Names.	Balance against Agent, 30th June, 1845.	Balance in favor of Agent, 30th June, 1845.	Remarks.	Amount paid to Agents, for Services and Contingencies.	Amount of unsettled Claim.	Proportion of unsettled Claim allowed.
	£ s. d.	£ s. d.		£ s. d.	£ s. d.	£ s. d.
P. Carroll ...	166 1 1	...	Arose in July last	110 16 10	1 7 3	1 0 2
Thomas Baines ...	282 10 7	...	Kept back since 1843, on account of claim for contingencies	* 593 1 8	1071 5 2	593 1 8
D. Campbell ...	55 2 2	...	Since June last	17 10 0	...	...
William Korke ...	...	214 2 1	Over a balance of £262, which has been standing since 1844	25 2 6	109 15 0	...
William Hawkins ...	...	195 9 5	Remittances in anticipation, and commissions	...	...	...
A. Leslie ...	...	88 5 0	do	8 14 2	...	...
W. J. Scott ...	...	27 7 6	do	150 0 0	7 1 0	...
F. M'Annay ...	...	2740 7 6	do	79 1 10	28 3 0	...
J. B. Askin ...	...	48 0 8	Remittances in anticipation of Returns kept back, most of which have since been furnished, and now shew a balance of £350 against him. On the 31st March it was about £800...	107 5 0	3 8 3	...
E. P. Smith ...	...	105 11 0	Commissions	21 7 1	...	...
J. Alexander ...	...	20 16 7	Commissions and remittances	17 14 5	...	...
A. M'Pherson ...	...	33 19 5	do	...	...	...
J. Carroll ...	...	21 17 3	do	...	...	...
J. Durie ...	...	0 4 8	...	...	...	...
F. Ferguson ...	...	9 10 6	...	...	...	...
P. M'Callen ...	...	25 7 7	...	...	...	...
S. Hart ...	...	4 1 9	...	...	...	...
J. H. Cummings ...	...	1 5 9	...	...	...	...
W. H. M'Cann ...	...	0 5 9	...	...	...	...
A. Geddes ...	123 19 1	...	Has a claim for £56 14s. 10d. £90 7s. 6d. credited since 1st June	90 7 6	56 14 10	...
Estate M. Blair ...	984 4 6	...	Defalcations made known since his removal	...	...	...
A. Campbell ...	22 19 3	...	Advance made to him	...	...	...
James Durand ...	524 1 5	...	Has been accumulating since 1841. He sets up a claim for the full amount. Mr. S. is the only Agent who has claimed more commission than has been allowed him	...	...	...
Thomas Steers ...	620 1 10	...	Has been accumulating since his first appointment	869 13 9	608 2 9	206 12 5
A. Manahan ...	97 11 6	...	Since settled	766 5 6	917 14 3	72 16 0
G. B. Lyons ...	90 19 5	...	£90 of Scrip, suspended sales to come to his credit	100 10 0	...	...
J. Gilchrist ...	32 18 9	...	Amount of receipt charged	82 2 11	...	...
A. M'Donnell ...	...	18 3 11	...	219 3 1	40 12 5	21 12 5
Estate J. Lyons ...	...	15 18 3	...	53 5 2	25 6 2	...
Estate F. Allan ...	...	12 12 9	...	183 12 6	...	...
D. M'Donnell ...	...	...	...	53 0 0	...	...
James Pringle ...	...	...	...	9 0 0	6 3 0	...
Neil Stewart ...	...	...	...	93 5 1	3 10 10	...
	£2940 9 7	3534 1 6	* £403 of this sum is for inspections, and merely passed through his account.	£3743 19 0	2879 3 11	895 2 8

(For Supplementary Return for half year ending 31st December, 1845, vide O.)

CROWN LAND OFFICE, 10th September, 1845.

Appendix
(E. E.)
12th May.

B. (Crown Lands, Lower Canada.)
STATEMENT shewing SALES and RECEIPTS on Crown Lands, from 1st January, 1838, to 31st December, 1841, furnished in compliance with the Requisition of Commission of Enquiry, Crown Land Department, dated 19th August, 1845.

Year.	Acres.	Amount of Sales.	Gross amount of Receipts, (Exclusive of Interest.)	Gross amount of Cash.	Gross amount of Scrip.	Amount received on Sales of current Year.				Amount received on Sales of former Years.				Remission.	
						Cash.	Scrip.	Cash.	Scrip.	Cash.	Scrip.	Cash.	Scrip.		
1838	100	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1839	12	53 10 0	2402 0 7	2402 0 7	...	...	...	2367 5 7	...	...	...	...	...	...	...
1840	200	4 10 0	2023 1 6	2023 1 6	...	...	...	2018 11 6	...	...	...	...	...	...	...
1841	44197	168 15 0	2944 12 10	2944 12 10	...	...	...	2775 17 10	...	...	...	...	...	...	...
		13173 17 0	13507 18 8	471 1 6	12703 10 6	12703 10 6	334 1 8	...	...	...	...	...	...	333 6 8	...
	44500	£13400 12 0	20877 13 7	7840 16 5	12703 10 6	12703 10 6	7495 16 7	...	...	...	...	...	...	333 6 8	...

CROWN LAND OFFICE, 10th September, 1845.

(Sales by Instalments (Canada.))

STATEMENT of SALES and RECEIPTS on Crown Lands sold by Instalments, from 1st January, 1842, to 30th June, 1845, furnished in compliance with the Requisition of Commission of Enquiry, Crown Land Department, dated 19th August, 1845.

Year.	Lands sold.		Amount of Sales.	Gross amount of Sales.	Gross amount of Receipts, (Exclusive of Interest.)	Gross amount of Cash.	Gross amount of Scrip.	Amount received on Sales of current Year.		Amount received on Sales of former Years.		Remission.
	Acres.	Lots.						Cash.	Scrip.	Cash.	Scrip.	
1842	...	...	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
	Farm Lots	2235	758 15 0	1554 12 9	1064 8 1	945 9 7	945 9 7	...	...	...	...	...
	Old Council House, Toronto	1	774 12 9	...	...	...	...	...	...	...	...	...
	Park Lot	...	21 5 0	...	...	...	...	...	...	...	...	...
1843	...	...	1135 0 0	1335 0 0	758 19 8	758 19 8	...	...	...	...	...	...
	Farm Lots	4600	...	...	...	...	...	...	...	...	...	...
	Mill Reserve	...	200 0 0	...	...	...	...	...	...	...	...	...
1844	...	...	...	425 0 0	486 17 6	486 17 6	...	...	...	...	...	...
	Farm Lots	1700	...	...	...	...	...	...	...	...	...	...
	Farm Lots	350	...	77 10 0	88 2 6	88 2 6	...	...	...	...	...	...
To 30th June, 1845	...	...	...	£3392 2 9	2398 7 9	2279 9 3	1759 17 1	118 18 6	118 18 6	...	...	...
		8885	3	...	118 18 6	118 18 6	...	...	...	...	...	...

CROWN LAND OFFICE, 10th September, 1845.

SUPPLEMENTARY STATEMENT for the half year ending 31st December, 1845.

Year.	Lands sold.	Amount of Sales.	Gross amount of Sales.	Gross amount of Receipts, (Exclusive of Interest.)	Gross amount of Cash.	Gross amount of Scrip.	Amount received on Sales of current Year.		Amount received on Sales of former Years.		Remission.
							Cash.	Scrip.	Cash.	Scrip.	
1st July to 31st December, 1845	...	...	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
	Farm Lots	775	193 15 0	345 3 9	2 4 7	342 19 2	...	...	...	...	...
	Town Lots	6	68 0 0	...	...	...	...	...	...	...	...
	Park Lots	11	94 0 0
		9660	...	2748 11 6	121 3 1	2622 8 5	118 18 6	118 18 6	1917 10 10	2 4 7	704 17 7
		20

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(E. E.)
12th May.

Appendix
(E. E.)
12th May.

B. (Crown Lands, Upper Canada, and Canada.)

STATEMENT showing SALES and RECEIPTS on Crown Lands, from 1st January, 1838, to 30th June, 1845, furnished in compliance with a Requisition of Commission of Enquiry, Crown Land Department, dated 19th August, 1845.

Year.	Lands sold.		Amount of Sales.		Gross amount of Sales.	Gross amount of Cash.	Gross amount of Scrip.	Gross amount of Land Rights and Scrip.	Amount received on Sales of current Year.		Amount received on Sales of former Years.		Remission.	Charged to Agents.	
	Acres.	Lots.	£ s. d.	Lots.					£ s. d.	Cash.	Land Rights and Scrip.	£ s. d.			
1838 ...	3556	...	1947 15 11	...	2169 5 11	1668 11 3	1608 11 3	60 0 0	784 4 7	60 0 0	824 6 8	...	...	...	Upper Canada.
1839 ...	12110	...	5228 17 2	...	5731 12 2	6032 15 6	3554 8 4	2478 7 2	732 16 9	2478 7 2	2282 11 7	...	...	...	do
1840 ...	26842	...	13640 6 5	...	14753 6 7	14027 3 1	1715 6 1	12311 17 0	885 17 0	10667 10 6	829 9 1	1644 6 6	...	...	do
1841 ...	14701	...	841 7 6	...	5964 16 0	7955 12 9	853 9 8	7060 6 1	188 0 9	5223 15 2	665 8 11	1896 10 11	41 17 0	...	do
1842 ...	19780	...	6360 7 4	...	7640 9 4	10667 8 2	1086 2 3	8497 4 8	803 14 7	6036 14 9	282 7 8	2460 9 11	800 0 0	284 1 3	Canada.
1843 ...	42501	...	16792 5 2	...	24825 5 3	27890 15 1	514 3 1	26759 10 2	514 3 1	23694 0 4	...	3065 9 10	443 18 1	173 3 9	do
1844 ...	40510	...	295 10 0	...	25649 16 7	27138 1 7	791 15 3	23870 10 10	791 15 3	24382 7 10	...	1488 3 0	7 4 0	498 11 6	do
1st January to 30th June, 1845 ...	129008	...	9139 3 1	...	30706 14 1	31711 4 6	541 10 4	30804 3 4	541 10 4	29811 6 0	...	992 17 4	166 13 9	198 17 1	Canada.
	288508	2037	158	...	£117441 7 11	127091 11 11	10665 6 3	113841 19 3	5242 2 4	102354 1 9	5423 3 11	11487 17 6	1459 12 10	1124 13 7	

CROWN LAND OFFICE, 10th September, 1845.

SUPPLEMENTARY STATEMENT for the period from 1st July to 31st December, 1845:

1st July to 31st Dec., 1845 ...	89534	...	30257 16 7	...	33961 14 1	35087 13 2	978 9 9	34109 3 5	306 8 0	33055 6 1	72 1 9	1053 17 4	...	...
	...	317	3366 2 6	...	...	...	...	...	...	...	...	...	...	...
	...	...	337 15 0	...	...	...	...	...	...	...	...	...	...	...
	372042	2384	177	...	£151403 2 0	162179 5 1	11043 16 0	147951 2 8	6148 10 4	135409 7 10	5495 5 8	12541 14 10	1459 12 10	1124 13 7	

(See Supplement X, containing additional Receipts.)

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12th May.

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(E. E.)
12th May.

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(E. E.)
12th May.

C. (Lower Canada.)

STATEMENT shewing amount of Collections by District Agents, from the 1st January, 1838, to the 30th June, 1845, furnished in compliance with the Requisition of the Commission of Enquiry, Crown Land Department, dated 19th August, 1845.

Agent.	District.	1888.	1889.	1840.	1841.	1842.	1843.	1844.	1845.	Total.
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
J. Burrows	Part of Sydenham	293 6 10	281 2 10	131 13 4	141 9 3	173 18 0	97 15 10	101 5 0	18 18 2	1209 9 2
D. McLean	do	62 1 3	100 2 10	...	49 7 1	...	...	25 0 0	...	236 11 2
J. Simpson	Montreal	...	431 5 0	...	...	30 0 0	13 2 0	...	71 16 3	546 3 3
S. Grant	Three Rivers	...	...	...	...	47 0 0	...	...	...	47 0 0
Geo. Duberger	Part of Saguenay	...	...	...	...	...	...	...	...	1824 6 5
John Kane	do	...	...	...	...	...	...	...	2150 3 4	2150 3 4
W. Bowron	Beauharnois	...	...	...	...	...	...	126 2 6	100 10 0	235 12 6
H. Hoyle	Lacolle	...	3 0 0	15 0 0	...	...	...	...	...	18 0 0
W. Hall	Part of Chaudière	25 0 0	16 12 8	...	...	120 0 0	...	7 10 0	66 5 0	235 7 8
T. Barron	Two Mountains	1 10 0	36 15 0	12 18 0	3 0 0	28 0 0	17 0 0	18 15 0	4 10 0	122 8 0
W. Hargrave	Chaudière West	193 13 2	27 16 1	32 6 9	2 0 0	608 0 0	95 0 0	155 0 0	213 15 4	1827 11 4
A. Ross	Part of do & St. Thomas	37 16 2	22 6 6	14 18 3	12 2 6	120 0 0	9 0 0	147 14 0	...	363 17 5
Owen Quinn	Part of Sydenham	6 5 0	1 11 3	...	...	...	9 7 6	50 12 6	...	121 6 3
W. Morrison	Berthier	...	13 18 9	...	15 0 0	655 13 4	603 1 1	359 9 11	247 3 9	1929 18 8
G. L. Marler	Nicolet, West	...	...	145 1 8	220 0 0	3174 17 7	472 2 2	719 14 1	337 9 7	5069 5 1
E. Martel	Bonaventure	...	...	...	...	...	...	196 0 0	7226 2 10	7922 2 10
John Felton	Sherbrooke	3639 9 7	2812 11 5	9562 3 2	2059 14 7	2691 19 9	893 9 11	475 1 4	268 2 6	22422 12 3
A. Daly	Leinster	...	...	...	...	...	...	...	6 4 0	6 4 0
W. Radford	Part of Sydenham	91 16 11	398 7 9	255 14 0	147 1 3	1363 7 0	1175 1 1	2865 19 8	884 14 0	7132 1 8
A. B. Lavalée	Terrebonne	...	...	...	...	...	190 0 0	...	242 8 0	492 8 0
P. Gauvreau	Rimouski	...	...	...	...	...	...	...	245 0 0	245 0 0
R. Bourdages	Part of St. Thomas	...	...	...	...	...	...	...	30 3 1	30 3 1
J. B. Martin	Kamouraska	...	...	...	...	...	...	...	40 0 0	40 0 0
A. Bochet	Portneuf	...	...	...	...	...	...	40 0 0	160 0 0	200 0 0
C. L. Fournier	Part of St. Thomas	18 15 0	29 18 11	18 15 0	20 0 6	743 15 10	1760 6 3	...	1350 13 0	3942 4 6
L. Bigelow	Part of Sydenham	...	...	85 17 6	...	90 0 0	...	30 0 0	...	205 17 6
Ed. McGio	Leinster	...	...	...	...	4 0 0	...	...	...	4 0 0
G. Black	...	347 14 9	277 2 6	...	...	9 0 0	13 0 0	12 10 0	...	659 7 3
T. Griffith	Missisquoi	...	...	...	...	...	145 0 0	4 0 0	...	4 0 0
F. Peel	...	407 6 11	100 6 11	23 18 1	...	871 10 7	...	710 5 5	19 12 2	874 17 7
W. M'Donell	...	17 3 0	...	66 8 1	...	...	...	...	...	1403 2 6
Joseph Carcy	...	12 10 0	...	...	...	...	...	...	...	83 11 1
Joseph Roy	...	...	...	...	...	...	...	...	...	12 10 0
		£5124 8 7	4552 18 5	10400 5 7	2669 15 2	10731 2 1	5493 5 10	6044 19 5	15340 7 5	60357 2 6

Present Agents.

Former Agents.

(For Supplementary Return for half year to 31st December, 1845, *vide* O.)

CROWN LAND OFFICE,
Montreal, 10th September, 1845.

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12th May.

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(E. E.)
12th May.

C. (Upper Canada.)

STATEMENT shewing amount of Collections by District Agents from 1st January, 1838, to 30th June, 1845, furnished in compliance with the Requisition of the Commission of Enquiry, Crown Land Department, dated 19th August, 1845.

Agents.	Districts.	1838.		1839.		1840.		1841.		1842.		1843.		1844.		1845.		Total.	
		£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.		£
Peter Carroll	Gore	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Gore District	Gore	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Thomas Barnes	Huron	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
D. Campbell	Talbot	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
W. Roche	Prince Edward	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
William Hawkins	Part of Huron	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Ant. Leslie	Bathurst	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
W. J. Scott	Johnstown	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
F. M'Annany	Victoria	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
J. B. Askin	London	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
E. P. Smith	Newcastle	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
J. Alexander	Simcoe	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
A. M'Pherson	Midland	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
J. Carroll	Brook	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
J. Durie	Dalhousie	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
T. Ferguson	Colborne	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
P. M'Mullen	Western	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
S. Hart	Eastern	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
J. H. Cummings	Niagara	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
H. W. M'Cann	Ottawa	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
A. Geddes	Wellington	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
J. Teller	Part of Huron	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Estate M. Blair	Gore	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
A. Campbell	Gore	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Jas. Durand	Wellington	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Thomas Steers	Western	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
A. Manahan	Midland	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
G. B. Lyons	Dalhousie	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
J. Gilchrist	Colborne	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
A. M'Donnell	Newcastle	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Estate J. Lyons	Niagara	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Estate F. Allan	Bathurst	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Neil Stewart	Ottawa	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
J. Pringle	Eastern	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
D. E. M'Donnell	Eastern	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
		£12948	1 1	...	...	6501	9 4	...	...	30423	16 1	...	...	55634	4 4	38151	10 5	197970	7 5

(For Supplementary Return for half year to 31st December, 1845, vide O.)

CROWN LAND OFFICE,
Montreal, 10th September, 1845.

Appendix
(E. E.)
12th May.

Appendix
(E. E.)
12th May.

D. (Lower Canada.)

STATEMENT showing amount of Commission paid to Agents, from 1st January, 1838, to 30th June, 1845.

Agents' Names.	District.	1838.	1839.	1840.	1841.	1842.	1843.	1844.	1845, 6 months.	Total.
J. Burrows	Part of Sydenham	£ s. d. 14 9 3	£ s. d. 16 4 2	£ s. d. 8 2 2	£ s. d. 8 16 5	£ s. d. 9 11 4	£ s. d. 5 10 3	£ s. d. 6 8 9	£ s. d. 9 7 4	£ s. d. 78 9 8
D. M'Lean	do	3 2 1	5 0 1	2 9 4	2 9 4	1 5 0	0 13 1	1 5 0	3 11 9	11 16 6
J. Simpson	Montreal	...	21 11 3	...	...	...	...	...	...	27 6 1
S. Grant	Three Rivers	...	...	...	...	...	...	...	...	2 7 0
Geo. Deberger	Part of Seguenay	...	...	...	...	...	...	...	...	66 4 4
John Kane	do	...	...	...	...	...	...	...	...	103 15 1
W. Bowron	Beauharnois	...	...	...	...	...	...	...	...	11 15 8
H. Hoyle	Lacolle	...	0 3 0	...	...	...	...	...	...	0 18 0
W. Hall	Part of Chaudière	...	0 18 3	...	...	...	...	...	...	6 15 9
T. Barron	Two Mountains	...	1 19 0	...	...	...	...	...	...	7 0 5
W. Haygrave	Chaudière West	...	3 3 7	...	...	...	...	...	...	75 13 11
A. Ross	Part of do & St. Thomas	...	1 8 11	...	...	...	...	...	...	19 1 10
Owen Quinn	Part of Sydenham	...	0 1 6	...	...	...	...	...	...	6 1 2
W. Morrison	Berthier	...	0 19 6	...	...	...	...	...	...	102 14 1
G. L. Marler	Niclot West	...	...	...	...	...	...	...	...	953 12 5
E. Martel	Bonaventure	...	...	...	...	...	...	...	...	252 19 0
John Felton	Sherbrooke	...	166 16 0	...	...	...	...	...	...	1196 0 10
A. Daly	Leinster	...	...	...	...	...	...	...	...	0 6 3
W. Radford	Part of Sydenham	...	20 3 5	...	...	...	...	...	...	337 18 7
A. B. Lavelle	Terrebonne	...	...	...	...	...	...	...	...	21 12 5
F. Gaurreau	Rimouski	...	...	...	...	...	...	...	...	12 5 0
R. Bourdages	Part of St. Thomas	...	...	...	...	...	...	...	...	1 10 2
J. B. Martin	Kamouraska	...	...	...	...	...	...	...	...	2 0 0
A. Bochet	Portneuf	...	...	...	...	...	...	...	...	10 0 0
C. F. Fournier	Part of St. Thomas	...	1 10 0	...	...	...	...	...	...	180 13 6
L. Bigelow	Part of Sydenham	...	...	...	...	...	...	...	...	10 5 10
Edward Magee	Leinster	...	...	...	...	...	...	...	...	0 4 0
Edmund Peel	Missisquoi	...	...	...	...	...	...	...	...	58 16 4
W. McDonald	Part of Montreal	...	4 9 4	...	...	...	...	...	...	73 0 1
George Black	do	...	13 7 1	...	...	...	...	...	...	32 10 4
T. Griffiths	Leinster	...	...	...	...	...	...	...	...	7 10 0
Jos. Carey	...	...	...	...	...	...	...	...	...	0 12 6
Joseph Roy	...	...	...	...	...	...	...	...	...	2984 0 9

(For Supplementary Return for six months, to 31st December, 1845, vide O.)

CROWN LAND DEPARTMENT,
Montreal, 10th September, 1845.

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12th May.

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12th May.

D. (Upper Canada.)

STATEMENT shewing amount of Commission paid to Agents, from 1st January, 1838, to 30th June, 1845, furnished in compliance with the Requisition of the Commission of Enquiry, Crown Land Department.

Agents' Names.	District.	1838.	1839.	1840.	1841.	1842.	1843.	1844.	1845, 6 months.	Total.
Peter Carroll	Gore	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Gore District	do	...	...	...	51 1 6	96 4 9	85 8 7	118 0 3	128 12 9	545 2 11
Thomas Haines	Home	...	...	...	...	...	...	60 15 1	...	2114 14 1
D. Campbell	Talbot	...	...	...	...	329 17 9	686 0 11	622 4 1	476 11 4	197 5 3
W. Rorke	Prince Edward	...	...	11 18 5	...	60 15 10	25 6 1	52 8 0	46 16 11	93 13 6
W. Hawkins	Part of Huron	...	...	26 12 0	25 0 0	3 14 10	11 8 3	15 8 6	10 19 11	515 12 10
Anthony Leslie	Bathurst	...	...	96 5 0	102 5 4	...	100 16 5	122 4 2	91 1 11	176 1 2
W. J. Scott	Johnstown	...	...	...	...	71 5 9	59 5 5	91 9 3	85 10 9	412 12 2
F. M'Annany	Victoria	...	...	54 10 0	50 11 0	...	...	118 1 2	68 16 8	464 6 5
J. B. Askin	London	...	...	...	8 0 0	141 16 1	127 12 6	136 9 5	51 7 4	616 17 5
E. P. Smith	Newcastle	...	...	74 4 6	27 12 0	108 19 2	195 5 0	151 11 8	108 2 8	354 9 11
J. Alexander	Simcoe	...	...	...	...	...	91 15 7	121 8 8	161 5 2	379 9 2
A. M'Pherson	Midland	...	...	...	...	...	36 4 7	...	37 9 2	104 3 8
J. Carroll	Brock	...	...	...	...	...	...	...	14 12 3	14 12 3
J. Duic	Dalhousie	...	...	...	...	...	...	...	12 9 10	2 0 6
F. Ferguson	Colborne	...	...	...	...	...	...	...	29 4 1	4 1 9
P. M'Mullen	Western	...	...	...	...	...	...	...	1 9 5	1 9 5
F. Hart	Eastern	...	...	...	...	...	...	...	0 5 9	0 5 9
J. H. Cummings	Niagara	...	...	...	...	...	...	...	30 3 0	68 13 0
H. W. M'Call	Ottawa	...	...	...	...	...	...	...	...	58 13 0
A. Geddes	Wellington	...	...	...	...	...	...	...	...	215 11 5
John Telfer	Part of Huron	...	...	49 16 2	8 17 0	...	...	17 0 0	...	7 10 3
Estate M. Blair	Gore	...	...	...	4 0 0	102 16 1	13 14 5	63 15 11	31 5 0	610 5 9
A. Campbell	do	...	...	...	...	...	...	...	...	442 2 4
James Durrand	Wellington	...	...	...	...	...	...	...	...	123 1 2
Thomas Steers	Western	...	...	151 3 2	108 17 5	133 4 9	71 19 0	109 17 2	7 10 10	594 15 9
A. Manahan	Midland	...	...	94 5 9	53 13 0	104 12 9	11 6 4	83 3 6	130 17 3	240 19 5
G. B. Lyons	Dalhousie	...	...	...	...	...	...	...	...	129 10 11
J. Gilchrist	Colborne	...	...	...	...	...	...	...	...	348 8 3
A. M'Donnell	Newcastle	...	...	...	...	...	...	...	...	94 14 1
Estate J. Lyons	Niagara	...	...	105 12 6	29 19 3	84 7 5	28 13 0	...	...	149 19 5
Estate F. Allan	Bathurst	...	...	55 4 9	4 1 0	60 18 10	1 17 4	26 9 0	...	208 18 1
Neil Stewart	Ottawa	...	...	77 1 4	33 1 3	117 5 9	96 10 11	8 0 4	...	9317 13 6
J. Pringle	Eastern	...	...	18 17 10	9 0 10	34 15 0	24 0 1	...	...	1793 15 5
D. A. M'Donnell	do	...	...	51 19 7	...	76 2 4	21 17 6	75 11 6	20 10 0	9317 13 6
		£ s. d.	£ s. d.	£867 11 7	516 19 7	1622 19 10	2124 9 0	2391 18 1	1793 15 5	9317 13 6

(For Supplementary Return for six months, to 31st December, 1845, vide O.)

CROWN LAND OFFICE,
Montreal, 10th September, 1845.

E. (Clergy Reserves.)

STATEMENT showing the Sales and Receipts on Clergy Reserves, from the 1st January, 1838, to the 30th June, 1845, furnished in compliance with the Requisition of the Commission of Enquiry, Crown Land Department.

LOWER CANADA.				UPPER CANADA.			
Year.	Acres sold.	Amount of Sales.	Gross amount of Receipts, (Exclusive of Interest.)	Year.	Acres sold.	Amount of Sales.	Gross amount of Receipts, (Exclusive of Interest.)
	£ s. d.	£ s. d.	£ s. d.			£ s. d.	£ s. d.
1838	3104 8 3	1838	21475 $\frac{1}{2}$	14324 2 7	10910 19 1
1839	1920 18 8 $\frac{1}{2}$	* 1839	18154	11536 8 1	19540 6 4
1840	6817 8 9	* 1840	23586	14877 19 3	19146 16 1
1841	978 5 4	* 1841	2665 $\frac{3}{4}$	1523 7 6	10675 6 11
1842	723 11 1	1842	1486 $\frac{1}{2}$	819 19 0	11467 8 5
1843	92 3 7	1843	613	353 5 6	8191 15 6
1844	132 19 2	1844	569	364 5 0	16425 11 1
To July, 1845	116 3 11	To July, 1845	1024	776 15 0	8185 15 10
July to 31st December, 1845	13885 18 10	July to 31st December, 1845	69573 $\frac{11}{12}$	44576 1 11	104543 19 3
...	467 14 5	...	49838	41449 5 1	18927 19 2
...	£14353 13 3	...	119411 $\frac{11}{12}$	86025 7 0	123471 18 5

* Note.—During these three years the sum of £16053 was received in Land Rights on account of Clergy Reserves, which amount has since been paid over to the Receiver General in cash.

(For Supplement of further Receipts, vide P.)

CROWN LAND OFFICE,
25th September, 1845.

STATEMENT of PAYMENTS made on account of Government.

Year.	Paid to Receiver General.	Military Chest.	Land Rights and Scrip.	Remission.	Paid on account of M'Nab Sales.	Paid on account of Indians.	Roads and Bridges.	W. B. Felton.	Cancelled Sales and Repayments.	Pensions.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1838	...	...	700 0 0	...	...	100 0 0	697 10 0	...	42 15 9	...
1839	...	...	7160 16 6	165 19 2	...	609 13 4	...	...	124 9 1	...
1840	...	...	24703 14 1	...	...	375 0 0	...	...	121 7 6	...
To 30th June, 1841	2196 13 10	...	8325 19 9	...	...	...	...	...	52 0 0	...
July to 31st Dec., 1841	13852 2 3	2491 13 10	5689 15 4	333 6 8	...	...	...	...	69 5 7	...
1842	1750 0 0	...	16800 8 5	600 0 0	...	...	656 2 8	...	522 17 5	161 14 2
1843	35000 0 0	...	40913 5 2	1664 12 8	62 10 0	...	...	3010 15 11	87 16 1	52 10 0
1844	16406 8 2	...	30019 8 9	20 12 3	584 6 4	...	† 10 0 0	45 0 0	48 17 10	30 0 0
To 30th June, 1845	13150 2 11	...	32565 10 3	166 13 9	...	...	...	...	...	30 0 0
	£ 82335 7 2	2491 13 10	166878 18 3	2951 4 6	596 16 4	1084 13 4	1363 12 8	3055 15 11	1069 9 3	374 4 2

* Advance to Thornhill.
† Returned deposits.

(For Supplement for six months, to 31st December, 1845, vide S.)

CROWN LANDS DEPARTMENT,
Montreal, 25th September, 1845.

and Canada.)

from 1st January, 1838, to 30th June, 1845, inclusive.

Inspections and Surveys.	Salaries.	Postage.	Printing and Advertising.	Stationery.	Office Expenses.	Contingencies, Surveyor General's Office.	Contingencies, Salaries, Commissions, &c. allowed to Agents.	Travelling Expenses.	Miscellaneous.
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
...	525 0 0	15 0 5	136 8 0	47 4 2	2 10 9	...	315 17 8	...	...
...	525 0 0	19 18 4	108 0 0	28 19 2	2 0 0	...	61 9 6	4 2 6	72 4 9
559 0 0	645 17 6	49 2 6	306 10 7	26 6 6	...	...	808 15 9	...	...
145 0 0	208 6 8	14 13 8	21 15 1	23 3 9	0 15 0	...	...	...	2 2 0
648 1 0	1501 19 10	141 3 0	56 15 3	39 9 5	19 17 0	...	512 9 5	9 6 8	0 3 8
1694 4 8	2975 1 11	236 5 5	516 17 3	86 5 9	33 15 6	184 17 6	1075 19 0	14 13 7	86 16 11
2959 16 8	3078 11 7	429 15 0	468 2 8	123 6 6	151 4 6	131 15 4	2166 11 6	...	0 12 6
3556 8 11	2853 5 8	386 17 2	469 13 4	46 6 5	88 5 4	127 9 6	1483 5 5	...	...
1312 14 0	1605 15 8	216 6 9	357 12 7	44 3 3	106 6 9	118 9 0	1311 3 5	...	...
11074 19 3	13918 18 10	1509 2 3	2441 14 9	465 4 4	404 14 10	562 11 4	8095 11 8	33 2 9	161 19 10

Note.—Of the amount in the column for "Inspections and Surveys," £9455 9 1½ is for Surveys.
1619 10 2 " Inspections.

£11074 19 3½

The amount in the column of "Pensions," is made up as follows:—

£109 7 6 on account retired allowance to Messrs. Chewett and Thornhill.
164 16 8½ allowance in lieu of fees to Messrs. Ogden and Cochrane.

£274 4 2½

The "Miscellaneous" column consists of:—

£68 0 9 Paid taxes in Newcastle District.
6 6 0 Auctioneer for selling land.
0 3 8 Bank Commission.
9 0 0 Mr. Wilmot's expenses attending Boundary Line Commission.
77 16 11 Fencing Government property at Kingston.
0 12 6 Patent fee.

£161 19 10

Appendix
(E. E.)
12th May.

Appendix
(E. E.)
12th May.

G. (Lower Canada.)

STATEMENT of PAYMENTS made on account of Government, from 1st January, 1838, to 30th June 1841, inclusive.

Year.	Paid to Receiver General.	Scrip.	Remission.	Roads and Bridges.	Compensation in lieu of Fees on Land Patents.	Repayments and Cancelled Sales.	Salaries.	Inspections.	Surveys.	Commission to Agents.	Printing, Advertising and Stationery.	Postage.	Office Expenses.	Boarding and Travelling Expenses of Commissioner.	Miscellaneous
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1838	4220 0 0	...	444 8 10	525 13 8	285 17 6	52 6 0	138 5 0	...	594 13 2	107 12 11	58 14 0	124 6 1½	50 18 0	...	255 7 2
1839	5270 0 0	...	...	52 15 11	230 12 6	70 15 7	288 13 6	51 5 0	561 4 0	166 11 5	40 7 9	233 19 10	12 15 3	...	...
1840	10000 0 0	...	166 13 4	27 11 1	238 15 0	325 5 5	270 9 10	54 12 11	2529 11 7	177 16 3	42 19 4	365 4 2	1 0 0	...	...
To 30th June, 1841...	9000 0 0	11894 8 0	...	...	330 5 8	63 5 6	263 12 6	...	851 6 10	37 4 2	47 7 4	285 4 11	7 5 10	295 4 0	...
	£28490 0 0	11894 8 0	611 2 2	606 0 8	1085 10 8	512 12 6	961 0 10	105 17 11	4476 15 7	489 4 9	* 189 8 5	1028 15 0½	80 19 1	295 4 0	† 255 17 2

* One-fifth Stationery. Four-fifths Advertising and Printing.

† The Miscellaneous column is composed of:—

Protest of unaccepted draft	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	£0 15 0
Mr. Langovin's salary as Secretary of Militia Board, from 8th May, 1837, to January, 1838	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	254 12 2
																£255 7 2

CROWN LAND OFFICE,
Montreal, 25th September, 1845.

Appendix
(E. E.)
12th May.

Appendix
(E. E.)
12th May.

H. (Clergy Reserves, Lower Canada.)

STATEMENT of PAYMENTS made on account of Clergy Reserves, from 1st January, 1838, to 30th June, 1845.

Year.	Principal paid over to			Interest paid over to		Repayments and Cancelled Sales.	Salaries.	Commissions to Agents.	Printing and Adverting.	Inspections and Surveys.	Stationery.	Postage.	Office Expenses.	Contingencies of Surveyor General's Office.	Pensions.
	Military Chest.	Receiver General.	Quebec Presbytery.	Receiver General.	Quebec Clergy Corporation.										
1838	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1839	2750 0 0	...	555 11 1	...	...	...	444 8 10	156 8 4½	52 14 0	...	6 0 0	...	...	...	...
1840	6000 0 0	...	555 11 1	...	...	...	222 4 5	341 13 5	36 12 2½	...	6 7 1	...	...	...	...
1841	984 0 2	...	...	...	...	...	166 13 4	49 5 0	40 16 1	...	6 11 2	...	...	...	...
1842	...	250 0 0	...	260 12 10	...	...	...	41 8 1	Remainder of	expenses for	(this year—)	proportion.	168 16 4	...	...
1843	...	...	...	73 12 6	58 12 0	43 0 3	615 14 6½	11 17 7	33 19 8	34 1 3	19 12 9	91 6 0	11 9 4½	14 2 6	10 12 6
1844	...	540 19 11	...	68 6 0	...	25 4 2	570 13 2	11 17 0	0 4 0	3 0 0	9 5 3	81 15 9	17 7 0	25 9 10	...
6 months 1845	...	...	...	13 10 0	...	12 10 0	321 2 2	6 3 10	...	...	8 16 7	43 6 4	21 5 4	23 13 10	...
	£9754 0 2	790 19 11	1111 2 2	416 1 4	58 12 0	80 14 5	2340 16 5½	715 3 10½	178 11 11½	37 1 3	82 14 7	216 8 1	218 18 0½	63 6 2	10 12 6

(For Supplements for six months, to 31st December, 1845, &c., vide P. and Q.)

CROWN LAND OFFICE,
25th September, 1845.

Appendix
(E. E.)
12th May.

Appendix
(E. E.)
12th May.

J. (Clergy Reserves, Upper Canada.)

STATEMENT of PAYMENTS made on account of Clergy Reserves, from 1st January, 1838, to 30th June, 1845.

Year.	Principal paid to		Interest paid to Receiver General.	Remission.	Inspections and Surveys.	Salaries.	Postage.	Printing and Advertising.	Stationery.	Office Expenses.	Salaries and Commissions to Agents.	Contingencies of Surveyor General's Office.	Miscellaneous.	Cancelled Sales and Repayments.
	Military Chest.	Receiver General.												
1838	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
	6000 0 0	...	1919 1 10	...	18 17 9	986 10 0	46 14 6	295 15 11	48 17 2	20 0 0	706 10 9	...	10 10 0	27 0 0
1839	20000 0 0	...	4111 15 4	...	5 0 0	868 17 6	38 14 11	5 11 3	75 2 5	4 5 0	204 6 4	...	...	222 0 11
1840	...	4015 10 2	4030 6 0	...	138 0 0	790 2 5½	57 8 11½	...	63 10 0	5 5 6	155 8 0	...	50 0 0	146 0 0
1841	10384 16 9	2854 19 3	3585 8 7	...	604 18 10	1741 9 0½	126 7 0	35 8 10½	65 1 9	18 12 1½	50 19 7½	...	8 14 1	10 0 0
1842	...	3500 0 0	2939 15 0	110 15 0	629 9 7	2380 0 11½	268 5 9½	740 3 6	134 7 3½	31 17 3	933 17 6½	...	184 19 9	61 15 2
1843	...	4000 0 0	5640 19 11	536 8 6	204 14 6	1848 3 7	272 17 2	101 18 11	58 18 3	34 8 0	751 11 6	42 7 6	31 17 6	...
-1844	...	27839 13 2	8930 6 11	...	118 0 0	1711 19 6½	245 7 1	0 11 10	27 15 10	52 1 3	1503 18 10	76 9 7½	...	...
6 months 1845	...	9394 4 7	6000 0 0	...	...	963 6 6	129 19 0	...	26 9 9	63 16 0	903 0 6	71 6 0	...	37 3 7
	£96384 16 9	51604 7 2	37187 13 7	647 3 6	* 1719 0 8	11349 19 7	1185 14 5	1179 10 3½	500 2 5½	230 5 1½	5209 13 1	190 3 1½	286 1 4	503 19 8

CROWN LAND OFFICE,
25th September, 1845.

* Inspections £161 17 9
Surveys 1557 2 11
£1719 0 8

(For Supplementals for six months, to 31st December, 1845, &c., vide P. and R.)

Appendix
(E. E.)
12th May.

O. (Supplementary to A. C. and D.) *Canada East.*

Appendix
(E. E.)
12th May.

STATEMENT of COLLECTIONS by District Agents, shewing also the state of their Accounts, to 31st December, 1845.

Name of Agent.	Amount of Sales and Collections.	Amount at Credit.		Balance at Credit.	Balance at Debit.
		Cash.	Scrip.		
Estate G. Black	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
J. Burrows	85 0 0	7 10 0	55 0 0	...	55 10 10
T. Griffith	...	...	...	...	37 18 8
D. McLean	...	...	...	...	3 16 0
Sueton Grant	...	...	...	...	28 12 11
J. Simpson	...	...	...	...	28 5 0
R. Bourdages	* 607 13 3	550 0 0	...	...	10 3 11
H. Hoyle	...	...	...	0 5 7	24 11 0
W. Hall	90 0 0	...	90 0 0	4 10 0	...
T. Barvon	15 0 0	...	15 0 0	4 14 4	...
W. Hargrave	337 5 0	97 5 0	240 0 0	59 15 3	...
A. Ross	* 9 11 9	18 8 6	40 0 0	0 5 2	...
Owen Quinn	46 9 9	18 10 0	...	20 0 11	...
L. Bigelow	...	...	...	9 13 2	...
W. Morrison	* 559 16 6	547 4 9	50 0 0	20 14 5	...
G. L. Marler	50 0 0	...	...	...	...
E. Peel	* 76 0 10	347 11 5	517 10 0	135 9 4	...
Geo. Duberger	812 11 8	...	280 0 0	6 15 6	...
J. Kane	* 225 15 7	225 15 7	...	109 6 11	...
E. Martel	* 1232 1 3	1232 1 3	...	204 12 7	...
J. Felton	85 8 0	933 6 3	67 10 0	1810 2 9	...
W. Bowron	551 13 8	65 5 4	448 2 6	72 16 5	...
A. Daly	71 5 0	1 5 0	70 0 0	1 16 8	...
W. Radford	* 58 1 7	57 1 7	...	2 3 4	...
A. Bochet	2244 7 1	170 14 7	2139 11 7	245 9 0	...
A. B. Lavallée	160 0 0	46 17 6	160 0 0	55 9 9	...
P. Gauvreau	181 16 0	1 10 0	180 0 0	0 18 2	...
J. B. Martin	* 570 0 0	675 1 3	135 0 0	120 9 7	...
L. Richard	135 0 0	...	400 0 0	20 0 0	...
C. F. Fournier	400 0 0	...	20 0 0	1 0 0	...
S. Wood	20 0 0	...	...	206 6 9	...
	496 10 10	48 5 0	357 10 0	...	1 9 1
	£9420 0 11				£185 7 5
Commission paid to Agents	£ 457 9 8				

* Shew collections on account of Woods and Forests.

CROWN LAND OFFICE,
6th March, 1846.

O. (Supplementary to A. C. and D.) *Canada West.*

STATEMENT of COLLECTIONS by District Agents, shewing also the state of their Accounts, to December, 1845.

Name of Agent.	Amount of Sales and Collections.	Amount at Credit.		Balance at Credit.	Balance at Debit.	Remarks.
		Cash.	Scrip.			
Estate J. Lyons	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	
W. Rorke	36 1 8	...	...	...	24 6 3	
Jas. Durand	111 12 9	...	14 0 0	...	31 7 0	
Thomas Steers	...	...	...	...	22 19 3	
P. Carroll	902 14 5	...	290 0 0	...	526 13 1	£2 8s. 4d. decrease.
D. Campbell	1711 14 2	1976 16 9	135 0 0	...	139 0 1	
J. Carroll	2410 16 8	2356 16 8	130 0 0	...	43 5 3	
J. Gilchrist	1676 8 9	2140 9 7	290 0 0	...	24 18 7	
	90 14 0	17 4 0	65 0 0	...	94 18 8	£90 Scrip at credit.
Carried over	£ 6340 2 5				£951 8 2	

Appendix
(E. E.)

O. (Supplementary to A. C. and D.) *Canada West.*—(Continued.)

Appendix
(E. E.)

12th May.

12th May.

Name of Agent.	Amount of Sales and Collections.	Amount at Credit.			Balance	Balance	Remarks.
		Cash.	Scrp.	Credit.	at Debit.		
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.		
<i>Brought over</i> ...	6340 2 5	...	...	...	951 8 2	
A. M'Donell ...	25 0 0	...	5 0 0	...	102 15 9	£69 17s. increase.	
F. Ferguson ...	8946 19 4	456 19 7	8376 5 0	...	19 13 5		
A. Manahan ...	90 8 0	...	...	...	832 6 11	£212 5s. 1d. increase.
J. B. Askin ...	6115 18 1	2964 0 2	569 1 0	...	63 15 4		
A. Campbell ...	444 5 1	...	...	...	1421 0 5	£436 15s. 11d. increase.
Thomas Barnes ...	10713 11 9	10025 16 2	961 5 0	...	175 8 5		
W. Hawkins ...	1980 0 0	...	1980 0 0	266 11 1	...		
Estate F. Allan ...	8 0 0	...	...	8 6 3	...	
D. E. M'Donell ...	10 0 0	...	10 0 0	0 10 0	...		
A. M'Pherson ...	1656 2 10	1260 6 9	592 10 0	85 13 7	...		
J. Durie ...	2406 6 9	1277 9 10	1255 0 0	244 18 10	...		
Samuel Hart ...	* 4 6 8 876 13 4	571 18 5	350 0 0	50 13 8	...		
J. H. Cummings ...	1736 15 4	399 19 0	1260 0 0	14 2 2	...		
W. H. M'Cann ...	389 7 0	19 7 0	370 0 0	20 15 1	...		
P. M'Mullen ...	463 4 4	373 10 0	95 5 0	25 3 9	...		
A. Geddes ...	1608 16 7	258 15 6	1300 0 0	35 8 5	...		
J. Alexander ...	946 3 1	98 11 10	831 17 2	14 18 2	...		
E. P. Smith ...	2323 2 10	2022 5 3	210 0 0	14 14 8	...		
F. M'Annany ...	3530 0 9	670 8 3	2765 0 0	37 14 8	...		
W. J. Scott ...	1055 12 8	637 13 2	510 0 0	130 15 1	...		
A. Leslie ...	* 194 14 8 8140 8 8	1453 18 4	7311 0 0	188 7 10	...		
J. Telfer ...	1067 16 0	7 16 0	1060 0 0	...	...
T. Talbot ...	128 12 6	128 12 6	...	6 8 7	...		
Sundry Collections ...	36 0 0	...	...	...	...
	£61133 8 8				£ 3566 8 5		
Commission paid to Agents	£ 2287 0 1						

* Shew collections on account of Woods and Forests.

CROWN LAND OFFICE,
6th March, 1845.

P. (Supplementary to E.)

STATEMENT of RENTS, INTEREST, and TIMBER DUTIES, on account of Clergy Reserves, from 1st January, 1838, to 31st December, 1845.

LOWER CANADA.				UPPER CANADA.				
Year.	Rents.	Interest and Timber Duties.	Total.	Year.	Rents.	Interest.	Timber Duties.	Total.
	£ s. d.	£ s. d.	£ s. d.		£ s. d.	£ s. d.	£ s. d.	£ s. d.
1838	...	12 0 0	12 0 0	1838	...	2114 11 9	...	2114 11 9
1839	1839	...	4127 6 6	...	4127 6 6
1840	...	11 0 0	11 0 0	1840	...	4015 17 3	...	4015 17 3
1841	...	2 0 0	2 0 0	1841	...	3625 15 0	...	3625 15 0
1842	...	204 5 7	204 5 7	1842	1108 0 7	4594 15 3	71 2 8	5773 18 6
1843	...	73 16 5	73 16 5	1843	1470 16 1	3626 18 10	20 18 8	5118 13 7
1844	13 10 0	1844	2725 10 10	8272 4 10	59 0 11	11056 16 7
30th June, 1845	13 10 0	...	37 3 7	30th June, 1845	2636 2 9	4366 12 8	2 15 0	7005 10 5
31st Dec., do	...	4 9 0	4 9 0	31st Dec., do	3986 13 1	6113 0 7	231 6 7	10331 0 3
Total	£13 10 0	344 14 7	358 4 7	Total	£11927 3 4	40857 2 8	385 3 10	53169 9 10

CROWN LAND OFFICE,
6th March, 1846.

Appendix
(E. E.)
12th May.

Appendix
(E. E.)
12th May.

Q. and R. (Supplementary to H. and J.) Clergy Reserves.

STATEMENT of PAYMENTS made on account of Clergy Reserves, for the six months ending the 31st December, 1845.

	Paid to the Receiver General.		Surveys.		Inspections.		Commission, &c. to Agents.		Salaries.		Stationery.		Postage.		Office Expenses.		Advertizing.	
	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.
Q. Lower Canada ...	...	...	...	...	1486	1 0	32	9 8	237	5 9	10	17 6	38	0 8	14	11 1	...	...
R. Upper Canada ...	21911	3 5	294	4 6	4217	5 9	1666	11 3	949	3 0	43	10 6	152	2 7	58	4 2	243	9 11

S. (Supplementary to F.)

STATEMENT of PAYMENTS made on account of Government, for the six months ending 31st December 1845.

	Paid to Receiver General.		Cancelled Sales and Repayments.		Sundry Transfers.		Roads.		Inspections and Surveys.		Salaries.		Stationery.		Printing and Advertizing.		Postage.		Office Expenses.		Commissions, Contingencies, &c. allowed to Agents.		Travelling Expenses.		Miscellaneous.		
	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£
Canada ...	24947	10 0	95	4 6	2367	10 7	11	0 9	*2545	12 11	1779	13 0	81	12 0	106	11 11	285	4 0	109	3 0	1000	16 9	42	0 0	†150	0 0	

CROWN LAND OFFICE,
6th March, 1846.

* Inspections Surveys £255 2 6
 2290 10 5
£2545 12 11

† Paid to Mr. Sculthorp on account of Commission sitting at Bytown.

Appendix
(E. E.)
12th May.

Appendix
(E. E.)
12th May.

V.
STATEMENT of APPLICATIONS to purchase Clergy Reserves in the Brock District, with Valuations, all approved by John Carroll, Esquire, District Agent.

Township.	Lot.	Concession.	Applicant.	Acres cleared.	Price.	Remarks.
					s. d.	
Burford ...	2	1	John Johnson ...	40	12 6	
	16	1	T. H. Arnold ...	4	10 0	
	16	1	Richard Rivers ...	14	10 0	
	18	1	Ad. Farlow ...	7	7 6	
	18	1	William Johnson ...	8 or 10	8 0	
	3	2	Allan Muir ...	None.	7 6	Not occupied.
	17	6	Frs. Baxter...	3 or 4	17 6	
	17	8	John Secord ...	40	10 0	
	10	10	John Clements ...	8	10 0	
	9	13	Robert Lymburner ...	None.	8 9	do
Blandford	16	13	Jas. Willits ...	None.	8 9	do
	3	4	Jas. Torrance ...	None.	8 0	do
	3	6	William Cadmond ...	5	10 0	
	6	6	S. J. Stratford ...	None.	8 0	do
	6	10	Jos. Vance ...	3	8 9	
	2	11	William M'Kie ...	15	8 9	
	6	12	Thomas Silars ...	6	10 0	
	8	13	James Thompson ...	None.	10 0	do
	8	13	David Johnston ...	10	10 0	
	6	14	do do ...	None.	7 6	do
Blenheim	6	14	James Hodge ...	3	8 0	
	3	4	George F. Hill ...	25	12 6	
	10	4	James Fritch ...	60	13 9	
	9	5	Nich. Pickle ...	All.	15 0	
	9	5	Jabez Campbell ...	55	15 0	
	9	5	Robert M'Lean ...	35	15 0	
	3	6	Clinton and Dawson ...	50	10 0	
	10	6	A. W. Sheek ...	20	10 0	
	10	6	Alex. Kennedy ...	40	10 0	
	10	6	Geo. M'Cormick ...	25	11 3	
Oakland ...	17	6	Stephen Wood ...	30	10 0	
	17	6	Garret Aker ...	11	10 0	
	2	7	Warren Snow ...	60	12 6	
	16	7	L. Scarmeshorn ...	All.	12 6	
	3	8	Moses Kimble ...	30	15 0	
	3	8	Jas. Perce ...	40	10 0	
	17	8	William Waldie ...	None.	7 6	do
	22	8	William Willett...	50	8 9	
	9	9	Gabriel Purdy ...	6	8 0	
	17	10	Josiah Walker ...	Several.	8 9	
Nissouri ...	22	10	William Jury ...	None.	8 0	do
	2	11	George Hazle ...	40	8 9	
	16	11	Daniel Potter ...	30	10 0	
	17	12	Samuel Thomas...	100	10 0	
	22	12	Jacob Rosenberger ...	35	15 0	
	22	12	John Rosenberger ...	None.	8 9	do
	9	13	J. Kilburn ...	30	13 9	
	16	13	George Ash ...	20	12 6	
	9	14	A. G. Staaffer ...	16	13 9	
	part	14	Samuel Cramer ...	60	12 6	
Oakland ...	22	14	John Scott ...	65	13 9	
	22	14	William Little ...	20	13 9	
	10	2	William Darby ...	80	17 6	
	6	2	John Pollock ...	8 or 10	2 0	
	20	2	George Logan ...	None.	8 9	do
	8	3	William Evans ...	25	8 0	
	15	3	Thomas Fitzsimmons	None.	8 9	do
	15	3	William Logan ...	4	10 0	do
	15	3	James Fox ...	4	10 0	
	25	3	William Gardainer ...	None.	8 6	do
Nissouri ...	25	3	James Burd ...	None.	8 9	
	31	3	Arch. Crone ...	None.	9 0	do
	20	4	John Henderson ...	9	8 9	
	27	4	L. Laurason ...	20	8 9	
	33	4	Elisha Brown ...	None.	9 0	
	8	5	Thomas Stephens ...	10	8 9	
	31	5	John Gillis ...	None.	8 0	do
	12	6	Daniel Viney ...	None.	8 0	do
	20	6	John Gibson ...	4	8 9	
	15	7	W. Vining ...	None.	8 9	do
Nissouri ...	20	8	Jaxed Vining ...	do	8 9	do
	20	8	Edward Meregold	do	8 9	do
	27	8	do do ...	do	8 9	do
	27	8	do do ...	do	8 9	do
	38	8	do do ...	do	8 9	do
	15	9	do do ...	do	8 0	do
	31	9	do do ...	do	8 0	do
	25	7	do do ...	do	8 9	do
	31	7	do do ...	do	8 0	do

N. B. Action upon the above Lots has been suspended until further information could be obtained on the valuations submitted.

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W.

DEPARTMENT OF CROWN LANDS,
Montreal, November, 1845.General Instructions to the District or Resident Agents of
the Department of Crown Lands.

AGENTS' DUTIES.

I. The duties of the local Agents of this Department consist in selling such of the Crown, Clergy, or other Public Lands as may from time to time be placed at their disposal, collecting instalments on former Sales, as well as rents now or hereafter to become due on lots given on lease, or sold on quit-rent, and granting licenses to cut Timber.

II. They are to perform, in addition to the duties prescribed by the Land Act, such inspection and other special services, and give such information as may be required of them by the Governor of the Province or by this Department.

III. It is their duty to see that no depredations or trespasses are committed on the Lands, woods, mines, ores, quarries, or other property of the Crown and Clergy, to prevent such trespasses as far as may be in their power, and in all cases to give information of the same to this Department.

IV. They are also expected to give applicants, generally, such advice and information as they are enabled to afford (not of a confidential nature,) respecting the sales and grants of Public Lands. But any direct or indirect understanding on their part for participating in the benefits claimed by individuals, any receipt of money for their own benefits, no matter from whom, to secure to the parties the obtaining of any lot of land, would subject them to the loss of their situation, as would also all speculation in land within their agency not actually under Patent.

V. In many particular cases the valuing of certain lots, improved or not, is imposed on this Department, a duty, however, which it can only accomplish through its sub-delegates. The responsibility in these cases resting entirely with the local Agents, they are to proceed to this valuation with much attention and caution, avoiding all favor or acception of persons, and avoiding equally too high a valuation which might deter or overcharge purchasers, or too low a one which would diminish the fair proceeds of the public property.

VI. In the inspecting and valuing of the parcels of Land reserved for villages and surveyed in small lots, they are to be guided, not by the average price of land per acre, but by the particular circumstances which have induced the laying apart those tracts, and which have reference to their present state, by the resources which they hold out and the object of their establishment. The improvements which may exist on any of those lots are to be valued separately.

SALES OF CROWN LANDS.

I. The Sales of Crown Lands are strictly to be confined to the Lots put on Sale and inserted in the lists or tables already or hereafter to be published, with copies of which the Resident Agents are furnished; any occasional deviation from this rule will be made known in a special manner.

II. The Lots are to be sold at the contents and prices specified in the lists to the first applicants who offer payment in full, either in Cash or Scrip. No application to purchase is to be entertained, unless accompanied with the whole of the purchase money.

III. The Lots generally contain 200 Acres, while the applicant may only require 100. In such cases, and when the lot is not in a particular condition, Sales of half Lots may be effected, the division being always made lengthwise, unless otherwise directed.

IV. Broken or irregular Lots are not to be divided, unless the applicants furnish at their own cost a Plan or Certificate of Survey of the portion they require, to be transmitted to the Department for approval. No Lot is to be divided the contents of which are less than 150 Acres.

V. Whenever a Lot is supposed to contain less than the quantity of Acres mentioned in the printed List, the purchaser or party interested is to furnish the Agent with a Certificate and Plan of Survey shewing the exact contents of the Lot, which is to be transmitted to the Department for consideration.

VI. In all the Lists of Crown Lands advertized for Sale, a notice of not less than 30 days is given, before the expiration of which no Sale can be effected; and no adjudication should be made before 10 o'clock, A.M., of the day of Sale.

VII. It may therefore happen that on or previously to the day and hour appointed, applications may be made by more than one person for the same Lot. In such cases, should none of the parties have a right of pre-emption, the Lots so applied for will have forthwith to be put up to public auction, beginning at the fixed price and adjudged to the highest bidder. The Sale, however, of such Lots may be postponed to some future time, should it be found necessary or more convenient to do so, on giving notice to that effect in the neighbouring places, and particularly to the applicants, who ought to be notified by letter if possible.

VIII. All persons will be admitted to bid at the public Sales. Should the last bidder not pay within one half hour after adjudication, and that from the disproportion between his bid and the preceding one, or from other causes, there should be reason to suspect collusion or a design to prevent fair competition, the sale may be declared null and void; and the Lot put up again, either instantly or on a future day, by giving notice to that effect.

IX. The Agents are authorized on such occasions to refuse any exorbitant bid unless the whole of the Purchase Money be immediately deposited. And as the above precautionary measures will be insisted upon, they should be announced publicly before the Sale.

X. The Sale of Village Lots, when disposed of by Auction, will be regulated by the same conditions.

XI. No direct or even vague sufferance or permission is to be given which might authorize persons to settle themselves provisionally on Public Lands.

XII. No advice is to be given by the Agents on the choice of Lots, they are merely to point out which are vacant: misunderstandings on those points might expose the Department to a useless or even disagreeable correspondence.

XIII. Squatters and others in the unauthorized possession of Public Lands must be informed that the only way for them to secure the property thereof is to purchase them at once. Occupants in good faith, however, or with improvements, should be afforded an opportunity of effecting their purchases within a short delay; and no Lot, with any considerable improvements on the same, should be sold to any other than the occupant, without first communicating with the Department on the subject.

XIV. Whenever it shall appear that a Lot put on Sale should be withdrawn from the list for further consideration, either on account of some special claim or from its containing Mines, Quarries, or other particular productions, or from its being likely to be required for Military or other Public Works, or from its affording important sites for Villages, Mills, or Manufactories, or lastly from its having been previously disposed of, the Agents are authorized and required provisionally to withdraw such Lot from the list of Lands for Sale, and to inform this Department of the

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same, accompanying the information with the necessary details.

XV. Sales of Crown Lands, not advertized, may be sanctioned to occupants or to parties who from the peculiar position of the Land would be injured by the Sale of it to others, on special application to that effect being made to the Governor in Council.

XVI. Whenever a Sale is so made under an Order in Council, allowing the applicant to purchase at the valuation of the Commissioner of Crown Lands, the cost of valuation or inspection must be borne by the party interested; when paid, the Sale may be carried out subject to the approval of the Department. At the same time a reason is to be assigned for the valuation fixed, and the cost of valuation to be stated.

XVII. As it often occurs that persons who have obtained Orders in Council to purchase, remain satisfied with the security to the Land which it confers, and delay completing the Sale, it is to be understood that if the Purchase Money be not paid within three months from the time the application was allowed in Council, interest is to be charged from the date of the order.

XVIII. The Agents are to give as much publicity as possible to the lists of Lands offered for Sale, by distributing them in the various Townships of their Agencies, and having them put up in the most frequented places, such as Court Houses, Churches and Taverns, in remote Townships.

SALES OF CLERGY RESERVES.

I. The Sales of Clergy Reserves are regulated by Order of the Queen in Council of 21st October, 1841, and 10th December, 1842, according to which no Clergy Land is to be sold without having been previously inspected and valued by competent persons, and the price thereof approved by the Governor in Council.

II. A portion of the Reserves have been so inspected and valued under instructions from this Office, and Copies or Abstracts of the Returns of Inspection are furnished to the Agents for their guidance. The Lots are to be sold at the prices affixed to each, provided they are not below the upset price of Crown Lands for the District in which the Lot is situated, as no Clergy Reserves are to be sold under that price.

III. The terms of payment are inserted in the various Notices of Sale published in the Gazette and other Papers, and are as follows, viz.:

Two-sixths, or one-third, of the purchase money is to be paid in hand, and the remainder in four equal Annual Instalments of one-sixth each, payable on the 1st of January in each year, with interest from date of Sale, the first of which to fall due and be payable on the 1st of January next ensuing after the day of Sale.

IV. No Scrip is to be received in payment of Clergy Lands.

V. On such of the Reserves as have been leased, in addition to the price per acre, the rent, if any due, must be paid down, with the first instalment, to the expiration of the Lease, together with interest at Six per cent. per annum, on the Purchase Money, from the expiration of the Lease to the time of Sale.

VI. Parties claiming under the Lessees must prove their title thereto, by producing transfers, as well as a receipt from the authorized Agent for the back rent.

VII. On improved Lots, not leased, interest on the purchase money is to be exacted for the whole period of occupation, and must be paid in full with the first instalment.

VIII. Lessees and parties generally, who have been in occupation of Clergy Lands for the space of five years next before the 1st of January, 1841, have a right of pre-emp-

tion to their respective Lots, for the space of 12 Months from the date of the notice of sale.

IX. In all instances where the Inspectors have neglected to state the period that the parties, who occupy the Land without authority, have been in possession, in order to regulate the charge of interest on the purchase money, it will rest with the Agents to take the best means in their power to satisfy themselves on this point, before permitting parties to purchase.

X. When Lots are represented to be in the occupation of various individuals in irregular portions, it is desirable that the parties should make an amicable arrangement among themselves, so that Patents may not be required, excepting for the regular half Lots.

XI. Should the purchaser be neither the Lessee nor the Occupant, the value of the improvements is to be claimed, besides the price per Acre unimproved.

XII. In order that the expense attending the Inspection may be reimbursed, it has been decided that, upon such Lots as have been inspected, an addition be made to the valuation of 20 shillings on Lots containing 100 acres or less, and 30 shillings on those containing more, for Land in Upper Canada, and 15 shillings and 25 shillings for the same description of Lots respectively in Lower Canada.

XIII. Where Lots have not been inspected, the parties in occupation must make a special application to the Governor General in Council, for permission to purchase, proving their claim to pre-emption, and that there is no adverse claim on account of improvements, by the certificate of a Licensed Surveyor, (to be obtained by them at their own proper costs,) which should state the extent and nature of said improvements, what the character of the Land is, and his opinion of its value, to which the Agent will add his report upon the opinion of the Surveyor.

XIV. Applications for vacant uninspected Clergy Reserves are to be made in the same manner, the vacancy and value of the Land to be proved by the certificate of a Licensed Surveyor, as in preceding paragraph.

XV. Parties conceiving themselves aggrieved by the returns of inspection, have a right to have their case considered upon petition to the Governor in Council; such appeals, however, ought not to be encouraged except in cases of evident error or injustice.

XVI. All new Sales of Clergy Reserves are to be returned monthly, but in separate Statements.

SALES OF TIMBER LICENSES.

I. The Local Agents (with a few exceptions that will be made known to the Agents concerned) are authorized to grant Licenses to cut Timber on the waste Lands of the Crown, within their Agencies, on the following conditions:

II. All applications to that effect are to be made in writing, stating the quality and quantity of Timber required, and describing distinctly the limits within which it is intended to be cut; if on Surveyed Lands, the number of the Lots and Concessions must be specified, care being taken to include no granted or located Lots in such Licenses.

III. Lots sold subsequent and during the continuance of a License will cease from the date of Sale, to be subject to the effect of the License. It is to be understood, however, that this exception is only intended to apply to Lands required for actual and immediate settlement; all applications therefore to purchase Lots covered by a Timber License, will be submitted for the consideration of the Department.

IV. No one License is to be granted for a space of ground exceeding six miles square.

V. The Timber is to be paid for at the following prices:

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White Oak.....	1½d.
Red Pine, Ash, and Elm.....	1d.
White Pine.....	½d. per cubic foot,
(each squared stick to be reckoned as containing 70 cubic feet for White Pine, and 38 for Red Pine, and charged accordingly.)	
Red Pine Saw Logs.....	7½d. per Log.
White Pine Saw Logs.....	5d. “
Spruce Saw Logs.....	2½d. “
Standard Staves.....	1d. per Stave.
West India do.	¼d. “

VI. One-fourth of the amount is to be paid at the time of sale, and bonds are to be given for the remaining three-fourths signed by the purchasers with two responsible Sureties, payable on the 1st August, following. Forms of Licenses and Bonds will be forwarded.

VII. Licenses are to be granted for one season only, but with the understanding that the holders will be entitled to renewals of the same, as long as they continue to cut on the limits, and otherwise comply with the conditions required of them.

VIII. Parties trespassing on limits granted to others, or otherwise infringing on any of the rules established for the regulation of Timber Licenses, will be deprived of their privilege, and their berths sold to others.

IX. In some parts of the Province inferior kinds of Timber, such as cedar for fencing, cord wood, &c. &c. &c., are occasionally sold to applicants who cannot obtain such supplies from private Lands.

X. In such cases the prices charged are as follows:—Shingles, 1s. per 1000; Cedar, ½d. per cubic foot; Fence Rails and Pickets, 1s. 3d. per 100; Hard Wood, for fuel, not exceeding 3 feet in length, 8d. per cord; Soft Wood, 3 feet long, 4d. per cord; Birch or Maple, 1d. per cubic foot. The whole amount to be paid down at the time of purchase.

XI. Agents may grant permissions to cut such wood within their Districts, whenever they receive applications to that effect.

XII. Licenses are on no account to be granted on Clergy Lands.

COLLECTION OF ARREARS.

I. List of arrears on former sales of Public Lands, as well as on Rents, are furnished to the Agents, and it is their duty to attend to the collection of the same, by notifying the parties indebted to call and pay at the office of the Agents.

II. It is desirable that they should see occasionally the debtors of the Department, and make themselves acquainted with the residence of each of them, and with their means of paying; but this they must do without incurring any expense to be charged to the Department.

III. It is to be observed that interest, when chargeable, is to be calculated on each instalment from the day of sale to the day of payment.

IV. Full instalments only, with interest, are to be received by the Agent,—all monies offered in part payment of such instalments should be declined by the Agents; neither are they to receive instalments on portions of Lots, when not divided at the time of sale, as subdivisions of sales are not permitted.

V. Transfers and Assignments of Lots are frequently sent to this Office for registration; when forwarded through the Agents, they ought to see that they are duly executed, and have the affidavit attached required by the 30th Clause of the Land Act.

VI. Lots can only be transferred as originally disposed of.

VII. Transfers of Lots will not be registered unless all the instalments actually due are paid up.

REMUNERATION.

I. The remuneration of the District Agents is fixed by an Order in Council of the 8th January, 1843, at a commission of 5 per cent. on the first two thousand pounds collected, and 2½ per cent. on all subsequent receipts on account of sales and instalments.

II. On collections on account of rents, a commission of 10 per cent. is allowed, without reference to the amount of commission which may be derived from other sources.

III. This per-centage is to be calculated on the 31st December, on the aggregate proceeds during the year, of all Public Lands and Timber, (when subject to a commission) and is intended as a full compensation, not only for the management of Sales and Collections generally, and attending to what may be deemed necessary for the protection of the public property under their charge, but also for all the other ordinary duties which the District Agents are called upon to perform, such as reporting in all cases referred to them by the Department, receiving and delivering Patents, and giving applicants generally the information they may require in all matters connected with Public Lands.

IV. It is particularly to be observed that, on credit sales, the Agent will be entitled to a commission on that portion of them only which he will collect at the time of sale; the commission on subsequent instalments, when collected, will be received by him, or his successor in office, as the case may be.

V. When employed on inspections, or other extraordinary duties, under special instructions from this Office, the Agents will be entitled to a pay of 15s. per day, which is intended to cover all travelling and other expenses.

VI. In making out their charges for inspections, they will invariably state the number of days employed on each service, and the distance in miles travelled from their residence to the extreme point visited; the account to be sworn to at foot before a Justice of the Peace, as practised by Land Surveyors.

VII. Postages which they may have to pay on letters addressed to them on official business, will be reimbursed to the Agents: they are, therefore, to transmit quarterly, on the last day of March, June, September and December, of each year, a statement of Postages so paid by them, mentioning the date of the letter—the name of the writer—and the amount paid on each. These accounts will be certified at foot. All letters so paid for, will be considered as records of the office, and will have to be produced when required.

VIII. Agents are not to pay the postage on letters sent by them, unless written by order of or for the benefit of the Department.

IX. They are to provide themselves, at their own cost, with all the necessary Books and Stationery.

MONTHLY RETURNS.

I. As soon as possible, after the last day of every month, each Agent is required to prepare and transmit a Return, according to the form furnished, of all his Sales and Collections on account of this Department, during that month.

II. The Returns to be made in duplicate, one Copy to remain in this office, and the other to be returned to the Agent, approved or with corrections if necessary.

III. All transactions, whether Crown or Clergy Sales, or instalments, (with the exception mentioned under the head of Clergy Sales, Section XVI,) are to be entered as they occur in their regular order of date, specifying distinctly in the Column headed “Description,” the particular service on account of which the sum is received. The date of each transaction is to be inserted in the proper Column.

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IV. These Returns should be prepared with care, and the interest, when any, calculated correctly, stating the number of years and days for which it is charged.

V. As they are intended to be a mere copy of each day's transaction, the Returns may be commenced a few days before and closed on the last day of the month, there is nothing therefore to prevent their being mailed for transmission within the first three or four days of the following month, and it is expected that this will invariably be done.

VI. In the first money Column the full amount of each sale or collection is to be entered, principal and interest, in distinct items: and in the others respectively must be specified what proportion of the same has been paid in Cash or Scrip, writing on the face of the Scrip the particular sale on account of which it has been paid.

VII. In all payments in Scrip the exact amount due only must be received, unless the party tendering it is willing to forfeit all excess to the profit of the Crown, as no change is to be returned either in Scrip or Cash for any such excess: all balances so given up are to be carefully noted in the Returns. All over-payments in money to be applied on subsequent instalments are also to be declined by Agents.

VIII. All Scrip received during the month must invariably be enclosed with the Return of that month; sending it either before or after, is apt to create confusion.

Monies are to be paid over whenever they amount to twenty-five pounds, and all balances under that sum sent with the Returns. And as the forwarding of money by mail may be attended with some risk, remittances will be considered as duly made if deposited into any of the Banks authorized to receive Government deposits, (whenever such exist at or near the residence of the Agent) transmitting the Bank's receipt for the same.

IX. At the foot or on the back of the Return, the different sums transmitted with it (in Cash or Scrip) or during the month, should be stated, shewing the exact amount retained by the Agent on account of each Return for his commission.

X. Collections on account of Timber will also be reported monthly, but in separate Returns.

XI. Should it happen that no sale or collection had been made, a report to that effect will be made in the following terms:—

" I have to report that I have made no sale, and collected no money whatever on account of the Department of Crown Lands during the present month of "

(Date and Signature.)

XII. Correct Copies of their Returns should be preserved by the Agents, as subsequent reference may occasionally have to be made to them.

XIII. In all new sales it is necessary that the names, surnames, and additions of the purchasers should be inserted at length, as also their place of residence, that the parties may be referred correctly for Patent.

XIV. With the exception of their per-centage, Agents are in no case to retain in their hands, out of their collections, any sum whatsoever for any claim or account they may have against the Department: should they have any just demands to prefer against it, either for themselves or others, they will transmit the same, and when approved, the amount will be passed to their credit or a cheque sent in payment.

XV. All accounts against the office are to be transmitted in duplicate, and separate and distinct accounts are to be made for each different charge.

XVI. No charge will be admitted unless previously sanctioned by the office.

XVII. All official communications, bank cheques, &c., &c., should be directed to the Commissioner of Crown Lands, as in cases of absence, inconveniences or delays may arise when addressed nominally to any other officers of the Department.

XVIII. Letters accompanying monthly returns should allude to no subject not immediately connected with the account part of those returns; and generally when an Agent has to address the Department on several distinct matters, it is desirable that he should do so by so many separate communications, as without this precaution, much inconvenience may result in the public offices, each case having frequently to be considered or referred to other Departments separately.

XIX. The books and other papers or records of their agencies are to be kept apart from the Agents' private papers, and considered as public property, to be produced or handed over to their successor in office, or to the Department, whenever required to do so.

(Circular.)

DEPARTMENT OF CROWN LANDS,
Montreal, 14th March, 1846.

SIR,

The Executive, on the representations made to them from various parts of the Province, have deemed it advisable to modify the terms lately established for the sale of Clergy Reserves, and a public notice to that effect will appear in the Gazette of this day. Your attention is therefore requested to the following directions, which supersede part of your former instructions respecting the sales of Clergy Reserves.

1st—One-tenth only, (instead of one-third,) of the Purchase Money will, from this date, be required in hand, and the remainder in nine equal annual instalments of one-tenth each, payable on the 1st of January in each year, with interest from the date of Sale, the first of which to fall due and be payable on the 1st of January next ensuing after the day of Sale.

2nd—On Lots occupied without authority, in place of interest, as required by the late regulations, rent will be charged for the time of occupation, at the following rates, viz:

IN UPPER CANADA.		
For the First	7 years,	35s. per annum,
Second,	7 ditto,	70s. ditto,
Third	7 ditto,	105s., ditto,

IN LOWER CANADA.		
For the First	7 years,	25s. per annum,
Second	7 ditto,	50s. ditto,
Third	7 ditto,	75s. ditto,

On Lots of 200 Acres, and in proportion for half Lots.

3rd—The privilege of pre-emption granted by the late regulations to lessees or their assigns, whose leases expired previous to the 1st of January, 1841, as also to occupants of Clergy Lots without authority prior to the same date, shall not be considered to extend to such lessees or their assignees, or to such occupants as do not on or before the 1st of January, 1847, make application to the Commissioner of Crown Lands for the purchase of the Clergy Lots which they respectively occupy, and who do not on or before that day pay all rents that may be due, according to the present regulations.

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4th—It will be an express condition of all Sales of Clergy Reserves, that the purchaser shall not cut or remove any timber (except for the purposes of clearing and building on the land,) until the whole of the purchase money shall have been paid.

The rent to be charged is uniform in each section of the Province upon all lots occupied, without reference to their respective value; there may therefore be cases in which—owing to the distance of the land from any market, the badness of the soil, or other circumstances,—the full rent, at the rate specified, would be a heavier charge than the land could bear, and might swell the price of it beyond its actual value, including improvements.

It will be your duty to report such cases for the consideration of the Department, stating particularly the circumstances of each, and suggesting at the same time what would be in your opinion a fair and equitable charge.

In some instances, Occupants, although willing, have represented themselves unable to pay down the One-third of the Purchase Money required by the late regulations, together with all the arrears of Rent. The extension now granted for the payment of the principal will, in a great measure, meet the requirements of such cases.

It would be more in accordance with the wishes of the Government, and no doubt more for the interest of the purchasers, that the entire amount of arrears should be paid at the time of purchase, and this rule must be adhered to when practicable. Yet, in particular cases when the arrears will amount to a large sum, or when from other causes the occupant will be totally unable to pay the amount of arrears in hand, the Department will not object to add the latter to the principal, and receive instalments on the whole. In all such cases two in place of one instalment of ten per cent. will be required.

For instance on a lot of 100 Acres valued at 10s. per acre, the price will amount to	£50 0 0
Supposing this Lot to have been occupied 8 years, the charge for arrears will be as follows:—	
Seven years at 35s. (for U.C.)	£12 5 0
One year at 70s. do.	3 10 0
	£15 15 0
Making altogether the sum of ...	£65 15 0

Two-tenths of which will be £13 13s., and £6 11s. 6d. for each following instalment.

It will be necessary in all such cases that the arrears of Rent should be represented by a proportionate increase, on account of improvements, in the price of the Lot per acre, and returned as such.

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The Sale of the above Lot might therefore be inserted in the Monthly Return as made for 13s. 1½d. per acre, to cover Principal and Arrears. To simplify the operation, any fraction under or over a half-penny might be left out in the calculation of the rate per acre. The price of the above Lot would in that case be reduced to 13s. 1½d. per acre, and amount altogether to £65 12s. 6d.

In all cases of application for the purchase of occupied Clergy Reserves, the parties in possession must be required to furnish to the Agent an affidavit from two neighbors, showing the period of occupation, and the nature and extent of improvements made, to be transmitted with the returns.

It has been found that when the ten instalment system formerly prevailed, many Clergy Reserves were purchased, and the first instalment paid merely with a view to obtain the Timber thereon, which was accordingly removed, the Land was subsequently abandoned, and now remains to be resumed by the Government despoiled of its principal value.

To guard against a repetition of this evil, all future Sales must be made subject to the express condition that no Timber (except for the purpose of clearing or building on the Land,) shall be removed until the whole of the Purchase Money is paid up.

Should an Occupant desire to sell any marketable Timber, he will have to apply for permission to do so to the Resident Agent, who, before granting the same, will insist on the value of the Timber to be cut being paid in hand, or will secure the amount thereof by Bonds payable within a period of nine months from the date of the permission, to be signed by the Applicant, with two good Sureties; the proceeds to be applied in part liquidation of the Purchase Money.

Sales already made under the late regulations, and on which Interest and One-third of the Purchase Money have been paid, are not to be disturbed; but, if desired, the payment of future instalments may be delayed and divided so as to extend them over the term of nine years now allowed to Purchasers, taking care to bring all such future instalments into decimal portions of the original amount of purchase.

Rents on leased Clergy Reserves in Upper Canada are, as heretofore, to be collected by Mr. BAINES, at Toronto.

You will give as much publicity as possible to the notice before alluded to, copies of which will be sent you for that purpose, and particularly to that part of it which refers to the future occupation of Clergy Lands without authority.

I have the honor to be, Sir,
Your obedient servant,
(Signed,) T. BOUTHILLIER.

X.

STATEMENT of INTEREST, RENTS, FEES, &c., received on account of Crown Lands in Upper Canada, Lower Canada, and Canada, from January, 1838, to 31st December, 1845.

Year.	Interest.	Rents.	Fees.	Forfeited Receipts.	Gain on Scrip.	
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	
1838	215 11 0	9 15 0	Upper Canada.
1839	628 6 5	182 18 9	...	...	...
1840	320 10 0	54 11 7	...	20 0 0	...	
1841	785 1 4	44 7 6	...	...	...
1842	2046 12 10	278 15 7	1206 2 5	15 0 0	...	
1843	1728 0 2	472 4 7	1051 3 0	...	173 0 10	Canada.
1844	1496 11 10	222 13 7	1234 11 5	...	80 12 7	
1st six months, 1845	961 12 5	74 0 9	781 11 1	...	50 17 3	
2nd six months, 1845	1197 6 7	719 10 2	586 19 6	...	66 2 11	
	* £9379 12 7	† 2058 15 6	4860 7 5	35 0 0	370 13 7	
1838	276 5 5	113 19 2	Lower Canada.
1839	543 17 8	277 1 4	287 9 10	...	...
1840	275 14 2	204 11 7	142 2 11	...	...
1841	146 9 5	117 14 0	...	...	...
	‡ £1242 6 8	§ 713 6 1	429 12 9	

* In this sum is included, in Quit Rent and reduced Quit Rent, the sum of £1540 4s.

† In this sum is included the sum of £56 5s. in reduced Quit Rent.

‡ This sum is Quit Rent.

§ In this sum is included £552 17s. 7d. in reduced Quit Rent.

F. a.

RETURN of the Number of Acres of Crown Lands in the several Districts of Canada West, located since the 1st January, 1832, which remain undescribed for Patent. The Amount in Acres of such Locations as were accidentally omitted in the Schedule published under the authority of the Order in Council, 4th April, 1839, is added to this List.

District.	Townships.	Free Grants.	Locations subject to the payment of Fees or Purchase Money.	Remarks.	
Eastern	Charlottenburgh	...	100	300	Old location.
	Cornwall	...	...	300
	Lancaster	...	...	150
	Finch	...	700	...	
	Lochiel	...	...	200
	Matilda	...	...	200
	Mountain	...	...	200
	Osnabruck	...	...	150
Roxborough	...	...	150	
	Total	...	800	1650	

Appendix
(E. E.)

RETURN of the Number of Acres of Crown Lands, &c.—(Continued.)

Appendix
(E. E.)

12th May.

13th May.

District.	Townships.	Free Grants.	Locations subject to the payment of Fees or Purchase Money.	Remarks.
Ottawa	Alfred ...	...	100	
	Caledonia ...	300	100	
	Cambridge ...	200	...	
	Clarence ...	200	100	
	Cumberland ...	...	300	
	Hawkesbury East ...	...	300	
	Hawkesbury West ...	...	150	
	Plantagenet ...	50	150	
Russell ...	400	...		
	Total	1150	1400	
Dalhousie	Fitzroy ...	500	200	
	Gloucester ...	3200	...	
	Goulburn ...	100	300	
	Gower, North ...	...	200	
	Huntley ...	1800	300	
	March ...	500	...	
	Marlborough ...	1400	1400	
	Nepean ...	...	250	
	Osgoode ...	150	...	
Tarbolton ..	300	...		
	Total	7950	2650	
Bathurst	Bathurst ...	200	...	
	Beckwith ...	900	200	
	Burgess, North ...	400	...	
	Dalhousie ...	200	100	
	Darling ...	250	200	
	Drummond... ..	300	...	
	Horton ...	500	2700	
	Lanark ...	200	300	
	Levant... ..	800	200	
	M'Nab ...	100	14500	
	Pakenham ...	800	300	
	Pembroke ...	400	100	
	Ramsay ...	500	...	
	Ross ...	700	1550	
South Sherbrooke ...	600	200		
North Sherbrooke ...	100	200		
Westmeath ...	1600	900		
	Total	8550	18950	
Johnstown	Augusta ...	...	100	Old location.
	Bastard ...	100	200	do
	Crosby, North ...	...	200	do
	Crosby, South ...	...	600	do
	Edwardsburgh ...	...	300	do
	Elizabethtown ...	...	200	do
	Escott ...	50	200	do
	Lansdowne... ..	...	100	do
	Leeds ...	50	400	do
	Oxford ...	200	...	do
Wolford ...	...	100	do	
Yonge ...	200	400	do	
	Total	600	2800	
Midland	Ernesttown ...	...	50	do
	Fredericksburgh ...	...	100	do
	Hinchinbrooke ...	2600	300	do
	Kingston ...	...	200	do
	Loughborough ...	200	300	do
Storrington ...	...	300		
	Total	2800	1250	
Victoria	Elzevir ...	700	...	
	Hungerford... ..	1700	150	
	Huntingdon ...	...	100	
	Madoc ...	1950	800	
	Marmora ...	600	200	
	Rawdon ...	...	600	do
Sidney... ..	...	200	do	
	Total	4950	2050	

Appendix
(E. E.)

RETURN of the Number of Acres of Crown Lands, &c.—(Continued.)

Appendix
(E. E.)

12th May.

12th May.

District.	Townships.	Free Grants.	Locations subject to the payment of Fees or Purchase Money.	Remarks.
Colborne	Asphodel ...	350	100	In the locations subject to fees, &c., are included those of indigent settlers whose lands are subject to a payment of 5s. currency, per acre. There are a great number of these locations in this District. Partage Road subject to settlement duty.
	Belmont ..	1500	1500	
	Bexley...	500	700	
	Douro ...	50	800	
	Dummer ...	2850	2500	
	Eldon ...	6430	9000	
	Emily ...	900	1350	
	Ennismore ...	50	175	
	Fenelon ...	1100	1500	
	Harvey ...	4100	2550	
	Mariposa ...	600	1100	
	Monaghan, North ...	...	300
	Ops ...	1450	2550	
	Otonabee ...	350	700	
	Somerville ...	200	...	
Smith ...	100	1300		
Verulam ...	3100	3425		
	Total ...	23630	29550	
Newcastle	Cavan ...	50	400	Old location. do do Locations on School Lands.
	Clarke ...	100	...	
	Cramahé ...	200	...	
	Hope ...	...	300
	Percy ...	...	400
	Seymour ...	500	1150	
	Total ...	850	2250	
Simcoe	Adjala ...	860	800	There are many locations of indigent settlers in this District whose lands are subject to the payment of 5s. per acre. All locations subject to settlement duty.
	Collingwood ...	4350	1800	
	Essa ...	1500	1400	
	Gwillimbury West ...	530	450	
	Innisfil... ..	700	800	
	Medonte ...	2700	3500	
	Mono ...	400	400	
	Mulmur ...	1200	200	
	Nottawasaga ...	1000	1800	
	Orillia, South ...	500	600	
	Orillia, North ...	900	1000	
	Oro ...	750	7200	
	Sunnidale ...	2050	2900	
	St. Vincent... ..	8700	3300	
	Tay ...	1600	500	
Tecumseh ...	6860	600		
Tiny ...	400	...		
Tosorontio ...	1100	600		
Vespra... ..	2900	700		
	Total ...	39000	28550	
Home	Albion ...	650	300	Patent stayed.
	Brock ...	250	200	
	Caledon ...	200	400	
	Chinguacousy ...	200	400	
	Georgina ...	200	...	
	Mara ...	900	1000	
	Rama ...	1800	...	
	Thurah ...	200	100	
Vaughan ...	1000	...		
	Total ...	5400	2400	
Gore	Esquesing ...	100	...	
	Nassagaweya ...	...	100
	Nelson... ..	200	...	
	Total ...	300	100	
Wellington...	Amaranth ...	2000	2500	
	Eramosa ...	...	100
	Erin ...	750	200	
	Garafraza ...	800	700	
	Luther... ..	100	...	
	Melanethon ...	...	500
	Total ...	3650	4000	

Appendix
(E. E.)

RETURN of the Number of Acres of Crown Lands, &c.—(Continued.)

Appendix
(E. E.)

12th May.

12th May.

District.	Township.	Free Grants.	Locations subject to the payment of Fees or Purchase Money.	Remarks.
Niagara	Clinton	...	200	Old location.
	Gainsborough	...	400	do
	Grimshby	...	1260	Squatters in the Gore.
	Humberston	...	150	Old location.
	Louth	...	200	Patents impounded.
	Niagara	...	400	do do
	Wainfleet	...	400	do do
	Total	...	3010	
Talbot	Charlotteville	100	...	
	Houghton	...	200	
	Middleton	...	5000	Township under Colonel Talbot.
	Rainham	...	400	Old locations.
	Townsend	...	400	do
	Walpole	...	100	do
	Walsingham	200	1200	Settlement duty required.
	Total	300	7300	
Brock	Burford	...	91	
	Dereham	...	...
	Nissouri	512	...	
	Oxford, East	200	800	Old location.
	Zorra	150	200	
	Total	862	1091	
London	Adelaide	2150	11500	Settlement duty required.
	Aldborough	...	400	
	Bayham	200	2200	Under Colonel Talbot.
	Caradoc	100	1200	do do
	Dorchester, South	200	200	
	Dunwich	100	...	do do
	Ekfrid	400	4300	do do
	Lobo	...	100	
	London	...	5300	do do
	Malahide	...	1600	do do
	Metcalf	...	7300	do do
	Mosa	300	4000	do do
	Southwold	...	500	do do
Yarmouth	...	200		
	Total	3450	38800	
Western	Broke	4700	1300	Indigent settlers have been located in Warwick, Adelaide and Plympton: their lands are subject to the payment of 5s. per acre.
	Camden	100	400	
	Chatham	1200	200	
	Colchester	1600	700	Under Colonel Talbot.
	Dawn	800	600	
	Dover	550	200	
	Enniskillen	4400	1800	
	Gosfield	1400	1000	Under Colonel Talbot.
	Harwich	...	600	do do
	Howard	...	5600	do do
	Maldstone	...	3500	do do
	Malden	100	...	
	Mersea	200	1300	do do
	Moore	4000	1760	Settlement duty required.
	Orford	...	1600	Under Colonel Talbot.
	Plympton	4200	900	Settlement duty required.
	Raleigh	...	4600	Under Colonel Talbot.
	Rochester	...	2700	do do
	Romney	400	1900	do do
	Sarnia	700	700	Settlement duty required.
	Sandwich	300	1700	Under Colonel Talbot.
	Somhra	1900	500	
	Tilbury East	...	2000	do do
Tilbury West	...	600	do do	
Warwick	5300	4600	Settlement duty required.	
Zone	...	6900	Under Colonel Talbot.	
	Total	31850	47660	

Appendix
(E. E.)

12th May.

RECAPITULATION.

Appendix
(E. E.)

12th May.

Districts.	Free Grants.	Locations subject to the payment of Fees or Purchase Money.	Remarks.
Eastern District	800	1650	
District of Ottawa	1150	1400	
District of Dalhousie	7950	2650	
District of Bathurst	8550	18950	
District of Johnstown	600	2800	
Midland District	2600	1250	
Prince Edward District	None.	None.	
District of Victoria	4950	2050	
District of Colborne	29650	29550	
District of Newcastle	850	2250	
District of Simcoe	39000	28550	
Home District	5400	2400	
District of Gore	300	100	
District of Wellington	3650	4000	
District of Niagara ... ..	...	3010	
District of Talbot	300	7300	
District of Brock	862	1091	
District of London	3450	38800	
District of Huron	None.	None.	
Western District	31850	47660	
Grand Total	136092	195461	

CROWN LAND OFFICE,
20th September, 1845.

G. a.

A STATEMENT shewing the amount of Unpatented Lands reserved from Forfeiture under the several Orders in Council respecting the List of Unclaimed Lots in Upper Canada, published on the 4th April, 1839, and distinguishing the Heads under which these Lands have been classed by Council, viz. :—

No. 1.—The Number of Acres of Improved Lands liable to Forfeiture after six months notice directed to be given through the District Agents to the Parties in occupation.

No. 2.—Contents, in Acres, of Lands ordered to be reserved from Forfeiture for future individual consideration.

District.	Township.	No. 1.	No. 2.	District.	Township.	No. 1.	No. 2.
Ottawa	Alfred	500	...	Eastern	Charlottenburgh	200	500
	Caledonia	600	500		Cornwall... ..	700	500
	Clarence	400	100		Lochiel	900	600
	Cumberland	600	1006		Williamsburgh	200	...
	Gloucester	600	500		Lancaster ... ..	...	500
	Hawkesbury, East	100	200		Matilda ... ..	...	800
	Osgoode	400	1600		Osnabrock ... ..	...	300
	Plantagenet	2600	1000		Mountain ... ..	...	400
	Russell ... ..	...	300		Roxborough ... ..	...	700
			5800		5200	Winchester ... ..	...	500
						2000	4800

Appendix
(E. E.)

A STATEMENT shewing the amount of Unpatented Lands, &c.—(Continued.)

Appendix
(E. E.)

12th May.				12th May.				
District.	Township.	No. 1.	No. 2.	District.	Township.	No. 1.	No. 2.	
Johnstown ...	Angusta ...	...	900	Colborne ...	Asphodel ...	700	100
	Bastard ...	200	400		Douro ...	4400	600	
	Burgess ...	400	400		Dummer ...	9500	500	
	Crosby, South ...	100	...		Ennismore ...	900	500	
	Edwardsburgh ...	400	800		Emily ...	3600	600	
	Elizabethtown ...	500	100		Mariposa ...	700	2100	
	Elmsley ...	...	100		Otonabee ...	1900	800
	North Gower ...	...	100		Smith ...	1600	800
	South Gower... ..	...	300		Ops ...	9400	900
	Kitley ...	400	...		Fenelon ...	100	...	
	Leeds ...	600	700					
	Lansdowne	800				23800	6900
	Marlborough ...	400	400					
	Montague ...	700	1100					
	Oxford ...	300	300					
Wolford ...	400	400						
Yonge or Escott ...	900	500						
Yonge ...	1000	500						
		6300	7800					
Bathurst with part of Dalhousie.	Bathurst ...	1100	300	Home ...	Albion ...	2000	600	
	Beckwith ...	500	...		Brock ...	1400	100	
	Dalhousie ...	1500	400		Caledon ...	1500	800	
	Darling ...	500	200		Chinguacousey ...	700	400	
	Drummond ...	100	...		Georgina ...	100	400	
	Fitzroy ...	500	300		Mara ...	200	...	
	Goulburn ...	700	600		Pickering ...	200	...	
	Horton ...	...	100		Reach ...	...	600
	Huntley ...	800	500		Thorah ...	900	900	
	Lanark ...	2500	400		Toronto ...	...	900
	Packenham ...	1500	700		Whitby ...	...	200
	Ramsay ...	1000	600		Whitchurch ...	...	1300
Sherbrooke, South ...	500	...			7000	6200		
Sherbrooke, North ...	700	...						
Tarbolton ...	600	1600						
		12500	5700					
Midland ...	Camden ...	...	100	Simcoe ...	Adjala ...	3400	700
	Ernesttown ...	...	100		Essa ...	600	800
	Fredericksburgh ...	900	500		Flos... ..	200	200	
	Kingston ...	100	200		Gwillimbury West ...	700	1200	
	Loughborough ...	500	600		Innisfil ...	1400	...	
	Pittsburgh ...	100	100		Mono ...	4900	2100	
	Portland ...	400	100		Mulmur ...	3000	3500	
	Richmond ...	...	100		Oro ...	600	400
		2000	1800	Tay... ..	...	100	
Prince Edward ...	Ameliasburgh ...	100	400	Tecumseh ...	400	200		
	Hillier ...	100	...	Tiny ...	...	200	
	Marvsburgh ...	500	500	Thorah ...	...	300	
	Sophiasburgh ...	100	...	Tosorontio ...	1000	100		
		800	900	Vespra ...	100	100		
					16300	9900		
Victoria ...	Hungerford ...	...	800	Gore ...	Ancaster ...	200	...
	Huntingdon ...	...	1200		Beverley... ..	...	100
	Madoc ...	400	700		Esquesing ...	1800	600	
	Marmora ...	1800	800		Nassagaweya ...	100	300	
	Rawdon ...	...	1500		Nelson ...	...	400
	Sydney ...	...	500		Trafalgar ...	300	200
	Thurlow ...	100	100				2400	1800
		2300	5600					
Newcastle ...	Alnwick ...	...	800	Niagara ...	Caistor ...	...	200
	Cavan ...	700	1400		Charlotteville ...	...	300
	Clarke ...	...	200		Grimsby ...	...	400
	Cramahé... ..	...	900		Willoughby ...	200	...
	Darlington ...	100	200					
	Haldimand ...	300	2800				200	900
	Hamilton	100					
	Hope	800					
	Murray ...	400	1300					
	Percy	3000					
Monaghan ...	200	...						
		1700	11500					
				Talbot ...	Townsend ...	300	600	
				Brock ...	Blenheim ...	200	...	
					Burford ...	...	200
					Nissouri ...	300	...	
					Oxford, East ...	200	...	
					Oxford, West... ..	200	400	
				Zorra ...	...	200	
					900	800		
				Wellington ...	Amaranth ...	500	...	
					Eramosa... ..	500	400	
					Erin... ..	2100	200	
					Garrafraxa ...	200	700	
					Melanethon ...	300	200	
					3600	1500		

Appendix
(E. E.)
12th May.

A STATEMENT showing the amount of Unpatented Lands, &c.—(Continued.)

District.	Township.	No. 1.	No. 2.
London	Aldborough	200	200
	Dorchester ... ..	...	400
	Lobo	200	...
	Mosa ... ..	...	100
	Westminster	200	...
		600	700
Western	Camden ... ..	...	200
	Colchester ... ..	...	900
	Chatham ... ..	...	300
	Dawn	200	600
	Dover East	200	1000
	Gosfield ... ..	...	500
	Harwich ... ..	...	900
	Howard	500	...
	Rochester ... ..	...	400
	Sombra	100	700
Sandwich	2100	4700	
Tilbury West	200	...	
		3300	10200
	Total	92400	82800

Crown Land Office,
20th September, 1845.

A. 3.

IV. Scrip.

Q. 1.—What amount of Scrip has been issued altogether, and how much of it has been redeemed?—(1st October, 1845.)—The total amount of Scrip issued up to this date is £238,901 17s. 5d. Redeemed to this day, £151,053 1s. 4d.

Q. 2.—What is the amount of claims against the Government, for which the parties or their representatives appear now to be entitled to receive Scrip?—The claims to be satisfied in Scrip will amount, for Upper Canada, to about £45,000; for Lower Canada, £25,000; in all about £70,000; but this can only be considered as an approximating amount, as new claims are frequently brought forward and allowed, the existence of which was not previously known.

(Vide also Appendix B. 7, Table 1, Column 3. of Receipts.)

A. 3.

V. Internal arrangement of the Crown Land Office, Montreal.

Q. 1.—What are the number and names of the Clerks employed by the Department, and the Salary paid to each?—

Commissioner's Office.

Name.	Annual Salary, Currency.
Jean Langevin	£ 300 0 0
John Dean	222 4 5
J. C. Tarbutt	170 0 0
Alexander M'Nabb	170 0 0
Thomas Hammond	136 17 6
David Murphy	136 17 6
John Ker	136 17 6
Angus M'Donell	136 17 6
James M'Donagh	136 17 6
John Drysdale	136 17 6
James Dean	68 8 9
W. F. Collins	136 17 6
A. De Couagne, 5s. per day	91 5 0
G. H. Cherrier, do	91 5 0
Pierre Levesque, do	91 5 0
Joseph Doutre, do	91 5 0
George O'Keefe, do	91 5 0
John M'Clashan, do	91 5 0
	£2436 5 8

Surveyor's Office.

Name.	Annual Salary, Currency.
Joseph Bouchette	£ 300 0 0
W. Spragge... ..	300 0 0
A. Russell	300 0 0
T. Hector	200 0 0
H. I. Jones	170 0 0
M. A. Higgins	170 0 0
George Shaw	170 0 0
E. T. Fletcher	136 17 6
W. Johnson, 5s. per day	91 5 0
	£1838 2 6

Crown Land Office,
1st October, 1845.

Q. 2. In what manner are the labors of these Clerks divided; which of them are employed in the sale and management of Crown Lands or Clergy Reserves respectively, or in the collection and management of the Duties on Crown Timber; and what are the particular duties assigned to each? Also,

Q. 3. In what manner are those employed who are not engaged in any of the above named services; and what are the particular duties of each?—In the Commissioner's Office the work is divided into two principal branches,—Correspondence and Accounts, but without reference to the respective services (Crown, Clergy and School Lands.)

ACCOUNTS.

Mr. Dean has the charge of the principal set of Account Books. All monies received in the Office pass through his hands, to be entered, and subsequently sent to the Bank. The materials for making out the Agents' Accounts Current are furnished by him from the Ledger, and the periodical and other Returns connected with Accounts required of the Department, are made out by him or under his directions.

Mr. M'Nabb has the examination and acknowledgment of the Agents' Monthly Returns, which are now transmitted in duplicate. He compares and checks them with the books of the Office in which corresponding entries are made. One copy is filed in the Office, and the other returned, approved, or corrected, as the case may be. These Returns contain all the Agents' transactions for each month, whether in Crown, Clergy, or other Public Lands, in their regular order of date as they occur, merely

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specifying against each entry the particular service on account of which the money is received. Collections on account of Timber are returned separately. Mr. *M'Nabb* also issues references for Patents, and makes out and transmits the Agents' accounts current.

Mr. *Drysdale* copies the Returns in a book kept for that purpose. At the close of each month the book is footed up, the sums returned are carried to the books of the respective services on account of which they have been received, and the transactions of the month are then passed, in condensed forms, through the Journal and Ledger, to the credit of each service.

Mr. *Collins* is engaged in copying the half yearly accounts of the Department, which are very voluminous, and the Agents' accounts current; and in preparing the various Returns and Statements required.

Mr. *James Dean* assists in various ways at the desk, checking the books, keeping a memorandum of Patents received and transmitted, filing papers, and furnishing occasional information.

Mr. *Ker*, from the time he entered the Office, has been engaged almost exclusively in filling up and delivering Land Scrip, and keeping and filing the papers connected with the same.

Mr. *M'Donell* was also for some time engaged in the same work; latterly he has been employed in the investigation of Lower Canada Militia claims, together with Messieurs *Levesque, De Couagne, Cherrier* and *Doutre*.

Mr. *O'Keefe* and Mr. *M'Clashan* are preparing the Schedules of Clergy Reserves and abstracts of inspection, to be furnished to the resident Agents for their information and guidance in effecting sales.

Mr. *De Couagne* and all those named after him in the List have been but temporarily engaged to complete the Militia claims and Clergy Reserves.

CORRESPONDENCE.

Mr. *Longevin* was intended for the Correspondence of Canada East generally; but from his first appointment he has been employed mostly on special services; first, the inspection of Clergy Reserves, and subsequently the investigation and liquidation of Militia claims, which until now (1st October, 1845) have absorbed almost the whole of his time.

Mr. *Tarbutt* has the Upper Canada Correspondence, and prepares most of the Reports on cases connected with sales submitted to Council. He also has the registering of transfers.

Mr. *Morphy* endorses all letters and papers received in the Office, and registers them. Papers going out of the Office also pass through his hands, that the necessary notes may be made by him in the register. He also copies when not otherwise occupied.

Mr. *Hammond* and Mr. *M'Donagh* are employed in copying letters and other documents.

IN THE SURVEYOR'S OFFICE.

Mr. *Spragge* prepares the Correspondence and Reports on all Upper Canada Land cases not connected with sales.

Mr. *Hector* acts upon application for Scrip in liquidation of Upper Canada Land claims, has the examination of assignments of located rights offered for registration, prepares Returns applied for by the Legislature, and assists in the Annual Return under the Assessment Act.

Mr. *Jones* attends to the description of Patents, and makes the requisite entries on the plans and on the books consequent thereon. He assists occasionally in the preparation of Returns required by the Government.

Mr. *Higgins* enters the out-going correspondence, attends to the indexing and posting connected therewith,

and making out the Annual Returns under the Assessment Act, &c.

Mr. *Shaw* enters the incoming correspondence. Reports of Surveys, Orders in Council, references for Patent, indexes and posts the books of correspondence, assists in searches, &c.

The foregoing are all employed exclusively on Upper Canada matters.

Mr. *Bouchette* for Canada East, and Mr. *Russell* for Canada West, Surveyors and Draughtsmen, conduct the surveying branch of the Department, project all the surveys required, and prepare instructions to the Surveyors accordingly. They examine and report on plans of survey, copy plans of towns and townships, examine candidates for Land Surveyors' Licenses, &c. &c. Mr. *Bouchette* also makes out the necessary descriptions on grants of lands and commutations of tenure: and combines, for Lower Canada, most of the duties performed by Mr. *Spragge* and Mr. *Russell* for the other section of the Province.

Mr. *Fletcher* copies plans, diagrams, instructions to Surveyors and correspondence, records descriptions on grants and commutations of tenure, prepares annual Statements, indexes, references &c., all for Canada East.

Mr. *Johnson* has been employed for a few weeks only to copy instructions and returns of Survey, &c., which had accumulated from the pressure of business.

Q. 4. What is the average number of letters received and sent daily by the Crown Land Department?—The average number of letters and petitions received in the Commissioner's Office in 1843 and 1844, was 18 each day; for the six months ending 30th June last, 21 per day. The average of letters sent out, is 11 each day, for 1843 and 1844: and for the half year to 1st July last, 12. This does not include Reports to Council, references to Agents, &c. &c. In the Surveyor General's Office, the average number of letters and petitions received and acted upon, per day, is $6\frac{1}{2}$ for the years 1842, 1843 and 1844; and about 4 each day for the six months ending 30th June, 1845. The above is calculated at 300 working days per annum.

Q. 5. Required a Statement shewing the number of petitions or applications for the grant or purchase of land which remain in the Crown Land Office unanswered or undisposed of, by reference to the Executive Council or otherwise, and the period when such applications were first made?—(1st October, 1845.) I am not aware of any petition or application for the grant or purchase of land remaining unanswered or unacted upon by reference to Council or otherwise, received previously to the last week or two. It is possible, however, that some such cases may have escaped recollection. Should any be discovered hereafter, mention will be made of them; but I beg to remark that the Land business that had accumulated in the Council and the Department before and during the last Session of Parliament, has since been worked up. There are only now remaining such old cases as require further information or explanation. I make no reference here to the Lower Canada Land claims, about 1000 of which yet remain to be investigated, all lodged previously to the 1st March last, and many of them long before that date.

Q. 6. Required a Statement shewing the date at which the first twenty Petitions for Land claims were received in each month from 1st January 1844, to 31st December 1845, and the date when these Petitions were finally disposed of by the Department by reference to the Honorable the Executive Council, or otherwise?—*Vide* Return T.

Q. 7. Required a Statement shewing the time when Returns of Sales by the Agents for the Home, Newcastle and Bathurst Districts were received for the months of February, March, June, July, October and November, 1845, and the time when references for Patents issued on the respective sales?—*Vide* Return U.

Appendix
(E. E.)

12th May.

RETURN T.

STATEMENT showing the Dates at which were received the first twenty Petitions in each month during the years 1844 and 1845, and how and when disposed of.

Number in Register.	Date of Receipt.	Name of Applicant.	When answered.	How and when otherwise disposed of.	* Delay.	
	1844.		1844.	1844.	Referred to,	
					mo. da.	
1	January 2	Hill, W.	...	March 28	Executive Council	2 26
2	do 3	Peterboro'. Inhabitants of...	...	January 31	do do	0 28
3	do do	Reid, G.	February 28	...	...	1 25
4	do do	Ferguson, J.	...	February 16	do do	1 13
5	do do	Freeman, J.	January 11	...	...	0 8
				1845.		
6	do do	McGill, Owen	...	August 5	do do	19 2
7	do do	Emery, S.	January 15	...	...	0 12
8	do do	Haley, D.	do do	...	...	0 12
9	do do	Brown, J.	do do	...	...	0 12
10	do do	Pegley, R.	do do	...	...	0 12
11	do do	Mahon, J.	do do	...	...	0 12
12	do do	Fare, E.	do 3	...	...	...
13	do do	Reynolds, E.	do 9	...	...	0 6
				1844.		
14	do 4	Alexander, J.	...	January 18	do do	0 14
15	do 5	Cameron, J.	...	do 6	do do	0 1
16	do 6	Ray, J. A.	March 2	...	...	1 27
17	do do	Robinson, P.	...	July 16	do do	6 10
18	do do	Rogers, T.	May 25	...	...	4 19
19	do do	Parent, M.	January 6	...	...	0 0
20	do 7	Coonett, J.	...	February 16	do do	1 9
97	February 1	Allen, W.	...	March 22	do do	1 21
98	do do	Parish, J.	March 22	...	...	1 21
99	do 2	Palmer, E.	...	March 8	do do	1 6
100	do do	Hoats, H.	...	May 8	do do	3 6
101	do do	Anderson, G.	...	July 16	do do	5 14
102	do do	Markle, S.	...	...	Waiting Power of Attorney	...
103	do do	Spafford, J.	April 19	...	...	2 17
104	do 3	Wallis, J.	February 12	...	...	0 9
105	do 4	Wells, J.	April 1	...	...	1 25
106	do 5	Sealy, H.	...	March 22	Executive Council	1 17
107	do do	McNamara, J.	...	do do	do do	1 17
108	do do	McCann, M.	...	May 8	do do	3 3
109	do do	McFarlane, J.	...	March 22	do do	1 17
110	do do	McMahon, J.	March 21	...	...	1 16
111	do do	Crosan, D.	...	March 22	do do	1 17
112	do do	McNamara, J.	...	do do	do do	1 17
113	do do	Jackson, J.	...	do 28	do do	1 28
114	do do	Currie, N.	May 7	...	...	3 2
115	do do	McConnell, R.	...	August 27	do do	6 22
116	do 7	Hamilton, A. & al.	April 6	...	...	2 0
184	March 1	Armstrong, J.	March 7	...	...	0 6
185	do do	Heaton, J.	...	March 2	Indian Office	0 1
186	do do	Barrie, Members of Church of Scotland	...	July 16	Executive Council	4 15
187	do 2	Maddigan, B.	March 7	...	...	0 5
188	do do	Galloway, J.	April 24	...	...	1 22
189	do do	Fox, J.	March 6	...	...	0 4
190	do do	McLean, S.	do 2	...	...	0 0
191	do 4	McQueen, D. S.	April 15	...	...	1 11
192	do do	Montgomery, F.	...	...	Answered verbally, through District Agent, the next month	0 28
193	do do	O'Loane, J.	...	March 30	Provincial Secretary	0 26
194	do do	McNab, Sir A.	March 12	...	Instructions to District Agent	0 8
195	do 6	Owen Sound, Inhabitants...	...	November 16	Executive Council	8 10
196	do do	Caton, M.	...	March 9	Surveyor General's Office	0 3
197	do do	McNab, The	...	do 11	Executive Council	0 5
198	do 9	Bouser, John	...	do 20	...	0 11
199	do do	Ryan, Timothy	...	July 16	...	4 7
200	do do	Couthard, Andrew	...	March 20	...	0 11
				1845.		
201	do do	Mott, Dan.	...	January 31	...	10 22
				1844.		
202	do do	McMartin, D.	...	May 19	...	2 10
203	do do	Reece, A.	March 26	...	...	0 17
				1845.		
270	April 1	Chambers, R.	February 26	...	...	10 25
240	do do	Keogh, F. G.	...	May 17	Civil Secretary	1 16
				1844.		
281	do 2	McDonnell, A.	April 18	...	...	0 16
282	do do	McDonnell, A.	...	...	...	0 16

* The column headed "Delay" was added by the Commission of Enquiry to shew the period occupied under the present system in disposing of Petitions by the Crown Land Department.

Appendix (E. E.)

STATEMENT showing the Dates, &c.—(Continued.)

Appendix (E. E.)

12th May.

12th May.

Number in Register.	Date of Receipt.	Name of Applicant.	When answered.	How and when otherwise disposed of.	Delay.
	1844.		1844.	1844.	mo. da.
283	April 2	Davidson, Sam.	...	January 18 ... Referred to, Executive Council. Former Petition alluded to	...
284	do do	Dawson, A.	August 9	...	4 7
285	do do	Harwich, &c., Freeholders of	April 4	...	0 2
286	do do	M'Lachlan, D.	...	...	...
287	do do	Keller, J.	...	July 16 ... Answered verbally Executive Council	3 14
288	do do	Bradburn, J.	May 29	...	1 27
289	do 3	Dungas, &c.	...	December 16 ... do do	8 15
290	do do	Colchester, Inhabitants of	April 19	...	0 16
291	do 4	Bogert, N.	do 17	...	0 13
292	do do	Diamond, Cath.	do do	...	0 13
293	do do	Shenelan, J.	do 22	...	0 18
294	do do	Frayser, S. and others	do do	...	0 18
295	do 6	Dale, W. M.	...	May 8 ... do do	1 2
296	do do	Williamson, J.	...	July 16 ... do do	3 10
297	do 8	Grant, Angus, &c.	...	April 15 ... do do	0 7
298	do do	Hartnett, John	April 29	...	0 21
368	May 1	Kent, J.	November 12	...	6 11
369	do do	Bowerman, S.	June 26	...	1 25
370	do do	Seymour, Inhabitants of	...	...	...
371	do do	Grant, J.	...	August 27 ... do do	3 26
372	do 2	Forbes, G.	May 30	...	0 28
373	do do	Fair, J. D.	do 14	...	0 12
374	do do	Copeland, W.	do 4	...	0 2
375	do do	Campbell, M.	...	May 31 ... do do	0 29
376	do do	Elson, J.	...	July 16 ... do do	2 14
377	do do	Cross, Nathan	...	do do ... do do	2 14
378	do do	Henderson, J.	...	do do ... do do	2 14
379	do do	Allan, J.	...	September 21 ... do do	3 19
380	do do	Oustin, C.	...	1845. August 14 ... Civil Secretary, Indian Dep't	15 12
381	do do	Clarke, W.	May 8	...	0 4
382	do 4	Low, John	do 9	...	0 5
383	do do	Morton, James	...	January 6 ... Executive Council	8 2
384	do do	Jackson, G.	...	1844. July 16 ... do do	2 12
385	do do	Sullivan, John	September 19	...	3 15
386	do do	M'Laren, John	August 26	...	3 22
387	do 6	Dulmage, D.	...	August 27 ... Executive Council	3 21
456	June 18	Dingman, O.	July 23	...	1 5
457	do do	Smart, A.	...	September 14 ... do do	2 27
458	do do	Ditzell, F.	...	...	...
459	do do	Birdsall, J. &c.	September 6	...	2 19
460	do do	Molloy, Patrick	June 24	...	0 6
461	do no	Frayser, S. and others	April 22	...	...
462	do do	Sheerin, R.	June 21	...	0 3
463	do do	Drain, J.	September 12	...	2 25
464	do do	Stephen, G.	do 13	...	2 25
465	do do	Powell, J.	...	July 13 ... Executive Council	1 13
466	do do	Meyers, A. H. &c.	...	September 14 ... do do	2 26
467	do do	Meyers, A. H. &c.	September 11	...	2 23
468	do do	St. Lawrence Saw Mills, Proprietors of	July 11	...	0 23
469	do 20	Forrester, J.	October 14	...	3 24
470	do 21	M'Phail, J.	...	August 27 ... do do	2 6
472	do 24	Murray, P.	...	do do ... do do	2 3
473	do do	Johnston, R.	...	September 14 ... do do	2 18
474	do do	Gederich, Presbyterians of	June 25	...	0 1
475	do 26	Kemp, John	...	September 14 ... do do	2 18
476	do do	Fortier, Charles	...	August 27 ... do do	2 1
486	July 1	River du Loup, Inhabitants of	...	...	...
487	do do	James, Hy.	September 25	...	2 24
488	do do	Brown, Samuel	...	do do ... do do	...
489	do do	Gilvear, R. &c.	...	August 27 ... do do	1 26
490	do do	Morrison, W.	September 26	...	2 25
491	do do	Gibson, J.	do 24	...	2 23
492	do do	Rumbold, R. &c.	...	August 27 ... do do	1 26
493	do 2	Walsh, Thomas	1845. July 26	...	12 24
494	do do	Saunders, John	1844. December 19	...	5 18
495	do do	Conrad, George	September 25	...	2 13
496	do 3	M'Gregor, J.	...	September 14 ... do do	2 11
497	do 4	Martin, D.	...	do do ... do do	2 10
498	do do	Duncombe, Charles	July 18	...	0 14
499	do do	Ryall, Edward	...	July 23 ... do do	0 19
500	do do	Arthur, Inhabitants of	...	...	...
501	do 6	Sandwich, Colored Inhabitants of	...	August 22 ... Filed. No answer required Executive Council	1 16

Appendix
(E. E.)

STATEMENT showing the Dates, &c.—(Continued.)

Appendix
(E. E.)

12th May.		Date of Receipt.	Name of Applicant.	When answered.	How and when otherwise disposed of.		Delay.	
Number in Register.	1844.				1845.	Referred to,		no. da.
502	July 6	1844.	Cornwall, Corporation of	1844.	July 1	Executive Council	11 25	
503	do do	do	Woodstock, Wesleyan Methodists	September 25	do	do	2 19	
504	do do	do	M'Nab, James	do	do	No answer required	2 19	
505	do do	do	Clarke, J.	September 25	do	do	2 19	
553	August 1	do	M'Donald, Lt. D.	do 4	do	do	1 3	
554	do 2	do	Desmartels, Rev. J.	do	1844.	September 25	Executive Council	1 23
555								
556	do do	do	M'Donald, P.	do	October 17	do do	2 15	
558	do do	do	Gibbons, W.	September 23	do	do	1 21	
559	do 3	do	Cass, J.	do	September 21	do do	1 18	
560	do do	do	Cass, A.	September 23	do	do	1 20	
561	do do	do	Cass, Adelia	do	September 21	do	1 18	
562	do 5	do	Cavanagh, J.	September 5	do	do	1 0	
563	do do	do	Graves, R. A. &c.	do	1845.	May 8	do do	9 3
564	do do	do	Casselman, E.	do	1844.	September 14	do do	1 9
565	do do	do	Coreoran, T.	do	August 29	do do	0 24	
566	do do	do	Moore, T.	do	1845.	June 30	Reference for Patent	10 26
567	do do	do	Taylor, Samuel	do	1844.	December 18	Executive Council	4 13
568	do do	do	Nappier, John	September 25	do	do	1 20	
569	do 8	do	Sheets, J.	do	1845.	March 18	do do	7 10
570	do do	do	Connor, Timothy	September 25	do	do	1 17	
571	do do	do	Muirhead, H.	do 24	do	do	1 16	
572	do do	do	Effrier, C.	November 16	do	do	3 8	
638	September 2	do	M'Neirney, J.	do	January 3	do do	4 1	
639	do do	do	Fields, A.	September 21	do	do	0 19	
640	do do	do	Soper, U.	do	1844.	September 21	do do	0 19
641	do do	do	Walton, T.	December 7	do	do	3 5	
642	do do	do	Emerson, A.	do do	do	do	3 5	
643	do 3	do	Martin, D. &c.	do	September 14	do do	0 11	
644	do do	do	Hayter, M.	November 16	do	do	2 13	
645	do 7	do	Sutherland, M.	do	1845.	February 26	do do	5 19
646	do do	do	Dunn, M. &c.	September 23	do	do	0 16	
647	do do	do	Bregare, Peter	do	1844.	November 6	do do	2 0
648	do do	do	Sloane, John	do	do do	do do	2 0	
649	do 9	do	Alexander, J.	September 20	do	do	0 11	
650	do 10	do	Tindall, J.	do 24	do	do	0 14	
651	do do	do	Hurst, A.	do	1845.	February 3	do do	5 23
652	do 6	do	Allison, A.	September 27	do	do	0 21	
653	do do	do	Smith, J.	do do	do	do	0 21	
654	do do	do	Sagar, J. W.	December 19	do	do	3 13	
655	do 7	do	Holt, Peter	September 27	do	do	0 20	
656	do 10	do	M'Neirney, J.	do	January 3	do do	3 23	
657	do do	do	M'Manus, J.	do	March 11	do do	6 1	
833	October 1	do	Highland, W.	December 13	do	do	2 12	
834	do 2	do	M'Crea, W.	do	April 7	do do	6 5	
835	do do	do	Copeland, J.	October 16	do	do	0 14	
836	do 3	do	Orillia, Wesleyan Methodists	do do	do	do	0 14	
837	do 4	do	M'Donell, Donald	do	January 3	do do	3 27	
838	do 7	do	Richardson, L.	December 4	do	do	1 28	
839	do do	do	Foley, J.	do	July 1	do do	5 25	
840	do do	do	Dimond, J.	do	do	Under consideration	0 8	
841	do 8	do	Godfrey, J.	October 16	do	do	0 8	
842	do do	do	Cowan, J.	do do	do	do	0 8	
843	do do	do	Holden, W.	do	1845.	August 5	Executive Council	7 0
844	do do	do	Thompson, T.	do	1844.	November 20	By Letter to Agent	1 12
845	do 9	do	Beber, A.	do	do	do	Waiting Return of Survey	0 8
846	do do	do	Robins, L.	do	do	do	No answer required	0 8
847	do do	do	Markie, J. W.	October 17	do	do	do	2 7
848	do 10	do	Morrison, J.	December 17	do	do	do	1 11
849	do 12	do	Young, John	do	1845.	November 21	Executive Council	0 4
850	do do	do	Leahlan, M.	October 16	do	do	do	0 4
851	do 14	do	Hinch, G.	do	1845.	August 7	do do	6 24
852	do do	do	Erwin, H.	do	1844.	November 6	do do	0 23
885	November 1	do	Kilbride, J.	November 5	do	do	do	0 4
886	do 2	do	Coleman, R.	do	1845.	January 15	do do	2 13

Appendix (E. E.)

STATEMENT showing the Dates, &c.—(Continued.)

Appendix (E. E.)

12th May.	Number in Register.	Date of Receipt.	Name of Applicant.	When answered.	How and when otherwise disposed of.	Delay.	12th May.
		1844.			1845.	Referred to,	da. mo.
	887	November 2	Donelly, E.	...	January 3	Executive Council	2 1
	888	do do	Lumbey, B.	...	December 16	do do	1 14
	889	do do	M'Gruer, D.	...	do do	do do	1 14
	890	do do	Scott, H.	...	do do	do do	1 14
	891	do 4	Wilson, E.	...	November 23	do do	0 19
	892	do 5	Kennedy, W.	March 26	...	...	4 21
	893	do do	Corkerry, E.	...	January 3	do do	2 0
	894	do do	M'Nab, Inhabitants of	March 4	...	To D. Stewart	...
	895	do do	Gage, N.	...	November 11	Civil Secretary. Indian Department	0 6
	896	do 6	Frotter, J.	November 11	...	...	0 5
	897	do do	Brough, Rev. C. C.	...	April 15	Executive Council	5 9
	898	do 8	Turnbull, J.	...	December 16	do do	1 8
	899	do do	M'Donald, D.	...	January 3	do do	1 25
	900	do 9	Sullivan, E.	...	April 7	do do	5 0
	901	do do	Elwood, A. J.	...	...	Survey ordered	...
	902	do do	Clarke, J. T.	...	November 27	Provincial Secretary	0 18
	903	do 2	Hofferan, C.	...	January 3	Executive Council	2 1
	904	do 12	Ross, W.	November 19	...	...	0 7
	904	December 2	Shanahan, D.	...	July 1	do do	7 0
	905	do do	Kyle, J.	December 10	...	...	0 8
	906	do do	Dercolin, C.	...	May 8	do do	5 6
	907	do 3	Parker, Thomas	February 14	...	...	2 11
	908	do 4	M'Culloch, P.	December 11	...	...	0 7
	909	do do	Brydon, J.	do do	...	...	0 7
	910	do do	Ottawa, Lumber Merchants	December 4	...	Verbally, by Commissioner	...
	911	do 3	Frats, E.	...	December 5	Executive Council	0 2
	912	do 5	O'Brien, T.	April 18	...	...	4 13
	913	do do	Pope, E.	December 12	...	...	0 7
	914	do do	M'Neil, J.	...	January 3	do do	1 0
	915	do do	Rodgers, J.	...	...	Scrip delivered	...
	916	do do	Fraser, J.	December 14	...	...	0 9
	917	do do	Graham, J.	do do	...	...	0 9
	918	do do	Armistead, J.	...	December 16	Executive Council	0 11
	919	do do	Scott, J.	...	January 22	do do	1 17
	920	do do	Harden, S.	December 10	...	...	0 5
	921	do do	Evans, E.	do 20	...	...	0 15
	922	do 6	Magannon, W.	...	January 18	do do	1 12
	923	do 7	Andress, J. M.	...	February 18	do do	2 11
	1	1845. January 1	Tirrell, George	...	January 15	do do	0 14
	2	do do	Ford, R. E.	January 20	...	...	0 19
	3	do do	Leich, J.	May 14	...	...	4 13
	4	do 4	Morin, P. L.	January 13	...	...	0 9
	5	do do	Bedard, T.	February 11	...	...	1 7
	6	do do	Hawkins, J.	August 20	...	...	7 16
	7	do do	M'Dougall, A.	February 13	...	...	1 9
	8	do do	Weston, A.	April 4	...	...	3 0
	9	do do	Cox, R.	...	...	The Agent is taking the case through the Heir and Devisee Commission	...
	10	do do	Moss, J.	...	September 1	Executive Council	8 0
	11	do do	Burke, W., &c.	...	January 14	do do	0 14
	12	do 6	Willoughby, Inhabitants of	January 25	...	...	0 19
	13	do do	Armstrong, James	...	...	Settled through Agent	...
	14	do do	Norrish, W. &c.	June 3	...	...	5 0
	15	do do	Shirreff, Charles	...	March 18	Executive Council	2 12
	16	do do	Hall, G. B.	...	February 27	do do	1 21
	17	do 7	Kellar, J.	...	July 16	do do	6 9
	18	do do	Henry, J.	...	January 17	do do	0 10
	19	do do	Kelly, J.	...	August 26	do do	7 19

Appendix (E. E.)

STATEMENT shewing the Dates, &c.—(Continued.)

Appendix (E. E.)

12th May.		STATEMENT shewing the Dates, &c.—(Continued.)						12th May.	
Number in Register.	Date of Receipt.	Name of Applicant.	When answered.	How and when otherwise disposed of.		Delay.			
	1845.		1845.	1845.	Referred to,	mo. da.			
20	January 7	St. Pierre, P.	February 26	February 26	Executive Council	1 19			
115	February 3	Lamb, James	February 15	...	...	0 12		
116	do do	Cobb, E.	...	March 11	do do	1 8			
117	do do	Masson, J.	February 15	...	...	0 12		
118	do do	Murray, G.	...	July 15	do do	5 12			
119	do do	Colborne, Dep. Sup. Schools	...	March 19	do do	1 16			
120	do do	Hamilton, G.	...	February	do do	...			
121	do 5	Maddigan, Benjamin	July 15	...	...	0 10		
122	do do	Helfferie, J.	February 7	...	...	0 2		
123	do do	Carscallen, Luke C.	...	March 3	do do	0 26			
124	do do	M'Arthur, Robert	...	October 3	do do	8 0			
125	do do	Ketchison, W.	February 27	...	...	0 22		
126	do do	M'Conachie, A.	...	July 26	do do	5 21			
127	do do	M'Donald, Archibald	...	July 23	do do	5 18			
128	do do	Francis, W. and others	...	February 18	do do	0 13			
129	do 6	Higgins, B.	...	do 26	do do	0 20			
130	do 8	Raines, W. and others	...	do do	do do	0 18			
131	do do	Reece, H.	February 25	...	...	0 17		
131 1/2	do 5	Westminster, Inhabitants of	...	...	For remission of interest on Clergy Reserves. Under consideration.	...		
132	do 8	Minaker, C.	...	March 11	...	1 3			
133	do do	Hart, J.	April 1	...	...	1 21		
215	March 1	Secord, E.	...	March 1	Inspector General	...			
216	do do	Conklin, J.	March 22	...	...	0 21		
217	do do	Thompson, G.	...	May 30	Executive Council	0 29			
218	do 3	Laughton, W. &c.	...	May 8	do do	2 5			
219	do do	Ross, H.	...	April 7	do do	1 4			
220	do do	Graham, J.	...	do do	do do	1 4			
221	do do	M'Nab, Inhabitants of	...	February 26	do do	...			
222	do do	Chatham, Methodists of	...	August 16	Report to Council	5 13			
223	do do	Graham, Thomas	...	June 10	Executive Council	3 9			
224	do 4	Talbot, John	November 8	...	...	6 4		
225	do do	Hilferiek, John	June 13	...	...	3 9		
226	do do	Falvey, Pat	...	October 3	do do	7 0			
227	do do	Fullerton, J.	...	May 8	do do	2 4			
228	do do	Anderson, G.	...	...	Mislaid	...		
229	do do	M'Manus, J.	March 13	...	...	0 9		
230	do do	Oliver, W.	do 12	...	...	0 8		
231	do do	Shallow, L.	do do	...	...	0 8		
232	do do	M'Mullen, J.	April 8	...	...	1 4		
233	do do	Reynolds, G.	March 12	...	...	0 8		
234	do do	Madigan, B.	do do	...	...	0 8		
585	April 1	Purdo, J.	...	April 7	Executive Council	0 6			
585 1/2	do do	Ops, Inhabitants of	July 1	...	...	3 6		
586	do do	Baker, M. A.	May 9	...	...	1 8		
587	do do	Wendover, J.	...	May 8	do do	1 7			
588	do do	Hyde, Henry	April 18	...	...	0 17		
589	do do	M'Dougall, H.	...	April 7	do do	0 6			
590	do do	Campaigne, W.	April 17	...	...	0 16		
591	do do	M'Gregor, R.	...	...	For remission of interest on Clergy Reserves. Under consideration.	...		
592	do do	Coil, M.	...	...	...	...
593	do do	Sullivan, Edward	April 17	...	...	0 16		
594	do do	Secord, D.	...	May 22	Indian Department	1 21			
595	do do	Secord, Dan. junior	...	do do	do do	1 21			
596	do do	Bolton, Benjamin	April 21	...	...	0 20		
597	do do	Taylor, William	...	April 7	Executive Council	0 6			
598	do do	Plingoll, P.	...	May 12	Surveyor General's Office	1 11			
599	do 2	Warren, G.	...	...	Scrp delivered	...		
600	do do	M'Carthy, C.	...	June 18	Executive Council	2 16			
601	do do	Keever, P. H.	...	April 7	do do	0 5			
602	do do	Carew, Michael	April 17	...	...	0 15		
603	do 3	Fitzpatrick, P.	...	April 7	do do	0 4			
684	May 2	Cotton, C. E.	May 15	...	...	0 13		
685	do do	Missisquoi, Inhabitants of	do do	...	...	0 13		
686	do do	Holland, &c. Presbyterian Inhabitants of	...	June 18	do do	1 16			
687	do do	Lloyd, J.	...	May 12	Surveyor General's Office	0 10			
688	do do	Goggins, Michael	May 28	...	...	0 26		
689	do do	Holt, J.	do do	...	...	0 26		
690	do do	Magher, T.	...	June 18	Executive Council	1 16			
691	do do	Cameron, Archibald	...	...	...	...
692	do do	Dredge, J.	May 19	...	...	0 17		
693	do do	Forbes, Andrew	...	May 19	do do	0 17			
694	do do	Oliver, J.	...	October 24	do do	5 22			
695	do do	Scott, J. &c.	...	...	Under consideration. (Clergy Reserves.)	...		
696	do 3	Henry, William	...	May 30	Executive Council	0 27			
697	do do	Kilpatrick, S.	...	July 1	do do	1 27			

Appendix (E. E.)

STATEMENT showing the Dates, &c.—(Continued.)

Appendix (E. E.)

12th May.

12th May.

Number in Register.	Date of Receipt.	Name of Applicant.	When answered.	How and when otherwise disposed of.	Delay.
698	1845. May 3	Breadner, J.	1846. January 20	1845. Referred to, To District Agent	mo. da. 8 17
699	do do	Londay, D. W.	1845. May 28	do do do	0 25
700	do do	Cochrane, J. C. T.	do do	10... To District Agent	0 7
701	do do	Gibson, J.	do do	do... Surveyor General's Office	0 7
702	do do	Hootman, J. jun.	1845. May 28	do do do	0 25
703	do do	Jamieson, J.	do do	do do do	0 25
782	June 3	Carbery, P.	do do	1... Executive Council	0 28
783	do 4	Carscallon, D. L.	do do	11... Surveyor General's Office	0 7
784	do 5	Boudrie, B.	do do	1846. Settled by District Agent	6 0
785	do do	Caulter, M. A.	July 3	do do do	0 28
786	do do	Simcoe Agricultural Society	do do	1845. Executive Council	0 26
787	do 7	Moss, J.	do do	1... do do	2 24
788	do do	Gage, J. P.	do do	June 18... do do	0 11
789	do 9	Hill, W.	June 17	do do do	0 8
790	do do	M'Naughton, J.	do do	do do do	0 7
791	do do	Walsh, M.	June 16	do do do	0 7
792	do 10	Johnson, J.	do 10	do do do	0 7
792½	do do	Johnson, J.	do do	do do do	0 7
793	do do	Beatty, Samuel	do do	June 18... Executive Council	0 8
794	do do	O'Connell, M.	do do	December 11... do do	6 1
795	do do	Fuller, S.	do do	do do do	0 24
796	do do	Dick, Robert	July 4	do do do	0 24
797	do do	Sudom, Hugh	do do	July 7... Civil Secretary	0 28
798	do 11	Craddock, Joseph	do do	June 26... Indian Office	0 15
799	do 13	Park, G. H.	do do	do 18... Executive Council	0 5
800	do 14	M'Bean, Alexander	do do	do do do	2 20
871	July 1	Walton, S.	do do	September 4... Under consideration. (Clergy Reserves)	0 8
872	do do	Stafford, S.	July 9	do do do	0 8
873	do do	Philips, P.	do do	do do do	0 8
874	do do	St. Vincent, Inhabitants of	do do	July 5... Surveyor General's Office	0 4
875	do do	Arthur, Robert	do do	do do do	0 4
876	do 2	Whitesell, Charles	do do	July 19... Executive Council	0 17
877	do do	Dowling, Francis	do do	do do do	0 17
878	do 3	Richard, A.	do do	do do do	0 24
879	do 4	Ewart, J.	do do	do do do	1 26
880	do do	Helferic, N.	June 19	August 30... do do	0 0
881	do 5	M'Call, N.	July 25	do do do	0 20
882	do do	Ross, J. M.	August 25	do do do	1 20
883	do do	Morrison, T. and others	July 24	do do do	0 10
884	do do	Langford, J.	do do	August 6... Executive Council	1 1
885	do do	M'Dermid, D.	do do	do 11... Surveyor General's Office	1 6
886	do 8	Milroy, E.	do do	do 14... Executive Council	1 6
887	do 9	Cram, W.	do do	July 26... do do	0 17
888	do do	Osterhout, H.	do do	do do do	0 17
889	do do	Saunderson, W.	do do	do 23... Surveyor General's Office	0 24
890	do do	Callaghan, J.	September 29	do do do	2 20
972	August 2	Thurlow, Inhabitants of	October 27	do do do	2 25
973	do 5	Brown, J.	do do	August 7... do do	0 2
974	do do	O'Brien, H.	do do	do 16... do do	0 11
975	do do	Haskins, J.	do do	do 11... do do	0 6
976	do do	Baxter, D. S.	do do	do 21... do do	0 16
977	do do	Chalmers, W.	do do	do do do	0 16
978	do 6	M'Kenna, J.	do do	do 18... do do	0 12
979	do do	Flynn, M.	do do	do do do	0 12
980	do do	Telfer, J.	do do	do do do	0 14
981	do 7	Faxton, T.	do do	August 6... do do	0 14
982	do do	Otonabee, Inhabitants of	do do	do 21... do do	0 9
983	do do	Douro, Inhabitants of	do do	do 16... do do	0 9
984	do do	Armstrong, J.	do do	do do do	0 2
985	do 8	Salter, P. D.	do do	do 9... Provincial Secretary	0 2
986	do do	Proctor, R.	do do	do do do	0 2
987	do do	M'Culloch, P.	do do	August 30... Admitted a D. P. S. same time	0 22
988	do do	Bryant, A.	do do	do do do	0 22
988	do do	Gilbert, H.	August 21	do do do	0 23
989	do do	Burke, M. M., and } Hyde, J. B. }	do 2	do do do	0 23
990	do do	M'Apee, J.	do do	do do do	0 6
991	do do	Curtis, M.	August 28	August 14... Executive Council	0 6
1061	September 1	Robson, G. &c.	do do	do do do	0 20
1062	do do	Perkins, J.	do do	September 27... Executive Council	0 26
1063	do do	Goulburn, Wesleyan Methodists of	do do	do do do	0 26
1064	do 2	Rawdon, Inhabitants of	do do	Under consideration. (Clergy Reserves.)	0 7
1065	do do	Perkins, J.	do do	September 8... Surveyor General's Office	0 7
1064	do 2	Goulburn, Wesleyan Methodists of	do do	1846. Executive Council	4 14
1065	do do	Rawdon, Inhabitants of	do do	January 16... To Agent	4 14

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(E. E.)

STATEMENT shewing the Dates, &c.—(Continued.)

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(E. E.)

12th May.	Number in Register.	Date of Receipt.	Name of Applicant.	When answered.	How and when otherwise disposed of.	Delay.
		1845.		1845.	1845.	Referred to, mo. da.
	1066	September 3	M'Intosh, William	...	December 11... Executive Council	3 8
	1067	do 2	Ryland, R.	...	Under consideration. (Clergy Reserves.)	
	1068	do do	Levis, J.	...	September 18... Executive Council	0 16
	1069	do do	Russell, Francis	October 1	...	0 29
	1070	do do	Slandford, Inhabitants of	...	September 5... Mr. Bouchette	0 4
	1071	do do	Cochrane, J. C. S.	October 22	...	1 20
	1072	do 3	Farrell, H.	August 26	...	
	1073	do 4	Carney, C.	December 20	...	3 16
	1074	do do	Coxwell, J.	...	September 27... Executive Council	0 23
	1075	do do	Reynolds, J.	...	1846. February 5... Report for Executive Council	5 0
	1076	do 5	Sherrington, Inhabitants of	...	1845. September 5... Mr. Bouchette	
	1077	do do	Georgetown, Inhabitants of	...	do do	
	1078	do do	Fortune, J.	...	November 19... District Agent	2 15
	1079	do do	Finnigan, J.	November 20	...	2 15
	1080	do 6	Thearle, W.	...	October 31... Executive Council	1 25
	1168	October 1	Godare, Lewis	...	do do do	0 23
	1169	do do	Stoneburner, J. W.	...	do do do	0 22
	1170	do 2	Aeker, J.	...	December 9... District Agent	2 7
	1171	do do	Buchanan, Alexander	October 27	...	0 25
	1172	do do	Bradley, W. B.	...	1846. February 3... Report for Executive Council	4 2
	1173	do 3	Grant, J.	...	January 16... Executive Council	3 13
	1174	do do	Warren, F. G.	...	1845. October 24... do do	0 21
	1175	do 4	M'Donell, A.	...	do do	0 20
	1176	do do	Lyall, W.	...	Waiting further evidence from Agent	
	1177	do do	M'Manus, M.	...	December 11... Executive Council	2 7
	1178	do do	Manwell, F. A.	October 15	...	0 11
	1179	do do	Ranger, W.	do do	...	0 11
	1180	do do	Simpson, Rev. W.	...	1846. January 28... Executive Council	3 24
	1181	do do	Farmer, W.	November 6	Letter to Mr. Stevenson	1 2
	1182	do do	Keirnan, J.	October 21	...	0 17
	1183	do do	Fenton, B.	...	1845. October 22... District Agent	0 18
	1184	do do	Todd, J.	...	1846. March 4... do do	5 0
	1185	do do	Vaughan, Inhabitants of	...	1845. October 22... Provincial Secretary	0 18
	1186	do do	Brew, J.	November 20	...	1 16
	1187	do do	Drummond, C.	do 15	...	1 11
	1328	November 1	Dixon, J.	...	1846. February 3... Executive Council	3 2
	1329	do do	Boult, F.	...	do do do	3 2
	1330	do do	Panton, J.	...	1845. December 11... do do	1 10
	1331	do do	Brennan, J.	...	1846. January 17... do do	2 16
	1332	do 4	Wager, W.	...	1845. November 10... do do	0 6
	1333	do 3	Stedivant, H.	...	December 11... do do	1 8
	1334	do do	Johnson, B.	...	do 5... do do	1 2
	1335	do do	Muir, A.	...	do 11... do do	1 8
	1336	do do	Henshaw, S.	...	do 11... do do	1 8
	1337	do do	Cramer, S.	...	do 4... To T. Baines	1 1
	1338	do do	Gillis, J.	...	do 11... Executive Council	1 8
	1339	do do	Croakerry, W.	...	do do do	1 8
	1340	do do	Wolverton, A.	...	do 16... District Agent	1 13
	1341	do do	Philpo, J.	...	do 5... Executive Council	1 2
	1342	do do	Wolverton, A.	...	do do do	1 2
	1343	do do	Leech, G.	...	November 11... Surveyor General's Office	0 8
	1344	do do	Eaton, P.	December 11	...	1 8
	1345	do 4	Lomaney, M.	...	November 19... District Agent	0 15
	1346	do do	M'Neil, H.	...	December 13... Executive Council	1 9
	1347	do do	Malony, J.	December 19	...	1 15
	1493	December 1	Hartman, M. A.	do 5	...	0 4
	1494	do do	Tohill, E.	do 4	...	0 3
	1495	do do	Horne, J.	...	Under consideration. (Clergy Reserves.)	
	1496	do do	Harwich, Inhabitants of	...	1846. January 26... Executive Council	1 25
	1497	do do	Duffy, Frs.	...	Under consideration. (Clergy Reserves.)	
	1498	do do	James, R.	December 13	...	0 12
	1499	do 3	Mallory, P.	...	February 13... Executive Council	2 10

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(E. E.)

STATEMENT shewing the Dates, &c.—(Continued.)

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(E. E.)

12th May. 12th May.

Number in Register.	Date of Receipt.	Name of Applicant.	When answered.	How and when otherwise disposed of.	Delay.
			1845.	1845.	
1500	December 3	Osborne, W.	...	December 22	Referred to, Executive Council
1501	do do	Young, G.	...	do 3	Surveyor General's Office
1502	do do	Powell, M.	December 22	...	0 19
1503	do do	Railton, G.	...	...	Under consideration
1504	do do	Hollingsworth, E.	...	December 13	District Agent
1505	do do	Hazle, G.	...	...	Under consideration. (Clergy Reserves.)
1506	do 5	Maddigan, B.	...	...	...
1507	do do	M'Farish, H.	...	December 23	Executive Council
1508	do do	Andrews, W.	December 31	...	0 18
1509	do 6	Burrows, T.	do do	...	0 26
1510	do do	Moë, C.	do 16	...	0 25
1511	do do	Hartman, J.	...	December 6	Surveyor General's Office
1512	do do	Cameron, H.	...	...	Under consideration. (Clergy Reserves.)

CROWN LAND OFFICE,
6th March, 1846.

RETURN U.

STATEMENT shewing the time when Returns of Sales by the Agents for the Home, Newcastle and Bathurst Districts were received, for the months of February, March, June, July, October and November, 1845, and when references for Patents were issued for the Sales therein.

Receipt of Returns.	Date of Reference.
Thomas Baines, Agent for Home District.	
February Return received March 22nd	May 15th, 16th, 31st, June 21st, July 11th.
March do do May 5th	June 3rd, 21st, July 11th.
June do do July 25th	August 9th.
July do do August 29th	September 16th, October 6th, 9th, 28th.
October do do November 21st	December 10th, one reference.
November do do December 11th	January 12th, one do
E. P. Smith, Agent for Newcastle District.	
February Return received March 7th	March 18th, April 24th, 30th.
March do do April 7th	June 16th.
June do do July 2nd	July 7th, 25th.
July do do August 2nd	August 18th, 19th.
October do do November 6th	December 10th, 15th.
November do do December 6th	December 26th, part referred.
A. Leslie, Agent for Bathurst District.	
February Returns received March 4th	August 9th, 18th.
March do do April 4th	May 26th, June 19th.
June do do July 3rd	July 4th, 25th, October 24th.
July do do August 4th	September 8th.
October do do November 4th	November 6th, December 10th, 19th, part referred.
November do do December 5th	December 19th, part referred.

CROWN LAND OFFICE,
Montreal, 6th March, 1845.

Appendix
(E. E.)

12th May.

A. 4.

Questions put by the Commission of Enquiry (through the Commissioner of Crown Lands) to Messrs. Spragge, Dean, and McNabb, with the Answers, furnished through the same medium.

L. W. B. Spragge, Esquire.

Montreal, 19th March, 1846.

Sir,

Please have the goodness to give me written answers to the following Questions:—

1st. How long have you been employed in the Surveyor General's and Crown Land Offices; what is now, and what was your particular situation in the said Offices; and what are the particular duties you had and have now to perform?

2nd. Have you had any opportunity of acquiring a knowledge of the system adopted under the provisions of the present Land Act for the sale and management of Public Lands; do you think the public interest benefited by that system?

3rd. Do you think that the business of the Department has been facilitated by the appointment of District or Local Agents?

4th. Have the number of applications for lands referred to that branch of the Department in which you are employed, been lessened or increased since the appointment of the Agents above referred to; please to state what is your opinion about the cause of such diminution or increase, if any?

5th. Is the organization of the Department in all respects satisfactory; please to state if you are aware of any defects, and what improvements, in your opinion, should be made in any particulars?

6th. Are you aware that complaints have been made of difficulty and delay in the transaction of business in the Crown Land Office; and if such have been made, please state your opinion about the cause or causes from which they have arisen?

I also request that you will communicate to me any observations you would think proper to make, on the present system of disposing of Public Lands, and which your experience might suggest.

I am, Sir,

Your very obedient servant,
(Signed,) D. B. PAPINEAU,
C. C. L.

William Spragge, Esquire,
Crown Land Office.

Montreal, 20th March, 1846.

Sir,

I have the honor to acknowledge the receipt of your Letter of yesterday's date, requiring replies from me to certain Questions relative to the system adopted for the disposal of the Crown Lands in this Province, and in reference to other subjects connected therewith. I have accordingly taken the earliest opportunity of preparing my replies, and will now submit them in detail.

To the 1st Question. *Answer*.—I was appointed to the Surveyor General's Office 1st January, 1829, and have continued in the Land Department up to the present time. Previously to the passage of the Provincial Act dispensing with the office of Surveyor General, I was Chief Clerk for Canada West, under the Surveyor General, and my position has not been changed by the union of the offices. My duties being the superintending the general land business for Canada West, not connected immediately with the sale of lands,—reporting upon pe-

titions for the information of the Government, and upon claims before the Heir and Devisee Commission,—taking part in the correspondence,—hearing and attending to verbal applications made at the Office, and other minor details.

To the 2nd Question. *Answer*.—Having taken a strong interest in whatever concerns the well-being of the Land Department, I have not neglected any opportunity of ascertaining the working of the system established under the existing Land Act, and do not hesitate to pronounce an opinion, that the public interests, far from being benefited by that system, suffer in every way.

To the 3rd Question. *Answer*.—Unquestionably there is, in some respects, a convenience experienced in the Department having its local Agencies; but the actual irresponsibility of such persons; the expense,—disproportionate with relation to any advantages which the system has exhibited; the losses which have been sustained, added to the unsatisfactory and censurable manner in which several of the Agents have filled their offices and failed in duty, abusing the trusts confided to them, render it advisable that the system should be retained but for as short a time as possible.

To the 4th Question. *Answer*.—In point of number, the applications pertaining to the branch of the Department not immediately connected with the sale of Crown Lands differs at present but little from what they have been during the last four or five years, and of these, special cases constitute a larger proportion than formerly. I do not perceive that the District Agents of the Department relieve the office in any sensible degree; but it is quite certain that the transactions in connexion with them, in some respects, render the business more complicated, and often occasion delay instead of facilitating its progress. The only business which they seem to have lessened is that of the private professional Land Agents, which some of the Public Agents of the Government seem very industriously absorbing; and however inconsistent it may appear, to combine the employment of the Government (and which to a certain extent they represent) with employment by individuals who are claimants upon that Government, or anxiously attempting through their agents to obtain the most favorable terms in acquiring land by purchase, still it is plain that they do combine those employments.

To the 5th Question. *Answer*.—It appears to me that the organization of the Department is susceptible of considerable improvement, as may be inferred from my replies to the preceding Questions. A very great reduction in the expenses of the Department is most unquestionably called for; and as I am well satisfied that the greatest desideratum of all (the settlement of the Public Lands) is not being promoted by the instrumentality of the District Agencies, and the expense of them is infinitely greater than the Crown Land Fund can sustain, I am of opinion that the first act of retrenchment should be the terminating every Agency where a local Superintendent is not required to be left in charge of lands set apart for actual settlement. And further, with a simplified system of accounts (for, from the commencement, that pursued has been ill considered, and subsequent additions have not improved the original system,) I see no reason why, under energetic management, the entire business of the Department should not be managed within the office in a manner highly efficient and satisfactory to the public and to the Government, with an official establishment less numerous than is employed under the present system. The details for arranging sales of lands, inspections, and valuations, accounts, &c., it does not seem necessary at present to refer to.

To the 6th Question. *Answer*.—I am quite aware that complaints have been made of difficulty and delay in the transaction of business in the Crown Land Office, and the causes of it are sufficiently clear. From the time of the appointment of Mr. Davidson (at the period of the Union of the Provinces) as Commissioner of Crown Lands, an anxiety has been displayed, that the branch of the Land

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Department properly, exclusively the selling branch should absorb the entire Land business of the Province, and dispose of it too, without the business of individuals having the advantage of going before the Government for the decision of the Executive. This summary process conducted by persons inexperienced in Western Canada official affairs, has had the effect, in some cases, of amounting to a denial of justice. A natural consequence of the endeavour to absorb duties with which Mr. Davidson had properly no concern, occasioned the accumulation of business, and the delays referred to in the Query to which this is a reply.

As bearing upon the allusion to the absorption of duties, I cannot avoid referring to the preparation of Western Canada Scrip Lists and Scrip; the attempts to maintain correspondence on business subjects not properly belonging to the Crown Land Office; the mismanagement of inspections of locations, &c. &c.

The efficiency of the office would, in my opinion, be promoted by the details of duty being arranged with distinctness, separating the selling branch from the general correspondence unconnected with sales, and confining the general correspondence upon approved recognized official principles, and placing each branch under one responsible efficient person of the requisite experience, capable of vigorously carrying forward its duties.

In reference to the concluding paragraph of your letter, inviting my observations on the present system of disposing of Public Lands, I beg to remark upon the nature of Crown Land sales during the period that Land Scrip or Land Rights have been received in payment, and during which local Agencies of nearly their present extent have been in existence: In the year 1829, the Surveyor General's Department prepared a Return of Lands situated in Western Canada, scattered through the old Townships, consisting, for the most part, of detached disposable parcels of land, and from their situation and quality generally of a particularly saleable character;—these lands had been exempted from location. The Crown Seventh Lands in Townships surveyed since 1826, remaining unsold, were likewise brought into the market, added to the lands reserved by the Government, and likewise Town Lots in London, Peterboro', Cornwall, the Garrison Reserve, Toronto, Town Lots in Woodstock, Chatham, and various new Town Plots.

The lands in the situations enumerated were such as, at a fair price, would easily have been disposed of for cash payments: and U. E. Militia, and other grants, not subject to fees, were taken in payment for Township Lands generally in the ratio of a 200 acre claim for 100 acres of land,—the claim or right being valued at 4s. per acre, and the general upset price of land being 8s. per acre. Those claims or rights could not formerly be applied, but upon lands open to general location.

It would certainly be no object with the Government to hasten the sale of lands of the description referred to, or to offer peculiar facilities and incur a great expense in getting rid of them. The consequence of the course pursued, has been that what with a high rate of per centage and the expense of an office establishment numerically strong, some of the most valuable lands in Canada West (indeed a large portion of them) have been frittered away: every Town Lot worth having and desirable is gone, and without the Provincial Revenue being any the better for it, with little done in the way of settlement, and all that can be said that has been accomplished, is, that a number of the U. E. and other claims, which had principally found their way into the hands of speculators, have been satisfied: while all the lands of indifferent quality and little value remain, and are likely to do so, as it is not probable now, that a large portion of the Scrip has been paid in, that those lands will sell for 8s. in money, none of which found purchasers at 8s. in Scrip, notwithstanding that the Agency system afforded so much convenience to persons who might have desired to treat for the purchase of them.

I do not know why the good and the bad lands, those near and those ever so remote, were declared, upon official

authority, to be all alike worth 8s. per acre; but if the Government are really desirous of disposing of those inferior lands, and of enabling persons to acquire them without paying 50 or 60 per cent above their value, they should be reduced in price.

Before closing my observations, I cannot forbear exemplifying the working of the Agency system by one instance of abuses which have exhibited themselves: The fruits of the system for the flagrant mismanagement with reference to the sale of Lots in one of the most considerable Towns in Western Canada, is such as demands particular observation. A valuation was placed upon them, averaging less than £5 per Lot, payable in Land Scrip. The whole of the Lots were most injudiciously thrown into the market on the same day, and as might have been expected, considering the valuation placed upon them, were principally monopolized by a few speculators, and have been sold out since for, in some cases, ten times the cost price. The expense of the survey of that part of the Town approached £200; and when the expenses of advertizing, postage, per centage on sales, &c. &c., are completed, it will be quite obvious that those very valuable Lands, instead of the sale of them bringing money into the Public Chest (or even accounting the Scrip paid in as such, for the calculation regards it in no other way), although Land Scrip sells for little more than half its expressed amount, money has been kept out of it;—and the fact is thus explained. The first surveyed part of the Town alluded to was located under the superintendence of a public spirited gentleman residing in that section of the country, who assigned the Lots to individuals desirous of occupying them, but who received no fees or per centage for his services. The locatees were required to erect comfortable habitable houses upon their allotments, and each person could only obtain one Lot, so that monopoly could find no place under the wholesale system of actual settlement, and the locatee upon applying for his Patent was required to pay, in money, the Crown Fees of £7 3s. 4d., equal to £14 6s. 8d. in Scrip at its current value at the time of the sales being effected. A great recommendation to the location system was, that the industrious settler was enabled to provide a comfortable home (his own property) for his family, without paying to a speculator ten times more than the Government price. With respect to the Town Lots alluded to, there is but little doubt that before the 1st January, 1846, every Lot would have been taken up by location. I will only add that farm lands in the vicinity sell for £5 per acre, payable in money, and will leave the case to speak further for itself.

On the subject of Crown and Clergy Land valuations generally, the slightest observation is sufficient to render it apparent that the public interests suffer most seriously.

I beg leave, in conclusion, to state that the views expressed in the preceding replies and observations are concurred in to their fullest extent, by the two gentlemen of the branch of the Department with which I am connected, whose term of service is next to my own.

I have the honor to be, Sir,
Your obedient humble servant,
(Signed,) WM. SPRAGGE.

The Hon. D. B. PAPINEAU,
Commissioner of Crown Lands,
&c. &c. &c.

II. John Dean, Esquire.

Montreal, 19th March, 1846.

Sir,

Please to have the goodness to furnish me with written answers to the following Questions:—

1st. How long have you been employed in the Crown Land Department; what is your particular situation, and the particular duties you have to perform?

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2nd. Have you had any opportunity of acquiring any knowledge of the system adopted under the provisions of the present Land Act, for the sale of lands and the collections of money by the Agents acting under instructions from the Department?

3rd. Do you think the public interest benefited by the present system?

4th. Are you aware of any defalcations having occurred at several Agencies: if so, please to state the cause of them, and whether it is in the power of the Department to prevent such loss to the Government?

5th. Are the Agents obliged to make returns of their sales and collections at stated periods: if so, have such returns been regularly made: what means has the Department of ascertaining that these returns contain the actual amount collected?

6th. Are you aware that any Agent's receipts have been presented at the Crown Land Office when the money had not been returned by the Agents; if so, please to state the names of such Agents, the dates of such receipts, when presented, and their amount?

7th. What is the system, if any, adopted to check the collection or receipts of money by Agents?

8th. As by Law, Crown Lands are payable either in cash or scrip, are you aware of any Agents having sold lands for cash, and returned the amount or any part thereof in scrip to the Department; if so, please to state the name of such Agents, the amount of sales, and such other information as is in your power to give on the subject?

9th. Are you aware that the labors and expense of the Department have been increased or lessened since the appointment of District or Local Agents; if increased or lessened, please to state the chief heads under which such increase or diminution has taken place,—such as commission, stationery, postage, &c.

I am, Sir,

Your very obedient servant,

(Signed,) D. B. PAPINEAU,
C. C. L.JOHN DEAN, Esquire,
Crown Land Office.Crown Land Office,
Montreal, 30th March, 1846.

Sir,

I have the honor to enclose, in obedience to request contained in your letter of 19th instant, Answers to the Questions therein contained, together with Statements A. and B., which I trust will be found to contain all the information called for. In case of misapprehension on my part, however, I shall feel pleasure in giving any additional information in my power.

I have the honor to be, Sir,

Your most obedient servant,

(Signed,) JOHN DEAN,
Cashier and Accountant.HON. D. B. PAPINEAU,
Commissioner of Crown Lands.

To the 1st Question. *Answer.* I have been employed in the Crown Lands Department ten years: prior to the Union in the Upper Canada Department. I hold the situation of Cashier and Accountant, and my duties are such as necessarily arise from the situation.

To the 2nd Question. *Answer.* In performing the duties of my situation I have had an opportunity of acquiring a knowledge of the system adopted under the provisions of the Land Act for the sale of Lands.

To the 3rd Question. *Answer.* I am of opinion that the present system compared with that originally adopted in Upper Canada, is more complicated and expensive to the Government without any advantage to the public.

To the 4th Question. I am aware of several defalcations on the part of Agents appointed under the Land Act. I do not think it possible for the Department, under the provisions of the present Land Act, to establish such a system of checks as would prevent or detect with certainty, defalcations on the part of District Agents. I am of opinion that the present system in operation in the Department is as perfect as it can be rendered under the present Act. I believe the principal part of the defalcations has arisen from the collection, by Agents, of instalments on Clergy sales made by the Department, prior to their appointment.

To the 5th Question. *Answer.* The Agents are required to make monthly Returns of all their receipts to the Department, and this has with some exceptions been done with tolerable regularity, and by a considerable portion with the utmost punctuality and accuracy, as far as the Department has the means of checking.

To the 6th Question. *Answer.* Annexed is a list of such Receipts granted by Agents as have come to my knowledge, which have been presented to the Department, not having entered their previous Returns, with the dates of receipts, dates of presentation and amount, or such brief explanations as is thought requisite.

To the 7th Question. *Answer.* Upon receipt of the Agents' Monthly Returns, the sales reported are carefully checked with the Lands advertized, or allowed to be purchased by Orders in Council, and entered in the Sales and Return Books. The instalments reported as received on old sales are checked with the Sales Books, with reference to the number of instalments reported, and interest accrued; and if found correct, the necessary entries are made in the Sales, Return, and Receipt Books of Payments as reported by Agents, whether in Cash or Scrip, and the Dr. and Cr. arising from the Return and remittances duly taken to account monthly, and the Agent advised thereof, and of such errors as may have occurred. These checks I consider susceptible of no improvement, taking the Return of the Agents as the basis.

To the 8th Question. *Answer.* I have noticed in some Returns, payments reported as made in Scrip by different individuals on different days, of fractional parts of the pound, included in the aggregate of the column of Scrip received in £5 notes, which could not have been so made by the individuals. This was supposed however to have arisen from misconception on the part of the Agents, and instructions for their guidance in similar cases was immediately forwarded, and hence has arisen an account called "Gain on Scrip," to which are now taken such fractional parts of Scrip Notes as the payer chooses to give up, rather than pay a balance in cash. I believe an instance or two has occurred, in which Agents have been found to have received Cash and returned Scrip, and afterwards corrected the error, which may have occurred through accident. The checking of the Returns being more particularly under the charge of Mr. McNabb, I am unable, from personal knowledge, to mention the individual cases.

To the 9th Question. *Answer.* In order to form an opinion as to the relative labor and expense of the present system in force in the Land-granting Department, it may be necessary to state that formerly, in Upper Canada, it was thought necessary to appoint local Agents resident in such sections of the Province as were rapidly settling, in order to superintend the locations and sales of lands, which were then made by auction at stated periods, as advertized. The duty of these Agents was to locate all claims within the District, to superintend the sales by auction, and to make returns of such sales; to inspect, value, and report upon such lands as they might be required to do, and such other local duties as might be found necessary by the Department; and for such services they were allowed 10s. per day, and, in extreme cases, their neces-

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sary travelling expenses; and in some Districts I believe their whole time was employed in business of the Department. They were restricted from receiving payments on sales made under their superintendence, and such sales at auction were never considered as complete, until the purchaser paid the first instalment into the Department at Toronto, the sale regularly entered, and the official receipt of the Commissioner granted, which alone entitled the purchaser to possession.

The action of the Agent with regard to Sales ceased with his Return to the Department. Prior to the next periodical sale, he was furnished with a list of lands on which instalments had been paid. The residue he offered for sale, without reference to his former Return, on which the instalment had not been paid. Under the Upper Canada Act of 1838, District Agents were appointed for the transaction of the Department business, in each District of Upper Canada, and authorized to sell lands, receive the purchase money in Cash or Land Claims, to grant receipts on which the purchaser could take possession, and allowing a commission on amount of Sales fixed by Order in Council, viz: 10 per cent. on £500,—5 per cent. on £1000—and 2½ per cent. on £4000; the maximum being £200 annual commission. The Agents were also allowed 10s. per day, for time employed in inspecting, &c. under orders of the Department.

The Act of 1842 is in substance the same as to the powers and duties of District Agents, who are allowed a commission upon these sales, as follows: 10 per cent. on Rents,—5 per cent. on £2000, and 2½ per cent. on all over, on Sales and Collections. In order to test the expense of these two systems, I beg to submit the annexed Statement, compiled from the Books of the Crown Lands and Surveyor General's Departments of Upper Canada, Lower Canada, and Canada United, shewing the actual expenses of these Departments at Toronto and Quebec, exclusive of the Salaries of the Heads of Departments, for the year 1836, and of the Crown Lands and Surveyor General's Office until united, and of the Crown Lands

Office since the Surveyor General's Office was annexed, (exclusive also of the Salaries of the Heads of Departments,) for the years 1842, '3, '4, '5, by which it will be seen that the expenses, in the aggregate, are considerably increased. It may be necessary to state that the present system has, in substance, been acted upon in Lower Canada prior to the Union.

I beg to remark also, that the business of the Department has increased yearly in consequence of the issue of Scrip, the recent Clergy Inspections, the preparing Schedules for advertizing and transmission to Agents, &c.; and it will be observed that the increase of Postages shows a great increase in the correspondence, although not in the same proportion, as in Upper Canada the correspondence to the office was generally paid, and from it generally unpaid, whereas the Department since the Union has paid the principal part of the Postage to and from. The practical working of the system of conducting the business of the Department through Agents fully doubles the labor required in the Accountant Department, under the system pursued on the first establishment of the Department at Toronto.

With respect to the accompanying Statement of Agents' Receipts presented, not included in their Returns, I have been unable to render it as perfect as I could wish, and it may not include every instance in which such Receipts have been presented. I think it contains, however, nearly every instance.

I have considered your question as inoperative upon me, to include all Receipts which had, under the circumstances named, been presented. I have therefore included some which have since been paid, which are so marked.

(Signed,) JOHN DEAN,
Cashier and Accountant.

Crown Lands Office,
Montreal, 30th March, 1846.

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STATEMENT A.

STATEMENT intended to present a view of the comparative expenses of the Land Granting Department, prior to and since the appointment of District Agents under Act of Parliament.

Year.	Salaries.	Advertizing and Printing.	Stationery.	Postage.	Inspections.	Contingencies	Agents and Commissions.	Total.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1836	3372 7 6	1233 3 11	287 18 7	58 14 11		164 1 9	2198 1 7	7303 8 3
1842	3666 15 1	1380 7 2	191 2 6	594 3 7	481 2 4	418 18 4	2297 13 6	9030 2 6
1843	3934 18 9	586 6 10	267 18 8	909 6 0	62 18 8	324 18 4	3109 12 11	9196 0 2
1844	4122 3 2	439 0 1	111 16 3	1152 19 5	840 8 6	449 2 4	2764 7 9	9929 17 6
1845	4289 6 2	464 4 6	289 6 0	999 8 1	288 17 6	593 1 1	5191 19 2	12116 1 6

* Includes Postages accrued in A. Manahan's and T. Steers' Agencies for several years.

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STATEMENT B.

STATEMENT of RECEIPTS granted by District Agents not included in their Returns to the Crown Land Department.

Agents' Names.	District, &c.	Date of Receipt.	When presented.	Amount of Receipt.	Amount now due.	Security held by Government.	Remarks.
				£ s. d.	£ s. d.		
A. Manahan ...	Midland District ...	Aug. 17, 1844	Nov. 15, 1844	60 0 0		No security now held; but Mr. Manahan asserts that he did furnish Bonds, which are not to be found.	Resigned, 26th September, 1844.
		Aug. 17, 1844	Nov. 15, 1844	60 0 0			
		Sept. 30, 1844	Dec. 23, 1844	75 0 0			
		May 24, 1844	Jan. 10, 1845	30 4 0			
		Jan. 2, 1844	Jan. 10, 1845	27 4 0			
		Jan. 2, 1844	Jan. 10, 1845	14 4 0			
		July 30, 1842	Feb. 20, 1845	12 8 0			
		Jan. 17, 1843	March 20, 1845	10 0 0			
		Feb. 8, 1843	April 18, 1845	27 19 6			
		Sept. 27, 1844	June 31, 1845	42 13 6			
		May 22, 1843	July 31, 1845	20 0 0			
		Feb. 27, 1844	July 22, 1845	21 18 6			
		Sept. 26, 1844	July 22, 1845	21 18 6			
		Feb. 24, 1845	Sept. 1, 1845	20 0 0			
		Jan. 29, 1844	Sept. 6, 1845	20 0 0			
		Sept. 22, 1844	Sept. 26, 1845	10 0 0			
		May 21, 1844	Sept. 11, 1845	18 0 0			
		March 1, 1844	Sept. 30, 1845	15 5 0			
		Jan. 20, 1844	Oct. 11, 1845	14 12 6			
		May 21, 1844	Sept. 9, 1845	9 10 0			
		Sept. 23, 1844	Nov. 24, 1845	46 17 6			
		Jan. 28, 1842	Dec. 31, 1845	13 8 0			
		Dec. 12, 1842	Nov. 30, 1845	7 4 0			
		April 4, 1844	Jan. 31, 1846	4 16 0			
		Feb. 8, 1844	Jan. 31, 1846	5 10 0			
		Oct. 21, 1842	Jan. 31, 1846	37 12 6			
		April 4, 1844	Jan. 31, 1846	37 12 6			
		Feb. 22, 1841	Dec. 26, 1845	25 0 0			
		Feb. 22, 1841	Dec. 26, 1845	12 16 8			
		Jan. 7, 1844	Dec. 26, 1845	15 10 0			
		Jan. 14, 1840	Dec. 26, 1845	13 11 3			
		June 23, 1840	Dec. 26, 1845	5 0 0			
		Feb. 22, 1841	Dec. 26, 1845	35 0 0			
		Sept. 19, 1840	Jan. 7, 1846	13 15 1			
		July 12, 1842	Jan. 12, 1846	47 5 0			
		April 8, 1840	Jan. 15, 1846	9 2 8			
		July 16, 1841	Jan. 15, 1846	4 14 6			
		Sept. 21, 1840	Jan. 15, 1846	5 14 1			
		Jan. 28, 1840	Jan. 15, 1846	12 0 0			
		April 11, 1843	February, 1846	89 0 0			
		Jan. 18, 1844	March 2, 1846	45 14 0			
		June 18, 1844	March 5, 1846	45 0 0			
		June 26, 1844	March 23, 1846	15 12 9			
		July 11, 1844	March 16, 1846	31 0 0			
		Jan. 15, 1844	March 16, 1846	30 6 0			
		July 21, 1843	March 16, 1846	29 11 5			
		July 5, 1842	March 16, 1846	28 0 0			
		July 19, 1841	March 16, 1846	26 10 0			
July 4, 1840	March 16, 1846	25 0 0					
Dec. 12, 1842	Feb. 6, 1846	12 9 8					
Jan. 26, 1844	Feb. 6, 1846	13 5 6					
Sept. 3, 1842	Feb. 6, 1846	14 4 0					
				£ 1229 9 7	1425 0 8		
Alex. Campbell	Gore District	April 20, 1844	May 2, 1844	11 19 8		Himself £2000. P. H. Hamilton and W. McK. Shaw £1000 each. £4000.	Reported to Governor General 17th November, 1843. Dismissed 19th April, 1844.
		June 13, 1843	June 19, 1844	30 3 8			
		Sept. 10, 1842	June 19, 1844	37 8 9			
				7 16 4			
		Sept. 25, 1844, included in Return obtained by P. Carroll, and receipted by Mr. Campbell as above stated.		11 12 6			
				15 0 8			
				12 19 7			
				25 7 10			
			Oct., 1844	27 3 10			
				11 14 11			
				7 14 6			
				73 8 8			
		73 9 10					
		64 0 4					
Carried forward ...				£ 412 0 8			

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Agents' Names.	District, &c.	Date of Receipt.	When presented.	Amount of Receipt.	Amount now due.	Security held by Government.	Remarks.
				£ s. d.	£ s. d.		
Alex. Campbell	Gore District	<i>Brought forward</i> ...		412 0 8			
		Sept. 11, 1843	Oct. 16, 1844	25 0 0		£4000.	Dismissed.
		Sept. 25, 1843	Oct. 16, 1844	4 12 7			
		Sept. 25, 1843	Oct. 16, 1844	8 0 0			
		Oct. 9, 1843	Oct. 16, 1844	12 10 0			
		Dec. 4, 1843	Dec. 11, 1844	15 18 10			
		Jan. 30, 1843	Dec. 11, 1844	15 8 9			
		Nov. 17, 1842	Dec. 11, 1844	15 15 4			
		Nov. 16, 1841	Dec. 11, 1844	44 3 0			
		Nov. 4, 1843	Dec. 11, 1844	32 3 0			
		Feb. 20, 1844	Dec. 11, 1844	17 5 9			
		Dec. 6, 1841	Jan. 14, 1845	4 4 0			
		April 14, 1842	Jan. 14, 1845	14 16 3			
		Dec. 8, 1843	Jan. 14, 1845	8 19 6			
		Feb. 22, 1843	Feb. 12, 1845	59 0 0			
		Feb. 22, 1842	Feb. 12, 1845	32 3 9			
		April 19, 1842	Feb. 12, 1845	25 0 0			
		Jan. 11, 1843	Feb. 12, 1845	16 5 0			
		Jan. 11, 1844	Feb. 12, 1845	15 0 0			
		Dec. 22, 1843	Feb. 12, 1845	12 10 0			
		Feb. 4, 1843	Feb. 2, 1845	8 15 0			
		Feb. 13, 1844	March 11, 1845	25 9 0			
		Feb. 12, 1844	March 11, 1845	24 1 8			
		April 11, 1842	March 11, 1845	11 4 8			
		March 21, 1844	March 11, 1845	42 12 0			
		Dec. 17, 1842	March 11, 1845	21 15 0			
		Oct. 13, 1843	March 11, 1845	10 0 0			
		April 5, 1844	March 11, 1845	13 0 0			
		Nov. 6, 1841	March 11, 1845	11 5 0			
		Jan. 10, 1841	March 11, 1845	12 0 7			
		Aug. 20, 1842	April 9, 1845	12 16 8			
		Oct. 8, 1842	April 9, 1845	12 6 0			
		Oct. 4, 1842	May 19, 1845	47 5 10			
		Feb. 6, 1844	May 19, 1845	16 17 4			
		March 5, 1844	May 19, 1845	74 15 3			
		Jan. 17, 1843	May 31, 1845	68 18 6			
		Nov. 30, 1842	June 24, 1845	29 13 4			
		Nov. 30, 1842	June 24, 1845	9 12 3			
		Aug. 22, 1842	July, 1845	51 2 4			
		Oct. 14, 1841	July, 1845	25 4 0			
		Jan. 26, 1842	September, 1845	8 9 7			
		Feb. 18, 1842	Oct. 10, 1845	15 14 6			
		Jan. 16, 1843	Oct. 10, 1845	15 19 6			
		Aug. 7, 1842	Oct. 10, 1845	79 7 0			
		April 2, 1842	Oct. 10, 1845	50 0 0			
		March 7, 1842	Oct. 10, 1845	25 0 0			
		March 1, 1842	Dec. 15, 1845	53 18 10			
		Dec. 8, 1841	Dec. 15, 1845	50 3 2			
		Jan. 3, 1842	Dec. 15, 1845	16 7 8			
		Nov. 11, 1842	Dec. 15, 1845	67 14 0			
		Feb. 22, 1842	Jan. 15, 1846	6 15 0			
		April 11, 1842	Jan. 15, 1846	8 16 5	272 9 10		Since paid.
				£ 1717 18 1	1445 8 9		
J. Simpson	Township of Newton	Oct. 19, 1839	Aug. 13, 1845	37 10 0		Himself £500. H. S. Cox, & H.W. Roebuck, £250 each. £750.	Still Agent.
		April 22, 1839	Dec. 16, 1845	55 10 0			
		Aug. 20, 1840	Dec. 16, 1845	6 0 0			
		Oct. 9, 1840	Dec. 16, 1845	12 10 0			
				£ 111 10 0			Since paid.
G. Black	Township of Bristol	Nov. 6, 1837	June 30, 1841	13 0 0		Himself £250. A. M'Donell and H. Phillips £250 each. £750.	Dead.
		Sept. 4, 1837	July 2, 1841	13 0 0			
		Aug. 5, 1839	Dec. 23, 1843	6 5 0			
				26 5 0			
				£ 58 10 0	58 10 0		
J. Prendergast	Township of Clarendon	Feb. 7, 1834	Nov. 11, 1845	9 7 6	9 7 6	No security.	Dead.
C. E. Fournier	Township of Ashford, &c.	Jan. 23, 1843	Oct. 27, 1845	20 0 0	20 0 0	No security.	Resigned October, 1844.

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Agents' Names.	District, &c.	Date of Receipt.	When presented.	Amount of Receipt.	Amount now due.	Security held by Government.	Remarks.
J. Lyons	District of Niagara	May 2, 1844	Sept. 13, 1845	£ 25 0 0	£ 99 10 7	Himself £2000. W. H. Dickson and E. C. Campbell £1000 each. £4000.	Dead, June, 1844.
		June 14, 1844	Sept. 13, 1845	6 5 0			
		April 23, 1844	Feb. 17, 1846	68 5 7			
				£ 99 10 7			
W. Rorke	Prince Edward District	Aug. 3, 1843	Jan. 9, 1845	21 10 6	£ 99 9 5	Himself £2000. D.B. Stevenson, & W. Dougall, £500 each.	Still Agent. Since paid.
		March 2, 1844	Jan. 9, 1845	33 2 7			
		Feb. 27, 1845	March 27, 1846	44 16 4			
				£ 99 9 5			
A. M'Donell	Newcastle District	April 27, 1841	April, 1845	7 2 0	£ 105 8 0	Himself £1000. S. Kirkpatrick, and E. Duffy, £1000 each.	Removed by division of the Newcastle District into two Districts, in May, 1842; and not reappointed to either of them.
		Nov. 28, 1839	January, 1845	27 4 0			
		—	—	5 0 0			
		April 5, 1841	October, 1845	12 10 0			
		Nov. 10, 1841	October, 1845	5 0 0			
		Feb. 23, 1841	October, 1845	23 12 0			
		—	—	5 0 0			
		—	—	20 0 0			
		£ 105 8 0					

III. Alexander M'Nabb, Esquire.

Montreal, 19th March, 1846.

Sir,

I desire you to furnish me with written Answers to the following Questions:—

1st. How long have you been employed in the Crown Land Office, and what is the particular situation you hold, and the particular duties you have to perform?

2nd. Are you aware that any Sales of Crown and Clergy Lands made by local Department Agents have been stayed, or not; if stayed, on what account, the amount of sales so stayed, and for what period?

3rd. By one of the Regulations of the Department no sales of Clergy Reserves are to be made at a lower rate than 8s. per acre; are you aware of any unoccupied Clergy Reserves being sold at 8s. per acre, when the valuations were less; if so, please to state in what District, the amount of such sales, and the prices at which the lands were valued by the inspectors; also, if deviations have taken place from that system, and if so, was it by authority of the Department, or by Order in Council?

4th. After the Returns of Sales made by the Agents have been examined, those reported to be correct at once carried out, please to state the course pursued in order to carry each sale to account?

I am, Sir,

Your very obedient servant,

(Signed,) D. B. PAPINEAU,
C. C. L.

ALEXANDER M'NABB, Esquire,
Crown Land Office.

Crown Lands Office,
Montreal, 30th March, 1846.

Sir,

I have the honor to enclose herewith, Replies to the Queries contained in your Letter of the 19th instant, and trust they will give satisfaction.

I have the honor to be, Sir,
Your obedient servant,
(Signed,) A. M'NABB.

Hon. D. B. PAPINEAU,
Commissioner Crown Lands,
Montreal.

To the 1st Question. *Answer.* Since the 1st January, 1842. The particular situation I hold is Second Accountant. The duties are various. The chief portion of my time is occupied in examining Agents' Returns; checking the sales and collections with the official books; preparing for the Deputy Commissioner's signature all letters to the Agents respecting their Monthly Returns, and acknowledging of money letters generally; examining and entering to the credit of Agents all Land and Militia Scrip, whether transmitted by them, or paid into the office for their account.

To the 2nd Question. *Answer.* The stayed Clergy Sales, on Sales made by the Agents, to the 31st December last, amounted to the sum of £2617 7s. 4d. And the Crown Sales stayed during the year 1844, and yet in suspense..... £375
Stayed, from 1st January to 31st December, 1845..... 2725
£3100

It is difficult to explain minutely the reason for suspending the above Sales. I may, however, state that the suspensions have generally arisen in consequence of conflicting claims, irregularity in the Agents' Returns, or insufficiency of title to establish the right to purchase.

To the 3rd Question. *Answer.* No Sales of Clergy Reserves have been made in Canada West under 8s. per acre, (except in one instance, E $\frac{1}{2}$ Lot 27, in 9th Conces-

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sion of Elmsley, sold under authority of an Order in Council, to the Reverend M. Harris, Rector, Thomas Brooke and Sutton Frizzell, Churchwardens, St. James' Church, Perth; at 4s. per acre.) In the following Districts, sales have been made, at that price, of unoccupied Lots, although valued at much less, as shewn opposite each District.

	s.	d.
Home District.....	5	0
Niagara do.....	7	6
Brook do.....	2	0
London do.....	5	0
Eastern do.....	5	0
Dalhousie do.....	5	0
Barhurst do.....	5	0
Johnstown do.....	6	3
Midland do.....	2	6
Newcastle do.....	5	0
Colborne do.....	1	3

To the 4th Question. *Answer.* When an Agent's Return is examined, it is entered in detail in the Agents' Return Book, shewing the several heads of account, namely, Crown and Clergy sales, Crown and Clergy instalments, distinguishing principal from interest; the different services are then entered in the respective books of sales and receipts, which occupies much time, and requires the greatest care. When all the entries are made, they are checked from the Agent's Return. Such lots as can be described for Patent are entered and numbered in the Reference Book, (and the corresponding number entered on the Sales Book) preparatory to the issue of Patent.

All which is most respectfully submitted.

(Signed,) A. McNABB.

Crown Lands Office,
Montreal, 30th March, 1846.

A. 5.

Remarks of T. D. Harington, Esquire, Chief Clerk in the Provincial Secretary's Office, on the present system of perfecting Titles for Crown Lands. (Addressed to J. M. Higginson, Esquire, Chief Secretary, &c. &c. &c.)

MEMORANDUM.

The present system of perfecting Titles for Crown Lands is as follows: The Commissioner, on the purchase being completed, fills up a reference for a Patent, addressed to the Provincial Secretary, but this reference goes, in the first instance, to the Surveyor General's branch for the lot of land to be described, and the two documents are then sent to the Secretary for engrossment. The Attorney General first countersigns the Patent, then the Governor General and Secretary's signatures are affixed,—the Deed is sealed, and transmitted to the Record Office, and finally issued to the Crown Land Commissioner for delivery to the Grantees. If the Patent is for a grant of land, an Order in Council is made, and after the settlement duty has been performed, and the fees paid, if the grant is not a free one, the Attorney General issues a *fiat*, and the same routine takes place as in the case of purchase.

For years past, and I have been in the Department since 1832, there has always been an arrearage of Land Patents, and this is caused by various circumstances. The Crown Land Commissioner has, of course, a great number of references on his hands at one time, which again accumulate in the Surveyor General's Office. After the descriptions are prepared, copies are entered in books there; and it often happens that a long interval elapses between the date of the references and their reception by the Secretary for engrossment. They are transmitted sometimes, for days together, in packets of thirty or forty at a time, thus rendering it impossible for the present engrossing Clerks to keep them under, even if they had no other work to attend to; but delay must ensue, because it is absolutely necessary to complete all the special engrossments, such as Commissions, Proclamations, &c., which are ordered daily. It has been the custom always to single out such deeds as are asked for and push them through,

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and get on with the residue as fast as possible. A short time ago they accumulated to the number of three hundred nearly, but the cause of this was that the entire attention of the engrossing department was required to complete the Assize Commissions for the Upper Canada Circuit, which alone occupy a fortnight, and occur twice a year. Since then the Secretary desired that an extra hand should be engaged, and two persons, (Mr. Birch and Mr. Lee,) have been steadily working the descriptions up. We have now about a hundred, received during the last few days; but I am informed that at least three hundred more references have accumulated in the Land Offices, and as packets of them continue to come in every day, there is therefore an arrearage now, if it may be so called, because the number sent in is generally more than the two gentlemen employed can get through in the day. Of course a regular index is kept of all Patents engrossed, and they are examined before being sent for signature, which takes up time. I find it quite out of my power, except occasionally, to engross Land Patents, as my time is fully occupied in answering enquiries, receiving and filing papers, arranging money matters, procuring Office contingencies, and in correspondence with Marriage Licence Agents, &c.; but I have latterly managed to engross all the special documents and some of the special kind of Patents, and prevented their falling back, by carrying them home and completing them at night. Without this we could not keep the work under. But from November to March my evenings are closely and unceasingly occupied with the annual Blue Book, which requires almost undivided attention. If His Excellency would sanction the permanency of the extra hand we now have, (Mr. Lee, who is, I believe, known to you, a son of Captain Lee, of Yonge Street, and an old East Indian,) who, as well as Mr. Birch, is a correct and steady fast writer, I have no doubt we shall keep the work well up, and no complaints of delay will arise as far as the engrossing department is concerned. A different arrangement, however, might be made at the Land Offices, and the references and descriptions be issued without much delay, and in small quantities daily, so that one day should not interfere with the next, and so as to reach us on or near their respective dates. It requires very trifling labor to fill up the printed reference; the description calls for a little more; but the engrossment on parchment is the principal thing and occupies the most time; and unlike the two other branches who have to attend only to their particular items, we have to get through a large amount of other important business in conjunction with the Land granting portion. The foregoing refers to Upper Canada. The Lower Canada Land Patents are managed by Mr. Ross, and they are not so many but he is able to keep them from falling into arrear.

The Registrar, again, must necessarily create more delay, as he has to record the Deeds, and, of course, to perform the same amount of work that we have, including all the special engrossments: he is worse off than we are, for he has only one Clerk to register the Upper Canada work, (Mr. Kent,) Mr. Lane attending to the Lower Canada section, which is engrossed at present by three persons.

If, instead of issuing a description from the Surveyor General's branch, and which, after the engrossment, is only so much waste paper, as a copy is entered in their books, the Land Patents were to be at once engrossed there, and then sent across to us for the signatures and the Great Seal, dispensing with the countersignature of the Attorney General, which is not probably necessary, as the forms of the Patents are all alike as draughted originally by the Crown Officers, they would pass through much quicker and the system would be less round about than at present. We should, of course, still keep a correct index, and our list would form a kind of official entry of all Lots granted and sold, with the names of the grantees, in the same manner as the books formerly kept by the Auditor General were.

All which is respectfully submitted.

(Signed,) T. DOUGLASS HARINGTON.

Chief Clerk.

Provincial Secretary's Office,
Montreal, 15th September, 1845.

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A. G.

Additional Evidence of *Tancred Boutillier*, Esquire,
Assistant Commissioner of Crown Lands.

On Crown Lands, Agencies, &c.

Q. 1. (8th April, 1846.) In the Instructions to District Agents, it is stated that they are to give information generally to applicants respecting Crown Lands; have they the means of affording information respecting any others than those advertized and returned to them for sale?—They have not.

Q. 2. Then the Agent can only refer the applicant for other Lands to the Chief Office, or is it his duty, without remuneration, to make the application for him?—The Agent in such a case may refer the applicant to the Office, or obtain information for him; but it is understood by the Department that he is to give him every assistance in his power without remuneration.

Q. 3. Have the Agents absolute authority to make sales of those lands returned to them?—Yes, except when lots are found to have been occupied and improved, in which case they are not to make sales to other than the occupants, without the sanction of the Department.

Q. 4. Why is it then that so many sales made by the Agents have been stayed?—Sales have frequently been stayed in consequence of conflicting claims, and sometimes in consequence of erroneous or defective returns.

Q. 5. Does not the staying of such sales give rise to great trouble and inconvenience both to the purchasers and to the Office?—It does.

Q. 6. Under the present Statute (Land Act 4 and 5 Vic. cap. 100.) is it not necessary for parties who have taken possession of Crown Lands without authority, and who wish to purchase them, to apply to the Governor in Council for permission to purchase?—It is necessary for lands not advertized.

Q. 7. Are not a very considerable proportion of the applications made to the Crown Lands Office from persons of the above description, commonly called "Squatters," and do not the investigation of and reporting on these applications, cause much labor to the Department?—Yes; but in Upper Canada this applies more particularly to forfeited lots and to Clergy Reserves.

Q. 8. In the event of their applications being granted, is it found that they generally complete the purchase of the lands within a reasonable time, or do they not frequently remain satisfied with having obtained permission, without acting on it?—Parties now generally pay without much delay for the lots they are authorized to purchase by Orders in Council; but such Orders are frequently presented of six, eight, or even ten years standing.

Q. 9. In the year 1841, Crown Lands to a large amount were sold by the Chief Office in Lower Canada, on which no commission was allowed to the Agents; does this practice still prevail?—Sales of Lands in Lower Canada, for Militia Scrip, were made in the Crown Lands Office, and no commission on them allowed to the Agents; but this practice ceased with the Union of the Provinces.

Q. 10. In the event of a sale being made in the Office under the authority of an Order in Council, or otherwise, and without the knowledge or intervention of the District Agent, does such Agent receive a commission on money so paid?—Agents are considered entitled to their per centage on all sales and collections within their Agencies.

Q. 11. In the event of a remittance being made to the Chief Office without the knowledge or intervention of the District Agent, in payment of lands previously purchased, does the Agent receive a commission on this money also?—Yes, the usual commission is allowed him.

Q. 12. To exemplify the practical operation of this rule, the Commission will state a case, the particulars of which have lately been made known to them:—In October, 1845, the late James H. Kerr remitted to the Crown Lands Office £600 Scrip, in payment of certain lands in the Township of Marlow. The lands were free from difficulty, but the sale could not be carried out, there being at that time no Agent for the Township. Mr. Kerr urged the appointment of an Agent, and Mr. Pozer was appointed in 1846, and was directed by the Department to return the sale of the lots named by Mr. Kerr, which he did accordingly, in March last, and for this service he receives a commission of £30 cash; will you say if this statement be founded in fact?—It is; but it may be observed that that Agent's emolument for the whole year will not probably exceed £50 or £60.

Q. 13. Was there any thing to prevent the Department carrying out the sale previously, and thus save a considerable sum to the public?—The Department understand that under the present Land Act all sales of advertized Crown Lands must be made through the local Agents.

Q. 14. Are any of the District Agents the exclusive Officers of the Department, or are they in the receipt of a sufficient sum to enable them to abstain from engaging in other pursuits?—Agents are at liberty to attend to any other business not incompatible with a proper discharge of the duties entrusted to them by the Department; but few of them derive sufficient emoluments from their office to maintain themselves and families. Out of 51 Agents, five only reach or exceed £200 of commission for the year 1845.

Q. 15. Do you think that any advantages which may attend the appointment of District Agents are commensurate with the expense they create to the Department and the public?—Local Agencies were established, I understand, to facilitate the purchase of land by emigrants and settlers generally in every part of the Province, and I think this object has been attained, as most of the sales at the various Agencies appear to have been made on personal application. Whether the labor, trouble, and expense of management would be much lessened by discontinuing these Agencies, would depend altogether upon the new system of sale that might be introduced in lieu of the present one.

Q. 16. Have the removal of the Indian Lands from the charge of the Department, and the completion, or nearly so, of the investigation of Lower Canada Militia claims, caused any reduction in the expense of the Crown Lands Office?—There will be a reduction in the number of clerks now employed, as soon as the investigation and liquidation of the Lower Canada Militia Claims is completed.

Q. 17. What is the course of proceeding in order to obtain Scrip for an U. E. or Militia claim?—An application must be made to the Commissioner of Crown Lands, by whom it is reported on and sent to Council.

Q. 18. What are the forms observed in order to obtain a Patent for Lands located by Colonel Talbot, or by the Land Board?—For Lands located in Lower Canada, reference was at once issued for Patent by the Commissioner of Crown Lands, when satisfied of the location and that the settlement duties had been performed, up to 1843, under an authority from Lord Sydenham. That practice has since been discontinued, under an opinion that it is contrary to the provisions of the Land Act; and now all applications for Patent from locatees of every description must, after being reported on by the Commissioner of Crown Lands, be sent to Council for information.

Q. 19. Do you consider these forms necessary; or might they not be simplified, or altogether dispensed with?—I think it might be left discretionary with the Commissioner to refer at once for Patent when the location was proved, to his satisfaction, to have been made by an authorized Agent of the Government.

Q. 20. What do you assign as the average period for obtaining authority for the issue of Scrip or a Patent, after

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the application for it is made?—But few days are required for Scrip; Patents take considerably more time.

Q. 21. Many complaints have been made as to the delay in procuring the issue of Patents; might such delay, in your opinion, not be easily remedied?—I think it might be remedied without much difficulty.

Q. 22. For the four years ending 31st December, 1841, the postage in Lower Canada on receipts of £23,262 19s. 1d. for Crown Lands, was £1028 15s., and for the same period in Upper Canada on receipts of £31,945 2s. 2d., the postage was £98 14s. 11d. The charge for postage has been since continually increasing, and now amounts to upwards of £1000 per annum. Will you state what is the practice of the Department regarding payment of postage on letters?—The postage on all letters and documents forwarded to the Department is paid by it; few, if any, of the letters addressed to it being pre-paid. Of the outgoing correspondence, letters addressed to Agents are invariably pre-paid, as well as those to individuals entitled to grants of Land for services. Patents, and all letters respecting them, are also transmitted free of postage.

Q. 23. Previous to the Union, letters addressed to the Department in Upper Canada were generally paid by the writers, and outgoing letters not strictly on Government service were not pre-paid. Would any inconvenience result from returning to the practice which appears to have prevailed in Upper Canada previous to the Union?—I consider the present practice an indulgence on the part of the Government, the discontinuance of which would probably give dissatisfaction, but would relieve the Department of a great deal of correspondence. The postage allowed to Agents in Upper Canada is not included in the above sum of £98 14s. 11d. The amount of postage paid is not in proportion to the collections of the Office, as a large portion of it is paid for objects altogether unconnected with sales.

On Clergy Reserves.

Q. 24. Must not a person intending to purchase a Clergy Reserve, apply in the first instance to the District Agent?—An application must in all cases first be made to the District Agent.

Q. 25. If the Lot has been leased, and has been inspected and valued, may the Agent sell to the person entitled under the lease?—Yes.

Q. 26. But in this case it is necessary that the intending purchaser should first pay the rent due on the lot to Mr. Baines at Toronto?—This is necessary.

Q. 27. The Agent may then make the sale, but must send with his Return, evidence of title under the lessee for the approval of the Department?—This is the practice, but I think it might be dispensed with.

Q. 28. If the lot has not been inspected and valued, the party applying to purchase must employ a licensed Surveyor to value it, and then petition the Governor in Council for permission to purchase, the District Agent certifying the valuation to be correct, and at the same time adding his report on the petition?—This is the course pursued under the existing regulations.

Q. 29. Should the petition be granted, is the Land then returned to the Agent for sale?—Yes.

Q. 30. But in all cases the Department reserves to itself the power to stay sales?—All sales are considered as made subject to confirmation by the Department.

Q. 31. Does the Department allow each intending purchaser to select a Surveyor, or to value the Land?—The intending purchaser is at liberty to name any Surveyor.

Q. 32. Is it not a regulation of the Department that Clergy Reserves are in no case to be sold for less than 8s. an acre?—The Agents are in no case to sell at less than the upset price of Crown Lands, which is generally 8s.

per acre, in Upper Canada, and from 4s. to 6s. per acre, in Lower Canada.

Q. 33. It appears by answers to questions put to Mr. M'Nabb, that unoccupied Clergy Reserves, which have been valued by the Inspectors at from 1s. 3d. to 7s. 6d. per acre, have been sold at 8s.; have not such sales a tendency to throw discredit on the valuations?—Yes, it may.

Q. 34. Have the District Agents in any instance remonstrated against the valuations?—The Agent for the Home District, in one instance, objected to the valuation made by a Surveyor, which the Department accordingly declined to act on.

Q. 35. Are you of opinion that the valuations made by the Inspectors are correct; or do you think them below what the lands are fairly worth?—The inspection of Clergy Reserves in both sections of the Province, appears to have been made on the same principle, and in some measure to be based on the upset price of Crown Lands in the various Districts; and I am inclined to think that the valuation is low, compared with the prices asked for private lands. The large receipts for Clergy Reserves sold during the last three months would also go to shew that the valuations are not high.

Q. 36. Under the present regulations, 40 per cent on the whole expenses of the Department is charged for the sale and management of Clergy Reserves; do you think this is a fair proportion, or is it more than the Clergy Reserves fund ought to have been charged with?—I think it is more than it ought to have been charged with.

Q. 37. What do you think would be a fair charge for the sale and management of the Clergy Reserves?—About 20 per cent on the whole expenses of the Department would, I think, be sufficient.

Q. 38. Can you say at this rate what the per centage on the actual receipts would be?—About 3 per cent, (estimating the aggregate receipts at £50,000 per annum,) and less in proportion as the receipts exceed that sum. But it must be remembered that the rate per cent is heavier in proportion as the terms of payment are extended.

A. 7.

Mr. Secretary *Murdoch's* Letter fixing the charges to be made on Clergy Funds; and Mr. *Bouthillier's* Report on the same subject.

Chief Secretary's Office,
Kingston, 10th August, 1841.

Sir,

I am commanded by the Governor General to acknowledge the receipt of your letter of the 5th instant, accompanied by a scheme, shewing the proportions in which the expenses of the Crown Land Department should be divided among the proceeds of the sales of Crown Lands, of Clergy Reserves, and of Indian Lands. I am to inform you that His Excellency approves of the proportions which you suggest, and you will accordingly be at liberty to deduct from the gross proceeds of those sales, the expense of the Department in the several ratios mentioned in your scheme, viz:

From Crown Lands	50	} per cent.
Clergy Reserves	40	
Indian Lands	10	

100

I have, &c.

(Signed) T. W. C. MURDOCH,
Chief Secretary.

The Commissioner of
Crown Lands, &c.

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Extract from a Report of the Assistant Commissioner of Crown Lands, relating to the above division of the expenses of the Department.

The charge for the management of the Clergy Reserves by this Department since the 1st July, 1841, has been made in conformity to Lord Sydenham's Instructions conveyed to the Commissioner of Crown Lands in Mr. Secretary Murdoch's Letter of 10th August, 1841.

By this letter the Commissioner is directed to deduct 50 per cent of the expenses of the Department from the gross proceeds of Crown Lands, 40 per cent from the proceeds of Clergy Reserves, and 10 per cent from Indian Lands.

The expenses of 1843 were accordingly deducted in the following manner:

Crown Land, 50 per cent....	£4006	3	2
Clergy do. 40 do.....	3204	18	6
Six Nations. 5 do.....	400	12	3
Sundry do. 5 do.....	400	12	3
	<u>£8012</u>	<u>6</u>	<u>2</u>

This apportionment was based principally on the gross amount of receipts on account of each of those services for the year 1840, which, by a statement submitted by Mr. Davidson on the 5th August, 1841, appeared to bear that relative proportion to each other.

As it was not explained in Mr. Murdoch's letter, what was intended by the "expenses of the Crown Land Department," the whole of the disbursements of the Commissioner of Crown Lands and Surveyor General's Offices, including surveys, &c. &c., were, in the years 1841 and 1842, divided in the manner prescribed.

Latterly, however, conceiving that the terms of Mr. Murdoch's letter left the Commissioner some discretion to exercise, and that the Clergy could not equitably be made to share in expenses incurred exclusively for Crown Lands or other purposes, I caused the disbursements of the office to be classed under different heads; and under that of office expenses, included merely salaries, postage, stationery, and other charges applicable to Clergy as well as Crown sales, and calculated the Clergy's share on those disbursements only.

This process has naturally reduced the sum which would otherwise have been charged to the Clergy, but in this shape their proportion of disbursements for the year 1843, amounts to £3204 18s. 6d.

This sum is exclusive of a commission of 5 per cent paid to Agents on their remittances, and is no doubt too heavy a charge for the proportion of work and expenditure incurred on their account.

Admitting the principle of Mr. Murdoch's letter to have been correct at the time it was adopted, it is no longer so from a change of circumstances since that period, as the receipt on account of Crown Sales for the last year more than treble those on account of the Clergy. But I do not consider the mere relative proportion of receipts to be an equitable basis upon which to divide the expenditure of the Department.

It must be observed, that a great deal of the work of the Department, particularly in the Commissioner's Office, is altogether unconnected with sales,—such as the labor bestowed on old locations, the investigation of claims to free grants, the preparation of scrip in satisfaction of admitted claims, &c. &c., which take up a considerable portion of the time of the Officers, and add otherwise to the expenditure of the Department, but are not at all represented by the proceeds of the office in money.

Should the present system of making the different services share in the general expenditure be continued, an adequate proportion of the disbursements should, in the

first place, be set apart for the objects above alluded to, and the balance only be divided between the paying services.

The unproductive business of the office cannot be computed at less than one-fourth, which would leave three-fourths to be represented by the proceeds in money. These three-fourths might, I think, be apportioned equally between Clergy Sales, Crown Sales, and Timber Accounts,—the last to comprize all other casual sources of revenue. This operation would reduce the share of the Clergy in the disbursements of the Commissioner's Office from 40 to 25 per cent.

In the Surveyor General's Office, as no new appropriations are now made, and their work on account of the Clergy is mostly confined to descriptions on references for Patent, their proportion of disbursements in that office ought to be much less. I have estimated it at one-tenth of the whole; Mr. Parke, however, thinks it ought to be 12½ per cent.

Blending the two offices together to simplify the matter, 20 per cent on the whole might be assumed as a mean proportion for the Clergy, which would be allowing as near as possible 12 per cent for the Surveyor General's Office, and would reduce the former charge by 50 per cent.

B. 1.

Circular No. 1, containing Enquiries relative to the operation of the Land Act, and the administration of the system established by it.

1. Are you or have you been in the habit of transacting business with the Crown Lands Department, or with the Agents of that Department?

2. Have you found difficulties in the transaction of such business, and if so, be pleased to state the nature of those difficulties, and state at the same time your opinion as to whether they have arisen from the present system for disposing of the Public Lands being defective, or from its not being efficiently administered, or from what other cause?

3. Have you had reason to complain of partiality, neglect of duty, or otherwise, in the disposal or valuation of Lands by any of the Agents of the Crown Lands Department, or are you aware that any other party has had well-grounded cause for such complaint?

4. Are you of opinion that the appointment of Agents in the different Districts of the Province has facilitated the actual settlement of the Public Lands?

5. Do you think that parties desirous of purchasing Lands from the Government, or having other business to transact with the Crown Lands Department, would be put to much or any additional trouble or expense if they had to apply to the Chief Office at once?

6. If only one Office were established for the transaction of Land business in Canada East, and another in Canada West, and it was found that business was promptly and regularly despatched there, do you think that persons having such business to transact would suffer more inconvenience, or be exposed to greater expense and delay than they now experience in endeavouring to have it arranged through the District Agents?

7. Are you of opinion that the settlement of the Public Lands would be facilitated by their being sold on a credit, or do you think the present system of prompt payment the best?

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The above Circular was addressed to 62 gentlemen in various parts of the Province, supposed to have the means of affording information on the several heads of enquiry; and answers have been received from 29 only.

NAMES OF THE PARTIES ADDRESSED.

- Thomas Bell, Esq.....Toronto.
- Honorable Matthew Bell.....Three Rivers.
- G. H. Boulton, Esq.....Cobourg.
- A. C. Buchanan, Esq.....Quebec.
- M. Buricoll, Esq.....Port Talbot.
- M. Cameron, Esq., M.P.P.....Port Sarnia.
- A. Campbell, Esq., N.P.....Quebec.
- D. Campbell, Esq.....Cobourg.
- J. G. Clapham, Esq.....Quebec.
- Honorable A. W. Cochran.....Quebec.
- James Court, Esq.....Montreal.
- Honorable J. Crooks.....West Flamboro'.
- James Cummings, Esq., M.P.P.....Chippawa.
- E. Ermatinger, Esq., M.P.P.....St. Thomas.
- George W. Foote, Esq.....Raleigh.
- N. J. Freeman, Esq.....Louisville.
- James Gibb, Esq.....Quebec.
- E. Glackemeyer, Esq., N.P.....Quebec.
- H. H. Gowen, Esq.....Barrie.
- Honorable S. Goodhue.....London.
- James Gordon, Esq.....Amherstburgh.
- Ogle R. Gowen, Esq., M.P.P.....Kingston.
- J. Groves, Esq.....London.
- G. B. Hall, Esq., M.P.P.....Peterboro'.
- Daniel Harvey, Esq.....St. Thomas.
- George Hyde, Esq.....Plympton.
- John Jones, Esq.....Quebec.
- James Johnston, Esq., M.P.P.....Bytown.
- J. H. Kerr, Esq.....Quebec.
- L. Laurason, Esq.....London.
- Joseph Laurin, Esq., M.P.P.....Quebec.
- A. Lewis, Esq.....Mono Mills.
- George Lount, Esq.....Holland's Landing.
- J. D. Mc'Connell, Esq.....Gaspé.
- J. Macdonald, Esq.....Goderich.
- L. T. Mc'Pherson, Esq., N.P.....Quebec.
- P. Maguire, Esq.....Cavan.
- E. Murney, Esq., M.P.P.....Belleville.
- A. H. Myers, Esq., M.P.P.....Trent.
- J. Nickalls, Esq.....Kingston.
- H. E. Nicolls, Esq.....Toronto.
- E. G. O'Brien, Esq.....Toronto.
- H. N. Patton, Esq.....Quebec.
- P. Perry, Esq.....Whitby.
- William Phillips, Esq.....Quebec.
- John Prince, Esq., M.P.P.....Sandwich.
- William Radcliffe, Esq.....Amherst Island.
- James Radenhurst, Esq.....Toronto.
- T. M. Radenhurst, Esq.....Perth.
- W. Richey, Esq.....Chippawa.
- W. B. Robinson, Esq., M.P.P.....Newcastle.
- D. Roblin, Esq.....Napance.
- B. Seymour, Esq., M.P.P.....Bath.
- T. A. Stayner, Esq.....Montreal.
- Thomas Steers, Esq.....Montreal.
- Andrew Todd, Esq.....Toronto.
- J. Wallis, Esq.....Peterboro'.
- James Webster, Esq.....Fergus.
- G. W. Whitehead, Esq.....Burford.
- M. F. Whitehead, Esq.....Port Hope.
- William Wilson, Esq.....Quebec.
- J. Wood, Esq.....Raleigh.

The names in *Italics* are those from whom answers have been received.

B. 2.

Answers to Circular No. 1.

QUESTIONS 1 and 2.

1. Are you or have you been in the habit of transacting business with the Crown Lands Department, or with the Agents of that Department?

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2. Have you found difficulties in the transaction of such business; if so, be pleased to state the nature of those difficulties, and your opinion as to whether they have arisen from the present system of disposing of the Public Lands being defective, or from its not being efficiently administered, or from what other cause?

ANSWERS.

James Hastings Kerr, Esquire, Quebec.

1. I have long been in the habit of transacting business with the Crown Lands Department, and with the Agents of that Department.

2. I have experienced vexatious difficulties in so transacting business. These difficulties have arisen as well from the present system of disposing of the Public Lands, as from the Offices of Commissioner and Assistant Commissioner of Crown Lands not having been efficiently administered for the last three years.

Ogle R. Gowen, Esquire, M.P.P.

1. I have been in the habit of transacting business with the Crown Lands Department.

2. I have found difficulties in the transaction of such business. The nature of the difficulties were want of system, unaccountable procrastination, uncertainty and equivocation, and a monstrous system of continued reference and neglect. I consider those evils to have arisen from a defective system in the management, and also from very palpable inefficiency in the carrying out that system.

Eduard Ermatinger, Esquire, M.P.P.

1 and 2. I have had very little business to transact with the Department—none latterly; but some years ago I found difficulty in obtaining replies to the communications I forwarded when making remittances.

John Prince, Esquire, M.P.P.

1. I have often transacted business with the Department, and with the Agents of the Department.

2. Personally I have met with no difficulties, but often with delays, which I contrived to master by persevering with the clerks in the Department, whom I have always found to be efficient and extremely obliging.

John Radenhurst, Esquire, Toronto.

1. I have transacted very little business with the head office of the Crown Lands Department. I have had some transactions with the Agent of the Home District.

2. I have found no difficulties in the transaction of business with him; he has always appeared willing and ready to facilitate business. I am opposed to the present system of disposing of the Crown Lands; and I am led to believe that it has not been efficiently administered.

Alexander Lewis, Esquire, Mono Mills.

1. I have only within twelve months past commenced doing business with the Crown Lands Department, in taking out Patents for individuals who have applied to me for that purpose.

2. I have always found the Agents ready to acknowledge the receipt of monies, but not just so expeditious in sending us the Patents; but how the delay is occasioned I am unable to say.

P. Maguire, Esquire, Cavan.

1. I have been in the habit of transacting business with the Government District Agents for this and the Colborne Districts, and I am now occasionally called upon to transact land and other business with the Government and Crown Lands Department.

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2. I have found much difficulty in the transaction of land business with the Government District Agent at Peterboro', previous to the formation of the Colborne District, that Agent being inefficient and unable to discharge the duties of his office with that promptitude and regularity which were necessary to ensure confidence in that Department. I have known applicants for lands to call upon him repeatedly, and he would make some paltry excuse and refer them to Toronto; and when the parties went to Toronto, they were requested to come back to Peterboro', thereby incurring considerable delay and expense; and many of those poor people up to this time have not their claims as yet adjusted: first, from the neglect of the Agent, and secondly, from the repeated and fluctuating orders and regulations at the head of the Department.

Eduard G. O'Brien, Esquire, Toronto.

1. Yes.

2. I have experienced much and vexatious difficulty in the transaction of such business. In many cases the difficulty has arisen from the delay in getting claims passed through or examined in the different offices, particularly in that of the Commissioner of Crown Lands, as distinct from the Surveyor General's Office, and the Executive Council. In other cases, from changes of plans; the new one being adopted not only without due consideration as to how it might work with the old one, but apparently without reference to it at all, causing great uncertainty as to proceedings or right, and entailing heavy expense and delay on the parties, by calling on them to produce evidence of facts,—the time for procuring which had passed away. In other cases, proof of a simple fact is required through the certificate of a Deputy Provincial Surveyor at a great expense, when the same could equally well be given through the affidavit of respectable neighbours. In other cases again, positively unjust charges of interest have been made, in consequence of the total want of system or harmony between the various offices of the Department, one office not knowing what the other either had done or had to do, causing the very general feeling that a habit of carelessness and inaccuracy pervades the whole Department. I consider the present system so defective as to render it almost impossible to be efficiently administered.

Thomas Bell, Esquire, Toronto.

1. I have been in the habit of transacting business with the Crown Lands Department since the first establishment of that Office under the late Honorable Peter Robinson, and with the Agents of that Office.

2. I have found difficulties from delays in transacting business with the Crown Lands Department, and am of the opinion that these difficulties arise from the irregular system pursued in the management of that Office; and that the present system of disposing of the Public Lands is very defective, and might be much simplified.

Henry E. Nicolls, Esquire, Toronto.

1. I have been seven years doing business with the Crown Land Offices.

2. I have found difficulties all the time, not only from the system of doing the business, but from finding persons placed there to manage it, totally unfit; and this arises from persons receiving appointments through influence instead of merit.

Laurence Laurason, Esquire, London.

1. I am and have been for many years past in the habit of transacting business with the Crown Lands Department at Toronto, Kingston, and Montreal, and with the local Agent in the London District.

2. I have frequently experienced delay and inconvenience in the transaction of business with the chief Office. There has been generally very great delay in issuing and transmitting Patents to those who have paid for their Lands,

which has in many instances put the parties to the trouble and expense of employing Agents to obtain their Patents. There has also been frequently great delay in transmitting answers to Petitions and communications to the Department, and, apparently, a want of promptitude and order in the transaction of business. In one instance, a Patent was issued in the name of the original purchaser, notwithstanding an assignment had been registered to another party, which put the parties to the expense of transfer deeds. I am myself an applicant for the purchase of some Land, which I am not able to effect, owing, as I am informed, to the delay of the head of the Department in giving authority to the District Agent to sell, although I am not aware of any difficulty in the way. I have always found the transaction of business with the District Agent here to be prompt and satisfactory, so far as within his power; but difficulties and delays arise from the Agents not being clothed with sufficient authority to act in simple cases without reference to the head of the Department. I am clearly of opinion that the difficulties which have hitherto arisen in the transaction of business with the Department, have not proceeded from any defect in the system, but from its not having been efficiently administered.

D. Roblin, Esquire, Napanee.

1. Yes; and the principal part of my business has been done with the chief Office.

2. I have never found much difficulty in getting business done at the Office. There has been some delay in a few cases, which I cannot attribute to the system being defective, as they may have occurred in consequence of the pressure of business in the Office consequent upon the numerous applications for Scrip, which must have occasioned a great deal of additional labor, and no doubt some delays.

M. F. Whitehead, Esquire, Port Hope.

I have never had any transactions with the Crown Lands Department.

George W. Foote, Esquire, Chatham.

1. I have transacted business with the said Department several times, but not to any great extent.

2. I have never experienced a difficulty in transacting business with the Department; but, on the contrary, have ever found great facility and ready information in all my transactions with the same.

James Gordon, Esquire, Amherstburgh.

1 and 2. The only business I have transacted with the Crown Lands Department was the purchase of three small tracts of Land at Public Auction in 1832 and 1837, and making the payments on them as they became due; and these matters were attended to, to my entire satisfaction.

William Richey, Esquire, Barrie.

1. I have been Agent in that Department since it was first organized in Upper Canada.

2. I have met with no difficulties of the nature alluded to.

Peter Perry, Esquire, Whitby.

1. I have transacted but little business with Agents.

2. I have found no difficulty.

M. Burrell, Esquire, Port Talbot.

1. and 2. No.

George Lount, Esquire, Holland Landing.

1. I have to a very limited extent transacted business with the Crown Lands Department.

2. I have found no difficulty in transacting such business.

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James Nickalls, Esquire, Kingston.

1. I have occasionally had business with that Department, but not to any great extent.

2. I have never found any difficulty or delay in any of my transactions with it.

James Wallis, Esquire, Peterboro'.

1. I have had but few transactions personally with the Crown Lands Department, having had my business principally done by Agents.

2. I have found difficulties in the few transactions I have had with the Department, and these difficulties seemed to arise from neglect and want of proper system.

George S. Boulton, Esquire, Cobourg.

1. I have been.

2. I have found difficulty. On one occasion I took an assignment of the U. E. right of one George Jackson, to get registered with the Commissioner of Crown Lands, and he refused to register it unless I obtained a certificate from the Surveyor General that the said Jackson was entitled to land, and the Surveyor General refused to give such certificate, because he had given one before to Mr. Malloch, who subsequently obtained an assignment and got it registered, and I lost the benefit of my first assignment, under the Act for the sale of Public Lands. On another occasion I purchased from Samuel Grandy and H. Battel, 150 acres of Lot No. 15, Concession A, Township of Hamilton, which Grandy had bought from the Crown and paid several instalments on, and I had much difficulty in obtaining the title, and was put to much expense and trouble by proceedings in Chancery in regard thereto, before I obtained my right. I am aware also that a person of the name of John Ball, now living in Cavan, located many years ago, under an Order in Council, 100 acres in the Township of Smith, on which he performed the settlement duties, and it was given away to another person before the time for performing the settlement duties had expired; and although he was promised another 100 acres in lieu thereof, and frequently applied to the Agent, Mr. M'Donell, at Peterboro', he has never been able to obtain another lot. I am also aware of instances where instalments had been paid to the Agent, Mr. M'Donell, at Peterboro', and which the Commissioner of Crown Lands refused to recognize, on the ground that he was not authorized to receive the money, although he had made a return thereof to the Department many years before, and the land during that period was not otherwise disposed of. I attribute these difficulties, however, not to the system, but to the inefficient or defective administration thereof.

Daniel Harvey, Esquire, St. Thomas.

1. and 2. I have always transacted my business through Mr. Henderson, and can therefore give no satisfactory answers to these queries.

James Cummings, Esquire, M. P. P. Chippawa.

1. I have; but more particularly through an Agent employed for that purpose.

2. There are complaints, for which, in my opinion, the Crown Lands Department are blameable, having in several instances issued two Patents for the same lands, thereby involving the parties in ruinous and expensive law suits, without redressing the aggrieved party for such error. An instance of my own,—by an erroneous description of the boundaries in the original Patent, discovered a few years ago as the land settled and began to be cleared up, I have lost forty acres of valuable land, being part of my homestead farm, worth £50 to £60 per acre. I at once petitioned for redress, but as yet have obtained none. As I hold that in my business transactions, either in making an erroneous description of lands, or any other error, the law of the land would compel me to make restitution, I see no good reason why the Government should not make satisfaction for the errors committed through their officers.

H. H. Gowen, Esquire, Barrie.

1. I am in the habit of transacting business with the Agent of the Crown Lands Department here.

2. I have found no difficulty in the transaction of such business.

Norman L. Freeman, Esquire, Chatham.

1. I have been in the habit of transacting business with the Crown Lands Department, and with the Agent of that Department in the Western District, prior to the Union of the Provinces.

2. I never found any difficulty in the transaction of business, only such as arose from delay in communicating with the parent office in Toronto; this, of course, is fairly attributable to the system, and not to any want of efficiency in administering it.

D. Campbell, Esquire, Seymour West.

1. I have of late years had little to do with the Crown Lands Department. I was Agent for that Department when this Township was being settled.

2. I have little knowledge of the working of the present system of disposing of the Crown Lands; that with which I was acquainted was so very defective and unsatisfactory that I resigned the appointment of Agent for the Crown, feeling that sooner or later I should be involved in difficulties in consequence of the manner in which the duties of that Department were performed. Since that period several cases of extreme injustice to individuals, who took lands under the former system, have come to my knowledge, and I felt it to be my duty—the parties looking to me for redress—to bring them before the Department, and in some cases before the Executive. Although the evils complained of have been remedied to a certain extent, yet not until after a lapse of years, considerable expense, and much anxiety to the parties concerned.

A. C. Buchanan, Esquire, Quebec.

1. The business which I have had occasion to transact with the Department has been but limited.

2. I have, on all occasions when I have found it necessary to communicate with the Department, or any of the local Agents, received every facility and attention.

Joseph Laurin, Esquire, M. P. P., Quebec.

1. I have transacted business with the Crown Lands Department, and do so at present.

2. I have met with no difficulties in such transactions.

QUESTION 3.

3. Have you had reason to complain of partiality, neglect of duty, or otherwise, in the disposal or valuation of Lands by any of the Agents of the Crown Lands Department; or are you aware that any other party has had well grounded cause for such complaint?

ANSWERS.

James Hastings Kerr, Esquire, Quebec.

3. I have reason to complain of gross partiality, neglect of duty, and incompetency, on the part of the heads of the Crown Lands Department. I shall be happy, and at the same time well satisfied, if called upon, personally, by the Board of Enquiry, to particularize cases in which the interests of parties have been victimized by such partiality, neglect and incompetency. Complaints against the management of the Department are spread widely through the Province.

James Nickalls, Esquire, Kingston.

3. I have no reason to prefer any complaint myself, but I have heard of cases of dissatisfaction on the part of some

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individuals against the late Agent at this place. I cannot say, however, if such complaints were well founded.

Thomas Bell, Esquire, Toronto.

3. I have not personally had reason to complain of any of the Crown Lands Agents in the discharge of their duties, although I have heard frequent complaints; but whether well founded or not I cannot say.

James Wallis, Esquire, Peterboro'.

3. I have had reason to complain of neglect in Agents, and have heard many complaints that I believed to be well grounded.

George S. Bondton, Esquire, Cobourg.

3. I have been informed, and believe, that Town Lots as well as Park Lots, in Peterboro', have been refused by the Agent to persons desirous to purchase, on the ground that they had been sold, although nothing had been paid thereon.

Ogle R. Gowen, Esquire, M. P. P.

3. I have not heard of complaints against any Government Agent. I know of none myself, nor do I think they exist to any extent.

George W. Foote, Esquire, Chatham.

3. I have no complaint to make, nor any reason for one; nor do I know of any well-grounded reasons of complaint in others.

W. Richey, Esquire, Barrie.

3. I have no reason to complain of partiality, neglect of duty, or otherwise, in the disposal or valuation of Lands by any of the Agents of the Crown Lands Department; nor have I heard that any other party has had any well-grounded cause for such complaint.

Peter Perry, Esquire, Whitby.

3. I have no complaint to make, and know of none.

John Prince, Esquire, M.P.P.

3. I have had no reason to complain of partiality or neglect of duty in the Department; but I regret to say that great complaints have been made to me by scores of people in this District, for a year or two past, that their letters to the Chief Department meet with little or no attention, and often remain unanswered. This District was without any resident Agent for a considerable time, and many persons settled in the opposite State of Michigan who could have settled here, but were unable to procure information respecting the Crown and Clergy Lands. In May last, Dr. M'Mullin was appointed Agent for this District, and hundreds of applications have since then been made to him for Lands, not one of which has he been able to answer, for the want of information as to vacant Lots which he has repeatedly applied to the Department at Montreal for, but without receiving it. The consequence is, that many good and sturdy settlers have left us in disgust and have purchased Lands in Michigan, where they bought them cheaper than they could have bought them here, and without any delay and trouble; and the office has been as irksome to Dr. M'Mullin and as unprofitable to the public and to him as it has been to the numerous applicants who have haunted him and me, by letter or otherwise, for information as to the Public Lands for the last five months and upwards. I conceive it to be a fact without example, that a regularly appointed Agent should have been kept in utter darkness and without proper instructions (if any instructions at all, indeed,) from the Department itself for five months next after his being gazetted. And thus it is that the public have complained, and are daily complaining, and the sale of Lands delayed, if not altogether lost for this year.

M. Burwell, Esquire, Port Talbot.

3. No.

John Radenhurst, Esquire, Toronto.

3. I have had no reason to complain of partiality or neglect of duty in the disposal or valuation of Lands by any of the Agents of the Crown Lands Department, nor am I aware that any other have any well-grounded cause of complaint. Unnecessary delay has taken place in the valuation and disposal of the Crown Lands, but this I attribute to the manner the Head Office has been conducted.

George Lount, Esquire, Holland's Landing.

3. I have no reason to complain of partiality, neglect of duty, or otherwise, in the Department, or valuation of Lands by any Agent of the Crown Lands Department: nor am I aware that any other person or party have well-grounded cause of complaint.

Alexander Levis, Esquire, Mono Mills.

3. As respects partiality or neglect of duty in Agents employed in the valuation and inspection of Crown Lands, I am not able to say. There have been complaints circulated, particularly against one Mr. Griffin who was sent out to report the state and settlement of Crown Lands, that in his return of some Lots which were actually settled in the Township of Mono, were in consequence of his return forfeited; but by an application to the Governor were restored, but at a considerable expense and trouble to the owners. As respects the estimate of Lands by Agents, I do not see, generally speaking, how any person can be a proper judge of the case, unless they were to accompany such Agents through the different sections of the country, and then there might not be sufficient proof to say that Agents had done injustice, as men vary in their estimate of Lands, and of course would not be a just criterion to judge of Agents.

P. Maguire, Esquire, Cavan.

3. I have no reason to complain of the Agent appointed for this District; and I believe that Dr. Gilchrist, late Agent for the Colborne District, has given general satisfaction in his official capacity as Government Agent.

Edward G. O'Brien, Esquire, Toronto.

3. I have never had the slightest reason to complain of any partiality, neglect of duty, or otherwise, in the disposal or valuation of the Crown Lands, by any of these gentlemen; and I am not aware that any one else has.

David Roblin, Esquire, Napanee.

3. I am well informed that the Agent for this District, Allan Macpherson, Esquire, sold this lot some time last winter or spring to another person, and gave a receipt for the purchase money, although he must have been well aware that the lot was in the possession of Phillips, as it is nearly alongside his own farm; and how he could sell it last winter, and Phillips obtain an Order in Council for it, 9th July last, is something that I do not understand, but such is the fact, for it is within my own knowledge that the Scrip he received for it was returned to Mr. Esson, of Napanee, after it was ascertained that Phillips had an Order in Council for the purchase of it. There is also another case, the one to which I alluded at the commencement of this letter, viz.:—Abram and Jacob Dingman have an Order in Council for the purchase of Lot. No. 9, in the fifth concession, Fredericksburgh; there is a small overplus of land, and their Order in Council is for 220 acres, in order to cover the whole lot. I am agent for the parties, and called upon the Agent, Mr. Macpherson, respecting the carrying out the sale, and wanted the valuation, &c. He informed me the price was 9s. per acre, but he refused to carry out the sale or send down the valuation, and not before. I finally offered to get it surveyed, and pay for all it contained, but this too he refused. I have since made application through my agent, Mr. Henderson, at the Crown Lands Office, and find the Order still stand in their favor for 220 acres, and that he had no authority from the Office to do as he had done; and am informed by Mr. Henderson that Mr. Macpherson would be ordered by the Department to send down the valuation to Montreal, in order that the sale may be carried out. I

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omitted to mention that he sent the Messrs. Dingman a letter, (officially,) which I will produce, if necessary, stating that they could not have the whole lot, and that they must survey it, &c. &c. I am wholly at a loss to give any reason for the conduct of the District Agent in this matter, unless indeed he wanted the overplus of land for some of his friends; in fact, he said that those living in the next concession had as good a right to it as the occupants had. This surely is not so, for the Dingmans are in possession of the lot, and have large improvements upon it, of which he is well aware. I have heard several others complaining of his conduct; but have not ascertained the particulars of the case, and shall therefore pass them over.

Henry E. Nicholls, Esquire, Toronto.

3. No.

L. Laurason, Esquire, London.

3. I have had no reason to complain of partiality or neglect of duty, or otherwise, in the valuation or disposal of Lands by any of the Agents of the Crown Land Department; neither am I aware that any other party has had well grounded cause of complaint in that respect, except the circumstances that purchasers of Clergy Reserves are called upon to pay for the inspection of the lands sought to be obtained, added as it is to a charge of back interest on the whole amount of valuation, which is the present value of the land, from the time of the occupation of the lot, would seem unjust and unreasonable, and which in many instances raises the price of the land far above their actual value, and beyond what the parties are able to pay.

H. H. Gowan, Esquire, Barrie.

3. I have not had any reason to complain of the conduct of Agents in the disposal or valuation of lands, nor am I aware that any other party has. The duties are very efficiently performed by the Agent for this District.

N. L. Freeman, Esquire, Chatham.

3. I never had reason to complain of partiality or neglect of duty on the part of the Agents, neither have I ever been aware of a well grounded one on the part of others upon this score; and here I may be allowed to remark that, for some years previous to 1838, circumstances led me to an intimate knowledge of the transactions of the Department for the Western District.

D. Campbell, Esquire, Seymour.

3. No.

Joseph Laurin, Esquire, Montreal.

3. I have no complaints to make against the Agents of the Crown Land Department.

QUESTION 4.

4. Are you of opinion that the appointment of Agents in the different Districts of the Province has facilitated the actual settlement of the Public Lands?

ANSWERS:

James Hastings Kerr, Esquire, Quebec.

4. I do not hold such opinion; such Agents may tend to relieve the Crown Land Department of duties and responsibilities, which ought and should be performed by, and rest with, the heads of that Department.

Ogle R. Gowan, Esquire, M. P. P.

4. I do not think the Government Agents have facilitated the settlement of the Lands; but, under a proper system efficiently administered, I should think local Agents an unnecessary expense.

George W. Foote, Esquire, Chatham.

4. I most certainly believe that the appointment of Agents in the different parts of the Province, have been beneficial to the settler to a certain extent; but I think it has not materially advanced the settlement of lands.

James Gordon, Esquire, Amherstburgh.

4. The appointment of Agents in the several Districts has not answered the public expectation,—one principal cause of which I apprehend to be that their powers are too limited.

Peter Perry, Esquire, Whitby.

4. Not particularly.

Edward Ermatinger, Esquire, M. P. P.

4. I consider that neither the Government or public would suffer, were the business of the Department managed without the intervention of Agents in the different Districts. I have transacted a good deal of business with the Canada Company, for individuals, which has always been done at a trifling expense to purchasers of lands from the Company.

John Prince, Esquire, M. P. P.

4. I am of opinion that Agents have facilitated the sales of lands; and, indeed, that such Agents are indispensably necessary, especially in remote Districts.

Edvard G. O'Brien, Esquire, Toronto.

4. I doubt much that the appointment of Agents in the different Districts has facilitated the actual settlement of the Crown Lands; but with the office at Montreal, it would be difficult to get on without some such appointment.

Thomas Bell, Esquire, Toronto.

4. I am of opinion, that the appointment of Agents in the different Districts has not facilitated the settlement of the public lands, but rather the reverse.

David Roblin, Esquire, Napanee.

4. I think the appointment of District Agents throughout the Province has not facilitated the settlement of the Public Lands.

Henry E. Nicholls, Esquire, Toronto.

4. No.

George S. Boulton, Esquire, Cobourg.

4. I do not consider the establishment of the Agents has facilitated the actual settlement of the country, but in many instances has produced much annoyance, and a large percentage is absorbed for their agency without any corresponding benefit.

Daniel Harvey, Esquire, St. Thomas.

4. I am not aware that those Agencies have in the least degree facilitated or promoted the settlement of the public land in any manner whatever; and I am of opinion they will be found of little benefit in that respect.

D. Campbell, Esquire, Seymour West.

4. In the first settlement of a Township, the presence of an Agent within the Township is of the first importance. Parties subsequently applying for lands would prefer, I should think, communicating at once with the chief office, in preference to seeking the intervention of country Attornies, or persons of that standing, of whom they know nothing; but that chief office should be of easy and unexpensive access. None but the wealthy can at present approach it.

M. F. Whitehead, Esquire, Port Hope.

4. I have no doubt as to the advantage of District Agents.

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W. Richey, Esquire, Barrie.

4. I believe the actual settlement of the Public Lands has been facilitated by the appointment of Agents in the different Districts.

M. Burzell, Esquire, Port Talbot.

4. Whether the appointment has facilitated the settlement of the Crown Lands, or not, the Agencies ought not to be withdrawn without the most strong and palpable reasons for the necessity of such a measure; because, the appointment of the Agencies originated not with the people, but on the part of the promoters of the scheme to acquire popularity for themselves. The people may now fancy they are better accommodated, and a withdrawal, in the absence of strong reasons for its necessity, would demonstrate a fickleness in the Government.

John Radenhurst, Esquire, Toronto.

4. I am decidedly of opinion that the appointment of Agents in the different Districts of the Province has not facilitated the settlement of the Public Lands.

George Lount, Esquire, Holland Landing.

4. I am of opinion that the appointment of Agents in the different Districts of this Province has facilitated the actual settlement of the Public Lands.

James Nicolls, Esquire, Kingston.

4. I should think it has.

P. Maguire, Esquire, Cavan.

4. With reference to this question. I can only reply for this District, and consider the present Agent active and efficient.

James Wallis, Esquire, Peterboro'.

4. I am of opinion the appointment of Agents in the different Districts of the Province has facilitated the settlement of Public Lands.

L. Laurason, Esquire, London.

4. I am decidedly of opinion that the appointment of Agents in the different Districts of the Province has facilitated the actual settlement of Public Lands, and has afforded a degree of ease and convenience to the public not before experienced; and has moreover been the means of saving vast expense, trouble and inconvenience to applicants and others having business to transact with the Crown Land Department, especially in cases of difficulty; and I think has given more satisfaction than any other plan or system that has hitherto been tried by the Government, and which I feel confident would be the case in every District where an efficient Agent, as the one in the London District, is employed. I think that if the District Agents were empowered to act at once without referring to the Chief Office, except in cases of difficulty, under general instructions, little or no difficulty need be apprehended as to the well-working of the present system, and by proper confidence on the part of the head of the Crown Lands Department towards the District Agents, who in all cases should be supported in the proper discharge of their duty when justly and efficiently executed, and without which no Department can be considered efficient, so as to render satisfaction to the public, there would be little cause, I think, to justify complaints.

James Cummings, Esquire, Chippawa.

4. I do most decidedly, as those wishing to purchase can in person apply at once, without the expense of agency, besides the delay.

N. L. Freeman, Esquire, Chatham.

4. I am clearly convinced that the presence of Agents in the different Districts has very essentially facilitated the settlement of the Public Lands.

H. H. Gowen, Esquire, Barrie.

4. I have no doubt that the appointment of Agents in the different Districts in this Province has greatly facilitated the settlement of Public Lands. It is important to persons desirous of becoming actual settlers, to have an office on the spot, where they can ascertain what lands are open for sale, and other particulars, without the delay of communicating with the Chief Office. Every facility should be afforded to settlers to obtain prompt personal information.

Joseph Lawrie, Esquire, Montreal.

4. I am of opinion that the appointment of Agents in the different Districts of the Province has facilitated the settlement of Public Lands.

QUESTIONS 5 and 6.

5. Do you think that parties desirous of purchasing Lands from the Government, or having other business to transact with the Crown Lands Department, would be put to much or any additional trouble or expense if they had to apply to the Chief Office at once?

6. If only one office were established for the transaction of Land business in Canada East, and another in Canada West, and it was found that business was promptly and regularly despatched there, do you think that persons having such business to transact would suffer more inconvenience, or be exposed to greater expense and delay, than they now experience in endeavoring to have it arranged through the District Agents?

ANSWERS.

James Hastings Kerr, Esquire, Quebec.

5. I do not, if the Chief Offices in the Crown Lands Department were in the hands of efficient persons.

6. If Offices were so established, and able men placed at the head of the same, they would tend greatly to benefit the Province, and neither cause as great expense or delay as under the present vicious system.

Ogle R. Gowen, Esquire, M. P. P.

5. I think the Canada Company mode of disposing of their lands far preferable to that pursued by the Crown Lands Department. It is more simple, less expensive, and more speedy and efficient.

6. I do not approve of separate Offices for each section of the Province. I think there should be but one Department, and that it should be at the seat of Government for the time being,—there the people generally resort for business of all kinds; and at least once in every year, every District in the Colony is locally represented there, and the business of their constituents generally (and particularly in land matters,) attended to by the Representatives of the People.

George W. Foote, Esquire, Chatham.

5. It is my opinion that the general class of Emigrants who settle here, would scarcely be troubled by writing to Montreal for information; it would evidently occasion trouble, expense, and delay,—three important items that most new settlers would gladly dispense with, unless to improve their lands.

6. I think an office conducted on a proper system in Canada West, would entirely do away with the necessity of appointing District Agents, inasmuch as there would be information given to the Public by proper publications respecting the lands, prices, &c. which would of itself amount to the information generally to be procured from District Agents; it should be also remembered that, although this country is still in one sense a wilderness, it yet contains in every part, men who are well acquainted with the localities, and the quality of the soil, &c. Settlers, who are dispersed over all parts, would gladly give information to the Emigrant about to become their neighbour.

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In giving this information, I am influenced by the supposition, that the Office in Canada West would be properly conducted, and prompt attention given to the requests and applications of the Emigrants desiring information.

Peter Perry, Esquire, Whitby.

5. I think not.

6. I think not.

Edward Ermatinger, Esquire, M. P. P.

6. One Office in Canada East and West each, I consider would be sufficient for the disposal of the Public Lands, and the Government would not run the risk of loss through defalcation of Agents.

John Radenhurst, Esquire, Toronto.

5. I am clearly of opinion that parties desirous of purchasing lands from Government, or transacting other business with the Crown Land Department, will not be put to any additional trouble or expense if they had to apply at once to the Chief Office, provided that Office was conducted in an efficient manner, and no difficulties thrown in their way by the answers and reports of the Clerks on whom, from want of knowledge of the business of this Province, the Officer in charge has to rely.

6. An Office for the transaction of land business in Canada West is comparatively called for when access to the Records of the Crown may be had without being obliged to send from the Western District to Montreal, a distance of 700 miles, before accurate information regarding the title of a lot can be obtained; and I am persuaded that if an Office where business was promptly and regularly despatched was established in some central place in Canada West, persons having business to transact would not suffer more inconvenience, nor be exposed to greater expense or delay, nor as much as they now experience in endeavoring to have it arranged through the District Agents.

Alexander Lewis, Esquire, Mono Mills.

5 and 6. With respect to Agents located in different sections of the Province for the disposal of Lands, my opinion is, that were there two General Offices established, one, say in Montreal, and the other in the City of Toronto, it would be easier and much cheaper for the people to get business done, particularly where business is promptly and regularly transacted. The greatest complaint that I hear among the people is putting off, and occasioning poor people unnecessary travelling and expense, and occasioning the trouble and expense of the Agents to attend on the Government Office, all of which might be avoided, if business was performed regularly and promptly.

P. Maguire, Esquire, Cavan.

5. Parties applying to the Government to purchase lands, or having other business to transact with the Crown Lands Department, could have their business done at the Chief Office at once, with more satisfaction and promptitude, and particularly when there were adverse claims, as every facility could be afforded and resorted to at the seat of Government, with the different heads of Departments, in the issuing the Patents for Lands from the Crown, or petitioning the Governor and Council in various matters connected with the Crown Lands Department.

6. I cannot see how the land business could be transacted in Canada West more promptly and regularly than in the different Districts, if active and efficient Agents were only appointed; as in all cases where disputes would arise as to titles to lands, and where it is necessary to petition the Governor and Council, this can only be promptly and efficiently effected at the seat of Government; and unless the same facility could be afforded in Canada West that now exists in Canada East, this contemplated arrangement of having two offices would undoubtedly be attended with greater delay and expense, and would ultimately prove to be a complete failure in Canada West.

Edward G. O'Brien, Esquire, Toronto.

5 and 6. Generally speaking, to parties desirous of purchasing Crown Land, or having other business to transact with the Crown Land Department, the great advantage of having such business promptly settled, or of obtaining more satisfactory information at the Chief Office at once, were it within their reach, would far more than counter-balance any cases of individual inconvenience. Of Canada East I know nothing; but were there only one Office for the transaction of the Crown Land business in Canada West, I think the District Agents may be done away with, with advantage to the public. But this Office should be for the final adjustment of claims and sale of lands; as, were a reference to Montreal necessary, (except in particular cases perhaps,) there would be no very great advantage in one large and expensive Office over a number of small cheap ones. This I imagine can be easily accomplished with the assistance of the Heir and Devisee Commission,—enlarged if necessary to meet the pressure of business. By some such arrangement all reference to the Executive Council may be dispensed with, which alone would be a great advantage.

Thomas Bell, Esquire, Toronto.

5. I am of opinion that the parties being desirous to purchase Public Lands, or having business to transact with the Crown Lands Department, would not be put to any additional expense or trouble if they had to apply to the Chief Office at once; and I am of opinion that they would not be put to so much expense as under the present system.

6. I am decidedly of the opinion that if one Office for the transaction of Land business in Canada East, and another in Canada West, with business properly transacted, applicants for Land would not suffer so much inconvenience, or be put to so much expense and delay, as they now experience in endeavoring to have their business arranged through the District Agents; and the parties applying for Land, or to have business transacted, would, in many cases, be more satisfied in transacting business with the principal Office. I have always found parties more satisfied in transacting business with the principals than with the Agent, no matter how well the Agent conducted the business.

David Roblin, Esquire, Napanee.

5. I think it would be better for all parties concerned to make application to the Chief Office at once. In my opinion it would be less expensive, and far more expeditious and satisfactory.

6. The above answer applies equally to this question. I should, however, think it best to keep the Office at the seat of Government, where claims could be speedily examined into and promptly settled.

Henry E. Nicholls, Esquire, Toronto.

5. No.

6. No.

George S. Boulton, Esquire, Cobourg.

5. I do not consider parties desirous of purchasing land or transacting other business with the Crown Land Department, would be subject to much more trouble or expense if they applied to the Chief Office at once, and then partiality or connivance, as well as much expense, would be avoided.

6. I think the parties would not suffer more inconvenience in transacting business with the principal Office, if one was established in Canada East and another in Canada West, than they now do.

Daniel Harvey, Esquire, St. Thomas.

5. I am of opinion that parties wishing to purchase land from Government, in general, would not be at so much expense and trouble if the application were made to the Chief Office direct, provided that that Office was conducted with energy, and such information as might be

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required, given without any unnecessary delay, as they are subject to by the present system of Agencies; such an office would, however, require to be under the superintendence of a vigilant officer.

6. If two Offices were established, one in Canada East and the other in Canada West, and the business of those Offices transacted promptly, I cannot help but think that parties making application to purchase land, would transact their business with more satisfaction and less trouble and expense, than with any District, Agent or Agents; and I am clearly of opinion that those Agencies will in the end give but little satisfaction to the Government, the principal Office, or the people.

D. Campbell, Esquire, Seymour.

5. The Canada Company formerly had Agents in all the Districts of this Province, and I believe were necessitated to withdraw them, partly in consequence of irregularities and frauds committed by some of them. The Crown must of course be subject to the same evils.

6. An Office established in Canada West, with full powers to transact all the business coming before that Department is, in my opinion, indispensable. Communicating with subordinate Offices is at all times unsatisfactory, and is often attended with more expense than going at once to the fountain head, where business ought at all times to be "promptly and regularly despatched."

A. C. Buchanan, Esquire, Quebec.

5. I do not think they would; on the contrary, I consider that both time and expense would be avoided by their application to the Chief Office at once.

6. No; so far as I am able to judge, I think they would be benefitted.

M. F. Whitehead, Esquire, Port Hope.

5. The District Agencies are decidedly advantageous to the applicants. One day's journey in almost every District will enable a party to perfect his business. Quite otherwise, if an application to the Parent Office were necessary.

6. Even then I apprehend the District Agencies would be found advantageous nine times in ten.

IV. Richey, Esquire, Barrie.

5. I think that the trouble, expense, and loss of time, in attending personally at the Chief Office, for the purpose of purchasing lands, or other business, would be productive of serious inconvenience to settlers.

6. I believe that the local Agents have the power of saving much inconvenience, expense and delay; and although business might be promptly and regularly despatched at the respective Offices for Canada East and West, there must be a greater advantage in the Agencies.

John Prince, Esquire, M. P. P.

5. I think parties would be put to infinitely more trouble and expense if they were to be obliged to apply to the Chief Office in the first instance; and I also think that so remote is that Office, and the difficulty of communication with it so great, (21 days in winter from this District and back, unless the sleighing be good) that none or very few would apply for lands at all in this Western District, or in the London District.

6. I think the best and easiest, and less expensive plan, is to transact business through the Agents. They generally know the land, and its localities, and peculiarities, as well as the applicants themselves; and, if properly instructed by the Chief Office, can do all that the applicant wishes to be done, and can do it speedily too,—to all which, strangers at Montreal and Toronto connected with Land Offices there, would indeed be strangers, and I think inefficient for the purposes contemplated. Delay is the bane to settling lands, and it would be increased if there are no Agents in the country.

M. Burwell, Esquire, Port Talbot.

5. Partly answered by the foregoing, but the Canada Company operations ought not to be mentioned as analogous to this enquiry, because that Company attends strictly to its own interests, which are in most cases the interests of the country, without studying to acquire, at the cost of the public good, the fleeting phantom—popularity; and it has never grown into ephemeral consequence by talking either about the "Clergy Reserves," or that sort of "Responsible Government" which can easily be demonstrated to be perfectly irresponsible.

6. Answered by the foregoing.

George Lount, Esquire, Holland Landing.

5. I think that parties desirous of purchasing lands from the Government, or having other business to transact with the Crown Lands Department, would be put to additional trouble and expense if they have to apply (as in case of Canada Company) to the Chief Office at once, for the reason that a good majority of persons desirous of purchasing lands from Government are so far illiterate, that they would have to employ some person, as agent, who they judged better qualified to communicate with the Land Department, which in many instances would be very defectively performed; and, in the next place, many persons, from inability to communicate with the Land Department, would become the dupes of designing persons and speculators who upon hearing that such persons (with a little ready money) wished to purchase a particular lot of land, would apply for the purchase thereof either in their own name or the name of an accomplice, with a view of selling it at a greater price to such persons.

6. I think if only one Office was established for the transaction of land business in Canada East, and another in Canada West, where business was promptly and regularly despatched, many illiterate persons (and they form the great majority) having business to transact, would suffer more inconvenience, expense and delay, than now experienced in having their business arranged through the District Agent who is generally an efficient person, and liable to removal for misconduct.

James Wallis, Esquire, Peterboro'.

5. I fear parties would be put to additional expense and trouble if they had to apply to the Chief Office at once.

6. If only one Office were established for the transaction of land business in Canada East, and another in Canada West, and even it was found that business was promptly and regularly despatched there, I fear the poorer classes particularly would suffer more inconvenience and be exposed to more expense than in having their business transacted through the District Agent.

L. Laurason, Esquire London.

5. Persons purchasing lands, or having other business to transact with the Crown Lands Department, if at any other place than with an Agent in the District, would be put to very much additional trouble and expense, which in most cases is now obviated by their coming to the Office of the District, and not unfrequently transacting their business and returning home in the same day without inconvenience, besides having the opportunity of making personal enquiries of the Agent which could not otherwise be answered without much expense and delay; added to which, that many cases would arise that could not be answered satisfactorily, or the business done, except through the agency of some person in this District who possessed information as to the locality, and had an acquaintance with the inhabitants of the District, with the opportunity of examining the premises and obtaining information on the spot. At the same time that it would enable parties to present their papers for examination, and to ascertain their validity. The loss of these advantages, although apparently trifling, would be most seriously felt by the public, and would soon be productive of great dissatisfaction and well-grounded cause of com-

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plaint. The business with the Office of the Canada Company is in this District chiefly done through the agency of persons employed by parties wishing to do business with them here, who of course are put to an expense which they would not have to undergo was there an Agency of the Company in each District; the transaction of business at their Chief Offices only, is of course easier and cheaper to the Canada Company, but they look to their own interest only, and not to the convenience of the public.

6. I do think that the adoption of any other plan than that of doing business through the District Agencies as at present, would not give satisfaction, because, as it is observed in the preceding answer, that it would be productive of evils therein detailed, and greatly and unnecessarily increase expense to parties, by compelling them in almost all cases to employ Agents for the transaction of their business with the Crown Land Department. It must be obvious to all who have had any experience that such a system has already been tried in Canada East and West, and failed in producing satisfaction. It cannot but be evident that it would only create Agencies at the seat of those respective Offices, as before the adoption of the present system, which unquestionably must have the effect of creating much expense, trouble, and inconvenience to parties interested, as well as causing unavoidable delay to a much greater extent than is now felt under the present system. I cannot see any advantage in having a Chief Office in Canada West, as it would create a great additional expense to the Government, and instead of making the transactions of business with the Department easier to the inhabitants of that portion of the Province, would render it more complicated than if done at one general Office at the seat of Government, and would proportionably increase the number of private Agencies, and increase instead of diminish the expense to the parties.

James Cummings, Esquire, Chippawa.

5. I conceive the District Agency to be attended with less trouble and expense to parties desirous of purchasing.

6. I do not consider that an Office in Canada East would expedite the business, with so little expense, as through a District Agent.

H. H. Gowan, Esquire, Barrie.

5. If parties had to apply to the Chief Office at once, those without education or unacquainted with business, (and this class of applicants are the most numerous,) would be obliged to secure the assistance of an Agent, and the loss of time, trouble, expense and risk attending it, would, I am sure, be severely felt.

6. There ought, I think, to be one general Office in Upper Canada for the transaction of business in that section of the Province, but as I have before remarked, the most satisfactory and least expensive mode of having it arranged is by District Agencies; as it is now, I have repeatedly known country people to come personally a distance of thirty miles to obtain information which might, by a person acquainted with business, be obtained by letter in three or four days.

A. L. Freeman, Esquire, Chatham.

5 and 6. I know that parties desirous of purchasing Public Lands formerly felt very much annoyed at the delay when the "monthly sales" was the practice; all those who were in funds, on arriving in the vicinity of the Agency, and learning that some two or three weeks would elapse before they could have an opportunity of locating, would directly take up their line of march for the States of Michigan, Indiana, and Illinois, so that we lost the most valuable class of emigrants—the men of capital, and retained only those who had exhausted their cash and could go no farther. This question seems to presuppose that the purchasers of Crown Lands are residents of this country, living with their families quietly at home, and need only write to the Chief Office at Toronto or Kingston, or somewhere else, to be put in possession of a lot of land to pitch their tent or shanty upon at pleasure. The fact of the case, however, is very different. Most of the

applicants for Public Lands are newly arrived emigrants from the British Isles, and on landing on this or other towns, the first enquiry is for "Government Lands;" "What is the price?" "Where is the Agent?" Tell them they must wait a few days; write to the Chief Office and gather information as to this lot, that, or the other. Delay sickens the heart, consumes the purse, cools the ardor, and—away goes the emigrant to the States. I would increase the number of Agents without any increase of expense; create two Offices,—East and West, subdivide the several Districts in the West, so that every considerable settlement should have an Agency in it, embracing so many Townships as naturally center for business purposes in the neighbourhood of the Agency; appoint a straightforward business man,—a sound merchant if you can,—in that neighbourhood as Agent,—furnish him with a perfect list of all public lands for sale in his beat; let this Agent dispose of all these lands, and account with the Chief Officer. The Merchant, besides being enterprising and public spirited, has a direct interest in settling up and improving the country. It enlarges the sphere of their operations, and enhances the value of their invested capital; and, my word for it, plenty of them can be found to do the business efficiently for a very small per centage on the actual sales. You will of course arrange the details with all needful guard for the safety of the funds arising from the sales.

Joseph Laurin, Esquire, Quebec.

5. I believe that such persons as are desirous of purchasing Lands from Government, or who may have business to transact with the Crown Land Department, would meet with more difficulty and incur greater expense, if they were compelled to communicate direct with the head of that Department.

6. The establishment of one branch of the Crown Land Department in Upper Canada, and another in Lower Canada, should not interfere with the present establishment of District Agents, for their several establishments will greatly facilitate the transaction of business.

QUESTION 7.

7. Are you of opinion that the settlement of the Public Lands would be facilitated by their being sold on a credit, or do you think the present system of prompt payment the best?

ANSWERS.

James Hastings Kerr, Esquire, Quebec.

7. The system now prevailing is an injudicious one; and I think that if a liberal and proper credit system was introduced, and that instalments were regularly collected, that the settlement of the country, particularly Lower Canada, would steadily progress. The system now in operation tends to throw the lands which are of value into the hands of speculators; District Agents, the Crown cannot, or will not, afford to remunerate, excepting in a few instances, so as to ensure their being honestly and efficiently administered, consequently great inducement is held out to the Agents to do that which otherwise they would not do. It is believed that great intrigue and unfair speculation is practised by some of the Agents either directly or indirectly, whereby both the Crown and the Public suffer. The people would derive greater benefit in purchasing direct from the Crown than from its Agents: The Commissioner of Crown Lands, as also the Assistant Commissioner, could not, without danger to themselves, venture to speculate on the wants of the settler; Agents may do so now without any great fear of detection.

M. F. Whitehead, Esquire, Port Hope.

7. The credit system is most unquestionably preferable;—the natural inclination of mankind to run into debt is a strong recommendation in favor of it; and many who are not given to this vice, would purchase lands and pay for them out of the proceeds of their industry.

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Ogle R. Gowan, Esquire, M.P.P.

7. I greatly approve of the credit system in the disposal of the Public Lands. It is the ordinary mode of business transactions; and the prompt payment system would, in my view, in a few years, create a landed aristocracy over the poor.

James Gordon, Esquire, Amherstburgh.

7. I never approved of the system of prompt payment. I am satisfied the settlement of the Public Lands, if otherwise judiciously managed, would increase largely by making credit sales. But a small portion of our emigrants, and comparatively few of the other descriptions of persons seeking to make purchases, possess means sufficient to pay for land, and at the same time maintain a family, until they can render the land productive; whereas by getting credit, all that is necessary to the settler's success and eventual independence, is industry and health. The practice of the Canada Company, and of individual landholders in that respect, may be safely, and, I think, wisely adopted by the Government, if the business is equally well conducted,—and why should it not? In the event of the system of credit sales being decided upon, it will doubtless be deemed expedient to require, in all cases, a small payment in hand, by way of insuring the sale,—and it should be charged upon the Agent not to suffer default to be made in the punctual payment of the instalments on time; and it should also be his duty to exercise a vigilant supervision over the lands so sold, as well as over all the lands within his District, to prevent the spoliation of the timber, until finally alienated. And I may be permitted to add, that the District Land Agents ought to be highly respectable persons—intelligent, active, and zealous. It would be invidious to point to particular instances where such is not now the case.

Peter Perry, Esquire, Whitby.

7. Considering the peculiar state and condition of the lands to be disposed of (being so much scattered and); it is my opinion that the credit system is best calculated to effect the object in contemplation.

Edward Ermatinger, Esquire, M.P.P.

7. I am of opinion that actual settlers, as well as the Government, would be benefitted were the Public Lands sold on credit, in the manner adopted by the Canada Company; not less than one-fifth of the purchase-money should be paid down. By this means the Government would have ample security for the fulfilment of the conditions of the purchasers, and the industrious settler time to improve his land and complete the payments; while the lands would be kept out of the hands of speculators.

John Prince, Esquire, M.P.P.

7. I am of opinion, that sales on credit are decidedly preferable to those made for prompt payments. The Emigrant, generally speaking, cannot spare his ready money on his arrival in this country; he requires most of it to live on, until he can bring his land round,—say, for the first two years, at least; and therefore credit is an object to him. I am, moreover, of opinion, that the price of lands should be fixed at 10s., New York currency, per acre, as in the United States. No wild land is worth even that to farm: it is dear at nothing, be it ever so good and rich; and when cleared and fenced, actually costs more than it is intrinsically worth. I write this from long and dear bought experience, both as a theoretical and practical agriculturist myself.

M. Burwell, Esquire, Port Talbot.

7. My opinion is, that the settlement of the Crown Lands would be more maturely and effectually made, if they were sold on a credit, and subject to interest, but the price, per acre, should not be made higher on account of the credit. I could give explanatory reasons in support of this opinion, in much detail; but it strikes me as so evident, and consistent with common experience in this

country, as to be unnecessary; and, besides, I am pressed for time.

John Radenhurst, Esquire, Toronto.

7. I am decidedly of opinion, that the settlement of the Public Lands would be much facilitated by their being sold on a credit; in fact, a great mistake was made when a Crown Land Office was established. The system of a grant of 100 or 200 acres to actual settlers, on the payment of the fee 6th July, 1804; was by far the best mode for the settlement of the Waste Lands of the Crown in this Province; and had the expense of the Commissioner of Crown Lands been avoided, the surplus fees, after paying the Officer for the Patent, would have yielded a larger revenue to the Treasury than it now does, with the great expense attending the disposal of those lands.

George Lown, Esquire, Holland Landing.

7. I am of opinion, that the settlement of the Public Lands would be facilitated if sold on credit. I also think that the present system of prompt payment is injurious to the settlement of the Public Lands.

James Nickalls, Esquire, Kingston.

7. I think the system of credit for three, four, or five years, the best, both for the Government from the increased price they obtain for the land, and the easy terms of payment it offers for the settler; but I should require a larger sum to be paid down than is now demanded.

Alexander Lewis, Esquire, Mono Mills.

7. Regarding the disposal of Government Lands, I think much more good would arise to poor Emigrants if Public Lands were sold on credit; it would give poor Emigrants a chance, and prevent rich speculators in lands to purchase at the upset price and then sell the same at an advanced rate. In my opinion, the cash system prevents in a great measure, the settlement of Government Lands. The system the Canada Company pursues is better calculated to accelerate the settlement of lands than prompt payment. The above imperfect thoughts are given for your inspection, and to lay such weight upon them as your better judgment will suggest.

P. Maguire, Esquire, Cavan.

7. The settlement of the Public Lands would be better facilitated by being sold on a credit of a given number of years, and on liberal terms, because it would afford the poor man who would be desirous of becoming an actual settler, an opportunity of procuring for himself and family a piece of land, payable in yearly instalments, with interest from the day of sale; and I would respectfully suggest that actual settlement should be strictly adhered to, thereby preventing the Land Jobber and Speculator of monopolizing the Waste Lands of the Crown. I have always considered the present system of prompt payment most ruinous and detrimental to the settlement and prosperity of the country.

Edward G. O'Brien, Esquire, Toronto.

7. I cannot suppose that in a poor country like this, a worse system could be adopted than the present one of prompt payment. It is a common arrangement, when poor men wish to become purchasers of Crown Lands, to get a more wealthy one to take out the Deed; and they then pay to this third party or middleman, not only the interest, but also pay a higher price, per acre, for the accommodation of time. The price also of the Crown Land, as a general rate, is unquestionably too high.

Thomas Bell, Esquire, Toronto.

7. I am of opinion, from long experience in the land business, that the settlement of the Public Lands would be much facilitated, were they sold on a credit in place of prompt payment, and to much better advantage to the settler and to the Crown both.

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7. I am of opinion that the settlement of Public Lands would be facilitated by their being sold on credit.

David Roblin, Esquire, Napanee.

7. In my opinion, a liberal credit is by far the best means of disposing of the Public Lands; and I presume, that next to the settlement of the Province, revenue is the object that would be best promoted by selling at a liberal credit, with interest, and insisting upon that being punctually paid. The principal objection to the ready-pay system is, that it enables the wealthy to monopolize all the best lands, that they rarely, if ever, improve them, but keep them in hand, quietly waiting for the lands to be improved around and near them, and then demand high prices for them, which necessarily retards the improvement and settlement of the Province.

Henry E. Nicolls, Esquire, Toronto.

7. On a credit of course.

L. Laurason, Esquire, London.

7. I am decided in the opinion, that if the Public Lands were sold by the Government at a credit, say one-fifth in hand, and the remainder payable in five equal annual instalments with interest, it would be preferable to the present mode of selling, and be productive of much good to the country, inasmuch as it would have the effect of preventing much speculation by the wealthy, as against those of moderate means. It is a fact well known to many, a great portion of the purchases of Clergy Reserves and Crown Lands have been made with means obtained by way of loan, and by giving the land purchased with the improvements in security, which, I am of opinion, will, in many cases, be forfeited to the money lender, or re-purchased at exorbitant prices, and have the effect of causing much loss and great distress to the actual settler. I have arrived at the conclusion, from the experience of many years transaction in land matters, that almost invariably all the purchasers of land at a credit sale, on the terms before mentioned, have done well, and have been able to pay their instalments and interests without being obliged to make sacrifice of their lands and improvements, as is the case with many of the actual settlers who are purchasers under the present system of prompt payment.

George S. Boulton, Esquire, Cobourg.

7. I think if lands were sold on a credit, with one-fourth paid down, the settlement of the lands would be facilitated, and the Province would derive much advantage by the lands selling at higher rates.

Daniel Harvey, Esquire, St. Thomas.

7. I do think that the settlement of the Public Lands would be facilitated if they were sold on credit; indeed, there is no other manner that a majority of the people can purchase land, but on credit. The amount of purchase money to be divided into sundry instalments; a certain amount to be paid down, and the balance at such periods as might be thought best; the purchaser to be furnished with written or printed directions as to the time and manner of payment, &c., and all such other clear and plain directions as might be thought necessary.

James Cummings, Esquire, Chippawa.

7. I am of the opinion that the settlement of the Public Lands would be facilitated by their being sold on a credit, because those generally purchasing on a credit are a class of people who have but small means, and intend settling and improving their lands, and paying for the same by annual instalments; whereas cash sales are made to monied men who purchase on speculation, thereby getting the land at a much lower rate than the poor man who, not having the means, would give more, by having time for his payments, and, moreover, would most likely settle and improve the same.

H. H. Gosson, Esquire, Barrie.

7. I think that the settlement of Public Lands would be facilitated by their being sold on credit, that is to say, part being paid at time of purchase, and time given for the residue.

A. C. Buchanan, Esquire, Quebec.

7. I am of opinion that considering the low price at which the Crown Lands are held, the present system is the best.

Joseph Laurin, Esquire, Quebec.

7. I am of opinion that the best system of facilitating the settlement of Public Lands would be to sell them on credit.

George W. Fooks, Esquire, Chatham.

7. It is decidedly my opinion that both systems are bad; because, should the present high price of wild lands be persevered in, emigrants cannot settle, because they are too often unable to pay for the land at the price demanded, and consequently leave for the United States. When credit is given at an equally high rate for wild land, the settler is often obliged to leave after paying the first instalment, because he finds himself unable to procure, by the cultivation of his land, that remuneration for his labor which will enable him to bear up against the high price of land, and the ruinous interest accruing on the arrears; thus, the Government loses its anticipated revenue, and drives perhaps a good subject to the United States to regret that he was unable to live in a Colony of his native land. This evil, I think, has been produced by the lands having in the first place been valued by men who, if they thoroughly understood the subject on which their judgments were called into action, evidently did not take into consideration the immense labor the settler has to perform before he can render his land available, or indemnify himself for the labor and cost he has to endure. Were the Crown Lands of this Province sold at a price that would enable emigrants to settle and live, say 6s. 3d. per acre, I feel confident that the Government would not only be benefitted by disposing of its lands, but would likewise increase the population of this Colony, by holding as great inducements to the honest but needy emigrant, as can be given in the adjoining country; and still more, by enabling them to live for the same means, under the protecting arm extended to them in this Colony from their own land. It is absurd to suppose that men can be induced to settle here, and promptly pay the present exorbitant prices of wild land. I could refer to Bankrupt's Land Sales and private sales made by the Bank of Montreal, for proof of what I have advanced, proving the present system of valuation is altogether ruinous to the settlement of the country; much of this land was disposed of at 3s. 6d., and can now be bought at 6s. 3d. on credit. I am aware that many grasping short-sighted landholders, to whom you may have written on this subject, would be of quite a contrary opinion, because they will fancy that the present high price of Crown Lands enhances the value of their own, and will consequently suppose that a reduction in the price of the Public Lands would reduce the price they are able to procure for their landed property: they do not see that if the price of Government Lands was so reduced as to speedily dispose of them, the value of other lands in the vicinity would immediately increase.

W. Richey, Esquire, Barrie.

7. I am decidedly of opinion that the present system of prompt pay is the better, and that at the same time that the disposal of lands on credit would be facilitated for a short period, it should ultimately produce the most unpleasant consequences.

Norman L. Freeman, Esquire, Chatham.

7. I would, for many reasons, sell for ready pay only, but then I would make the price low and subdivided—the two hundred acre lots, and all lots into fifties so that the purchaser may have every fair accommodation to his desires and his purse.

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D. Campbell, Esquire, Seymour West.

7. This question involves so many considerations, that I hardly know how to approach it. Government, I suppose, has a twofold object in the disposal of the Public Lands, viz: the speedy settlement of the country, and a revenue. Were Canada more remote from the United States, I should say that prompt payment would be in every respect preferable, as the poorer classes of emigrants would then be compelled to give their labor at a reasonable rate to the capitalist for a time, which would lead to the investment of capital in agriculture, and give to the emigrant both the experience and money required for a successful settlement; but being closely connected, as we are with the Union, if we deny to the stranger equal facilities for obtaining land—for that is the great desire of all—which are afforded him in the States, he will soon find his way there; so that it appears to me that any arrangement on this subject, made without reference to the mode in which lands in that country are disposed of, might lead to much mischief.

B. 3.

Enquiries made of the Canada Company, as to the system pursued by them in the sale and management of their Lands, with Replies furnished thereto, by E. L. Cull, Esquire, in charge of the Company's Office at Toronto.

Q. 1. In making sales of land, the Company now require one-fifth of the purchase money down, and the remainder in five equal annual instalments with interest; do you think any improvement can be made on this plan; would the payment of a larger sum down, and shorter period given for the balance, prevent parties purchasing and drive them elsewhere, or would a less payment at first, with a more extensive credit, be of any material benefit to intending settlers?—There is no doubt that requiring a larger portion than one-fifth of the purchase money down, and giving a shorter time than five years for payment of the balance, would most materially check sales of lands. Parties purchasing for the purposes of settlement are never overburdened with cash, and to require even so large a portion as one-fifth of the purchase money down, will most materially cramp their endeavours. If it is thought necessary to make absolute sales to the parties, I should say that a greater number of acres would be sold, and a greater amount of settlement accomplished, by requiring only one-tenth of the purchase money down, and giving ten years for the payment of the credit instalments. The experience of the Company goes to prove that if the ten years credit is not given to, it will be taken by, the purchaser; and that, in fact, it is impossible for the ordinary run of settlers, in a less period of time, to make their clearing and raise the requisite amount of stock,—provide the necessary utensils and buildings, and keep their families, from the produce of their farms,—having during that period to contend with several bad seasons, when perhaps the entire year's labor during those seasons will scarcely do more than afford sustenance for their families. It is to meet this state of things that the Company have devised the leasing system, whereby the settler (having the full benefit of the right to acquire the freehold at a fixed price, within a given time, both which are specified in his lease) has yet only very small annual payments to make, no money being required down, this enables him to extend his operations in clearing land and raising stock, and thus gives him, at a very small cost, the advantages of a certainly increasing capital, not liable to be destroyed or materially lessened by annual drains made upon it by almost compulsory sales of cattle and produce, at often ruinously low prices, to meet the annual portions of the principal of the purchase money falling due under the old system. The advantages of the leasing system are, however, more fully shewn by the printed document appended hereto, and marked A.

Q. 2. Do the Company make it an invariable rule to sell to the first person who is prepared to pay the first instalment, without regard to the claim of a person who has

squatted and made improvements on the land without authority?—The Company make it an invariable rule to sell to the first applicant who is prepared to comply with their terms, by payment of the first instalment, without reference to any squatters who may have illegally taken possession of their lands; but it must be borne in mind that the Company have always discouraged, in every point of view, the squatting on their lands by unauthorized persons, and to such an extent have they carried their endeavours to prevent it, that there is scarcely a District in the Province where they have not gone to a heavy expense in prosecuting actions of ejectment against the offending parties, and the proceedings of such actions have always, by common report and the publicity of the trial, been widely spread.

Q. 3. Have the Company generally found that squatters make good settlers, and complete the purchase of the lands they occupy, and pay their instalments regularly; or are the facts the reverse of this?—The Company have always found that squatters make the worst possible settlers. In the very few instances in which they succeeded in paying a first instalment, it has been the only payment received from them; they have invariably refused and neglected to pay either principal or interest, until pressed or threatened with legal proceedings, when, after raising a great outcry, and giving the Company credit for oppression, &c., they sell out to some person from whom we are perhaps enabled to obtain one-third or one-half of the debt; and we are in these cases obliged to give an extension of credit from two to three years,—the parties often taking a further extension of two or three years more. It must, however, be borne in mind that the squatters on the Company's lands are generally persons of degraded and, in many instances, of desperate character, who have, notwithstanding all our endeavours, and in defiance of our warnings, taken forcible possession, and manage to hold it by threatenings, and in many instances by personal violence committed on persons attempting to examine lots so occupied, for the purpose of becoming purchasers. There are many of these squatters who have considerable improvements, and yet who refuse or neglect to become either purchasers or lessees.

Q. 4. Are you aware of any instances in which parties have suffered seriously, or in any degree, by the Company making sales to others of lands they have occupied; or do you find that squatters generally make an amicable arrangement with those who purchase, when they are unable to buy themselves?—As the persons who squat on the Company's lands are generally persons of bad character, laziness is a marked characteristic in all their proceedings; their improvements, with some few exceptions, are mostly unworthy of the name, and the parties purchasing (when such a thing happens) usually prefer paying a sum nearly equivalent to the value of the work done, rather than incur the enmity of such desperadoes. Until the squatters find that the land is actually purchased, they always hold out for the most exorbitant remuneration; but when once they find the thing inevitable, they are much more reasonable, and a satisfactory adjustment is usually effected without the Company's interference.

Q. 5. As the value of lands in all parts of the Province is perpetually changing and generally increasing, can you say on what basis the Company have fixed the valuation of their lands; do they continue to sell at the fixed price, or, if increased, are persons employed to revalue; or by what rule is such increased price arrived at?—The Company have no certain basis or rule by which they fix a price on their lands; their Officers take care to keep themselves fully informed of the selling price of land in the neighbourhood of the Company's lands, and they ask such a price as, while it enables the Company to sell, does not bear oppressively on the purchaser. The Company's prices are usually twenty-five per cent less than those of great landholders of the different Townships. It must be remarked that the Company always have an inspection of their lands, and are therefore fully aware of the quality of the soil, the nature of the timber, and locality of great improvements, &c. The Inspector puts a price on the lot, but this is not considered final, but merely as a guide to the Officer who is entrusted with the sales, and is usually considered the minimum price. All sales are subject to the immediate approval of the Commissioner before completion.

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Q. 6. The Company formerly employed Agents for the disposal of their lands in the various Districts of the Province: can you state the cause or causes of this system being discontinued?—The Company found it necessary to discontinue their Agencies throughout the Province on account of the great irregularities constantly committed by the persons employed, and the numerous complaints raised by the settlers on that account. The Company have been in some instances very heavy losers by the defalcations of the persons employed.

Q. 7 to 13. Do you think the employment of local Agents would, under any circumstances, materially, or in any degree, facilitate the sale of the lands? Would their employment greatly relieve intending purchasers from trouble, and prevent appeals to the Office in Toronto? Did their employment relieve the Office in Toronto from much labor or expense? Were purchasers generally more disposed to buy from the local Agents than to apply at once to the Office in Toronto? Are you aware that parties desirous of purchasing lands from the Company complain of the expense or loss of time to which they are subjected by having to come from distant parts of the Province for the purpose? Do intending purchasers generally come in person from distant parts of the Province to buy, or is their business transacted by letter? Are you aware of any complaints being made by parties who are unable to write, of the expense to which they are subjected by employing an agent to transact their business?—I am well convinced that the employment of local Agents is of no advantage to either the seller or purchaser of land. If land is properly advertized, and corrected lists circulated in the neighbourhood of lands for sale, parties have no difficulty in at once applying to the head of the Department, and, as in the case of the Company, all such applications meet with immediate attention and reply, (the Company never losing more than one Mail.) I believe none suffer by the delay. The employment of local Agents always favors speculation, favoritism, and bribery, and leads to well-grounded complaints. While, apparently giving a chance to all alike, it opens a door to fraud, and petty local tyranny; whereas when it is once understood that the first applicant to Head Quarters who may comply with the seller's terms is certain of a preference, without reference to station or class, it ensures a confidence in transactions with the seller which can be attained by no other means. It must be remembered also that the whole of the odium, caused by improper conduct on the part of the local Agent falls on the Department, who are blamed for all the faults of their subordinates, whether those faults have ever been reported to the Department or not. The Company never have complaints made by parties coming from distant parts of the Province. All are well aware that if they apply by letter, their applications will meet with immediate attention; and although there are, doubtless, numbers who cannot write themselves, yet they find ready assistants in the Post-Masters and Schoolmasters, the former particularly, who, as a body, are deserving of every praise for their charitable and unwearied assistance to the more ignorant class of settlers, both in forwarding their applications and their money on account of the purchase when preliminaries are arranged, and in no instance that we have ever heard of, has any remittance gone astray or been kept back when once placed in the hands of a Post-Master to be forwarded to this Office. All parties at a distance apply by letter, and as the expense they are put to by so doing does not amount to a twentieth part of the expense they would be put to by a journey, complaints are never made on that score. We transact nearly the whole of the Company's business by letter, parties living ten or twelve miles often preferring that mode to the trouble of even so short a journey, and even when arriving at Toronto too late for the day's business, it is not unusual for them to drop a note in the Post Office, addressed to the Company, rather than wait till next morning, being well assured that their application will produce a prompt reply.

Q. 14 and 15. Are you aware that lands belonging to the Company have been lessened in value, in consequence of persons trespassing on them and stripping them of timber for lumbering or other purposes? Do you think that the employment of persons in various districts to prevent

such trespass, would generally be attended with the effect proposed, and would the payment made to such persons for their services be returned in the shape of an increased price for the lands?—The Company's lands have undoubtedly suffered greatly at different times from the timber being plundered from them, but, strange to say, the loss appears to fall chiefly on the purchaser of the land. The land is doubtless lessened in value, but the greater notoriety afforded to it by the lumbering operations and visits of and to the shanty-men, seems to bring the land into the market, when otherwise it would have remained unknown and unsold. It is only the lowest priced lands which suffer in this manner, and we constantly sell them at the original valuation, although we may have received twenty or even thirty pounds for the lumber made from the timber growing on them. Whether these observations would apply to a country entirely owned by either the Company or the Government, is another matter, but certain it is that such is the effect produced on the Company's scattered Crown Reserves. The Company have always found that it costs rather more to protect their lands from plunder and to collect the lumber dues when licenses are granted, than the whole sum which can be collected from the latter source will amount to.

Q. 16 to 18. Can you state the number of acres the Company have sold annually for the last three years, and the average price per acre? Can you also state the quantity of land leased during the same period? Can you state the amount received in each of these years for lands sold, for instalments due on former sales, and also the amount received as rent?—The quantity of land sold by the Company during the last three years is, as follows: 1842,—65,604 acres; 1843,—21,543 acres; 1844,—28,670 acres, at a general average of about 12s. per acre. The quantity of land leased by the Company is, as follows: 1842,—44,599 acres, in the Huron District alone; 1843,—156,588 acres; 1844,—82,432 acres. The leasing system was made applicable to all the Company's lands in March, 1843. For more full details of the necessary answers to these questions, I beg to refer you to the published Reports of the Directors of the Company to the Proprietors at their annual meetings, in which the amounts of instalments received, and also of rents, will be particularly set forth. If these Reports are not easily procurable in Montreal, I must refer you to Mr. Widder, Canada House, London, England, for copies, as we have none at present in this Office.

Q. 19. Can you state exactly, or nearly, the cost per cent of making sales, collecting monies due on lands sold and leased, including all expenses on the amount actually received?—It is impossible to answer this question, or to divide this branch of the Company's business from the several others, which may be classed as follows:—*The sales and leasing of lands.* The amount of acres being given above each sale or lease being generally of only 100 acres, and involving the necessity of opening a separate account for each sale or lease. *The collection of rents and instalments* which, from the number of transactions and the necessary calculations of interest on the instalments and appropriating the small amounts over and under remitted on account of rents, is extremely laborious, particularly during the winter months, when most of the payments become due. *The transmission annually to each defaulter on instalments, and to each lessee a notification of the coming due of his obligations.* This has been twice a year with defaulters for some years past. *The payment of letters of credit* amounting annually, for the last three years, to the following: 1842,—£13,144 11s. 4d.; 1843,—£17,743 8s. 1d.; 1844,—£29,120 5s. 8d. Premium of exchange and interest having to be calculated in each instance. *The Emigrants' Deposit Bank* commenced in 1843, whereby new-comers are enabled to deposit the amount of their capital, and receive interest on the same at the rate of four per cent per annum, on all such sums as remain in the Company's hands over three months; being entitled to withdraw the whole, or any portion, at any time without notice, which advantages are highly appreciated; and the account made use by all classes of emigrants in sums from £10 to £5000 each. *The transmission of money by settlers in Canada to their friends in Europe* commenced in 1843, and amounting since that time to £12,792 16s. 5d., in

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1,520 sums, averaging about £8 each, each sum requiring a separate advice, stating the residence and full particulars relating both to the depositor and the person to receive the remittance. *The Settlers' Savings Bank*, wherein each of the Company's lessee settlers is entitled to deposit their savings, in ever so small amounts, at interest at six per cent until the amount becomes sufficient to purchase their lands, each lessee requiring a separate account as soon as they become depositors. All have the privilege of withdrawing the whole or any portion of their deposit at will, without notice, and the right to transfer the interest accrued on such portion of the principal as may be necessary, to the credit of their respective rents as they become due. *The affording information* to numberless emigrants and intending settlers in the Province who call at the Company's Office at Toronto, and who correspond with us from all parts of Europe and America. In this way the Company distribute annually one hundred thousand papers containing all kinds of information on Canada, and which are sent to all parts of the world where the English language is spoken.

Q. 20. Will you state the number of persons employed to conduct the business of the Company, and the amount paid to them annually?—This question I understand as applying strictly to the labor of the subordinates in the Company's employ. There are four clerks employed in the Company's Office in Toronto; their salaries vary from £150 to £300 currency, per annum.

Q. 21. Do you find that purchasers generally pay up their instalments as they become due, or are they much in arrear?—This question is already answered by answer to No. 1; but it may be interesting to state that in selecting from one of our largest months a certain number of names consecutively, they were found to be in arrears as follows: 2 persons were in arrear 14 years; 15 in arrear 12 years; 15 in arrear 10 years; 31 in arrear 8 years; 20 in arrear 6 years; 14 in arrear 4 years; 7 in arrear 2 years.

Q. 22. Do the Company ever take steps to compel payment of monies due to them, and what has generally been the result of such steps?—With regard to sales in arrear, the Company have taken the most active measures by remonstrating by letter annually, and sometimes oftener, most urgently shewing the state of uncertainty in which the debtors stand, and urging them in the strongest terms to lessen the amount of their debts. On a certain occasion the Company found it absolutely necessary to institute a number of suits for recovery of the instalments due. The effect was, that a considerable amount was collected, but at a very large cost, not less than 12½ per cent on the amount of notes placed in the hands of the solicitors. Very few of the suits were pressed to Judgment. Cognovits were taken in many instances, that it was found that the payments on those instruments was less than would have been received in the ordinary course of events. It appeared on individual examination into the several cases, that the parties who did pay, had sold their cattle and stock to make such payments, and thereby prevented themselves from working their farms to so good an advantage as usual. It was therefore found advisable, both on the score of humanity and for the Company's interests, to discontinue the suits, and in no case were they pressed on to execution. It would appear that the only way in which a landholder can be paid for his land in Canada by the poor settler, is to wait patiently until the latter wrings the price of the land out of the soil; and that the most advantageous mode he can adopt to hurry the proceeding, is by urgent applications and representations to keep the settler from relapsing into idleness or carelessness, and to convince him that his interest as well as the interest of the landlord is best served by active exertion on his part, and retaining no more of the fruit of his labor for his own purposes than will furnish himself and his family with necessaries, and his farm with the stock and utensils absolutely indispensable for working it to advantage. With regard to leases, the system is so new,—has been found to work so satisfactorily and advantageously both to the landlord and tenant, that, hitherto, compulsory measures have not been found necessary.

Q. 23. What number of letters do you receive daily?—No "Register of Letters received" is kept, and therefore it is impossible to state exactly the number of letters received daily: It is not, however, less than 4000 in the course of the year. The amount received daily is often very great. Most of our payments, as before stated, fall due in the winter, and we have received upwards of fifty money letters in a day.

Q. 24. Do the Company charge interest or rent to squatters who have been in occupation of their lands?—No. The Company never recognize squatters in any way, unless they become either purchasers or lessees in the regular course of business. If they either neglect or refuse to do so, the Company sell the land to the first applicant at the usual price of wild land in the neighbourhood, without reference to the improvements made by the squatters, which improvement the purchaser or lessee either purchases from the squatter, or takes as a matter of course as a remuneration for the legal expenses they may be put to in expelling the squatter from their lands. This question is already answered in the reply to Questions 2 and 3.

Q. 25. Can you give a short statement shewing the mode in which the Company keep their accounts for lands sold, and in what manner the interest on the instalments due is charged?—The mode in which the Company keep the account of a land sale is extremely simple; it is merely a Debtor and Creditor account current, shewing on the one side, the price of the land, and the amount of the credit instalments; on the other, the sums paid and the interest on the same as paid, which interest is calculated from the date of sale until the time of payment. All the credit instalments are secured by notes which bear interest at the rate of six per cent. Each note carries its own interest from its date till its time of payment. No interest is payable on any note until maturity.

(Signed,) EDW. LEFROY CULL.

Canada Company's Office,
Toronto, 4th September, 1845.

B. 4.

Views of *W. H. Merritt*, Esquire, M.P.P. on the present Land Act, as elicited by the following Letter addressed to him by the Commission.Commission of Enquiry,
Crown Land Department,
Montreal, 18th December, 1845.

Sir,

The Commissioners appointed to enquire into the Crown Lands Department, with a view to ascertain in what respects the present system of disposing of the waste lands is defective, and to suggest what may, in their opinion, be a less expensive and more simple mode of managing them in future, being aware that you have long given a good deal of attention to the subject, would be glad to avail themselves of the information you have collected. I am therefore directed to write, and say that they will feel obliged by your giving them such information as you may think it desirable they should possess, to assist them in forming a correct judgment in this important matter; and stating at the same time your own views as to the course you think it would be advisable for the Government to pursue, in order to render the Public Lands most available for the general interests of the Province.

I have, &c.

W. HAMILTON MERRITT, Esquire,
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(Answer to the above Enquiries.)

St. Catherine, 1st January, 1846.

Sir,

I have the honor to acknowledge the receipt of your communication of the 18th ultimo, and in reply thereto, will confine my observations to the respective questions in the order they have been put.

First. In what respects the present system of disposing of the Public Lands is defective.

Since the earliest settlement of Canada, the entire system has been, and continues to be, defective, in proof of which you have the result.

Refer to the Public Accounts of Upper Canada,—you find that in place of those lands sustaining the expense of management, the Surveyor General's Department was paid out of the Provincial Revenue. The Crown Lands Office was established to remedy the unnecessary expenditure, in place of which those revenues were burdened with the payment of all the Lands purchased from the Indians, in addition to the former. Since the Lands have been subject to Provincial Legislation, an ingenious device originating with a few heartless Land-Jobbers, who had the influence to obtain an Act, removing the only salutary check then existing—settlement duties, and substituting for the land itself, to which individuals were entitled, an issue of paper money, at 4s. per acre, and fixing 8s. for land under the pretence of a gain to the public. The Crown Lands Office has become a burden to the revenue;—good lands are exchanged for bad; the Scrip commands one half its value—the land is thus reduced to 4s. per acre; valuable timber lands are purchased on the Ottawa for the sake of the timber; the revenue from the sale of timber reduced; the public debt due in 1841, for lands sold, absorbed; the choice military lands taken up,—and the only salutary provision in the Act of 1841, which limited all claims to 1843, violated by the Government, who continued issuing new Scrip contrary to the law of the land.

What is the result? Since July, 1841, in three years and a half, the Revenue has lost £150,000; and upwards of £63,000 has been paid out in cash, for the items of which I refer you to the Returns from the Crown Lands Office, during which about £10,000 in cash has been received.

It is notorious that the Committees of 1836 and 1839, as well as the last Governor, Sir George Arthur, considered the Department wholly useless, since which it has been doubly confirmed, by the drain from year to year out of the Provincial funds derived from other sources, and the entire waste of the lands.

I would enter into minute details shewing the practical operation of the present system, were I not morally certain that it must be familiar to the Members of the Commission, and that it will soon be as well known to the public, notwithstanding the attempt to perpetuate it, by those who have been instrumental in continuing it, by concealing its operation from the public, in which number I do not allude to the Commissioner of the present Department.

In reply to the second Question—to suggest a less expensive and more simple mode of management for the future,—you have the experience of Governments and of individuals for your guide. The State of Connecticut has a permanent fund of upwards of £500,000 capital; and the State of New York has, since their appropriation of 1823, realized an annual income of £75,000 from that source; and the Canada Company realized an income of six per cent for their outlay since the first purchase from Government.

These precedents prove that our system arises from incapacity or bad management, or that the system itself is unsound. In my judgment, no management under our

present system can produce any satisfactory result, therefore I recommend the whole to be remodelled, and present the following Bill for your consideration, which embodies my views in a few words.

The first clause reiterates the intention of the second clause 4 and 5 Victoria, which the framer, Judge Day, would have carried into effect had he remained in the Government,—and which is a pledge the country, when generally understood, will enforce.

The second redeems our pledge to the Indian Tribes, which, in good faith, must be redeemed.

The third redeems the Scrip, and brings all claims, favoritism, and waste to an end.

The fourth condenses all existing Departments into one, and authorizes the Government to dispose of those lands as they think advisable. However, as a Commission has since been appointed, the duty now devolves on them to submit the plan for disposing of those lands. I would, therefore, suggest that they submit a Bill or clause to accept of an offer to farm those lands, or limit the Department created to a certain per centage, not exceeding ten, to cover all expenses, and pay into the specific fund ninety per cent on the amount of all lands sold.

It is unnecessary to point out the benefit which must arise from limiting the proceeds to Common Schools, as the result of similar measures is notorious. In short, the benefits derived therefrom have so far exceeded the most sanguine expectation of the benevolent individuals who originated them, that but one opinion prevails among all classes where the system is in operation.

I have the honor to be, Sir,
Your obedient servant,
(Signed,) WM. HAMILTON MERRITT.

To the Secretary of the
Commission of Enquiry,
Crown Land Department,
Montreal.

BILL.

An Act to appropriate the proceeds of the Waste Lands of the Crown and Territorial Revenue, for the purpose of creating a Fund for the support of Common Schools, and establishing Public Libraries in each District, Township, or Parish; to settle all Claims, and to limit the time for calling in Scrip under a certain Act therein mentioned.

Whereas under the provisions of 4 and 5 Victoria, cap. 18, a certain portion of the Waste Lands of this Province was intended to be appropriated for the purpose of creating a Fund for the maintenance of Common Schools, as thus expressed by the second clause of the said Act: "And be it enacted, that for the establishment of Common Schools in each and every Township and Parish in this Province, there shall be established a permanent Fund, which shall consist of all such monies as may accrue from the selling or leasing of any lands which, by the Legislature of this Province, or other competent authority, may hereafter be granted and set apart for the establishment, maintenance and support of Common Schools in this Province, and of such other monies as are hereinafter mentioned; and all such monies as shall arise from the sale of any such lands or estates, and certain other monies hereinafter mentioned, shall be invested in safe and profitable securities in this Province, and the interest of all monies so invested, and the rents, issues, and profits arising from such lands or estates as shall be leased or otherwise disposed of without alienation, shall be annually applied, in the manner hereinafter provided, to the support and encouragement of Common Schools." And whereas, under the above in part recited Act, an annual appropriation of Fifty thousand pounds has been appropriated from the General Revenue of this Province,

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which is subject to be diminished from circumstances beyond the control of the Legislature, it is therefore desirable that the provision contemplated by that Act should be carried into effect, and a Fund created and made perpetual for that object. Be it therefore enacted, &c., That all unappropriated land within this Province shall be sold, and the proceeds thereof shall be invested in Debentures of this Province or other personal securities, for the purpose of creating a Fund to be called the "School Fund," the principal of which shall not be lessened or alienated for any other purpose whatsoever, but shall remain a perpetual fund, the interest on which, together with the sales of timber, rents, and all other sources arising from the Territorial Revenue, shall be inviolably appropriated for the support and encouragement of the Public or Common Schools, and the establishment of Township or Parish Libraries throughout this Province, for the equal benefit of all the people thereof, to be distributed among the several School Districts now or hereafter to be established within this Province: Provided always, that it shall and may be lawful for the Legislature, if they should hereafter deem it advisable, to appropriate in Lower Canada, two hundred thousand acres for the encouragement and maintenance of the higher branches of education; also ten thousand acres to satisfy any just claims which may be advanced as an indemnity to certain Indian Tribes.

II. And be it enacted, that there shall be paid out of the said School Fund, the annuity now due the various Indian Tribes, as per Schedule A,* so long as they continue to exist. And in case the sum of fifty thousand pounds appropriated by the 4th and 5th Victoria, should not be realized from the said Fund, the deficiency shall be supplied out of the Revenues of this Province until the said Fund reaches that amount; after which the sums so advanced shall be repaid out of the said School Fund.

III. And be it enacted, that the 4th, 5th, 6th, and 7th, clauses of the 4th and 5th Vic., cap. 100, authorizing the issue of Scrip by the Commissioner of Crown Lands, and also the 27th clause of the same Act, be hereby repealed: and no Scrip shall be received in the payment of any lands, after the first day of January, one thousand eight hundred and forty , of which public notice shall be given in the "Canada Gazette."

IV. And be it enacted, that it shall and may be lawful for the Governor, Lieutenant Governor, or person administering the Government of this Province, by and with the advice of his Executive Council, to authorize the payment of all monies due from the Territorial Revenue, directly to the Receiver General, quarterly, and make returns to the Inspector General as in payment of other Revenues, and to abolish and discontinue all the Departments heretofore established for the disposal of the Public Lands, and thereafter to establish one Department to be called the Surveyor General's Department, combining the Crown Lands and Registrar's Office therewith to be retained as an Office of Record, Registration, and Reference; to authorize and appoint the same Department, or a Commission, of which due notice, by Proclamation, shall be given on or before the first day of April next, to settle all claims or demands for lands which have existed or do exist against the Government, and to adopt any other method which he may deem advisable for the more economical management of this Fund, and for that purpose may authorize the Receiver General, or any Company or person to dispose of, or rent the said Lands to the best advantage, for cash or credit; the money to be paid directly to the Receiver General, who shall invest the amount, from time to time, in the said School Fund; and shall furnish to the Inspector General of this Province, half-yearly accounts of the proceeds of the sale, which, with the proceeds of the Territorial Revenue, shall be made up on the thirty-first day of December of each year, to be laid before the several branches of the Legislature, at the then next ensuing Session.

V. And be it enacted, that after twenty years, in case the proceeds thus appropriated shall exceed one hundred

* Schedule A is not here inserted; it states the annuity paid to the different Indian Tribes, amounting to £6,653, and will be found in Report of Committee, March, 1845.

thousand pounds per year, one half the excess may be appropriated for the benefit of agriculture, in such manner as the Legislature may deem expedient, and in the establishment of higher branches of Literature.

B. 5.

Proposal by *Absalom Shade*, Esquire, to settle and dispose of certain lands, at a fixed per centage.

Letter addressed to James Henderson, Esquire, one of the Commissioners.

Galt, 26th December, 1845.

Dear Sir,

With reference to the conversation I had with you, when last in Montreal, on the subject of settling the Waste Lands of the Crown and Clergy, in Canada West, I send you herewith enclosed, a proposal to the Government for that purpose, together with a small sketch of the adjoining settled Townships, and principal leading roads from the head of Lake Ontario, to that quarter, as also a sketch for the survey of the lands proposed for settlement.

My plan would be to commence on two sides of the Clergy block, bounded by Wilmot and Woolwich; to make no sale except to actual settlers that would occupy the land immediately, make the settlement compact, leave no reserves, and each settler to open and clear out one half of the road in front of his lot. By this means, the roads would be opened as the settlement progressed. Supposing the Townships laid out in 200 acre lots, say 25 by 30 chains, the clearing half the road in front of each lot would amount to one and a quarter acre; no serious matter, if properly managed.

A compact settlement would possess the advantage of having from 16 to 20 days statute labor to each mile of road, as soon as settled, which would increase as property increased in value, and would soon make reasonably good roads.

A compact settlement would accumulate a large quantity of Ashes in a small space, thereby encouraging the manufacture of Potash, and the settler, by that means, be enabled to dispose of his Ashes to the best advantage; and the greater the quantity can be accumulated in the smallest space, the less the expense in cartage, and the greater the profit; and so with everything else pertaining to a new settlement. The more compact, the sooner it obtains the advantage of mills, markets, stores, mechanics, schools, churches, and all the necessaries requisite for a prosperous settlement.

The settlement I propose to commence would, to a considerable extent, possess all these advantages in the beginning, by being commenced adjoining the old settled Townships; and by proper management, these privileges and advantages would keep pace with the increase of the settlement. And in the same manner the price of land would keep up in value. As lot No. 1 in each concession was taken up and settled upon, No. 2 would become equally valuable, and so in progression from lot to lot, and from Township to Township, until the settlement extended from Wilmot and Woolwich to Lake Huron. It is uniformly the case that the first settlers in a new country are poor; it is equally certain that men of capital can invest their money in this country, to better advantage than in the purchase of wild lands; and money is too scarce to think of selling land for cash only. To pursue such a course would be to place the lands in the hands of speculators, or men of wealth, whilst the poor laboring man would be deprived of the opportunity of making an ultimate provision for the support of his family. The laboring man in this country cannot always find labor for every day in the year; and after paying rent for house and garden, purchasing firewood, and maintaining his family, has little left at the end of the year, which is a strong inducement

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for him to take up land. In such case he builds himself a small log house, has his wood for the chopping, and his garden and potato ground free from charge. If he clears ten acres yearly, his ashes and first crop will make a better provision for the support of his family than the savings of a year's labor would do, after paying house rent, &c., and he will have his ten acres clearing, say, at £3 10s. per acre, £35. If he has taken up one hundred acres at 20s. per acre, after deducting his interest, he will still have £32 to the good. Others will have a small sum to begin with, and some will be the sons of farmers in the adjoining Townships, and many will be emigrants newly arrived, with small capital sufficient to enable them to make a beginning, if they can get land upon credit, but have not the means of paying for it in advance. Such were the first settlers in the Township of Dumfries, and I dare venture to say, that a more prosperous settlement is not in Upper Canada.

These are some of the reasons among many others that might be advanced in favor of selling wild lands upon credit; but the well known and admitted fact, that in all new countries labor is much more plentiful than cash capital, and that while cash is otherwise employed, labor can in no way be employed to better advantage than clearing land.

If Government should approve of my plan, I should not depend entirely on the common course of emigration, or increase of population. My plan would be to visit the agricultural parishes in Scotland, and procure a few settlers from each, whose report to their friends at home would soon furnish settlers in abundance.

My proposition, I think, has nothing visionary in its composition, and in the success of which I have the most perfect confidence. As the Government will not be called on to expend any money, they can be subjected to no loss by making a trial of the plan proposed.

I will be much obliged by your communicating my suggestions to your brother Commissioners, and if they, with yourself, think favorably of them, I will be much obliged by your submitting my proposal to the Government.

I am, Dear Sir,
Your obedient servant,

(Signed,) ABSALOM SHADE.

James Henderson, Esquire,
Montreal.

Proposal for settling Crown and Clergy Lands in Canada West.

I will undertake the settlement of the block of Clergy Lands north of Wilmot, and west of Woolwich and Nichol in the County of Waterloo, and the Crown Lands west of said block and north of the Canada Company's lands in the Huron District, and bounded by Lake Huron, upon the following terms and conditions:—

1st. I will take charge of, superintend, and direct the Survey for the Government upon the most economical scale; that is, I will engage the best laborers that can be had; by the month, and purchase the necessary provisions at the lowest price, and deliver them at the most convenient point to commence the Survey.

2d. I will examine the quality of the lands and report to the Government what, in my opinion, they are worth, or would sell for, to actual settlers, upon a credit of six to ten years, with interest to be paid annually.

3d. I will attend to the sale of the lands, issue location tickets or grants, and will take bonds for the payment to the Government, with annual interest, keep regular and proper accounts, and transmit a statement of the same to the Government quarterly, or oftener if required.

4th. I will receive all monies, deposit it in the Gore or other Banks to the credit of the Receiver General, and render an account of the same monthly, or oftener if required.

5th. I will require no advance from Government for making roads, or in any other way carrying on the settlement. I will engage to open the road by the settlers, as the settlement progresses. Finally, to sum up the whole in a few words, my proposal is to make the land settle itself, not by a decrease, but by an increase in value, by an improvement in the management. I think I may safely say, from a personal knowledge of the lands, that they would sell for from 15s. to 20s. per acre, to actual settlers. All that will be required on the part of the Government, will be to authorize me to get the land surveyed, pay the cost of survey, supply the necessary books, and printed blanks and stationary for keeping the accounts. I will transact all business as hereinbefore stated, for the consideration of being allowed the sum of six per cent upon the amount of sales to actual settlers; the condition of sale being understood to be such that no land scrip is to be taken in payments, unless upon condition of actual and immediate settlement, nor for cash paid down upon the same condition.

Actual and compact settlement is the only sure guarantee for the success of the undertaking.

A small sketch of the settled Townships adjoining the lands proposed for settlement accompanies this proposal, pointing out the principal roads leading to that quarter from the head waters of Lake Ontario, and the grist mills most convenient to the tract, as also a sketch for the new survey making the Townships square and uniform, so far as consistently can be done in connexion with the Clergy Reserve block.

All which is respectfully submitted,

(Signed,) ABSALOM SHADE,
Galt, Gore District, C. W.

DIAGRAM accompanying Mr. Shade's proposal.

B. 6.

Letters addressed to James Henderson, Esquire, one of the Commissioners, conveying information as to the mode in which Public Lands are disposed of in the United States.

Sandwich, September 29th, 1845.

Sir,

Agreeably to my promise contained in my letter to you of the 15th instant, I beg leave to transmit to you the following information relative to the manner in which the Public Lands are managed and disposed of in the States of Ohio, Michigan, and Indiana, which is similar to that in use in all the other States of the Union. Before giving you answers to the several questions contained in your letters of the 4th and 11th instant, it is necessary that I should make a few preliminary remarks.

I promise therefore by saying, that there are officers appointed by the President in several parts of the State, called "Surveyors General of Public Lands," whose jurisdictions embrace one or more, or parts of one or more States, according to the will of the President and the United States Senate. These divisions are called districts. The Surveyor General, whose office is in Detroit, and from whom I obtained the following information, has under his supervision the States of Ohio, Indiana, and Michigan. His duty, like that of the others, is confined to the appointing of Deputy Surveyors, the surveying and dividing of Public Lands, under his immediate superintendence, into Townships and Sections, and the preparing plans of the same; and also to the preparing, and transmitting to Washington, of the accounts of the several Deputy Surveyors employed by him. These districts are again subdivided into smaller divisions, called also districts, in each

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of which there are two offices and officers for the same, appointed by the President, called the "Registrar" and "Receiver," whose appointments are confirmed by the Senate; but as I shall have to speak fully of these officers and their duties, in answering Question No. 4, I will leave them for the present, and proceed to answer the several queries in rotation.

1. The Public Lands are not disposed of by grants, nor by grants subject to certain conditions of settlement, but in the following manner. The lands are, in the first instance, offered for sale, at public auction, by the Registrar, the lowest price being \$1.25 per acre, and are sold to the highest bidder; all lands for which there are found no bidders are entered by the Registrar at \$1.25 per acre, and a settler can purchase 40 acres or one half of a section, and no less, but as much more as he thinks proper, on payment of the upset price \$1.25 per acre. In both cases, whether by auction or otherwise, the lands are sold for cash only.

2. Previous to the year 1826, the lands were disposed of in a different manner from that now in use, inasmuch as the lowest price was \$2 per acre, paid by instalments, or cash down, at the option of the purchaser. The smallest quantity sold was 160 acres. The system of prompt payment is found to work well, and to be advantageous both to the Government and the purchaser. The cause which induced the Government to adopt the system of prompt payment, to lower the upset price of their lands, and to reduce the lowest quantity sold to each person from 160 to 40 acres, were: 1st. That many settlers entered the country with money enough to pay for their lands cash down, but finding they could retain the money in their hands, and pay for their lands by instalments, they would pay the first, and in three cases out of five forfeit their lands by the non-payment of the remaining instalments. The land was forfeited if the second instalment were not paid; the forfeiture, however, was not insisted on in all cases, but as it required an Act of Congress granting further time to the defaulters, it was found to be both expensive and troublesome to the Government, and the system of payment by instalment was abolished. 2dly. Many cases occurred where a settler having paid the first and second instalments on his land, died,—his family could not then obtain possession of his land, even on payment of the remaining instalments, without getting an Act of Congress passed, which, from the great expense attending it, they were frequently unable to do: and the land and money paid on it was lost to them. The upset price was reduced because the country was found to settle much faster, and the quantity of land sold yearly to increase fourfold. The system of confining a settler to the purchase of 160 acres was abolished, and that of 40 substituted in its stead, because it frequently happened that settlers arrived in the country having sufficient funds to pay for 40 or 50 acres, but no more; and not being able to purchase so small a quantity, were compelled to seek for a residence elsewhere, and were thus lost to the country.

3. There is no regular rule for the subdivision of the Country into small districts; as one officer may have jurisdiction over parts of two different States at the same time. There are eight of these districts in Michigan. They have been found to work well, and to be very convenient to the public and intending settlers. Defalcations, however, have occurred from time to time, eight years ago as much as \$2,000,000 were lost to the public.

4. The offices in the several districts over which the Registrar and Receiver preside, are established under the following regulations: The Officers are appointed, as I have before stated; they have to give security for the fulfilment of the duties of their offices to the amount of \$30,000, and are paid salaries of \$500 a year each, with one per cent on the amount of all lands sold, and an allowance for office rent, stationery, fuel, and postage. To the Registrar are transmitted from the the Surveyor General's Office, plans of the different Townships and sections under his control, after they have been surveyed. It is then his duty to sell the lands in the manner I have before mentioned. In selling a portion of land to a settler, he gives him a ticket, which the purchaser takes to the

Receiver's Office; it is then the duty of that officer to receive from him the amount of the purchase money and to draw up two receipts, one of which he transmits to the "General Land Department" at Washington, and the other he gives to the purchaser. The Registrar and Receiver are both bound to make quarterly Returns to the "General Land Department" at Washington, the one of the quantity of land sold by him, the other of the amount of money received, which money he either transmits quarterly to Washington, or pays into one of the Government Depositories in that part of the State where his office is situate, and forwards the receipt of the officer in charge of the Depository as his voucher.

5. The amount of the proceeds of the Public Lands during the time the settlement of the country was in active operation, was, throughout the Union, on an average, \$40,000,000 yearly. The average amount now is very much less. The following is a schedule of the proceeds for several States, last year:—

Michigan.....	\$16,000
Ohio.....	19,000
Iowa Territory.....	179,000
Indiana.....	63,000
Wisconsin.....	214,000

The number of persons employed in the sale of the Public Lands in Michigan, is 16; in Indiana, the same; in the Iowa Territory and Wisconsin, the number is larger; in Ohio, the same as in Michigan and Indiana. The number in Indiana and Ohio has been reduced lately, and several of the Land Offices abolished, in consequence of the Public Lands being nearly all disposed of in those two States. The expenses to be deducted from the proceeds of the sales of the Public Lands are, 1st. The purchase money paid to the Indians. 2ndly. The expense of the General Land Office at Washington. 3rdly. The expense of the Surveyor General's Office in each District. 4thly. The expense of issuing the Patents. 5thly. The expense of the several Registrars' and Receivers' Officers.

6. On the receipt, spoken of before, being sent by the Receiver to Washington, the Patent is made out, and after a lapse of two years sent to the Registrar's Office where the land was sold. The Registrar then gives it to the owner on his producing the receipt given him by the Receiver, the duplicate of which was sent to Washington. The purchaser incurs no expense beyond the payment of the purchase money, as the Patent is sent to him by the Government free of all cost. There are no settlement duties or other conditions imposed upon settlers. The public roads are all made by the several States by taxation on the people, assisted by an allowance made to each State, by the United States Government, of three per cent on the proceeds of all lands sold in that State.

7. At the close of the Revolutionary War, the claims of Soldiers were satisfied by having Warrants or Location Tickets given them for a certain quantity of land proportionate to the rank of each. There were certain sections of country set apart for the purpose of satisfying these claims, but where these were found to be insufficient, the holder of a Warrant was allowed to select his land in any part of the country he thought proper, where there were Public Lands still unlocated. There are a few, but very few, of these claims still unsettled. The French and others who were settled on the Detroit and other parts of the States, previous to their becoming a part of the United States, were allowed to retain their lands, upon their titles being investigated and approved of by a Commission appointed by the Government.

8. A squatter is allowed to purchase any quantity of the land upon which he has settled, (not less than 40 acres,) at the upset price of \$1.25 per acre, and no person is permitted to bid against him. Should he not be able to make prompt payment, a law is passed by the Congress granting him extension of time to make the payment. Should the conditions be then not fulfilled, the land is forfeited to the Government and put up at public auction, and if there be no bidders it is sold to any purchaser at the upset price of \$1.25 per acre. The squatter on failing to comply

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with the conditions of sale is allowed nothing for his improvements, the pre-emption given him and the extension of time allowed him being considered an equivalent. The United States Government have experienced no difficulty in dealing with people of this class, as they have invariably been found to become the purchasers of the land upon which they have settled, if not by payment of the purchase money down, at least by having time granted to them for the payment.

I have now, Sir, given you as clear and full information as I could obtain upon the subject; should you though have any further questions to ask, I shall be happy to attend to them at any time.

In conclusion, I beg leave to state that as I have been at no expense whatever, and little or no trouble, in collecting the above information, I cannot think of making any charge for my services, particularly as I conceive it to be my duty, as a Deputy Provincial Surveyor, to give such information as may lay in my power, to the Government, or to any officer appointed by them, relative to matters connected with the survey or disposal of the Public Lands. Should you, however, hereafter have it in your power to render me any assistance as a Surveyor, or otherwise, and should you think me worthy of your confidence I shall feel extremely obliged by your using your influence in my behalf.

I have the honor to be,
Yours very respectfully,

(Signed.) ALBERT PELLEW SALTER.

J. Henderson, Esquire,
Montreal.

P. S. I could not obtain the total amount of expenses incurred in the sale of the lands, nor the expense of issuing the Patent, as the Surveyor General told me such information could only be obtained from Washington.

Sandwich, February 26th, 1846.

My dear Sir,

In acknowledging the receipt of your letter of the 12th instant, I must apologize for not having replied to it before: but from the inclemency of the weather, and the precarious state of the ice on the river, I was prevented from going to Detroit until yesterday, and could not, in consequence, obtain the desired information. I now beg leave to transmit to you such answers as I was enabled to get to the queries contained in your letter.

The Registrar and Receiver's Offices are always in the immediate vicinity of each other: should an intending purchaser, therefore, after receiving his ticket from the Registrar, fail to comply with the conditions of sale, he, the Registrar, can easily discover the fact, by comparing his books with those of the Receiver, which is usually done before making the quarterly returns to the Surveyor General. In case of a non-compliance with the conditions of sale, the Registrar erases the party's name from his book, and again offers the land for sale.

It is difficult to ascertain what distance a purchaser would be compelled to travel, in order to visit the lands offered for sale by the Registrar, if he were inclined to do so before completing a purchase, as the Districts are neither uniform in size or shape. A District of eighty miles square would, however, be considered a large one. The offices of the Registrar and Receiver are placed, as nearly as possible, in the centre of each District. The complaints prevalent in Canada are obviated in the United States, not

so much by the land offered for sale being in the immediate vicinity of the Registrar's office, as by his being able to furnish the purchaser with the most minute and authentic description of all the lands placed under his charge, and thereby save him the necessity of visiting them before purchasing. The Surveyors employed in the survey of the Public Lands in the United States are compelled to give a very minute and accurate description of all lands surveyed by them. At the end of the field notes of every mile they are bound to write a description of the face of the country, whether it be hilly, broken, or level, wet or dry; of the quality of the soil; of the different species of timber growing thereon, with the proportionate quantity of each; of all streams navigable or otherwise; of all mill sites, &c. A copy of these field notes, or rather a condensed copy of all the field notes taken by the several surveyors in each District, together with a plan of the same, is forwarded by the Surveyor General to each Registrar, and he is thereby enabled to furnish every purchaser with all the information he could acquire by walking over the land himself. For a more exact account of the manner in which their public surveys are conducted, I would refer you to a small pamphlet which I forwarded a short time ago to the Commissioner of Crown Lands.*

The proceeds of the sales of the Public Lands last year were found to be barely sufficient to cover the expenses, and in consequence several of the offices have been reduced. For the present year there will be but one Registrar and one Receiver in Ohio, and four of each in Michigan and Indiana. In Ohio almost all the Public Lands are now disposed of, and in Michigan and Indiana but few sales take place.

The Registrars and Receivers are paid their salaries of £125, whether they dispose of any land or not; their allowance of one per cent ceases as soon as their salaries amount to \$3,000, or £750 per annum. During the great speculations in Land in the years 1834, 1835, 1836, and 1837, the sales were so extensive that the Registrars and Receivers received their full year's salaries by the percentage alone in three months.

As the lands in Michigan and Indiana become disposed of, the offices will be reduced.

The defalcations alluded to were not made in one year, but during a succession of several years. The Surveyors General, in several instances, and some of the Officers connected with the Land Department, in Washington, were the defaulters. The Surveyor General of the District of Michigan was \$40,000 in arrears. In no one instance could I hear that the Registrars or Receivers were implicated. No defalcations have occurred for the last five or six years.

This, I believe, is all the information you require. Should you, however, have further need for my services, I shall be ready at all times to serve you.

Believe me, my dear Sir,
Yours very truly,

(Signed.) ALBERT PELLEW SALTER.

James Henderson, Esquire,
Montreal.

* General Instructions to his Deputies: by the Surveyor General of the United States, for the States of Ohio and Indiana, and the Territory of Michigan.—Cincinnati, 1833.

B. 7.

Tables Nos. I, II, III and IV, compiled from Returns from Crown Land Department.

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B. 7. Table III.

(Recapitulation of Tables I and II.)

STATEMENT of the Sale of Crown Lands and Clergy Reserves, and of the Receipts thereon, from the 1st January, 1838, to the 31st December, 1845, with the Expenses incurred in the Sale and Management of them during the same period.

Description of Lands.	Period.		Lands sold.		Amount of Sales.	Receipts.				Total Expenses.			Per centage.	
	Acres.	Town or Park Lots.	Acres.	Town or Park Lots.		Receipts. (Principal.)	Cash.	Scrup.	Gross Receipts. (Including Interest, Rents, &c.)	Exclusive of Agents' Commission, Surveys, Inspections, &c.	Including Agents' Commission, Surveys, Inspections, &c.	Exclusive of Agents' Commission, Surveys, Inspections, &c.	Including Agents' Commission, Surveys, Inspections, &c.	Of Expenses on the Gross Receipts.	Of Agents' Commission on Gross Receipts.
Crown Lands ...	44509	...	13400	12 0	£ 20877 18 7	£ 7840 16 5	£ 12703 10 6	£ 23202 19 1	£ 2810 14 6	£ 7882 12 9	£ 1213	£ 33885	2103	2103 39
	56709	102	28619	0 8	£ 23684 2 7	£ 7731 15 4	£ 21910 10 3	£ 31945 2 2	£ 2700 1 4	£ 4740 4 3	£ 8733	£ 14832	39	
	101216	102	42019	12 8	£ 50561 16 2	£ 15572 11 9	£ 34614 0 9	£ 55208 1 3	£ 5000 15 10	£ 12622 17 0	£ 10144	£ 22865	3161	
Four years ending 31st December, 1841 ...	324093	2475	125531	19 1	£ 135238 14 0	£ 4033 3 9	£ 128663 0 10	£ 149682 3 6	£ 19585 16 2	£ 40301 13 11	£ 1305	£ 26926	5241	5241 4677
Total, Lower Canada and Upper Canada	426211	2577	£ 167551 11 9	£ 185800 10 2	£ 163277 1 7	£ 201890 4 9	£ 25136 12 0	£ 52925 10 11	£ 12268	£ 25831	£ 4677			
Four years ending 31st December, 1845 ...	...	...	...	...	...	...	...	...	...	...	...	...	...
Clergy Reserves	...	...	...	...	£ 86025 7 0	£ 14353 13 3	£ 123471 18 5	£ 170641 8 3	£ 3412 2 9	£ 5682 18 7	£ 2319	£ 38634	508	508 39
	...	...	...	...	£ 86025 7 0	£ 137825 11 8	£ 191353 6 1	£ 19720 9 3	£ 35098 0 4	£ 103	£ 1834	£ 398		
Crown Lands and Clergy Reserves, eight years to 31st December, 1845	545622 ¹ / ₂	2577	£ 253576 18 9	£ 323626 1 10	£ 157431 7 2	£ 796243 10 10	£ 44857 1 4	£ 88023 11 3	£ 11323	£ 22215	£ 4313			

B. 7. Table IV.

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STATEMENT shewing the amount of Collections made by District Agents, from 1st January, 1838, to 31st December, 1845, and of the amount of Commissions, as well as the average rate of Commission paid to Agents during the same period. (Compiled from Returns C. D. and O.)

LOWER CANADA.

Period.		Amount of Collections.	Amount of Commission.	Average rate of Commission.
		£ s. d.	£ s. d.	
1838	...	5124 8 7	279 9 4	5.560
1839	...	4552 18 5	258 5 1	5.694
1840	...	10400 5 7	526 8 5	5.061
1841	...	2669 15 2	135 18 5	5.091
1842	...	10731 2 1	530 18 0	4.94
1843	...	5493 5 10	301 1 6	5.48
1844	...	6044 19 5	314 17 4	5.02
To June, 1845	...	15540 17 5	637 7 8	4.1
To December, 1845	...	9420 0 11	457 9 8	4.856
Lower Canada, 8 years	...	£69977 13 5	3441 10 5	4.918

} Average 4.78.

UPPER CANADA.

Period.		£ s. d.	£ s. d.	
1838	...	...	...	...
1839	...	...	...	...
1840	...	12948 1 1	867 11 7	6.7
1841	...	6501 9 4	516 19 7	7.935
1842	...	30423 16 1	1622 19 10	5.334
1843	...	54311 6 2	2124 9 0	3.9
1844	...	55634 4 4	2391 18 1	4.3
To June, 1845	...	38151 10 5	1793 15 5	4.7
To December, 1845	...	61133 8 8	2287 0 1	3.56
Upper Canada, 8 years	...	£259103 16 1	11604 13 7	4.478
Upper and Lower Canada, 8 years	...	£329081 9 6	15046 4 0	4.57

} Average 4.12*

* The average per centage for the whole Province, in 1845, is 4.245, in which, as well as in all the others, is included 10 per cent allowed for the collection of rents, exclusive of which the per centage is about 3.74.

B. 8.

Evidence taken on the valuation of Clergy Reserves in several Districts of Canada West.

George B. Hall, Esquire, M. P. P.

Q. 1. After examining the valuations of the Clergy Reserves in the Townships of Smith, Douro and Dunmer, in the Colborne District, as contained in the "Return of Inspection" for that District, what is your opinion of the price set upon them by the Inspector; do you consider them fair; or are they above or below their real value, by which is meant the price they are fairly worth as wild lands?—I consider them much below their real value.

Q. 2. To what cause may this, in your opinion, be attributed?—To the incompetency of the persons employed to value them.

Q. 3. Do you think reliance may be placed on any of these valuations?—I think no reliance whatever can be placed on the valuations made by the parties appointed to value the Colborne District.

Robert Riddell, Esquire, M. P. P.

Q. 1. After examining the valuations of the Clergy Reserves in the Townships of Blandford, Nissouri, and Zorra, in the Brock District, as contained in the "Return of Inspection" for that District, and the "Statement of applications to purchase Clergy Reserves," &c. (Appendix A. 3, II. and V.) as furnished by the Department, what is your opinion of the prices set upon them by the

Inspector; do you consider them fair; or are they above or below their real value, by which is meant the price they are fairly worth as wild lands?—They are generally decidedly below; and in many cases the price set upon them is not above half their value, supposing the land to be good.

Q. 2. What do you consider the average price of lands in the above Townships?—The prices vary, as follows:—In Blandford, from 15s. to 40s. per acre. In Zorra, from 15s. to 30s. per acre. In Nissouri, from 12s. 6d. to 30s. per acre.

Henry Smith, Esquire, M. P. P.

Q. After examining the valuations of the Clergy Reserves in the Townships of Ernesttown, Camden, and Richmond, in the Midland District, as contained in the "Return of Inspection" for that District, what is your opinion of the price set upon them by the Inspector; do you consider them fair; or are they above or below their real value, by which is meant the price they are fairly worth as wild lands?—Generally speaking, I consider the valuations fair.

Benjamin Seymour, Esquire, M. P. P.

Q. Having examined the valuations of the Clergy Reserves in the Townships of Ernesttown, Camden, and Richmond, in the Midland District, as contained in the "Return of Inspection" for that District, what is your opinion of the price set upon them by the Inspector; do you consider them fair; or are they above or below their real value, by which is meant the price they are fairly

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worth as wild lands?—In Ernesttown, with which only, out of the three, I am well acquainted, I consider them generally below their value. The Government having decided not to sell any Clergy Reserves under 8s. per acre, in Ernesttown, I am of opinion that this price being put on lots valued under, will make on the whole a fair average.

J. B. Sprayge, Esquire, Blenheim.

In relation to the Clergy Reserves in the Township of Blenheim, I have been informed that a Mr. Smiley, a Deputy Surveyor, has been valuing these Reserves, as he stated he was authorized to do, and charging each party four dollars for so doing. These valuations I have understood range from 8s. 9d. to 12s. 6d. currency, per acre: Now, without particularizing lots, I am decidedly of opinion that there are no occupied Clergy Reserves in this Township that are not worth, and would readily fetch, from 20s. to 30s. currency, per acre, as wild lands. I believe this system of valuation of the Public Lands not confined to this part, but is general throughout the Province. Under a different system of management they could be made to realize double and treble what they now do, or what they would, if private property and managed as such.

B. 9.

Charges preferred against the Crown Land Department, by James H. Kerr, Esquire, of Quebec.

CHARGE No. 1.

A notice, dated "Crown Land Office, Montreal, 30th June, 1844," issued and appeared in several of the public prints. The following is a copy of such notice (so issued) published in the "Official Gazette," viz.:—

"Crown Lands Department.
"Montreal, 30th June, 1844.

"List number one of Militiamen whose right to the bounty awarded by the Proclamation of the 20th February, 1844, and the Public Notice of the same having been admitted.—Tuesdays and Fridays (to commence on *Tuesday, the 10th December.*) are the only days on which the delivery of Scrip will take place, from ten o'clock in the morning till three o'clock in the afternoon. The delivery will be confined to the cases comprised in the present List, or in such other Lists as may subsequently be published."

Contrary to the terms of the above Notice, that Scrip was not to be delivered until the 10th December, the Crown Land Department without giving any intimation thereof, did issue, at Montreal, to Joseph Laurin, Esquire, a Land Agent, and M. P. for the County of Lotbinière, Scrip alluded to in the notice of the 30th November, for the parties to whom he was Attorney, *on or before the 7th December, three days anterior to the 10th December, 1844.*

On Sunday, the 8th December, Mr. Laurin arrived at Quebec, with a large quantity of Scrip, and commenced issuing the same at Quebec, on Monday, the 9th December.

No other than Mr. Laurin's Scrip reached Quebec before the 12th December. Thus a solemn Government Notice was violated without giving all others the same advantage which was given to Mr. Laurin, and which alone could be given by another Notice *under authority of the Government*, amending the one of the 30th November. The consequence was, that that gentleman had the command of the Scrip market, to the manifest prejudice of myself and all other Agents and Principals.

The Officers at the head of the Crown Land Department will (it is presumed) be enabled to point out by whose orders the Notice of the 30th November, 1844, was thus violated.

(Signed,) JAMES H. KERR.

Quebec, October 13th, 1844.

COMPLAINT No. 2,

Of James H. Kerr, Esquire, against the Crown Land Department, for neglect and incompetency.

Mr. A. C. Taschereau was, as Mr. Bouthillier says in his letter of the 21st September, 1844, to which I refer, "by letter of the 31st May, 1843, instructed to attend to the sales of Marlow, which had been advertised on the 31st July preceding (1842); he is fully authorized to dispose of them."

In the month of March, 1844, seeing Mr. Taschereau gazetted as Agent for Marlow, Jersey, and the Kennebec Road, I proceeded to Ste. Marie for the purpose of effecting, for a client, the purchase of lands in Marlow, which had been promised him as far back as 1837. On my route thither, I overtook Mr. Taschereau proceeding to Ste. Marie, and on my applying to him to make the purchase, he informed me that he had not received authority to sell, and he would not receive payment for the land I wished to purchase.

Having addressed myself to the Crown Land Office in September, 1844, as to Mr. Taschereau's appointment, I received a reply dated 21st September, 1844, (to which I refer.) On the 5th October, 1844, I addressed myself to Mr. Papineau, the Commissioner of Crown Lands, to which I also refer; to this I received no reply; and, again, on the 3rd December, (to which I refer) I applied to that Officer. On the 13th December, 1844, a reply was addressed to me by Mr. Bouthillier. No purchase of land could be made by me in Marlow up to the time I left for England in March, 1845. On my return from England in September last, I again addressed the Crown Land Department on the subject, asking whether an Agent had yet been appointed. A reply, dated 30th September, was made me. I refer to it.

Finding it utterly useless to expect that an Agent to sell, would be named, I addressed Mr. Papineau, by letter dated 7th October, 1845,—the answer of 10th October, I refer to.

I accordingly having remitted £600, received a reply dated 15th October. I refer to it.

Thus, in this case, as in many others, grievous neglect has marked the whole of the proceedings of the Crown Land Department, and the provisions of the law which enacts that Agents for all the Districts of the Province shall be named, have been violated by the conduct of which I complain.

Up to the 15th October, no Agent had yet been named, to the injury of many who have a right to expect that the law should not be a dead letter, and that they should not be debarred from acting as that law authorizes. Upwards of three years have elapsed without Marlow having an Agent.

(Signed,) JAMES H. KERR.

Quebec, 17th October, 1845.

(Letters referred to in Charge No. 2.)

Crown Lands Department.
Montreal, 21st September, 1845.

Sir,

Mr. Taschereau, by letter dated 31st May, 1843, was instructed to attend to the sales of lands in Marlow, which had been advertised in the list of the 31st July preceding; he is fully authorized to dispose of them. The specification of the lots in Jersey has not yet been furnished to this office by the Inspector General; whenever received, the same will be advertised and placed under the control

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of Mr. Taschereau or any other Agent which may be appointed, of which, of course, notice will be given.

I am, &c.,
(Signed,) T. BOUTHILLIER.

To James H. Kerr, Esquire.

Quebec, 8th October, 1844.

Sir,

In reply to that part of Mr. Assistant Commissioner Bouthillier's letter of the 21st September last, in which he says in reply to mine, No. 15, "Mr. Taschereau, by letter dated 31st May, 1843, was instructed to attend to the sales of Marlow which had been advertized in the list of the 31st July preceding; he is fully authorized to dispose of them." I have only to remark that I have again, since the receipt of Mr. Bouthillier's letter, seen Mr. Taschereau, and he states in positive terms, that he is not so authorized, and further, would be glad to be shewn that he was. It is, I apprehend, within your province, to take proper and effective action in this matter, so that the public may not be compelled to suffer from the misunderstanding existing between Mr. Taschereau and your subordinate the Assistant Commissioner.

I am, &c.,
(Signed,) J. H. KERR.

To the Commissioner of
Crown Lands.

Quebec, 3rd December, 1844.

Sir,

Six weeks and upwards having elapsed since I was informed by Mr. Assistant Commissioner Bouthillier, in his letter of the 15th October last, (on record in the Crown Land Office) * in answer to mine, No. 24, addressed to you, that "he had written to Mr. Taschereau for an explanation of the grounds on which he declines selling lands in Marlow, and that he would again address me on the subject when he has his answer." I beg to enquire whether the answer of Mr. Taschereau has yet been received, and when I may expect the communication promised me. I would bring under your notice that Mr. Taschereau is appointed contrary to the provisions of the Land Act, to the Agency of the Township in question, as when appointed he resided without the District, and has ever since continued to do so, being a resident of the District of Portneuf, at least, 90 miles distant from Marlow.

I am, &c.,
(Signed,) J. H. KERR.

The Commissioner of
Crown Lands.

* This letter has since been found.

(Extract.)

No. 24. "I have written to Mr. Taschereau for an explanation of the grounds on which he declines selling lands in Marlow; I shall again address you on this subject when I have his answer."

I am, &c.,
(Signed,) T. BOUTHILLIER.

To J. H. Kerr, Esquire.

No. 109.

Department of Crown Lands,
Montreal, 13th December, 1844.

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Sir,

Much to my surprize, Mr. Taschereau states that he never received my letter of 31st May, 1843, conveying to him instructions for disposing of the land in Marlow.

An Agent will be named for that and the adjoining Townships as soon as circumstances will permit.

I am, &c.,
(Signed,) T. BOUTHILLIER.

To J. H. Kerr, Esquire.

(Extract.)

Crown Lands Office,
Montreal, 30th September, 1845.

Sir,

With regard to the Township of Jersey, no Agent has yet been finally appointed; the appointment has been offered to a gentleman who will probably accept it.

I remain, &c.,
(Signed,) T. BOUTHILLIER.

To J. H. Kerr, Esquire.

Crown Lands Department,
Montreal, 10th October, 1845.

Sir,

In answer to your letter dated the 7th instant, I have to acquaint you that your intended application and remittance of Scrip for the purchase of Crown Lands in the Township of Marlow, if made, will be received; but the sale will be subject to confirmation, after the appointment of the Agent.

I am, &c.,
(Signed,) D. B. PAPINEAU.

To J. H. Kerr, Esquire,
Quebec.

(Extract.)

Crown Lands Office,
Montreal, 15th October, 1845.

Sir,

The sale of the several lots in Marlow, will be made subject to confirmation of the Local Agent shortly to be appointed.

I remain, &c.,
(Signed,) T. BOUTHILLIER.

J. H. Kerr, Esquire,
Quebec.

CHARGE No. 3.

Against the Crown Land Department, Quebec, 23rd October, 1845.

The vexatious delays that have been thrown in the way of my transacting business for the public, with the Crown Land Department, cannot be more clearly shewn than in the method I take in this charge, of quoting the dates of a few of my applications, and the dates of the answers thereto by the Department. I could furnish scores more

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of instances of neglect and incompetency, and shall be prepared, if desired, to do so.

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No.	Date of my Letter.	Date of my Reply.
No. 443,	28th November, 1842.	18th January, 1843.
445,	29th " "	18th " "
450,	30th " "	14th March " "
508,	19th December, " "	20th April " "
509,	17th " "	14th February " "
518,	21st " "	14th " "
538,	28th " "	30th January " "
546,	29th " "	30th " "
605,	21st January, 1843.	9th March " "
623,	3rd February, " "	6th " "
627,	6th " "	6th " "
629,	9th " "	4th " "
117.	7th August, " "	12th September " "

(Signed,) J. H. KERR.

CHARGE No. 4.

Against the Crown Land Department.—Injustice, partiality, and acting contrary to the Law.

The conduct of this Department in the case of Augustin Lamotte, in respect to certain Lands sold to J. H. Kerr, Esquire, his Agent, is brought before the Crown Land Enquiry Commission, in order as well that the Officers of that Department may be exposed in the course they have adopted, as well as that justice may be done in the premises. Whenever this Department has obstinately assumed a position, neither the law, justice, nor equity has been cared for,—their rule is "sic modo sic jubeo." A perusal of the correspondence which has taken place in this matter, and which is annexed, will fully bear out the assertion I make. The quotations from the clauses of the Land Act, the Law under which alone an administrative Officer has a right to pronounce upon a question when appealed to, are against Mr. Bouthillier. He pronounces contrary to law, and substitutes his equity for legal equity.

Mr. Marler, if called upon, will assert fully and fearlessly, that in the various steps he took throughout this matter, he strictly followed the instructions he received from Mr. Bouthillier, and that he will confirm, by his testimony, that the sale made to me by him for Augustin Lamotte, is a legal one.

(Signed,) J. H. KERR.

Quebec, November 7th, 1845.

Office of Crown Lands,
Kingston, 31st May, 1842.

Sir,

In answer to your letter No. 274, I have to state that the S. W. part of Lot No. 14, in the 9th range of Somerset, is under Patent. No. 12 is vacant, and No. 13 appears to be claimed by squatters; but for more particular information in regard to these Lots, I must refer you to Mr. Marler, the Crown Lands' Agent for the District of Nicolet, as all sales are now to be made by the District Agents.

I remain, &c.,
(Signed,) T. BOUTHILLIER.

James H. Kerr, Esquire,
Quebec.

Nicolet, 14th June, 1842.

Sir,

Regarding that part of your letter of the 4th instant, respecting lands in Somerset, I have to inform you that I am authorized to accept payment of Crown Lands, and to transmit the amount to the Commissioner of Crown Lands; and if the lands for which money is sent, appear to be

vacant, he will grant a receipt for the same, and refer the parties for a Patent. I have every reason to believe that the lots you mention are vacant.

I remain, &c.,
(Signed,) G. L. MARLER,
Agent for the Nicolet District.

James H. Kerr, Esquire,
Quebec.

Nicolet, 4th July, 1842.

Sir,

In answer to your application for the purchase of Lots in Somerset, Mr. Davidson writes me, "that all future sales must be made under the Land Act," therefore, until new Lists are published, no sales can be made. I shall return you the Scrip.

I remain, &c.,
(Signed,) G. L. MARLER.

To James H. Kerr, Esquire,

(Extract.)

No. 289.

Crown Lands Office,
Kingston, 5th July, 1842.

Sir,

Mr. Marler's certificate does not embrace what was required in Mr. Bouthillier's letter, and I enclose it for correction; the further certificate I have written in pencil, and I regret that you should be put to this additional information, from Mr. Marler's thinking proper to issue a certificate of so uncertain a character.

I am, &c.,
(Signed,) JOHN DAVIDSON.

James H. Kerr, Esquire.

(Extract.)

No. 393.

Crown Lands Department,
Kingston, 9th July, 1842.

Sir,

Mr. Marler, 28th June, states you applied for the Lots in Somerset, and in reply was informed that all public lands must be disposed of under the provisions of the 4 and 5 Vic. cap. 100. Your request cannot therefore be complied with.

I have, &c.,
(Signed,) JOHN DAVIDSON.

James H. Kerr, Esquire.

Nicolet, 16th July, 1842.

Sir,

In answer to your note of the 8th instant, I have to inform you that the only Lots claimed by squatters under Lord Durham's Proclamation, in the Township of Somerset, when I made my Report the 5th September, 1840, were the following, viz.:

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7th Range, 27, 28.
9th do. 25, 26, 28, 29, 30, 31, 32.
10th do. 23, 25.
11th do. 33, 35, 37.I remain, &c.,
(Signed,) G. L. MARLER.

James H. Kerr, Esquire.

23 in 9th Range has been applied for,
36 in 10th do. has been sold,
25 in do. do. claimed.

(Extract.)

No. 301.

Crown Land Department,
Kingston, 19th July, 1842.

Sir,

Since the Proclamation of the new Land Bill no applications to purchase Crown Lands could be entertained; and in future the sales will be entirely made by the respective District Agents.

I have, &c.,
(Signed,) JOHN DAVIDSON.

James H. Kerr, Esquire.

No. 304. -

Quebec, 23d July, 1842.

Sir,

Referring to your letter of the 5th July, I have now the honor to transmit a certificate from Mr. Marler, shewing that the Lots 8, 16, 15, 17 and 21, in the 9th Range, and 12, 13, 19 and 27, in the 18th Range of Somerset, are Lots unclaimed by squatters under Earl Ducham's Proclamation of the 31st October, 1838, although since that date most of the said Lots have been taken possession of by trespassers who have never made application to purchase the said Lots, or, having so made application, have not the means to pay for the same in the terms asked by the Crown.

I shall, if the above will be taken by you as sufficient information to enable you to dispose of the Lots in question, transmit you a like certificate as respects Lots 9 and 10 in the 9th Range, and 10 in the 10th Range of Somerset, which, altogether with 8 in the 9th Range, were purchased in November last, by me, for the Reverend Mr. Fraser; and further, another for Lots 12 and 13 in 9th Range of same Township, purchased by me from Mr. Marler. If the Crown permit such unauthorized occupancy to take place by trespassers, as has been in Somerset, the whole of the Townships where settlement is now progressing, will be overrun by lawless men who can never pay for the same, and the establishment of respectable people there will be prevented.

I have, &c.,
(Signed,) JAMES H. KERR.

John Davidson, Esquire.

(Extract.)

No. 311.

Crown Lands Office,
Kingston, 23rd August, 1842.

Sir,

Under a certificate, such as transmitted, all sales made subject to squatters' rights can now be perfected; the certificate sent embraces several which must be separately

applied for, either accompanied by a certificate, or referring to that of the 16th July, as far as it goes.

I am, &c.
(Signed,) JOHN DAVIDSON.J. H. Kerr, Esquire,
Quebec.

No. 120.

Quebec, 18th August, 1843.

Sir,

On the 25th May, 1842, I applied to the Crown Land Department, requesting permission to purchase Lots 12, 13, 14, in the 9th Range of Somerset. On the 31st of the same month, I was referred by the Commissioner of Crown Lands to Mr. Marler, "as all sales were to be made by the District Agents."

I consequently made purchase in my own name of the Lots 12 and 13, (14 not belonging to the Crown,) from Mr. Marler, remitting him the purchase price therefor; and on the 5th July, I applied to the Crown Land Department to substitute the name of Augustin Lamotte, a squatter on one of the Lots, instead of my own, the purchase having been made for and on his account; the answer to this communication of the 9th July, from the Commissioner of Crown Lands, and another of the 23rd August, 1842, from that functionary, I refer to. I stated the circumstance of the purchase made by me to that officer, in my letter No. 317, and transmitted a certificate of Mr. Marler, the Agent for Somerset, of the vacancy of the Lots in question, 12 and 13 in 9, as well as his acknowledgment of my having made purchase thereof, and paid him the purchase money. In reply, it was intimated to me by the Crown Land Department that, before I could complete the purchase, the Lands must be advertized *de novo*.

The purchase price still remains in Mr. Marler the agent's hands; and I pray that instructions be given him, or such other agent as may be appointed (if he be not the one,) to transmit me, now that the Lands are advertized *de novo*, certificate of purchase for and in the name of Augustin Lamotte, a squatter on one of the lots—the *boni fide* purchaser of 12 and 13 in 9th Range, Somerset.

An early answer will oblige, Yours, &c.

(Signed,) JAMES H. KERR.

The Hon. A. N. Morin,
Commissioner, Crown Lands,
Kingston.Office of Crown Lands,
Kingston, 23rd August, 1843.

Sir,

In reply to your letter of the 18th instant, No. 120, I beg to refer you to Mr. Marler, to whom I have sent a copy of your letter, and under whose management the Township of Somerset is to remain for the present. No sale will be effected before the 15th September next. Occupants have a right to pre-emption at the fixed rate; but they must, of course, make known their claims in proper time.

Should there be more than one application for any vacant Lot on the 15th September, it will be put up at public sale.

I remain, &c.
(Signed,) T. BOUTHILLIER.

J. H. Kerr, Esquire.

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Drummondville, 30th August, 1843.

Dear Sir,

I am in receipt of your letter of the 26th instant, and in answer thereto, I have to inform you that my office is held here, but I can be addressed as usual through Mr. Cressé; that all applications must be made *de novo*: that all the Townships in the District of Nicolet are under my agency, with the addition of Somerset, and the augmentation thereof. The District of Nicolet includes Arthabaska.

I remain, &c.
(Signed,) G. L. MARLER.

James H. Kerr, Esquire.

Quebec, 2d September, 1843.

Sir,

Mr. Kerr bought for me Lots 12 and 13 in the 9th Range of Somerset, in June 1842, and, as he informs me, paid you the purchase price—one hundred and twenty pounds, in Scrip therefor. I am a squatter, having a house built upon 13 in 9th Range, a barn built, and between 25 and 30 acres clear and under crop.

I am told by Mr. Kerr that it is necessary he should apply *de novo* for the Lot, and I authorize him so to apply in my own name, and I request that under the right I have that the Lots 12 and 13 in the 9th Range, be sold to me through my agent, Mr. Kerr.

I am, &c.
(Signed,) AUGUSTIN ^{his} LAMOTTE.
mark

(Signed,) R. A. Young, James Dorey, Witnesses.

G. L. Marler, Esquire,
Crown Land Agent, Nicolet.

Quebec, 2d September, 1843.

Dear Sir,

I have your's of the 30th ultimo, for which I thank you. I enclose a letter from A. Lamotte, the purchaser of 12 and 13 in 9, Somerset, to you, in the way prescribed by my letter from Mr. Bouthillier, and request that on the day of sale, 15th September, the Lots be awarded him as of right, and that you transmit me certificate of award and payment.

Please take particular care of A. Lamotte's letter to you.

I remain, &c.
(Signed,) J. H. KERR.

G. L. Marler, Esquire.

Drummondville, 16th September, 1843.

Dear Sir,

I am in receipt of your letter per Lamotte, respecting Lots 12 and 13 in the 9th Range of Somerset. I send you also an extract of a letter from Crown Land Department: "So many complaints and applications have been received from parties, Squatters on Crown Lands in Arthabaska, Somerset, and the adjoining Townships, that some difficulty will, it is feared, be experienced in settling their conflicting claims, and something out of the usual course may have to be done for those Townships. As a precautionary measure, and until further instructions, I have to request you will complete no sale whatever in Somerset; and you will receive all applications made to you, and Money and Scrip when tendered, but reserve all sales for the sanction of the Department."

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You therefore see that I am unable to do any thing in this matter; and, moreover, four other applications have been made for the same Lots. On Tuesday next I shall make a Return to the Crown Land Office respecting these Lots; and, until their final answer,

I remain, &c.
(Signed,) G. L. MARLER.

J. H. Kerr, Esquire.

Quebec, 18th September, 1843.

Sir,

Referring to Mr. Bouthillier's letter to me of the 22nd August, in reply to mine, 120, in which I stated the particulars as respects the purchase made by me in June, 1842, of Lots 12 and 13 in 9th Range, Somerset, for and on account of A. Lamotte, a Squatter residing on 13, and who has a house, outhouses, and thirty acres cleared thereon, I am to state that in compliance with Mr. B.'s letter, I applied both directly and by letter to Mr. Marler, through the said A. Lamotte, who proceeded to Mr. Marler's Office at Drummondville, for the confirmation of the sale made in June, 1842, and filed application *de novo* for the same.

I enclose a copy of Mr. Marler's reply to my communication to him, and A. Lamotte's personal application, and I am to pray that instructions be given him to furnish A. Lamotte, through me, with certificate of purchase of Lots 12 and 13 in 9th Range, Somerset, as of right.

It will, I believe, be found that many others having claims as Squatters on these Lots, with the exception of one Chartier, are not so, and that none of them can comply with the terms on which the Lots are advertized, to which the faith of the Government is pledged.

Looking for that justice at your hands to which Lamotte has undoubted claims,

I remain, &c.
(Signed,) JAMES H. KERR.

T. Bouthillier, Esquire.

No. 130.

Quebec, 21st November, 1843.

Sir,

I pray reference to my letter of 18th August, No. 120, and to my special letter, 18th September last, to the latter of which I am without any reply. Mr. Lamotte is most anxious, having long since paid the Crown Land Department in full for the Lots 12 and 13 in the 9th Range of Somerset, to receive the titles therefor; and that no possible impediment whatever may be interposed thereto, he has purchased the improvements of Chartier: Copy of Act in his favor by N. P., I enclose. I trust therefore you will see the reasonableness of giving this matter your kind and early consideration, with a view to doing justice on the premises.

I remain, &c.
(Signed,) JAMES H. KERR.

To the Commissioner of
Crown Lands.

(Extract.)

No. 130.

Office of Crown Lands,
Kingston, 7th December, 1843.

Sir,

Mr. Marler has been instructed to complete the sale of Lots Nos. 12 and 13 in 9, Somerset, to A. Lamotte, provided there are no adverse claims to these lots.

I am, &c.
(Signed,) T. BOUTHILLIER.

J. H. Kerr, Esquire.

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Drummondville, 14th December, 1843.

Dear Sir,

I have this moment been favored by your letter respecting Lamotte's Lots, and by the same Mail one from Mr. Bouthillier on the same subject: he says "I can complete the sale to Lamotte, provided I am satisfied that his claim is not contested by any other party." Your having purchased Chartier's claim, the only difficulty remaining is, Antoine Gibbert and Edouard Ouellette's for a part of 12. I can confirm a sale of 13, and warn Gibbert and Ouellette to purchase in a given time, should this mode of arranging the matter suit you. It is the only feasible mode of concluding the purchase.

I remain, &c.
(Signed,) G. L. MARLER.

J. H. Kerr, Esquire.

Quebec, 18th December, 1843.

Sir,

In answer to your letter of the 14th instant, I am to request that you will, as suggested, transmit me the necessary confirmation of sale for Lot 13 in 9th Range of Somerset, in the name of Augustin Lamotte, there being no claim other than his against that Lot.

You will oblige me by informing me of the nature of each of the two claims preferred against Lot 12 in 9th Range of Somerset, by Antoine Gibbert and Edouard Ouellette, so that it may be known what improvements these parties have made on the Lot in question, and whether they have tendered payment for the same, as also what notice you are required to give such parties to perfect payment.

I remain, &c.
(Signed,) J. H. KERR.

G. L. Marler, Esquire.

(Extract.)

Drummondville, 21st December, 1843.

Dear Sir,

I had prepared a receipt to send you for Lot 13, but on looking at your Scrip, I find that I cannot divide them so as to send the payment of one lot at a time.

You will find on the reverse, the application referred to, and clauses from my instructions, respecting the notice spoken of in my former letter. The payment of each individual sale must be forwarded with the returns. One of your Scrip is for £87 10s., and two for £17 10s.

I remain &c.,
(Signed,) G. L. MARLER.

J. H. Kerr, Esquire.

(Reverse.)

1st Applicant, Antoine Gibbert, $\frac{3}{4}$ rd south west 12th lot, 9th range, Somerset, occupies since 5 years, and resides thereon. (Offers to pay.)

2nd Applicant, Edouard Ouellette, $\frac{1}{2}$ rd, north east 12th lot, 9th range, do., since 1839. Improvements. (Offers to pay.)

Extract of Instructions to Agents.

No. 3. You will in every case, when a person offers to purchase a lot improved or occupied by others, apparently without authority, before making sale thereof, require the occupant, by notice in writing, to prefer within a day fixed by you, any claim that he may have upon the same for pre-emption or otherwise, giving him notice that in default thereof, or of prompt payment, where sale is necessary to the said occupant, the lot will irrevocably be sold to the former applicant.

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No. 4. As a general rule when before the actual payment to you of the purchase money by intending purchasers, you may have before you another application for the same lands, and if it should appear to you that neither of the applicants have a claim to pre-emption on account of improvements, or otherwise, you will cause the same to be sold at public auction, beginning at the upset price, of which sale you will give sufficient notice in the neighbourhood, and particularly to the applicants, by letter, if in your power; and at such sale, not only the applicants, but any other person may be allowed to bid, and the money is to be paid forthwith.

Drummondville, 30th January, 1844.

Dear Sir,

I am in receipt of your letter of the 15th, respecting the disposable lands in the 9th range of Somerset. I have to inform you that they are all applied for by squatters, and are not yet open for sale.

I remain, &c.,
(Signed,) G. L. MARLER.

J. H. Kerr, Esquire,
Quebec.Crown Lands Department,
Kingston, 31st January, 1844.

Sir,

With reference to your letter of the 2nd ultimo, (No. 142,) I beg to inform you that an error occurred in advertising for sale Lot No. 13 in 9th range of Somerset. This lot was among many others granted to Mr. Pozer and his associates, in the year 1804, many of which were subsequently surrendered in 1831, including one half of this lot, and the deed of surrender, as registered, does not state which half; so that this Department is at a loss to know which part belongs to Government.

Steps will be taken without loss of time, to ascertain, if possible, the fact; when the sale for that portion which is disposable will be confirmed, and referred for Patent afresh. The surplus purchase money may be considered at Mr. Lamotte's credit for the purchase of other lands, or to be returned to him if desired.

I have, &c.,
(Signed,) T. BOUTHILLIER.

James H. Kerr, Esquire.

Drummondville, 9th April, 1844.

Dear Sir,

Your letter covering £60 in Scrip, has been duly received, previous to the receipt of which, I had forwarded your Scrip for £87 10s. to Kingston, and requested change. Should the Scrip be returned, you will get it immediately, and, if accepted, the change and your last remittance shall be forwarded by return of mail.

I remain, &c.,
(Signed,) G. L. MARLER.

J. H. Kerr, Esquire.

Drummondville, 4th May, 1844.

Sir,

I have to inform you, that by a letter dated Kingston the 19th April last, from the Commissioner of Crown Lands, that the sale made to you, on behalf of Augustin Lamotte, of the lot No. 12 in 9th range of Somerset, is disallowed, it having been applied for, on behalf of Antoine and Pierre Gibbert dit Comtois, by Mr. Pacaud. You will therefore please to take notice of the same.

I remain, &c.,
(Signed,) G. L. MARLER,
Agent for Crown Lands, Nicolet District.

J. H. Kerr, Esquire,
Attorney for A. Lamotte.

Appendix
(E. E.)

12th May.

Quebec, 22nd May, 1844.

Sir,

I have received a letter from G. L. Marler, Crown Land Agent for Drummondville, informing me as the Agent of Augustin Lamotte, and you had determined not to confirm the sale of the lot 12 in the 9th range, in consequence of its having been applied for by Mr. Pacaud. I am to remark that the whole of the proceedings in the matter were sanctioned by you, and the sale at which the said lot was made after due notification to Mr. Pacaud, was ordered by you, and that Mr. Lamotte holds the certificate of purchase from the Agent as settled by him. I beg to refer you to the whole of the lengthy communication to me, which will at once shew you that Lamotte is, as well in equity as in law, the purchaser of the lot, and cannot be dispossessed except by a Court of law. I am quite prepared to shew the line of conduct pursued by Mr. Pacaud.

I have, &c.,

(Signed,) JAMES H. KERR.

T. Bouthillier, Esquire,
&c. &c. &c.Department of Crown Lands,
Montreal, 25th September, 1844.

Sir,

You were informed on the 31st January last, in reference to Lamotte's case, that one half only of the Lot 13 in 9th Range, Somerset, could be disposed of; which half remains disposable has not yet been ascertained.

Mr. Marler has positive instructions to sell no Lot occupied to others than the occupants, without first communicating with this Department, he therefore deviated from these instructions in selling to Lamotte No. 12 of the same range, which is represented in the occupation of Ant. and P. Gibbert, with considerable improvements, and for the payment of which £60 has been lodged in this office by Mr. Pacaud, on behalf of the Gibberts.

On referring to my letters on this subject, you will find, I think, that non-occupation was invariably made a condition of sale.

I remain, &c.

(Signed,) T. BOUTHILLIER.

J. H. Kerr, Esquire.

Office of Crown Lands,
Montreal, 24th January, 1845.

Sir,

With reference to your intended purchase (for Lamotte) of 12 in 9, Somerset, I have to observe that Mr. Pacaud represents that that Lot was occupied and improved by the two brothers Gibbert dit Comtois when it was adjudged to you by Mr. Marler, and had been so for some years before. That he, Mr. Pacaud, by his letter of the 19th March, (received by Mr. Marler on the 23rd, two days previous to the sale,) informed Mr. Marler that he was prepared to pay for the lot in question in the name of the Gibberts, and protested against the sale of it to any other person.

My instructions to Mr. Marler were clear and distinct, to sell to Lamotte, provided the lot was claimed by no other person.

Mr. Marler knowing the lot to be occupied, should have reported the circumstance at once, and not have proceeded as he did, to advertize and sell it without the knowledge of this office.

Mr. Pacaud has lately been called upon to furnish affidavits of the time at which the Gibberts took possession, and of the extent of their improvements on the 25th of March last.

I do not find, on referring to your several letters on this subject, that Lamotte has any improvements on this lot; he appears to be settled on the adjoining one, No. 13.

If these facts are as above stated, I cannot but think that the Gibberts have the better right to the land; and I have no doubt the Council would take that view of the case, if submitted to them.

No final decision, however, will be had in the matter, until the evidence required from Mr. Pacaud has been received, and you have had an opportunity of refuting his statements, if you think proper to do so.

I remain, &c.,

(Signed,) T. BOUTHILLIER.

James H. Kerr, Esquire,
&c. &c. &c.Department of Crown Lands,
Montreal, — October, 1845.

Sir,

In my letter of the 25th January last, you were informed that previously to coming to a final decision in Lamotte's case, (Lot No. 12, in 9 Somerset,) you would be made acquainted with the grounds upon which Mr. Pacaud claims that lot for the Comtois, and I now accordingly enclose a Copy of an Affidavit filed by him in the Spring, and which I intend to lay before His Excellency in Council, in support of his claims, together with whatever documents you may see fit to transmit in opposition to it.

I remain, &c.,

(Signed,) T. BOUTHILLIER.

James H. Kerr, Esquire,
Quebec.

(Translation.)

Somerset, 22nd February, 1845.

I, the undersigned, sworn Surveyor, do certify, on my oath of office, that Antoine Gibbert dit Comtois, and Pierre Gibbert dit Comtois have been in possession of Lot No. 12 in the 9th Range of the Township of Somerset, for the last five years; that they have made improvements on that Lot worth at least Forty-five pounds, currency, in March last, and now worth Fifty-three pounds, currency. That Edouard Ouellette has occupied the North East third of the said Lot for five years and seven months, and has told me, personally, that he will buy the said Lot only when Government will have caused it to be bounded on each side, and that he must have a delay of several years for payment. I certify that they are in possession of the said Lot of Land.

Lamotte has no right to that Lot, and has never occupied it. In testimony whereof I have signed the present certificate, for the advantage of all whom it may concern.

(Signed,) J. L. POUDRIER.

(Copy.)

Whereas Augustin Lamotte has paid (through his Attorney, J. H. Kerr, Esquire,) into my hands, the sum of Sixty pounds, in Militia Scrip, the value of 200 acres of Land contained in Lot No. 13, in the ninth Range of Somerset, I do hereby authorize the said Augustin Lamotte to occupy the above mentioned Lot.

(Signed,) G. L. MARLER,

Crown Land Agent District of Nicolet.

Drummondville, 22nd December, 1843.

(Copy.)

Drummondville, 25th March, 1844.

£60.

Received from Mr. Augustin Lamotte, per his Attorney James H. Kerr, Esquire, the sum of Sixty pounds, currency, being the value of two hundred acres of Land contained in Lot number twelve in the ninth Range of Somerset.

(Signed,) G. L. MARLER,

Crown Land Agent District of Nicolet.

Appendix
(E. E.)

12th May.

Appendix
(F. F.)

13th May.

Appendix
(F. F.)

13th May.

RETURN to an Address of the Legislative Assembly to His Excellency the Administrator of the Government, dated the 20th ultimo, praying that His Excellency would be pleased to direct the Inspector General to lay before them, a Return of the Receipt and Expenditure of the Provincial Revenue, specifying the sources from which received, and the amounts paid for each separate Branch of the Public Service, for the years 1844 and 1845, divided under the following heads:—Amount of Public Debt, and Interest paid thereon; Civil Government; Administration of Justice; Legislature; Pensions; Militia; Education; Agricultural Societies; Hospitals and Charitable Institutions; Public Works; Maintenance of Light Houses; Emigration; Police; Miscellaneous Expenses.

By Command,

D. DALY,
Secretary.Provincial Secretary's Office,
Montreal, 13th May, 1846.

PROVINCE OF CANADA.

ABSTRACT STATEMENT of the Revenue for the year 1844.

HEADS OF REVENUE	Where collected.			General Totals.
	Canada East.	Canada West.	Totals.	
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
DUTIES FROM COMMERCE.				
Customs ... { Montreal and Quebec ...	299626 8 2	...	299626 8 2	429722 11 4½
... { Inland Ports ...	42197 13 7	87898 9 7½	130096 3 2½	
INTERNAL DUTY.				
Excise ...	15450 2 10	18920 2 2	34370 5 0	55255 8 6 25624 11 1½ 5180 13 6½ £515785 9 6
Light House or Tonnage Duty ...	...	604 4 10	604 4 10
Bank Imposts ...	...	...	10492 15 5
Militia Commissions, Fines, &c. ...	...	48 15 0	48 15 0
Seizures, including Fines and Forfeitures ...	1243 7 1½	1971 11 9½	3214 18 10½	
Casual Revenue ...	2308 8 10½	2785 14 1	5094 2 11½	
Interest on Public Deposits ...	...	...	1430 6 5
Public Works ...	...	...	...
Territorial Revenue ...	...	...	...

Imports at Montreal and Québec principally per sea.

Imports at Inland Ports from United States (less £8500 per sea).

Amount of Customs, being Cash Receipts and Bonds.

Appendix
(F. F.)
13th May.

PROVINCE
ABSTRACT STATEMENT of

HEADS OF EXPENDITURE.	CIVIL LIST.				PERMANENT ACTS AND ORDINANCES.			
	No. 1.				No. 2.			
	Canada East.	Canada West.	Province.	Total.	Canada East.	Canada West.	Total.	
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	
Interest on Provincial Debt	
do (Turnpike Trusts)	851 1 2	...	851 1 2	
Civil Government	28520 2 2	28520 2 2	...	...	...
Administration of Justice ...	30059 7 3	11519 0 11	...	41578 8 2	929 9 1	32 2 6	961 11 7	
Provincial Penitentiary	
Legislature	128 6 8	...	128 6 8	
Education	1939 2 7	1939 2 7	
Agricultural Societies...	314 7 6	2960 8 0	3274 15 6	
Hospitals and Charitable Institutions	
Public Works and Surveys (exclusive of Works out of Guaranteed Loan)	269 8 11	...	269 8 11	
Militia	885 0 0	885 0 0	
Maintenance of Light Houses	3176 10 11	3176 10 11	
Emigration	906 16 4	906 16 4	...	...	...
Pensions ...	3945 14 8	3603 10 4	...	7549 5 0	390 0 0	3318 12 3	3708 12 3	
Miscellaneous	409 17 8	409 17 8	1284 19 5	...	1284 19 5	
	£34005 1 11	15122 11 3	29836 16 2	78964 9 4	4167 12 9	12311 16 3	16479 9 0	

Appendix
(F. F.)
13th May.

OF CANADA.
the Expenditure for the year 1844.

PERMANENT ACTS OF PROVINCE OF CANADA.				VOTES OF PARLIAMENT.				General Totals.
No. 3.				No. 4.				
Canada East.	Canada West.	Province.	Total.	Canada East.	Canada West.	Province.	Total.	
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
...	...	...	...	...	...	...	...	122790 11 6½
...	...	...	...	...	...	...	...	851 1 2
...	...	...	...	...	...	311 3 2	311 3 2	28831 5 4
3846 6 6	5462 12 0	...	9308 18 6	4515 17 9	197 2 4	...	4718 0 1	56561 18 4
...	...	...	...	...	...	10901 8 5	10901 8 5	10901 8 5
3474 13 2	1917 3 9	1171 5 0	6563 1 11	...	...	18904 11 7	18904 11 7	23596 0 2
17209 14 2	41013 1 9	...	59212 15 11	2309 13 10	2798 5 3	...	5197 19 1	66349 17 7
...	...	...	...	75 0 0	...	...	75 0 0	3349 15 6
...	...	...	...	5728 6 4	2255 5 9	...	7983 12 1	7983 12 1
3097 1 6	...	...	3097 1 6	2099 18 10	1577 4 5	...	3677 3 3	7043 13 8
...	...	...	...	949 1 8	170 0 0	...	1119 1 8	2004 1 8
...	...	...	...	1984 10 0	...	...	1984 10 0	5160 0 11
...	...	2543 11 10	2543 11 10	...	...	1790 1 6	1790 1 6	5240 9 8
...	...	...	...	816 0 0	280 3 4	...	1096 3 4	12354 0 7
5968 0 4	...	...	5968 0 4	1777 3 10	374 3 7	17348 11 2	19499 18 7	27162 16 0
93685 15 8	49698 10 0	3714 16 10	86693 10 0	20345 12 3	7652 4 8	49255 15 10	77253 12 9	382181 12 7½
Add:—Warrants outstanding in 1843 and paid in 1844 ...								4378 13 4
Balance carried to Unfunded Debt ...								3926 18 11½
Sinking Fund, new account ...								54068 13 4
Saving in Schedule B ...								5636 15 8
Less, Excess in Schedule A. ...								2101 7 0
								3535 12 8
								£448091 6 11½
Add:—Excess of Revenues over Expenditure ...								67692 2 6½
								£515783 9 6

N.B. The above is exclusive of New Loan and Special Accounts, Nos. 24 to 29. See Public Accounts.

Appendix
(F. F.)

13th May.

ABSTRACT STATEMENT of the Expenditure for the year 1844.—(Continued.)

Appendix
(F. F.)

13th May.

				£	s.	d.		
Legislature embraces	...	...	Returning Officers	5391	16	10	No. 3.	E. and W.
			Printing	5570	5	1	No. 4.	P.
Education embraces	...	...	Literary Society...	50	0	0	No. 4.	E.
Pensions embraces	...	...	Militia	3708	12	3	No. 2.	E. and W.
			Legislature	1096	3	4	No. 4.	E. and W.
			Administration of Justice	2222	4	5	No. 1.	E. and W.
Public Works, &c. embraces	...	...	Geological Society	1097	1	6	No. 3.	E.
			Survey Boundary	400	0	0	No. 4.	E.
			Roads and Bridges	1577	4	5	No. 4.	W.
			Internal Communications	112	18	0	No. 2.	E.
			Light Houses	2000	0	0	No. 3.	E.
Emigration embraces	...	...	Quarantine...	1790	1	6	No. 4.	P.
Miscellaneous embraces	...	...	Census...	4594	17	8	No. 4.	E.
			Registration	1679	18	9	No. 3.	E.
			Assessment Property	963	2	4	No. 4.	E.
			Removal Government	14746	6	6	No. 4.	P.
			Printing	1987	10	0	No. 4.	E. and W.

RECAPITULATION.

	Canada East.		Canada West.		Province.		Total.	
	£	s. d.	£	s. d.	£	s. d.	£	s. d.
Civil List...	34005	1 11	15122	11 3	29836	16 2	78964	9 4
Acts and Ordinances	4167	12 9	12311	16 3	...	...	16479	9 0
Acts of the Province	33685	15 8	49292	17 6	3714	16 10	86693	10 0
Votes of Parliament	20845	12 3	7652	4 8	49255	15 10	77253	12 9
Interest on Public Debt	2128	2 3½	76027	4 3	*44635	5 0	122790	11 6½
Totals	£94332	4 10½	160406	13 11	127442	13 10	382181	12 7½

* The greater part being Interest on Expenditures on Public Works in Canada West.

PROVINCE OF CANADA.

ABSTRACT STATEMENT of the Revenue for the year 1845.

HEADS OF REVENUE	Value collected.			General Total.
	Canada East.	Canada West.	Total.	
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
DUTIES FROM COMMERCE.				
Customs ... { Montreal and Quebec ...	282020 18 8½	... ..	282020 18 8½	419001 17 8½
... { Inland Ports	45807 2 3	91173 6 9	180980 9 0	
INTERNAL DUTY.				
Excise	9477 4 10½	10800 6 8	20277 11 6½	54992 18 11½
Light House and Tonnage Duties ...	... ..	689 5 7	689 5 7	
Bank Imposts ... ..	... ..	... ..	18020 17 1	
Militia Commissions, Fines, &c. ...	... ..	53 15 0	53 15 0	
Seizures, including Fines and Forfeitures ...	1202 3 9½	2188 1 0½	3390 4 9½	
Casual Revenue	9046 14 4	2433 16 8	11480 11 0	
Interest on Public Deposits ... ..	... ..	... ..	6980 13 11	
Public Works ... ..	... ..	... ..	... ..	27501 14 3½
Territorial Revenue ... ..	... ..	... ..	... ..	22871 5 10
				£524866 16 9½

Imports at Montreal and Quebec principally from sea.

Imports at Inland Ports principally from the United States.

Amount of Customs, being Cash Receipts and Bonds.

Appendix
(F. F.)
13th May.

PROVINCE
ABSTRACT STATEMENT of

HEADS OF EXPENDITURE.	CIVIL LIST. No. 1.				PERMANENT ACTS AND ORDINANCES. No. 2.			General Total.
	Canada East.	Canada West.	Province.	Total.	Canada East.	Canada West.	Total.	
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	
Interest on Provincial Debt
do Turnpike Trusts	2445 13 11	...	2445 13 11	...
Civil Government	32045 15 4	32045 15 4	...	...	...	...
Administration of Justice ...	32579 1 2	11390 17 10	...	43969 19 0	932 18 5	...	932 18 5	...
Provincial Penitentiary
Legislature	45 0 0	...	45 0 0	...
Education	2000 0 0	2000 0 0	...
Agricultural Societies...	36 5 0	345 15 0	382 0 0	...
Hospitals and other Charities
Public Works and Surveys (ex- clusive of Works out of Gua- ranteed Loan)
Militia	885 0 0	885 0 0	...
Maintenance of Light Houses	4163 2 3	4163 2 3	...
Emigration	598 6 5	598 6 5	...	...	...	...
Pensions ...	3347 9 5	3513 13 8	...	6861 13 1	381 10 8	3655 15 11	4037 6 7	...
Miscellaneous	233 2 9	233 2 9	1786 3 3	...	1786 3 3	...
	£35926 10 7	14904 11 6	32877 4 6	83708 6 7	5627 11 3	11049 13 2	16677 4 5	

Appendix
(F. F.)
13th May.

OF CANADA.

the Expenditure for the year 1845.

PERMANENT ACTS OF PROVINCE OF CANADA. No. 3.				VOTES OF PARLIAMENT. No. 4.				General Total.
Canada East.	Canada West.	Province.	Total.	Canada East.	Canada West.	Province.	Total.	
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	
...	...	...	...	...	...	...	...	141287 13 1
...	...	...	...	...	...	...	...	2445 13 11
...	...	...	...	...	...	1003 9 6	1003 9 6	33049 4 10
4658 2 7	3873 16 2	...	8531 18 9	1273 4 9	...	...	1273 4 9	54708 0 11
...	...	...	...	...	...	13000 0 0	13000 0 0	13000 0 0
456 3 6	700 4 6	1896 14 9	3053 2 9	...	...	47593 8 7	47593 8 7	50691 11 4
44459 6 0	20999 19 6	...	65459 5 6	8069 2 9	4065 9 8	...	12134 12 5	79593 17 11
2785 13 3	4365 1 7	...	7150 14 10	...	...	...	...	7532 14 10
...	...	...	...	9079 0 0	4943 6 11	...	14022 6 11	14022 6 11
...	...	1905 15 11	1905 15 11	21125 0 8	24488 6 1	6615 16 1	52229 2 10	54134 18 9
...	...	...	...	1276 5 5	195 0 0	...	1471 5 5	2356 5 5
...	...	...	...	772 18 9	...	...	772 18 9	4936 1 0
...	...	...	...	...	...	1850 14 10	1850 14 10	2449 1 3
...	114 12 1	...	114 12 1	1025 16 6	266 13 4	...	1292 9 10	12305 11 7
8806 9 7	...	...	8806 9 7	13765 19 11	1929 15 10	2228 15 1	17924 10 10	28250 6 5
60663 14 11	30053 13 10	2702 10 8	94521 19 5	56387 8 9	33888 11 10	72292 4 1	164568 4 8	500763 8 2
Add:—Amount expended in Public Works in 1843, covered by Act 8 Vic. chap. 71...								23063 2 3
Warrant outstanding in 1843 and paid in 1845								1 10 0
								£523828 0 5
Excess in Schedule A.								3580 9 8
Less, Saving on Schedule B.								3314 9 9
								374 19 11
								£523453 0 6
Add:—Excess of Revenue over Expenditure								913 16 3½
								£524366 16 9½

N.B. The above is exclusive of Statement No. 24, amounting to the sum of £139,870 4s. 5d. not yet charged the Consolidated Revenue Fund; and also Special Accounts, from Nos. 26 to 31, inclusive. See Public Accounts.

Appendix
(F. F.)Appendix
(F. F.)

ABSTRACT STATEMENT of the Expenditure for the year 1845.—(Continued.)

13th May.

13th May.

		£	s.	d.	
Legislature embraces ...	Returning Officers	1156	8	0	No. 3. E. and W.
	Printing	1951	10	7	No. 4. P.
Pensions embraces ...	Militia... ..	4094	3	1	No. 2. E. and W.
	Legislature... ..	1235	13	4	No. 4. E. and W.
Public Works embraces ...	Administration of Justice... ..	2336	16	1	No. 1. E. and W.
	Geological Survey	1905	15	11	No. 3. P.
	Survey Boundary Line	574	5	10	No. 4. E.
	Chambly Canal Harbour and Light Houses ...	22742	17	10	No. 4. E. and W.
Roads and Bridges	29755	15	3		
Emigration embraces ...	Quarantine... ..	1850	14	10	No. 4. E.
	Payments on the Sale of the Seigniority of Lauzon ...	7536	5	8	No. 3. E.
Miscellaneous embraces ...	Relief to sufferers, Quebec Fires	7000	0	0	No. 4. E.
	Repairs to Public Buildings	2497	4	10	No. 4. E. £1497 4s. 10d. No. 4. P. £1000.
	Feudal Tenure	1468	2	0		No. 4. E.
	Grant to Col. Fitzgibbon	1000	0	0	No. 4. W.
	Assessment Property, Cities of Quebec and Montreal ...	987	8	3	No. 2. E.
	Ground Rent, Roman Catholic Bishop, Quebec ...	1111	2	0	No. 2. E.
	Registration	770	3	11	No. 3. E.
	Mechanics' Institute and Literary and Historical Societies, Quebec and Montreal	600	0	0	No. 4. E.
Commissioners Revising Statutes, Canada West ...	600	0	0	No. 4. W.	
Inspectors of Register Offices	400	0	0	No. 2. E.	

RECAPITULATION.

	Canada East.	Canada West.	Province.	Total.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Civil List... ..	35928 10 7	14904 11 6	32877 4 6	83708 6 7
Acts and Ordinances	5627 11 3	11049 13 2	...	16677 4 5
Acts of the Province	60665 14 11	30053 13 10	3702 10 8	94521 19 5
Votes of Parliament	56387 8 9	35888 11 10	72292 4 1	*164568 4 8
Interest on Public Debt ... ..	...	...	141287 13 1	141287 13 1
Totals ...	£158607 3 6	91896 10 4	250139 12 4	500763 8 2

* Included in this amount is the sum of £38,091 15s. 9d., incurred for certain indispensable expenses of 1845, not provided for, but charged to the Consolidated Revenue Fund.

Inspector General's Office,
Montreal, 1st May, 1846.

JOS. CARY,
Dep. Insp. Genl.

Appendix
(G. G.)

May.

Appendix
(G. G.)

May.

SCHEDULE

OF CERTAIN STATEMENTS respecting the Imports and Exports of the Province of Canada.

- No. 1. At the Ports of Montreal and Quebec, giving the quantities on which Duties were collected in 1842, 1843, 1844 and 1845, and the values of Merchandize liable to *ad valorem* Duties.
2. At the Port of St. Johns, for the same period as above, giving the quantities of each Article imported.
3. At the Ports of Toronto, Hamilton, Kingston, Port Stanley, Brockville and Queenston, during the years 1843, 1844 and 1845.
4. Aggregate Imports at all the Ports above named, for the years 1843, 1844 and 1845.
5. A Comparative Statement of the Gross Amount of Duties, collected at the above named Ports, showing what proportion of the Total Gross Imports were collected at these Ports.
6. A Comparative Statement of the Gross Amount of Duties, collected at each Port within the Province, in 1841, 1842, 1843, 1844 and 1845, and the Aggregate Total Amounts, collected during the same period.
7. Table shewing the Imports into the Province of Canada in 1845, under the provisions of the United States Drawback Law, distinguishing the several Ports at which the same were made.
- 8 to 11. An Account of Goods, imported at the Port of Montreal, and also of Goods taken out of the Warehouse for Home Consumption in 1842, and the like for 1843, 1844 and 1845.
12. An Account of each Article imported at the Port of St. Johns, and Duties collected thereon, under Imperial, and also Provincial Acts separately, during the years 1842, 1843, 1844 and 1845.
13. A Statement of Produce, exported from the Ports of Montreal and Quebec, during the years 1844 and 1845.
14. Table shewing the description and value of Merchandize exported to the United States, during the years 1844 and 1845.

INSPECTOR GENERAL'S OFFICE,
Montreal, April, 1846.

No. 1.

A COMPARATIVE STATEMENT of Articles, on which Duties have been collected, at the Ports of Montreal and Quebec, during the years 1842, 1843, 1844 and 1845.

ARTICLES.	QUANTITIES OR VALUES.			
	1842.	1843.	1844.	1845.
Sugar,..... { Unrefined,..... lbs.	4,760,562	5,285,420	5,901,183	5,236,871
{ Refined,..... lbs.	1,710,956	602,849	1,708,031	1,629,365
{ Bastards,..... lbs.	976,498	436,930	3,303,126	1,235,135
Spirits,..... { Rum,..... galls.	58,818	72,956	122,988	117,912
{ Other Spirits,.... galls.	199,544	154,212	351,419	249,295
{ Cordials,..... galls.	1,132	752	1,207	650
Wines,..... { Madeira,..... galls.	23,373	10,308	23,837	221,015
{ Other Wines,.... galls.	271,273	236,456	368,442	
Coffee,..... lbs.	48,417	138,781	125,722	55,878
Molasses,..... cwt.	13,603 3 2	13,225 3 25	21,224 1 1	33,201 2 16
Salt,..... tons.	16,116½	21,807½	28,020	12,151
Flour,..... bbls.	...	38,602	81,432	40,697
Wheat,..... qrs.	...	2,492	3,760	...
Tea,..... lbs.	1,380,940	482,190	1,019,645	770,615½
Tobacco,.... { Manufactured,.... lbs.	139,412	97,541	164,463	198,634
{ Unmanufactured, ... lbs.	171,455	67,128	253,474	191,930
Pork, &c. salted,..... cwt.	...	360 0 10	28,029 1 5	31,245 2 8
Goods paying <i>ad valorem</i> duty under Provincial Acts, (principally British Merchandize,).....	£2,148,220 8 9	£1,091,709 14 2	£2,355,716 3 1	£2,598,288 6 2

INSPECTOR GENERAL'S OFFICE,
Montreal, April, 1846.

Appendix
(G. G.)

No. 2.

Appendix
(G. G.)

May.

AN ACCOUNT of ARTICLES on which Duties have been collected at the Port of St. Johns, during the years 1842, 1843, 1844 and 1845.

May.

ARTICLES.		1842.	1843.	1844.	1845.
Sugar,	{ Unrefined,..... lbs.	102	8,870	400	4,476
	{ Refined, lbs.	...	2,273	4,911	95,709
Spirits,	{ Rum, galls.	4,381	2,785	17,522	282
	{ Other Spirits,..... galls.	102	146	3,774	69
	{ Cordials, galls.	332	2	33	8
	{ Madeira, galls.	17	...	...	...
Wines,	{ Other Wines,..... galls.	11,552	883	357	971
	Coffee,..... lbs.	113,344	342,989	302,966	340,352
Molasses,..... cwt.	281 2 17	2,748 3 19	91 0 6	2,000 2 8	
Salt,..... bbls.	...	...	1½	2	
Flour,..... bbls.	1,369 (Free.)	165	747	624	
Wheat,..... qrs.	...	...	0 6 0	2 0 0	
Tea,..... lbs.	...	293,876	368,722	732,592	
Tobacco,	{ Manufactured, lbs.	585,864	551,788	748,331	1,168,656
	{ Unmanufactured,..... lbs.	110,833	37,386	52,485	294,971
Pork, &c. Salted,..... cwt.	4,517 3 12 (Free.)	1,539 1 14	4,108 2 13	7,779 0 25	
			4,650 (Free.)		

INSPECTOR GENERAL'S OFFICE,
Montreal, April, 1846.

No. 3.

AN ACCOUNT of ARTICLES on which Duties have been collected at the several Ports of Toronto, Hamilton, Kingston, Port Stanley, Brockville and Queenston, during the years 1843, 1844 and 1845.

ARTICLES.		1843.	1844.	1845.
Sugar,	{ Unrefined or Raw,..... cwt.	6,741 3 0	7,710 3 26	17,735 2 9
	{ Refined and Candy,..... lbs.	8,679	41,984	11,428
Spirits,	{ Rum, galls.	1,257	1,047	646
	{ Other Spirits,..... galls.	1,658	4,881	690
	{ Cordials, galls.	4	4	16
	{ Madeira, galls.	...	...	...
Wines,	{ Other Wines,..... galls.	1,021	1,189	2,576
	Tea,..... lbs.	315,877	610,378	941,417
Tobacco,	{ Manufactured, lbs.	480,993	776,867	978,080
	{ Unmanufactured,..... lbs.	1,059	8,232	9,991
Meats, Salted,..... cwt.	795 2 4	16,184 2 4	14,196 1 10	
Molasses,..... cwt.	616 2 2	749 0 4	1,265 0 21	
Flour,..... bbls.	8,892	19,173	8,934	
Wheat,..... qrs.	3,986	4,277	5,778	
Salt,..... bbls.	22,166	25,574	17,064	
Coffee,..... cwt.	1,979 2 14	2,104 3 10	2,634 1 21	
Cocoa,..... cwt.	11 3 23	5 1 20	7 0 3	

INSPECTOR GENERAL'S OFFICE,
Montreal, April, 1846.

No. 4.

A COMPARATIVE STATEMENT of the undermentioned Articles on which Duties have been collected at the Ports of Montreal, Quebec, St. Johns, Toronto, Hamilton, Kingston, Port Stanley, Brockville and Queenston, during the years 1843, 1844 and 1845.

ARTICLES.	QUANTITIES.			
	1843.	1844.	1845.	
Sugar,	{ Unrefined or Raw,..... lbs.	6,049,702	6,765,213	7,227,732
	{ Refined, lbs.	613,801	1,754,926	1,736,502
	{ Bastards, lbs.	436,930	3,303,126	1,235,135
Spirits,	{ Rum, galls.	76,998	141,557	118,840
	{ Other Spirits,..... galls.	156,016	360,074	250,054
	{ Cordials, galls.	758	1,244	674
	Wines,..... galls.	248,668	393,825	224,562
Tea,..... lbs.	1,091,943	1,998,745	2,444,624	
Tobacco,	{ Manufactured, lbs.	1,130,272	1,689,661	2,345,370
	{ Unmanufactured,..... lbs.	105,573	314,191	496,892
Meats Salted, Pork, &c.,..... cwt.	2,717 0 9	48,322 1 22	53,221 0 15	
Molasses,..... cwt.	16,591 1 18	22,064 1 11	36,467 1 17	
Flour,..... bbls.	47,659	101,352	50,255	
Wheat,..... qrs.	6,478	8,043	5,780	
Salt,	{ Imported by Sea,..... tons	21,807	28,020	12,151
	{ do United States,..... bbls.	22,166	25,575	17,066
Coffee,..... lbs.	703,488	664,430	691,287	

INSPECTOR GENERAL'S OFFICE,
Montreal, April, 1846.

Appendix
(G. G.)

No. 5.

Appendix
(G. G.)

May.

A COMPARATIVE STATEMENT of the Gross Amount of Duties on Importations, collected at the several Ports hereunder mentioned, during the years 1842, 1843, 1844, and 1845.

May.

NAMES OF PORTS.	AMOUNT OF DUTIES COLLECTED.											
	1842.			1843.			1844.			1845.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
Montreal,.....	152,403	14	10½	102,482	1	4	223,690	3	2	222,765	18	2
Quebec,.....	72,923	13	10	55,843	5	2	77,879	14	10	74,425	14	2
St. Johns,.....	17,759	16	2	22,350	1	4	36,016	14	2	41,165	10	8
Toronto,.....	8,390	3	3	17,603	2	4	25,105	13	8	22,195	13	7
Hamilton,.....	7,664	6	5	12,191	1	4	16,989	7	0	22,011	1	6
Kingston,.....	6,826	10	4	9,278	4	11	18,527	6	3	19,924	3	9
Port Stanley,.....	505	11	0½	1,782	18	5½	2,702	12	11½	4,632	17	8½
Brockville,.....	573	8	5	1,008	0	2	2,813	12	10½	3,985	2	11
Queenston,.....	424	10	7½	779	17	11½	1,594	0	6½	1,616	9	7
Other Ports not above enumerated,...	11,518	12	3½	18,253	15	11½	36,012	9	8½	37,237	9	7
Totals Currency,.....	278,930	7	3½	241,572	9	0	441,331	15	1½	449,960	1	7½

INSPECTOR GENERAL'S OFFICE,
Montreal, April, 1846,

No. 6.

A COMPARATIVE STATEMENT of the Gross Amount of Duties on Importations collected at the several Ports within the Province of Canada, during the years 1841, 1842, 1843, 1844, and 1845.

PORTS.	1841.		1842.		1843.		1844.		1845.	
	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.
	Amherstburg,.....	417	14 4½	241	5 8½	431	15 1½	544	13 4	502	10 11½
Antrim,.....	...	...	...	...	...	...	...	...	...	...
Beauce,.....	38	10 5	20	12 3½	100	13 2	148	14 3½	115	14 10¾
Belleville,.....	702	3 9	340	12 2	594	0 11	493	12 4	664	5 6
Bath,.....	382	12 9½	302	2 4	233	13 11½	243	13 0	206	1 0¾
Brockville,.....	888	13 6½	573	8 5	1,008	0 2	2,813	12 10½	3,985	2 11
Bond Head,.....	201	2 3½	63	6 2½	64	18 5½	138	15 9½	122	19 4
Chippewa,.....	1,119	0 10½	906	2 7½	1,960	6 4	2,637	4 11½	2,587	16 1
Compton,.....	...	...	...	...	...	...	50	12 0½	170	14 3
Cornwall,.....	105	18 9	148	2 10	226	5 6	300	4 10	666	0 2½
Coteau du Lac,.....	700	2 11	832	10 1½	2,402	7 3½	3,760	19 0½	1,362	19 8
Cobourg,.....	1,005	0 5½	1,076	14 9½	1,358	15 4	2,097	10 7½	2,479	8 11½
Chatham,.....	295	11 3	245	14 8	584	6 7	1,058	19 3	1,107	6 2
Clarenceville,.....	...	...	...	...	...	...	56	19 5	308	8 1
Dunville,.....	225	15 2	118	4 2½	71	8 4½	241	16 3½	1,845	16 0
Dundee,.....	...	...	...	...	...	...	830	10 2½	1,266	1 0
Eaton,.....	...	...	...	...	...	...	43	6 1	74	0 4
Fort Erie,.....	652	8 4½	871	1 10½	824	3 7½	1,419	10 9½	1,357	4 5½
Frelighsburg,.....	...	...	...	...	...	...	169	18 6	685	11 5
Gananoque,.....	95	6 7½	48	2 9½	928	10 11½	2,034	10 6½	1,517	11 5½
Goderich,.....	53	1 4	44	18 0½	70	13 5½	194	13 11½	232	13 11½
Huntingdon,.....	...	...	...	...	...	...	173	6 3½	251	2 6
Hemmingford,.....	...	...	...	...	...	...	60	4 11½	150	10 4
Hamilton,.....	2,978	6 4½	7,638	7 11	12,191	1 4	16,989	7 0	22,011	1 6
Hallowell or Picton,.....	432	15 11	410	19 6	287	5 1	274	8 4	526	11 2
Kingston,.....	8,479	18 8	6,826	10 4	9,278	4 11	18,527	6 3	19,924	3 9
Lacolle,.....	...	...	...	...	...	...	230	12 1	631	18 9
Montreal,.....	110,481	9 11	152,403	14 10½	102,482	1 4	223,690	3 2	222,765	18 2
Maria Town,.....	61	17 2½	57	11 5	107	13 3¾	233	3 3½	549	0 9½
Maitland,.....	...	...	317	9 ½	5	8 11½	574	1 4½	367	13 11½
Niagara,.....	1,246	8 11	898	3 4½	1,176	3 4¾	1,238	1 10	1,982	6 1½
Newcastle,.....	168	1 6½	170	12 8½	180	16 5¾	458	12 9	444	17 7
Oakville,.....	265	3 0½	94	8 11	224	12 0	643	2 5½	412	10 5½
Owen's Sound,.....	...	...	...	...	...	...	...	...	26	5 7½
Penetanguishene,.....	211	11 1½	156	4 11	118	13 11½	5	11 1½	29	7 5½
Prescott,.....	336	0 9	273	2 7½	337	4 2	1,002	9 5	1,096	14 9
Potton,.....	...	...	...	...	...	...	80	12 7	175	18 10
Phillipsburg,.....	857	16 7	773	8 11	911	2 10	1,332	5 6	2,653	3 0
Port Burwell,.....	103	17 0½	161	18 11½	173	19 3	287	1 2½	225	5 6½
Port Credit,.....	245	1 1	119	3½	195	19 4½	620	10 2½	97	6 4
Port Colborne,.....	(v. Dunville.)	...	189	6 2½	600	15 2	4,380	4 11	187	6 5½
Port Darlington,.....	(v. Bond Head.)	...	154	13 1	217	15 4½	438	0 11½	325	5 6
Port Dalhousie,.....	725	5 5½	321	2 0½	465	0 11	1,169	14 4	2,351	6 5½
Port Dover,.....	460	2 9	280	2 2	287	0 9½	842	12 0½	560	1 5½
Port Hope,.....	595	14 4½	520	10 2½	705	2 7	897	3 6½	908	4 3½
Port Sarina,.....	132	3 6	98	15 4	280	16 7½	472	9 1½	367	8 3
Port Stanley,.....	829	6 8½	505	11 0½	1,782	18 5½	2,702	12 11½	4,632	17 8½
Port Talbot,.....	40	10 0	37	10 0	...	...	...	...	...	...
Quebec,.....	57,740	19 0½	72,923	13 10	55,843	5 2	77,879	14 10	74,425	14 2
Queenston,.....	286	13 7½	424	10 7½	779	17 11½	1,594	0 6½	1,616	9 7
Russel town,.....	...	...	...	...	...	...	650	1 7½	1,269	2 6½
Rivière aux Raisin,.....	56	10 9½	28	5 6	96	1 9	420	8 10½	505	6 3½
Rond Eau,.....	...	...	...	...	...	...	...	...	70	0 8½
St. Johns,.....	24,092	7 10½	17,759	16 2	22,350	1 4	36,016	14 2	41,165	10 8
St. Regis,.....	...	...	...	...	...	...	...	...	490	4 7½
Sutton,.....	...	...	...	...	...	...	...	...	126	13 8
Sandwich,.....	106	11 1	270	15 4½	698	3 10	735	17 9	847	0 5½
Stanstead,.....	749	14 7½	672	1 7	357	10 4½	780	4 6¾	1,124	19 10¾
Sault Ste. Marie,.....	...	...	...	...	252	13 1½	198	2 4½	101	2 6½
Toronto,.....	6,720	9 10	8,390	3 3	17,603	2 4	25,105	13 8	22,195	13 7
Trent Port,.....	(v. Newcastle.)	...	(v. Newcastle.)	...	72	3 2½	23	5 4½	29	17 6
Turkey Point, or Port Rowan,.....	165	13 5½	272	14 4½	318	9 11½	500	0 5	188	6 3½
Windsor,.....	380	13 8½	376	15 11½	331	4 4½	801	11 10½	801	5 6½
Total gross revenues,.....	225,834	7 10½	278,930	7 3½	241,572	9 0	441,331	15 1½	449,960	1 7½

INSPECTOR GENERAL'S OFFICE,
Montreal, April, 1846.

Appendix
(G. G.)

No. 8.

Appendix
(G. G.)

May.

May.

PORT OF MONTREAL.

AN ACCOUNT OF GOODS Imported and taken out of the Warehouse for home consumption in the year ended 5th January, 1843, exhibiting the aggregate quantities and values of the various articles imported, with the amount of duty collected thereon.

ARTICLES.	QUANTITY.	VALUE.			RATE.	AMOUNT.		
		£	s.	d.		£	s.	d.
Ashes, Warehoused,	10 barrels.....	£51	0	0	...	...	...	...
Brandy,	53,548 gallons.....	8,940	13	6	6d	£1,338	14	0
	1,205 O. P.....	...	...	...	1s 6d	90	7	6
	128 O. P.....	...	...	...	1s 9d	11	4	0
Do. Warehoused,.....	11,446 gallons.....	2,055	19	9	...	...	...	...
Coffee,.....	22,024 lbs.....	529	16	8	2d	183	10	8
Cordials, Foreign,.....	987 gallons.....	381	5	7	1s 7d	78	2	9
Do. British,.....	5 gallons.....	1	5	0	1s 1½	"	5	8
Dry Goods Warehoused,.....	.....	1,620	10	4	...	...	...	...
Geneva,.....	59,224 gallons.....	5,785	17	10	6d	1,480	12	0
	1,390 O. P.....	...	...	...	1s 6d	104	5	0
	58 O. P.....	...	...	...	1s 9d	5	1	6
Do. Warehoused,.....	15,317 gallons.....	1,148	3	3	...	...	...	...
Molasses,.....	2,234 3 20 cwt.....	1,103	3	6	1s 6d	167	12	6
Do. Warehoused,.....	583 3 24 cwt.....	280	0	0	...	...	...	...
Rum, Jamaica,.....	1,631 gallons.....	343	0	0	6d	40	15	6
	27 O. P.....	...	...	...	1s	1	7	0
Do. do. Warehoused,	11,820 gallons.....	2,396	0	0	...	...	...	...
Do. East India,.....	13,448 gallons.....	1,166	3	2	1s	672	8	0
	1,735 O. P.....	...	...	...	1s	86	15	0
Do. do. Warehoused,.....	5,760 gallons.....	402	11	3	...	...	...	...
Do. Foreign,.....	42 gallons.....	...	...	...	6d	1	1	0
	163 O. P.....	...	...	...	1s 6d	12	4	6
Spirits, British,.....	9,066 gallons.....	1,411	14	1	3d	113	6	6
	1,297 O. P.....	...	...	...	6d	32	8	6
Do. do. Warehoused,.....	143 gallons.....	26	15	0	...	...	...	...
Do. Foreign,.....	33 gallons.....	6	10	0	6d	0	16	6
Do. do. Warehoused,	6,000 gallons.....	950	0	0	...	...	...	...
Sugar, Muscovado,.....	1,563,003 lbs.....	12,683	2	5	1d	6,512	10	3
Do. do. Warehoused,	949,116 lbs.....	8,199	8	8	...	...	...	...
Do. Bastard, Common,.....	731,906 lbs.....	7,076	6	7	1d	3,049	12	2
Do. do. Warehoused,.....	113,945 lbs.....	807	15	3	...	...	...	...
Do. Bastard, Refined,.....	244,592 lbs.....	3,150	19	9	2d	2,038	5	4
Do. do. Warehoused,	113,942 lbs.....	1,261	2	3	...	...	...	...
Do. Refined,.....	762,330 lbs.....	11,925	16	0	2d	6,352	15	0
Do. do. Warehoused,	188,831 lbs.....	2,636	3	8	2d	...	...	...
Do. Crushed,	26,756 lbs.....	383	18	6	2d	222	19	4
Salt,	1,350½ tons.....	907	11	10	1s	67	10	6
Do. Warehoused,.....	50 tons.....	46	5	0	...	...	...	...
Tea,	1,071,635 lbs.....	96,835	15	11	3d	13,395	8	9
Do. Warehoused,.....	97,475 lbs.....	8,599	7	3	...	...	...	...
Tobacco, Manufactured,.....	2,212 lbs.....	572	19	9	2d	18	8	8
Do. do. Warehoused,.....	23,563 lbs.....	465	0	0	...	...	...	...
Wines, Madeira,.....	15,784 gallons.....	6,324	14	0	1s	789	4	0
Do. do. Warehoused,.....	320 gallons.....	93	0	0	...	...	...	...
Do. other kinds,.....	210,476 gallons.....	33,054	10	11	6d	5,261	18	0
Do. Warehoused,.....	8,269 gallons.....	1,626	15	2	...	...	...	...
Goods paying an <i>ad valorem</i> duty,.....	.....	1,386,633	10	11	5 p. ct.	69,334	3	8
Free Goods, .....	.....	47,504	0	6	Free.	...	...	...
Total Value of Imports, Stg.....		£1,659,441	13	3		£111,463	13	9
EX WAREHOUSE.								
Brandy,	{ 3,332 gallons, duty paid } { on Warehousing. }	540	0	0	...	...	...	...
	6,465 gallons.....	1,523	15	0	6d	161	12	6
	68 O. P.....	...	...	...	1s 6d	5	2	0
Geneva,.....	8,575 gallons.....	1,682	5	6	6d	214	7	6
	217 O. P.....	...	...	...	1s 6d	16	5	6
Molasses,.....	3721 3 20 cwt.....	2,184	0	0	1s 6d	279	2	10
Rum, Jamaica,.....	1,187 gallons.....	208	2	0	6d	29	13	6
	239 O. P.....	...	...	...	1d	11	19	0
Do. East India,.....	140 gallons.....	8	14	0	1s	7	0	0
Spirits, Foreign, (duty paid on Warehousing.)	87 gallons.....	18	10	0	...	...	...	...
Sugar, Muscovado,.....	453,448 lbs.....	4,006	3	6	1d	1,889	7	4
Do. Bastard, Refined.....	65,011 lbs.....	762	19	4	2d	541	15	2
Tea,	5,373 lbs.....	520	0	0	3d	67	3	3
Tobacco, Manufactured,.....	54,360 lbs.....	1,342	19	9	2d	453	0	0
Do. Leaf,.....	23,864 lbs.....	420	17	8	1d	99	8	8
Wine (not Madeira).....	3,223 gallons.....	604	4	8	6d	80	11	6
Add value omitted on Oil,.....	.....	366	8	0	...	...	...	...
Add for fractions,.....	.....	.....	.....	.....	.....	1	16	8
						£115,321	19	2
Less Returned Duties,.....						278	3	6
Total Sterling Value ex Warehouse,						£14,188	19	5
Total Sterling Amount of Duty.....						£115,043	15	8

No. 9.

PORT OF MONTREAL.

AN ACCOUNT OF GOODS Imported and taken out of the Warehouse for home consumption in the year ended 5th January, 1844, exhibiting the aggregate quantities and values of the various articles imported, with the amount of duty collected thereon.

ARTICLES.	QUANTITY.	VALUE.			RATE.	AMOUNT.		
		£	s.	d.		£	s.	d.
Brandy,.....	48,300 gallons.....	8,122	3	0	6d	1207	10	0
	381 O. P.....	...	...	...	1s 6d	28	11	6
	841 O. P.....	...	...	...	1s 9d	73	11	9
	414 Imperial O. P.....	...	...	...	1s less 1/2	15	10	6
	497 Old O. P.....	...	...	...	6d & 6d	24	17	0
Do. Warehoused,.....	14,976 gallons.....	2,585	6	4	...	...	...	...
Cigars,.....	505 lbs.....	300	14	0	2d	4	4	2
Cordials,.....	430 gallons.....	241	19	6	1s 7d	34	0	10
Coffee,.....	49,865 lbs.....	945	11	10	2d	415	10	10
Do. Warehoused,.....	7,002 lbs.....	570	10	0	...	...	...	...
Cattle, over 4 years,.....	31 head.....	161	0	0	20s	31	0	0
Do. under do.	47 head.....	190	0	0	10s	23	10	0
Flour.....	923 barrels.....	600	0	0	Free.	...	...	...
Do. Warehoused,.....	30,384 barrels.....	37,389	5	0	...	...	...	...
Geneva,.....	27,107 gallons.....	2,503	12	3	6d	677	13	6
	421 O. P.....	...	...	...	1s 6d	31	11	6
	183 Imperial O. P.....	...	...	...	1s less 1/2	6	17	3
	219 Old O. P.....	...	...	...	6d & 6d	10	19	0
Do. Warehoused,.....	8,838 gallons.....	752	7	6	...	...	...	...
Molasses,.....	2,358 1 2 cwt.....	1,305	7	11	1s 6d	176	17	7
Do. Warehoused,.....	1,938 3 18 cwt.....	1,214	0	0	...	...	...	...
Pork, Salted, do.	178 0 4 cwt.....	790	10	0	...	...	...	...
Rum, Jamaica,.....	9,106 gallons.....	1,734	18	0	6d	227	13	0
	272 O. P.....	...	...	...	1s	13	12	0
Do. do. Warehoused,.....	1,338 O. P.....	...	...	...	6d	33	9	0
Do. do. do.	4,815 gallons.....	538	1	0	...	...	...	...
Do. East India,.....	89 gallons.....	4	5	0	1s	4	9	0
Salt,.....	798 1/2 tons.....	1,794	5	9	1s	39	18	9
Do.	1,080 1/2 tons.....	510	1	3	1s	54	0	6
Spirits, Foreign,.....	456 1-5 gallons.....	124	14	4	6d	11	8	1
	153 O. P.....	...	...	...	1s 9d	13	7	9
	1/2 Imperial O. P.....	...	...	...	1s less 1/2	0	0	5
	1/2 Old O. P.....	...	...	...	6d & 6d	0	0	6
Snuff,.....	65 lbs.....	7	10	0	2d	0	10	10
Syrup,.....	26 lbs.....	0	19	10	1s 6d	0	0	5
Sugar, Muscovado,.....	1,903,776 lbs.....	17,960	16	7	1d	7,932	8	0
Do. do. Warehoused,.....	3,353,033 lbs.....	34,589	11	10	...	...	...	...
Do. Refined,.....	235,850 lbs.....	3,405	9	9	2d	1,965	8	4
Do. do. Warehoused,.....	128,412 lbs.....	1,517	13	11	...	...	...	...
Do. Bastard,.....	257,637 lbs.....	2,502	15	10	1d	1,073	9	9
Do. do. Warehoused,.....	76,895 lbs.....	755	4	5	...	...	...	...
Tea,.....	149,782 1/2 lbs.....	12,145	0	1	3d	1,872	5	8
Do. Warehoused,.....	477,560 lbs.....	39,353	16	5	...	...	...	...
Tobacco, Manufactured.....	20,274 lbs.....	806	18	1	2d	168	19	0
Do. do. Warehoused,.....	62,917 lbs.....	1,090	5	10	...	...	...	...
Do. Leaf do.	12,381 lbs.....	136	0	0	...	...	...	...
Wheat,.....	25 qrs.....	125	0	0	3s	3	15	0
Do. Warehoused,.....	1,821 1/2 qrs.....	2,667	5	0	...	...	...	...
Whiskey,.....	6,417 gallons.....	1,069	0	8	3d	80	4	3
	595 O. P.....	...	...	...	6d	14	17	6
	185 O. P.....	...	...	...	3d	2	6	3
Do. Warehoused,.....	548 gallons.....	95	7	6	...	...	...	...
Wines, Madeira,.....	6,875 gallons.....	3,148	19	7	1s	343	15	0
Do. do. Warehoused,.....	1,158 gallons.....	580	5	0	...	...	...	...
Do. other kinds,.....	122,824 gallons.....	20,758	2	1	6d	3,070	12	0
Do. Warehoused,.....	17,119 gallons.....	1,222	5	10	...	...	...	...
Goods paying an ad valorem duty,.....	.....	689,158	9	5	5 p. ct.	34,457	18	9
Do. Warehoused,.....	.....	18,703	7	8	...	...	...	...
Goods, Duties paid at Quebec,.....	.....	7,158	0	9	...	...	...	...
Free Goods,.....	.....	53,473	8	9	...	...	...	...
Total Value of Imports Stg....		£975,112	7	6		£54,146	15	2
EX WAREHOUSE.								
Brandy,.....	17,120 gallons.....	3,900	2	3	6d	428	0	0
	200 O. P.....	...	...	...	1s 6d	15	0	0
	380 O. P.....	...	...	...	1s 9d	33	5	0
	44 Imperial O. P.....	...	...	...	1s less 1/2	1	13	0
	52 Old O. P.....	...	...	...	6d & 6d	2	12	0
Flour,.....	23,034 barrels.....	35,462	15	0	Free.	...	...	...
Geneva,.....	11,671 gallons.....	1,646	8	3	6d	291	15	6
	265 O. P.....	...	...	...	1s 6d	19	17	6
	73 Imperial O. P.....	...	...	...	1s less 1/2	2	14	9
	87 Old O.P.....	...	...	...	6d & 6d	4	7	0
Molasses,.....	2,085 0 22 cwt.....	1,214	0	0	1s 6d	156	7	3
Pork, Salted,.....	178 0 4 cwt.....	265	10	0	2s	17	16	2
Rum, Jamaica,.....	15,917 gallons.....	2,722	10	0	6d	397	18	6
Carried forward,.....		45,211	5	6		55,518	1	9

Appendix
(G. G.)

No. 9.—AN ACCOUNT OF GOODS IMPORTED, &c. (Continued.)

Appendix
(G. G.)

May.	ARTICLES.	QUANTITY.	VALUE.			RATE.	AMOUNT.			May.
			£	s.	d.		£	s.	d.	
		Brought forward,...	46,211	5	6		55,518	1	9	
Rum, Jamaica,.....	1,006 O. P. ....	...	...	...	...	1s	50	6	0	
	2,961 O. P. ....	...	...	...	...	6d	74	0	6	
Rum, Foreign,.....	6,033 gallons.....	740	0	0		6d	150	16	6	
	1,016 O. P. ....	...	...	...	...	1s 6d	76	4	0	
	1,697½ Imperial O. P.....	...	...	...	...	6d	42	8	9	
	2,037 Old O. P. ....	...	...	...	...	6d & 6d	101	17	0	
Do. East India,.....	226 gallons.....	25	0	0		1s	11	6	0	
	12 O. P. ....	...	...	...	...	1s	0	12	0	
Salt,.....	25½ tons.....	62	12	6		1s	1	5	6	
Sugar, Muscovado,.....	1,232,469 lbs.....	12,151	4	6		1d	5,135	5	9	
Do. Refined,.....	190,945 lbs.....	2,485	19	7		2d	1,591	4	2	
Do. do. Bastard,.....	9,292 lbs.....	40	4	0		2d	77	8	8	
Do. Bastard,.....	170,001 lbs.....	1,410	10	11		1d	708	6	9	
Tobacco, Manufactured,.....	6,648 lbs.....	195	2	11		2d	55	8	0	
Do. Leaf,.....	249 lbs.....	3	9	0		1d	1	0	9	
Tea,.....	211,491 lbs.....	23,301	7	10		3d	2,643	12	9	
Wheat,.....	1,713½ quarters.....	2,718	12	6		3s	257	1	9	
Whiskey,.....	769 gallons.....	109	2	0		3d	9	12	3	
	17 O. P. ....	...	...	...	...	6d	0	8	6	
	64 O. P. ....	...	...	...	...	3d	0	16	0	
Wines, Madeira,.....	533 gallons.....	212	6	0		1s	26	13	0	
Do. other kinds.....	6,435 gallons.....	800	15	8		6d	160	17	6	
	Fractions,.....						1	6	6	
			£89,547	12	11		£66,598	0	10	
	Less Returned Duties,.....		307	2	2		97	1	7	
	Sterling Value of Goods ex Warehouse,.....		£89,240	10	9					
	Total Amount of Duty Stg.....						£66,598	19	3	

CUSTOM HOUSE,
Montreal, 13th January. 1844.

Appendix
(G. G.)
May.

Appendix
(G. G.)
May.

No. 10.—PORT OF MONTREAL.
AN ACCOUNT OF GOODS Imported in the Port of Montreal.—(Continued.)

ARTICLES.	QUANTITY.	STG. VALUE.			RATE.	AMOUNT LEVIED UNDER ACT.												TOTAL STG.		
		4 & 5 Vic., c. 14.				6 Vic. c. 31.			7 Vic. c. 2.			TOTAL STG.								
		£	s.	d.		£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.			
Brought forward,.....£																				
Rum, Jamaica,.....	51,346 gallons,.....	156,846	13	9	6d	5,514	1	10	...	...	...	...	...	...	...	...	...	...
Do. Warehouse,.....	8,602 O. P.,.....	7,811	14	7	6d	1,283	13	0	...	...	...	...	...	...	...	...	...	...
Do. Foreign,.....	2,204 gallons,.....	290	1	0	6d	215	1	0	...	...	...	...	...	...	...	...	...	...
Do. do.	419 gallons, Imperial O. P.,.....	...	...	...	6d less 1/2	55	2	0	...	...	...	...	...	...	...	...	...	...
Do. do.	503 gallons Old O. P.,.....	...	...	...	6d & 6d	7	17	3	...	...	...	...	...	...	...	...	...	...
Salt,.....	1,550 gallons,.....	218	10	0	1s	133	16	10	...	...	...	...	...	...	...	...	...	...
Sheep,.....	2,676 tons, 17 cwt.,.....	2,340	0	8	2s	0	2	1	...	...	...	...	...	...	...	...	...	...
Syrup,.....	5 head,.....	9	0	4	1s 6d	0	2	1	...	...	...	...	...	...	...	...	...	...
Sugar, Refined,.....	1 3/4 cwt.,.....	11,946	10	11	2d	6,888	...	...	...	...	...	...	...	...	...	...	...	...
Do. do.	826,566 lbs.,.....	7,227	2	1	...	92	...	...	...	...	...	...	...	...	...	...	...	...
Do. do.	500,477 lbs.,.....	128	0	0	2d	...	...	...	...	...	...	...	...	...	...	...	...	...
Do. Refined Bastard,.....	11,068 lbs.,.....	20,523	10	11	1d	8,886	...	...	...	...	...	...	...	...	...	...	...	...
Do. Bastards,.....	2,132,745 lbs.,.....	1,092	18	11	...	2,227	...	...	...	...	...	...	...	...	...	...	...	...
Do. do.	217,477 lbs.,.....	6,700	13	7	...	5,857	...	...	...	...	...	...	...	...	...	...	...	...
Do. Raw.....	534,489 lbs.,.....	59,863	6	11	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Do. do.	5,071,794 lbs.,.....	32,464	17	0	3d	...	...	...	...	...	...	...	...	...	...	...	...	...
Do. do.	468,603 lbs.,.....	13,675	3	3	...	81	...	...	...	...	...	...	...	...	...	...	...	...
Do. do.	188,752 lbs.,.....	633	2	5	2d	...	...	...	...	...	...	...	...	...	...	...	...	...
Tobacco, Manufactured,.....	9,795 lbs.,.....	331	1	3	...	210	...	...	...	...	...	...	...	...	...	...	...	...
Do. do.	23,656 lbs.,.....	325	16	10	1d	...	...	...	...	...	...	...	...	...	...	...	...	...
Do. leaf,.....	50,574 lbs.,.....	37	8	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Do. do.	5,331 lbs.,.....	37	8	0	4s	...	...	...	...	...	...	...	...	...	...	...	...	...
Venison,.....	10 1/2 cwt.,.....	25	0	0	3s	...	...	...	...	...	...	...	...	...	...	...	...	...
Wheat,.....	3,385 1/4 quarters,.....	5,086	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Do. do.	1,223 1/4 quarters,.....	2,298	10	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Do. do.	15,205 gallons,.....	2,505	10	11	3d	190	1	3	...	...	...	...	...	...	...	...	...	...
Whiskey,.....	1,549 gallons O. P.,.....	...	...	...	3d	10	7	3	...	...	...	...	...	...	...	...	...	...
Wines, Madeira,.....	10,093 gallons,.....	2,742	9	8	1s	504	...	...	...	...	...	...	...	...	...	...	...	...
Do. do.	3,779 gallons,.....	601	3	11	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Do. other,.....	245,542 gallons,.....	33,686	14	7	6d	6,138	...	...	...	...	...	...	...	...	...	...	...	...
Do. do.	7,937 gallons,.....	1,174	1	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Free Goods,.....	45,987	45,987	17	3	Free.	...	...	...	...	...	...	...	...	...	...	...	...	...
Goods paying <i>ad valorem</i> duty,.....	1,006,828	1,006,828	17	8	5 p. cent.	80,341	...	...	...	...	...	...	...	...	...	...	...	...
Do Warehouse,.....	12,005	12,005	6	3	...	3	...	...	...	...	...	...	...	...	...	...	...	...
Do Add for fractions,.....	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Less returned duties,.....	£	2,036,304	1	3	£	118,676	4	10	...	...	...	...	...	...	...	...	...	...
Total value of imports, Sterling,.....	£	1,988	4	6	£	104	19	7	...	...	...	...	...	...	...	...	...	...
Carried forward,.....£	£	2,034,315	16	9	£	118,571	5	3	...	...	...	...	...	...	...	...	...	...

Appendix
(G. G.)
May.

Appendix
(G. G.)
May.

No. 10.—PORT OF MONTREAL.
AN ACCOUNT OF GOODS IMPORTED in the Port of Montreal.—(Continued.)

ARTICLES.	QUANTITY.	STG. VALUE.		RATE.	AMOUNT LEVIED UNDER ACT.						TOTAL STG.								
		£	s.		4 & Vic. C. 14.	6 Vic. C. 31.	7 Vic. C. 2.	£	s.	d.	£	s.	d.						
EX WAREHOUSE.																			
Brandy,.....	Brought forward,.....	4,660	13	6d	118,571	5	3	507	17	8	1,303	1	5	120,382	4	4	4	4	4
136 Im. O. P.....	592	12	6	5	2	0	...	...	...	...	...	...	592	12	6	0	0	0
164 Old O. P.....	8	4	0	8	4	0	...	...	...	...	...	...	8	4	0	0	0	0
655 Im. O. P.....	32	15	0	32	15	0	...	...	...	...	...	...	32	15	0	0	0	0
786 Old O. P.....	39	6	0	39	6	0	...	...	...	...	...	...	39	6	0	0	0	0
8,405 lbs.....	182	0	0	70	0	10	...	...	...	...	...	...	70	0	10	0	0	0
16,259 barrels.....	19,636	7	6	70	0	10	...	...	...	...	...	...	70	0	10	0	0	0
Geneva,.....	2,330	14	2	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
220 Im. O. P.....	500	16	0	500	16	0	...	...	...	...	...	...	500	16	0	0	0	0
268 Old O. P.....	8	5	0	8	5	0	...	...	...	...	...	...	8	5	0	0	0	0
Molasses,.....	300	0	0	13	8	0	...	...	...	...	...	...	13	8	0	0	0	0
Pork, Salted,.....	15,444	2	8	63	13	1	...	...	...	...	...	...	63	13	1	1	1	1
Rum, Jamaica,.....	555	0	0	...	...	...	...	...	...	...	...	...	1,138	7	11	6	6	6
191 O. P.....	109	13	6	109	13	6	...	...	...	...	...	...	109	13	6	6	6	6
1,530 gallons,.....	218	10	...	4	15	6	...	...	...	...	...	...	4	15	6	6	6	6
Do. Foreign,.....	38	15	0	...	...	...	...	...	...	38	15	0	0	0	0
456 Im. O. P.....	27	7	0	...	...	...	...	...	...	27	7	0	0	0	0
547 Old O. P.....	4,129	11	6	...	...	...	...	...	...	4,129	11	6	6	6	6
495,519 lbs.....	7,150	15	6	4,129	11	6	...	...	...	...	...	...	4,129	11	6	6	6	6
ugar, Refined,.....	490	0	7	136	11	8	...	...	...	...	...	...	136	11	8	8	8	8
Do. Bastard.....	37,181	13	11	136	11	8	...	...	...	...	...	...	136	11	8	8	8	8
Do. Raw,.....	37,181	13	11	13,720	7	3	...	...	...	...	...	...	13,720	7	3	3	3	3
Tea,.....	27,000	13	9	3,180	5	0	...	...	...	...	...	...	3,180	5	0	0	0	0
254,420 lbs.....	311	11	1	455	19	0	...	...	...	...	...	...	455	19	0	0	0	0
Tobacco, Manufactured,.....	287	8	0	120	7	10	...	...	...	...	...	...	120	7	10	10	10	10
Do. Leaf,.....	873	8	11	215	16	0	...	...	...	...	...	...	215	16	0	0	0	0
Wine, Madeira,.....	1,280	8	9	396	13	6	...	...	...	...	...	...	396	13	6	6	6	6
Do, other,.....	501	0	0	...	...	...	...	...	...	...	...	...	29	7	8	8	8	8
Wheat,.....	195½ quarters,.....	13	4	...	...	...	...	...	...	...	...	...	29	7	8	8	8	8
Sterling value, "Ex Warehouse",.....	£119,504	13	4	£142,570	1	5	537	5	4	2,641	9	4	145,748	16	1	1	1	1

Appendix
(G. G.)

May.

No. 11.

PORT OF MONTREAL.

Appendix
(G. G.)

May.

AN ACCOUNT OF GOODS Imported and taken out of the Warehouse for home consumption during the year ended 6th January, 1846, exhibiting the aggregate quantities and values of the various articles imported, with the amount of duty collected thereon.

ARTICLES.	QUANTITY.	VALUE.			RATE.	DUTY.		
		£	s.	d.		£	s.	d.
Ashes, warehoused,.....	179 barrels,	647	0	0				
Almonds,.....	65,281 lbs,	941	19	1	1d.	272	0	1
Apples,.....	636 barrels,	110	0	0	6d.	15	18	0
Beef, warehoused,.....	5,225 0 2 cwt.	5,967	10	0				
Bran,.....	3,472 2 5 cwt.	252	11	7	3d.	43	8	2
Brandy,.....	87,502 gallons,.....	17,813	11	8	1s. 3d.	5,468	17	6
Do.	1,119 O. P.				2s.	111	18	0
Do.	337 O. P.				2s. 3d.	37	18	3
Do. warehoused,.....	40,920 gallons,.....	6,850	9	6				
Do.	839 O. P.							
Butter,.....	1 3 23 cwt.	9	2	1	2s.	0	3	11
Do. warehoused,.....	305 1 3 cwt.	776	0	0				
Candles, Sperm,.....	7,833 lbs.....	647	11	3	2d.	65	5	6
Do. Tallow,.....	10,383 lbs.....	324	9	4	1d.	43	5	3
Do. warehoused,.....	2,540 lbs.....	36	9	0				
Cheese,.....	358 1 23 cwt.	841	19	11	2s. 6d.	44	16	0
Do. warehoused,.....	49 2 7 cwt.	100	0	0				
Cassia,.....	13,306 lbs.....	328	14	10	2d.	110	17	8
Cordials,.....	442 gallons,.....	155	16	0	2s.	44	4	0
Do. warehoused,.....	76 gallons,.....	37	4	10				
Cigars,.....	3,573½ lbs.....	1,146	8	6	2s.	357	7	0
Do. warehoused,.....	2,013 lbs.....	102	0	0				
Corn Meal,.....	6 barrels,.....	6	0	0	2s.	0	12	0
Currants,.....	2,620 0 11 cwt.	4,185	17	11	5s.	655	0	10
Do. warehoused,.....	291 0 22 cwt.	482	8	4				
Cocoa,	224 lbs.....	11	0	0	½d.	0	9	4
Chocolate,.....	3,572 lbs.....	109	18	0	2d.	29	15	4
Cocoa Nuts,.....	997 lbs.....	4	10	0	½d.	2	1	7
Cloves,.....	14,290 lbs.....	579	0	1	2d.	119	1	8
Coffee,.....	293 lbs.....	8	10	6	1d.	1	4	5
Cattle.								
Do.	19 head,.....	91	0	0	30s.	28	10	0
Do.	22 head,.....	130	0	0	20s.	22	0	0
Do.	10 head,.....	100	0	0	10s.	5	0	0
Do.	1 head,.....	1	5	0	5s.	0	5	0
Flour,.....	23,920 barrels,.....	27,484	10	0	6d.	594	8	6
Do. warehoused,.....	9,424 barrels,.....	10,805	10	0				
Figs,.....	333 1 9 cwt.	507	13	0	5d.	88	6	8
Geneva,.....	54,089 gallons,.....	5,389	8	1	1s. 3d.	3,380	11	3
Do. warehoused,.....	1,235 O. P.				2s.	123	10	0
Do.	9,832 O. P. 86,.....	1,103	11	10				
Horses,.....	9 head,.....	195	0	0	30s.	13	10	0
Hops, warehoused,.....	98,820 lbs.....	184	3	4				
Hams,.....	7 2 23 cwt.	25	5	3	5s.	1	18	6
Hides, warehoused,.....	45	22	10	0				
Indigo, warehoused,.....	3 chests,.....	99	1	3				
Logwood,.....	40 feet,.....	12	0	0	25s.	0	1	0
Lumber, sawed,.....	3,450 feet,.....	27	0	0	7s. 6d.	2	0	11
Do. warehoused,.....	751,000 feet,.....	1,655	15	0				
LEATHER MANUFACTURES.								
Women's Leather Boots,.....	268½ dozen,	373	3	2	7s. 6d.	100	13	4
Do. Do. warehoused,....	70 dozen,	95	0	0				
Girls' Leather Boots,	308½ dozen,.....	173	14	4	2s. 6d.	38	10	8
Do. Do. warehoused,....	2	3	6	0				
Men's Boots,.....	474 pair,	333	19	9	2s. 6d.	59	5	0
Men's Shoes,.....	627 pair,.....	102	14	9	1s.	31	7	0
Do. warehoused,	1,038 pair,.....	236	9	0				
Boys' Shoes,.....	83 pair,.....	7	0	0	9d.	3	2	3
Do. warehoused,.....	81 pair,.....	9	3	10				
Mace,.....	63 lbs.....	7	17	6	3d.	0	15	9
Molasses,.....	16,720 0 6 cwt.	11,965	4	5	1s.	836	0	1
Do. warehoused,.....	6,407 0 9 cwt.	2,522	2	6				
Meat, Fresh,.....	3 1 3 cwt.	2	10	0	4s.	0	13	2
Do. Salted,.....	0 1 0 cwt.	0	10	0	2s.	0	0	6
Maccaroni,.....	655 lbs.....	22	13	0	1d.	2	14	7
Nuts,.....	36,946 lbs.....	225	0	0	½d.	76	19	6
Carried forward,.....		£ 106,390	3	5		12,834	8	2

Appendix
(G. G.)

No. 11.—Port of Montreal.—(Continued.)

Appendix
(G. G.)

May.

May.

ARTICLES.	QUANTITY.	VALUE.			RATE.	DUTY.		
		£	s.	d.		£	s.	d.
Brought forward,.....		106,390	3	5		12,834	8	2
Nutmegs,.....	9,538½ lbs.....	1,181	3	11		158	19	6
Do. warehoused,.....	1,338 do.....	180	10	0				
Oil, Linseed,.....	121,283 gallons,.....	12,969	19	5	2d.	1,010	13	10
Do. warehoused,.....	3,003 gallons,.....	350	7	3				
Do. Olive,.....	20,465 gallons,.....	3,383	8	10	4d.	341	1	8
Do. do. warehoused,.....	11,689 gallons,.....	1,727	13	9				
Do. do. in jars,.....	445 gallons,.....	221	18	7	1s.	22	5	0
Oats,.....	1½ quarters,.....	1	16	0	2s.	0	3	0
Pork,.....	18,064 1¼ cwt.....	36,462	10	0	2s.	1,806	8	8
Do. warehoused,.....	1,664 1¼ cwt.....	3,306	10	0				
Pepper,.....	208,799 lbs.....	2,122	8	3	½d.	435	0	0
Do. warehoused,.....	4,449 lbs.....	46	6	1				
Pimento,.....	122,845 lbs.....	1,388	9	6		255	18	6
Peas,.....	¾ quarter,.....	0	17	6	3s.	0	2	0
Prunes,.....	12,702 lbs.....	131	1	4	1d.	52	18	6
Potatoes,.....	64 bushels,.....	5	16	10	3d.	0	16	0
Raisins, in boxes,.....	261,834 lbs.....	4,570	14	8	1d.	1,090	19	6
Do. warehoused,.....	63,850 lbs.....	1,063	4	1				
Do. in kegs,.....	261,764 lbs.....	2,046	4	3	½d.	545	6	9
Do. warehoused,.....	7,325 lbs.....	65	10	6				
Rum,.....	34,334 gallons,.....	5,644	13	4	6d.	858	7	0
Do.	3,449 O. P.....				6d.	86	4	6
Do. warehoused,.....	42,731 O. P. 993,.....	5,222	10	8				
Salt,.....	950½,.....	1,417	16	7	1s.	47	10	6
SKINS.								
Sheep,.....	2,448½,.....	1,760	15	10	2s. 6d.	306	1	11
Goat,.....	13½,.....	23	19	2	5s.	3	8	4
Calf,.....	3,537½,.....	449	1	8	6d.	88	8	8
Basils,.....	205½,.....	126	7	6	2s. 6d.	25	13	9
Harness Leather,.....	721,.....	92	16	0	2d.	6	0	2
Kip,.....	73,.....	3	10	10	3d.	0	18	3
Snuff,.....	108 lbs.....	16	3	5	4d.	1	16	0
Do. warehoused,.....	6,706 lbs,.....	387	19	9				
Sugar, Refined,.....	571,113 lbs.....	8,768	1	8	2d.	4,759	5	6
Do. warehoused,.....	539,435,.....	7,800	16	1				
Do. Raw,.....	411,020 lbs,.....	4,013	9	1	1d.	1,712	11	8
Do. warehoused,.....	1,536,895 lbs,.....	15,574	15	3				
Do. East India,.....	66,098 lbs,.....	526	0	7	1d.	275	8	2
Do. Bastard,.....	438,786 lbs,.....	4,792	2	8	1d.	1,828	5	6
Do. warehoused,.....	703,486 lbs,.....	6,216	17	4				
Do. Candy,.....	13,003 lbs,.....	197	16	8	2d.	108	7	2
Tea,.....	428,757 lbs,.....	28,102	10	7	1d.	1,786	9	9
Do. warehoused,.....	85,308 lbs,.....	6,160	1	11				
Treacle,.....	239 O 22 cwt,.....	161	9	2	1s.	11	19	2
Tobacco,.....	31,756 lbs,.....	393	18	1		132	6	4
Do. warehoused,.....	12,380,.....	194	7	4				
Wood Plank,.....	1,000 feet,.....	17	10	0	7s. 6d.	0	7	6
Wine,.....	135,700½ gallons,.....				8d.	4,523	7	0
Value,.....		25,479	0	5	10 pr ct.	2,547	18	1
Wine, warehoused,.....	33,257,.....	3,049	8	8				
Whiskey,.....	5,032½,.....	1,038	0	7	1s. 3d.	314	10	8
	364 O. P.....				1s. 3d.	23	7	6
	2 O. P.....				2s. 3d.	0	4	6
Do. warehoused,.....	417 O. P. 39,.....	91	0	0				
Vinegar, warehoused,.....	30 casks,.....	185	19	11				
Wheat, warehoused,.....	1,436 quarters,.....	2,670	0	0				
		308,195	14	11		38,003	18	8
Goods paying <i>ad valorem</i> duty,.....		1765280	11	8	5 pr. ct.	88,264	0	8
Do. do. warehoused,.....		7,162	12	9				
Goods paying <i>ad valorem</i> duty,.....		8,691	5	10	10 pr ct.	869	2	7
Do. do.		27,691	15	4	10 pr ct.	276	18	3
Commissariat Stores, Indian Gifts, Re- gimental Necessaries, and other Free Goods,.....		32,472	13	2				
		2149494	13	8		127,414	0	2
Less returned duties, per Vouchers,.....		252	2	8		147	13	1
Nett amount of Imports,.....		2149242	11	0		127,266	7	2
Carried over,.....						£ 127,266	7	2

Appendix
(G. G.)

No. 11.—Port of Montreal.—Continued.

Appendix
(G. G.)

May.

May.

ARTICLES.	QUANTITY.	VALUE.			RATE.	DUTY.		
		£	s.	d.		£	s.	d.
Brought over,.....						127,226	7	2
EX WAREHOUSE.								
Brandy charged under former Act,.....	1,137 gallons,.....	211	2	8	6d.	28	8	6
	20 Imp. gallons,.....				1s.	1	0	0
	6 O. P.....				1s less ½	0	4	6
	30 Old O. P.....				6d. & 6d.	1	10	0
Do. charged under new Act,.....	22,967,.....	3,855	12	5	1s. 3d.	1,435	8	9
	232 O. P.....				2s.	23	4	0
	135 O. P.....				2s. 3d.	15	3	9
Cigars,.....	72 lbs.....	11	12	0	2s.	7	4	0
Coffee,.....	10,254 lbs.....	250	0	0	1d.	42	14	6
Cordials,.....	76 gallons,.....	27	8	4	2s.	7	12	0
Currants,.....	291 0 22 cwt.....	482	8	4	5s.	72	16	0
Candles, other than by sea,.....	2,540 lbs.....	36	9	0	1d.	10	11	8
Flour,.....	2,308 barrels, free,.....							
	2,410,.....	4,848	0	0	6d.	60	5	0
Geneva, charged under former Act,.....	4,977 gallons,.....	509	15	1	6d.	124	8	6
	130 Imp. gallons,.....				1s. less ½	4	17	6
	153 old,.....				6d. & 6d.	7	13	0
Do. under the New,.....	8,878,.....	1,304	1	2	1s. 3d.	554	17	6
	163 O. P.....				2s.	16	6	0
Lumber,.....	8,500 feet,.....	25	0	0	7s. 6d.	3	3	9
LEATHER MANUFACTURES.								
Women's Boots,.....	28 dozen,.....	44	15	0	7s. 6d.	10	10	0
Men's Shoes,.....	234 pair,.....	44	0	0	1s.	11	14	0
Girls' Boots,.....	2 dozen,.....	3	6	0	2s. 6d.	0	5	0
Boys' Shoes,.....	91 pair,.....	9	3	10	9d.	3	8	3
Molasses,.....	1,756 1 14 cwt.....	1,471	0	0	1s.	87	16	5
Oil, Linseed,.....	891 gallons,.....	103	1	6	2d.	7	8	6
Do. Olive, in casks,.....	7,151,.....	1,123	6	10	4d.	119	3	8
Pork, Foreign,.....	5,333 3 20 cwt.....	11,230	0	0	2s.	533	7	11
Do. the produce of American Swine, slaughtered and cured in bond,.....	30 1 25 cwt.....	42	10	0	5s.	7	11	10
Raisins, in boxes,.....	50,988,.....	835	4	11	1d.	212	9	0
Do. kegs,.....	7,325,.....	71	8	9	½d.	15	5	3
Rum,.....	23,307,.....	3,837	2	10	6d.	582	13	6
	2,640 O. P.....				6d.	66	0	0
Snuff,.....	6,707 lbs.....	156	2	6	4d.	111	15	8
Sugar, raw,.....	3,398,994 lbs.....	32,954	11	0	1d.	14,162	9	6
Do. refined,.....	578,991 lbs.....	7,441	9	8	2d.	4,824	19	4
Do. bastard,.....	368,609 lbs.....	3,673	2	9	1d.	1,535	17	5
Tea charged under former Act,.....	4,492 lbs.....	444	1	0	3d.	56	3	0
Do. do. new Act,.....	109,075 lbs.....	10,258	4	10	1d.	454	9	7
Tobacco, Manufactured, charged under former Act,.....	13,052 lbs.....	185	3	7	2d.	108	15	4
Do. new Act,.....	22,217 lbs.....	294	11	4	1d.	92	11	5
Wine, charged under former Act,.....	3,206 gallons,.....	510	17	8	6d.	80	3	0
Do. Madeira, do. do,.....	416 gallons,.....	198	0	0	1s.	20	16	0
Do. Do. new Act,.....	30,455 gallons,.....				8d.	1,015	3	4
Value,.....		2,447	2	0	10 pr. ct.	244	14	2
Goods subject to 5 per cent <i>ad valorem</i> ,.....		2,115	5	9		105	15	3
Value of goods, ex Warehouse,.....		91,055	0	9		154,155	2	5
Less returned duties,.....						68	13	10
						154,086	8	7
Add over received for fractions,.....						3	13	8
					£	154,090	2	3

AN ACCOUNT OF ARTICLES IMPORTED AT THE PORT OF ST. JOHNS, AND THE DUTIES COLLECTED THEREON, DURING THE YEARS 1842, 1843, 1844, AND 1845.

QUANTITIES OR VALUE. AUTHORITIES UNDER WHICH THE DUTIES ARE COLLECTED.

ARTICLES.	1842.		1843.		1844.		1845.		1842.		1843.		1844.		1845.		1846.	
	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.
Unrefined or Raw Sugar, lbs.	162	50	400	4,476	0 7 3 p. lb. 1d.	0 13 6 p. cwt. 5s.	11 13 9 p. lb. 1d.	36 15 0 p. cwt. 5s.	1 1 8 p. lb. 1d.	2 0 7 p. cwt. 5s.	29 4 2 p. lb. 1d.	21 12 5						
Refined and Candy, lbs.	2,331 G	4,911	11,605 G	95,799 1/2														
Rum, gals.	3,456	2,785 P	17,322 P	104,017 P	126 11 0	126 11 0	126 11 0	126 11 0	126 11 0	126 11 0	126 11 0	126 11 0	126 11 0	126 11 0	126 11 0	126 11 0	126 11 0	126 11 0
Other Spirits, gals.	325	569 O P	3,147 G	69 P	104 P	104 P	104 P	104 P	104 P	104 P	104 P	104 P	104 P	104 P	104 P	104 P	104 P	104 P
Cordials, gals.	109 P	414 P	144 O P	25 O P	6 7 6	6 7 6	6 7 6	6 7 6	6 7 6	6 7 6	6 7 6	6 7 6	6 7 6	6 7 6	6 7 6	6 7 6	6 7 6	6 7 6
Mauclair, gals.	332	2	33	8	20 15 0	20 15 0	20 15 0	20 15 0	20 15 0	20 15 0	20 15 0	20 15 0	20 15 0	20 15 0	20 15 0	20 15 0	20 15 0	20 15 0
Wines, Bottled, 1,272	11,438	224	337	971	10 19 1	10 19 1	10 19 1	10 19 1	10 19 1	10 19 1	10 19 1	10 19 1	10 19 1	10 19 1	10 19 1	10 19 1	10 19 1	10 19 1
Other Wines, gals.	4,970	11,438	128 3 0	300 18 5	7 1/2 p. cwt.	7 1/2 p. cwt.	7 1/2 p. cwt.	7 1/2 p. cwt.	7 1/2 p. cwt.	7 1/2 p. cwt.	7 1/2 p. cwt.	7 1/2 p. cwt.	7 1/2 p. cwt.	7 1/2 p. cwt.	7 1/2 p. cwt.	7 1/2 p. cwt.	7 1/2 p. cwt.	7 1/2 p. cwt.
Sherry, cabs.	119	299,876	368,722	732,592	16 19 4	16 19 4	16 19 4	16 19 4	16 19 4	16 19 4	16 19 4	16 19 4	16 19 4	16 19 4	16 19 4	16 19 4	16 19 4	16 19 4
Ten, lbs.	585,864	146,327 1/2	1,179 13 3	748,331	1 1 5	1 1 5	1 1 5	1 1 5	1 1 5	1 1 5	1 1 5	1 1 5	1 1 5	1 1 5	1 1 5	1 1 5	1 1 5	1 1 5
Tobacco, Manufactured, lbs.	7,755 7 4	4,639 0 0	4,442 13 6	2,965 5 2	15 p. cwt.	15 p. cwt.	15 p. cwt.	15 p. cwt.	15 p. cwt.	15 p. cwt.	15 p. cwt.	15 p. cwt.	15 p. cwt.	15 p. cwt.	15 p. cwt.	15 p. cwt.	15 p. cwt.	15 p. cwt.
Unmanufactured, lbs.	110,833	37,293	32,485	294,971	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.
Pork, salted, cwt.	4,517 3 12	1,509 1 14	4,038 2 24	.....	3s.	3s.	3s.	3s.	3s.	3s.	3s.	3s.	3s.	3s.	3s.	3s.	3s.	3s.
Beef, salted, cwt.	200 0 0	62 3 0	1 3 4	.....	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.

Leather, £	10,058 17 2	2,830 2 0	25,953 3 6	639 11 8	15 p. cwt.	15 p. cwt.	15 p. cwt.	15 p. cwt.	15 p. cwt.	15 p. cwt.	15 p. cwt.	15 p. cwt.	15 p. cwt.	15 p. cwt.	15 p. cwt.	15 p. cwt.	15 p. cwt.	15 p. cwt.
Leather, Manufactured, £	367 18 6	1,071 10 4	1,825 0 2	2,108 8 8	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.
Raw Hides, £	10,675 12 7	3,810 8 3	15,540 11 1	18,520 12 2	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.
Molasses, cwt.	281 2 17	2,738 3 26	91 0 6	2,000 2 8	p. gal. 1d.	p. gal. 1d.	p. gal. 1d.	p. gal. 1d.	p. gal. 1d.	p. gal. 1d.	p. gal. 1d.	p. gal. 1d.	p. gal. 1d.	p. gal. 1d.	p. gal. 1d.	p. gal. 1d.	p. gal. 1d.	p. gal. 1d.
Flour, lbs.	1,369	165	747	624	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.
Wheat, gals.	800	27,157 lbs.	1,230	.....	3s.	3s.	3s.	3s.	3s.	3s.	3s.	3s.	3s.	3s.	3s.	3s.	3s.	3s.
Salt, Ground, lbs.	5,849	47,092	52,972	324,336	5s.	5s.	5s.	5s.	5s.	5s.	5s.	5s.	5s.	5s.	5s.	5s.	5s.	5s.
Green, lbs.	42,639 7 0	42,506 11 7	43,362 2 7	15,416	5s.	5s.	5s.	5s.	5s.	5s.	5s.	5s.	5s.	5s.	5s.	5s.	5s.	5s.
Coffee, Roasted, lbs.	106,695	172,277	248,774	15,416	5s.	5s.	5s.	5s.	5s.	5s.	5s.	5s.	5s.	5s.	5s.	5s.	5s.	5s.
Hardware, £	4,272 19 10	2,342 16 9	3,888 17 7	13,018 14 8	15 p. cwt.	15 p. cwt.	15 p. cwt.	15 p. cwt.	15 p. cwt.	15 p. cwt.	15 p. cwt.	15 p. cwt.	15 p. cwt.	15 p. cwt.	15 p. cwt.	15 p. cwt.	15 p. cwt.	15 p. cwt.
Cotton Manufactures, £	393 19 8	2,993 8 8	3,322 8 9	6,464 14 11	20 p. cwt.	20 p. cwt.	20 p. cwt.	20 p. cwt.	20 p. cwt.	20 p. cwt.	20 p. cwt.	20 p. cwt.	20 p. cwt.	20 p. cwt.	20 p. cwt.	20 p. cwt.	20 p. cwt.	20 p. cwt.
Linen, ditto, £	12 12 9	12 3 5	36 9 9	34 16 0	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.
Books, £	1,256 0 4	2,064 10 7	3,236 16 5	3,361 5 0	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.
Other Paper Manufactures, £	1,849 16 3	1,386 6 3	4,985 15 1	4,104 10 5	20 p. cwt.	20 p. cwt.	20 p. cwt.	20 p. cwt.	20 p. cwt.	20 p. cwt.	20 p. cwt.	20 p. cwt.	20 p. cwt.	20 p. cwt.	20 p. cwt.	20 p. cwt.	20 p. cwt.	20 p. cwt.
Cloaks and Watches, £	597 13 11	517 1 10	2,322 15 11	4,279 6 11	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.	30 p. cwt.
Glass Manufactures, £	183	349 13 6	103 4 7	49 10 0	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.
Indigo, £	469 13 4	126 3 9	103 4 7	0 13 2	7 1/2 p. cwt.	7 1/2 p. cwt.	7 1/2 p. cwt.	7 1/2 p. cwt.	7 1/2 p. cwt.	7 1/2 p. cwt.	7 1/2 p. cwt.	7 1/2 p. cwt.	7 1/2 p. cwt.	7 1/2 p. cwt.	7 1/2 p. cwt.	7 1/2 p. cwt.	7 1/2 p. cwt.	7 1/2 p. cwt.
Ashes, £	2 4 7	.....	.....	.....	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.
Anchovies, £	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.

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No. 12.—AN ACCOUNT OF ARTICLES IMPORTED AT THE PORT OF ST. JOHNS, &c.—(Continued.)

ARTICLES.	AUTHORITIES UNDER WHICH THE DUTIES ARE COLLECTED.													
	1842.		1843.		1844.		1845.		1842.		1841.		1845.	
	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.
Apples,.....£	737 13 6	120 18 1	256 5 9	18 10 2	free	36 17 8	5 p. ct.	free	15 p. ct.	118 8 5	5 p. ct.	12 16 3	5 p. ct.	publ. cal. 383 s 11
Apples, dried,.....£	14 8 2	1 2 7	53 15 10	1 2 7	15 p. ct.	0 14 4	5 p. ct.	15 p. ct.	15 p. ct.	0 1 0	5 p. ct.	9 1 2	5 p. ct.	1 p. ct.
Arrow Root,.....£	41 12 10	1 2 6	15 p. ct.	7 1 p. ct.	15 p. ct.	2 0 7	5 p. ct.	15 p. ct.	15 p. ct.	0 1 0	5 p. ct.	2 8 10	5 p. ct.	18 0 6
Almonds,.....£	7,025	4,080	327	386 10 2	free.	free.	free.	free.	free.	free.	free.	free.	free.	23 9 2 p. lb. 1d. 128 19 7
Beef, fresh,.....lbs.	284 19 0	1 11 1	443	12 1 6	15 p. ct.	29 15 10	5 p. ct.	15 p. ct.	15 p. ct.	0 1 7	5 p. ct.	0 1 7	5 p. ct.	5 19 9 2s. 1 9 11
Beef, dried,.....lbs.	26	12	20	7	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.
Butter,.....£	3	3	24	1,015	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.
Buckwheat,.....bbls.	8	16 8 9	2 5 0	4	free.	0 4 6	5 p. ct.	15 p. ct.	15 p. ct.	0 16 5	5 p. ct.	0 16 5	5 p. ct.	free.
Buckwheat Flour,.....qts.	4 19 0	15 16 11	22 10 6	349 2 11	15 p. ct.	36 10 0	5 p. ct.	15 p. ct.	15 p. ct.	15 17 5	5 p. ct.	0 15 10	5 p. ct.	free.
Beans,.....bbls.	37 15 4	17 2 1	115 9 12	15 p. ct.	15 p. ct.	1 5 3	5 p. ct.	15 p. ct.	15 p. ct.	0 15 0	5 p. ct.	0 15 0	5 p. ct.	free.
Beats,.....£	5,459	1 p. doz. 1s.	272 19 0	free.	1s.	5 1b. 9	free.	free.	free.	5 1b. 9	free.	5 1b. 9	free.	free.
Bricks,.....£	284 19 0	1 11 1	443	12 1 6	15 p. ct.	29 15 10	5 p. ct.	15 p. ct.	15 p. ct.	0 1 7	5 p. ct.	0 1 7	5 p. ct.	5 19 9 2s. 1 9 11
Brown,.....bbls.	26	12	20	7	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.
Brown,.....qts.	3	3	24	1,015	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.
Butter,.....£	8	16 8 9	2 5 0	4	free.	0 4 6	5 p. ct.	15 p. ct.	15 p. ct.	0 16 5	5 p. ct.	0 16 5	5 p. ct.	free.
Beats,.....£	4 19 0	15 16 11	22 10 6	349 2 11	15 p. ct.	36 10 0	5 p. ct.	15 p. ct.	15 p. ct.	15 17 5	5 p. ct.	0 15 10	5 p. ct.	free.
Bricks,.....£	37 15 4	17 2 1	115 9 12	15 p. ct.	15 p. ct.	1 5 3	5 p. ct.	15 p. ct.	15 p. ct.	0 15 0	5 p. ct.	0 15 0	5 p. ct.	free.
Bottles,.....doz.	5,459	1 p. doz. 1s.	272 19 0	free.	1s.	5 1b. 9	free.	free.	free.	5 1b. 9	free.	5 1b. 9	free.	free.

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Box Wood,.....£	0 14 10	0 3 8	1,612 2 9	0 0 9	free.	0 0 9	5 p. ct.	80 12 2	0 0 9	4 p. ct.	7 19 6	1 p. ct.	2 0 9	4 p. ct.
Buffalo Robes,.....£	1,853 1 6	1,612 2 9	1,612 2 9	84 13 9	4 p. ct.	70 18 8	5 p. ct.	5 p. ct.	5 p. ct.	5 p. ct.	5 p. ct.	5 p. ct.	5 p. ct.	5 p. ct.
Berries, Nuts, &c., used in dyeing,.....£	204 0 6	193 5 1	5 p. ct.	5 p. ct.	5 p. ct.	5 p. ct.	5 p. ct.	5 p. ct.	5 p. ct.	5 p. ct.	5 p. ct.	5 p. ct.	5 p. ct.	5 p. ct.
Burr Stones, unwrought,.....£	199 18 6	199 18 6	260	271	2	2	2	2	2	2	2	2	2	2
Barley,.....qrs.	121	121	41	232	585	28 1 0	2	2	2	2	2	2	2	2
Bran & Shorts, cwt.	41	41	232	585	28 1 0	2	2	2	2	2	2	2	2	2
Beech, Wood,.....ft.	gal. 585	gal. 585	28 1 0	2	2	2	2	2	2	2	2	2	2	2
Beer,.....£	28 1 0	28 1 0	2	2	2	2	2	2	2	2	2	2	2	2
Cattle,.....hd.	1,495	1,559	23	47	599 0 1	599 0 1	2	2	2	2	2	2	2	2
Cattle, over 4 years old,.....hd.	23	23	47	599 0 1	599 0 1	599 0 1	2	2	2	2	2	2	2	2
Cattle, under 4 years old,.....hd.	47	47	599 0 1	599 0 1	599 0 1	599 0 1	2	2	2	2	2	2	2	2
Cattle, under 1 year old,.....hd.	599 0 1	599 0 1	599 0 1	599 0 1	599 0 1	599 0 1	2	2	2	2	2	2	2	2
Cattle, under 1 year old, Heifers,.....hd.	599 0 1	599 0 1	599 0 1	599 0 1	599 0 1	599 0 1	2	2	2	2	2	2	2	2
Cheese,.....£	798 2 1	13 2 4	54 13 0	58,600	25,500	156 6 0	79 17 9	320	272 2 11	263 17 1	0 5 0	0 9 5	41 6 10	62 8 1
Cider,.....£	183 18 6	35 9 11	58,600	25,500	156 6 0	79 17 9	320	272 2 11	263 17 1	0 5 0	0 9 5	41 6 10	62 8 1	92
Codfish, fresh, lbs.	55,206	25,500	156 6 0	79 17 9	320	272 2 11	263 17 1	0 5 0	0 9 5	41 6 10	62 8 1	92	44	73 12 0
Carriages,.....£	481 15 7	79 17 9	320	272 2 11	263 17 1	0 5 0	0 9 5	41 6 10	62 8 1	92	44	73 12 0	190 3 9	57 12 10
Corn, Indian, bbls.	9,339	32	272 2 11	263 17 1	0 5 0	0 9 5	41 6 10	62 8 1	92	44	73 12 0	190 3 9	57 12 10	627 11 9
Corn, Brooms,.....£	459 7 6	272 2 11	263 17 1	0 5 0	0 9 5	41 6 10	62 8 1	92	44	73 12 0	190 3 9	57 12 10	627 11 9	1,124 17 9
Crackers,.....£	5 8 5	0 9 5	41 6 10	62 8 1	92	44	73 12 0	190 3 9	57 12 10	627 11 9	1,124 17 9	1,124 17 9	1,124 17 9	7 1/2 p. ct.
Cotton Wool,.....£	265 13 7	62 8 1	92	44	73 12 0	190 3 9	57 12 10	627 11 9	1,124 17 9	1,124 17 9	1,124 17 9	1,124 17 9	1,124 17 9	7 p. ct.
Corn Meal,.....bbls.	4	44	73 12 0	190 3 9	57 12 10	627 11 9	1,124 17 9	1,124 17 9	1,124 17 9	1,124 17 9	1,124 17 9	1,124 17 9	1,124 17 9	5 p. ct.
Corks,.....£	190 3 9	57 12 10	627 11 9	1,124 17 9	1,124 17 9	1,124 17 9	1,124 17 9	1,124 17 9	1,124 17 9	1,124 17 9	1,124 17 9	1,124 17 9	1,124 17 9	5 p. ct.

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No. 12.—An Account of Articles imported at the Port of St. Johns, &c.—(Continued.)

ARTICLES.	QUANTITIES OR VALUE.												
	1842.		1843.		1844.		1845.		1841.		1842.		
	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.	
Sperm.....	1,272 13 0	631 15 11	3,051 5 6	21,841	193 6 1	15 p. ct.	15 p. ct.	43 7 9	45 7 9	178 19 11	15 p. ct.	24 16 9	2d.
Tallow.....	353 5 8	180 16 2	614 10 1	46 5 11	36 18 9	5 p. ct.	7 p. ct.	9 0 10	41 0 4	27 1 5	7 p. ct.	3 4 9	1d.
Cocoa.....	45 9 9	19 12 7	55 9 7	cwt. 8 2 1	110 2 5	5 p. ct.	5 p. ct.	0 1 6	1 3 1	2 15 6	1s.	6 10 4	1d.
Currents.....	81 12 4	33 15 11	193 1 2	193 1 2	3 14 2	15 p. ct.	15 p. ct.	1 10 9	1 3 1	4 p. ct.	4 p. ct.	7 14 5	p. cwt. 5s
Calf Skins.....	163 18 11	10 11 7	17 2 8	17 2 8	7 9 1	5 p. ct.	5 p. ct.	0 10 7	0 9 4	0 10 7	5 p. ct.	0 12 8	3d.
Clay.....	6 9 11	15 p. ct.	15 p. ct.	15 p. ct.	0 6 0	4 p. ct.	4 p. ct.	0 10 7	0 9 4	0 10 7	5 p. ct.	11 2 9	5 p. ct.
Coal.....	28 18 9	9 17 3	15 13 6	321 1 3	11 6 3	15 p. ct.	15 p. ct.	0 6 0	0 8 9	0 6 0	4 p. ct.	9 16 0	4 p. ct.
Corn.....	9 13 1	46 4 5	4 1 5	4 1 5	1 17 1	4 p. ct.	4 p. ct.	2 6 3	1 11 9	2 6 3	4 p. ct.	37 1 9	10 p. ct.
Clover Seed.....	40 14 14	38 12 0	9 1 4	9 1 4	11 3 9	4 p. ct.	4 p. ct.	0 9 1	0 13 11	0 9 1	7 p. ct.	41 5 0	5 p. ct.
Coriander.....	246 1 7	9 1 4	142 7 2	142 7 2	25 14 6	5 p. ct.	7 p. ct.	0 9 1	0 13 11	0 9 1	5 p. ct.	6 9 4	7 p. ct.
Chocolate.....	7 6 1	4 16 3	408 18 11	15 16 10	15 16 10	4 p. ct.	4 p. ct.	0 2 4	0 2 4	0 2 4	4 p. ct.	6 12 8	3d.
Dye Wood.....	189 4 5	647 13 7	245 1 2	19 13 7	19 13 7	5 p. ct.	5 p. ct.	0 3 10	6 1 8	6 1 8	4 p. ct.	11 2 9	5 p. ct.
Drugs.....	1,860 3 2	1,050 19 5	2,669 14 3	3,406 0 7	33 6 2	free.	free.	51 10 11	6 8 5	51 10 11	free.	133 9 7	free.
Dates.....	5 9 2	10 15 5	15 p. ct.	15 p. ct.	0 5 0	7 1/2 p. ct.	7 1/2 p. ct.	0 10 3	0 5 0	0 10 3	5 p. ct.	5 p. ct.	5 p. ct.
Deer Skins.....	140 5 8	14 13 5	15 p. ct.	15 p. ct.	6 7 6	15 p. ct.	15 p. ct.	0 9 9	0 6 6	0 9 9	5 p. ct.	16 17 2	10 p. ct.
Essences.....	7 6 1	4 16 3	408 18 11	15 16 10	0 6 8 1/2	5 p. ct.	5 p. ct.	0 4 4	0 3 9	0 4 4	4 p. ct.	16 17 2	10 p. ct.

Appendix
(G. G.)
May.

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(G. G.)
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Fancy Goods.....	4,490 10 9	3,581 11 10	15,352 9 4	25,081 8 3	15 p. ct.	15 p. ct.	521 14 9	5 p. ct.	226 16 10	4 p. ct.	4 p. ct.	614 1 11	5 p. ct.	699 18 10	4 p. ct.	1003 5 1	5 p. ct.	939 9 9
Furniture.....	622 14 4	225 12 9	522 15 8	cwt. 235 2 8	15 p. ct.	15 p. ct.	65 2 0	5 p. ct.	28 6 2	4 p. ct.	4 p. ct.	20 18 3	5 p. ct.	24 0 9	4 p. ct.	12 17 1	p. cwt. 5s	7 1 3 2
Figs.....	124 9 9	5 10 2	0 9 1	321 6 6	7 1/2 p. ct.	7 1/2 p. ct.	3 13 7	5 p. ct.	5 13 2	5 p. ct.	5 p. ct.	0 11 5	5 p. ct.	0 5 6	4 p. ct.	12 17 1	p. cwt. 5s	7 1 3 2
Furs and Skins.....	619 13 4	4 9 7	3,773 6 9	3,773 6 9	15 p. ct.	15 p. ct.	6 11 5	5 p. ct.	28 3 4	4 p. ct.	4 p. ct.	120 18 8	5 p. ct.	17 10 5	4 p. ct.	12 17 1	p. cwt. 5s	7 1 3 2
Fruit, fresh.....	1,157 16 6	438 8 1	3,016 9 8	2,127 4 9	5 p. ct.	5 p. ct.	5 17 10	5 p. ct.	57 17 10	free.	free.	free.	5 p. ct.	150 16 6	free.	10 p. ct.	212 9 3	
Fruit, preserved.....	129 16 5	8 9 5	1,124 10 0	1,124 10 0	7 1/2 p. ct.	7 1/2 p. ct.	3 16 9	5 p. ct.	5 18 0	4 p. ct.	4 p. ct.	44 19 7	5 p. ct.	51 2 3	4 p. ct.	18 16 10	1 p. ct.	4 3 4
Fire Wood.....	24 6 0	24 6 0	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.	4 p. ct.	0 9 2	10 p. ct.	1 1 1
Flax.....	13 14 7	9 18 0	3,773 6 9	3,773 6 9	15 p. ct.	15 p. ct.	6 11 5	5 p. ct.	28 3 4	4 p. ct.	4 p. ct.	120 18 8	5 p. ct.	17 10 5	4 p. ct.	12 17 1	p. cwt. 5s	7 1 3 2
Garden Seeds.....	301 0 10	166 0 9	248 0 0	304 18 7	free.	free.	15 1 0	5 p. ct.	15 1 0	free.	free.	free.	5 p. ct.	5 6 0	free.	10 p. ct.	30 9 10	
Ginger, preserved.....	77 14 2	36 19 9	45	42	15 p. ct.	15 p. ct.	8 3 5	5 p. ct.	3 10 8	4 p. ct.	4 p. ct.	12 7	5 p. ct.	117 0	free.	2s.	48 1 8	1 17 3
Horses.....	86	25	45	42	free.	free.	free.	free.	free.	free.	free.	free.	free.	free.	30s.	1 8 0	1 p. ct.	0 3 5
Hams.....	141 11 7	48 10 8	36 2 20	cwt. 111 3 25	free.	free.	7 1 7	5 p. ct.	7 1 7	free.	free.	5 13 11	5s.	11 3 2	3s.	20 8 9	5s.	34 1 2
Money.....	243 11 1	87 10 9	135 0 0	10,119	7 1/2 p. ct.	7 1/2 p. ct.	7 4 0	5 p. ct.	11 1 5	4 p. ct.	4 p. ct.	5 8 0	5 p. ct.	6 2 10	4 p. ct.	13 11 2	p. lb. 3d.	153 18 0
Hops.....	620 19 4	821 8 5	252 18 2	339 0 7	15 p. ct.	15 p. ct.	64 18 5	5 p. ct.	28 4 6	4 p. ct.	4 p. ct.	10 2 4	4 p. ct.	201 3 6	4 p. ct.	13 11 2	p. lb. 3d.	153 18 0
Hemp Seed.....	3 0 11	649 12 4	339 0 7	339 0 7	15 p. ct.	15 p. ct.	0 6 5	5 p. ct.	0 2 9	15 p. ct.	15 p. ct.	12 7 7	5 p. ct.	29 10 7	4 p. ct.	13 11 2	p. lb. 3d.	153 18 0
Hats.....	1,901 14 8	12 7 7	339 0 7	339 0 7	15 p. ct.	15 p. ct.	198 16 5	5 p. ct.	86 8 10	4 p. ct.	4 p. ct.	0 10 10	5 p. ct.	0 12 4	4 p. ct.	13 11 2	p. lb. 3d.	153 18 0
Hats, Silk.....	62 14 9	50 9 11	339 0 7	339 0 7	30 p. ct.	30 p. ct.	18 19 3	5 p. ct.	2 17 2	30 p. ct.	30 p. ct.	19 14 3	5 p. ct.	19 14 3	7 p. ct.	30 7 0	5 p. ct.	16 14 6
Hats, Woolen.....	256 2 5	87 13 4	1,525 6 5	1,672 15 11	free.	free.	5 p. ct.	5 p. ct.	12 16 2	free.	free.	free.	5 p. ct.	76 5 4	free.	1 p. ct.	16 14 6	

Appendix
(G. G.)
May.

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(G. G.)
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No. 12.—AN ACCOUNT of Articles imported at the Port of St. Johns, &c.—(Continued.)

ARTICLES.	QUANTITIES OR VALUE.											
	1842.			1843.			1844.			1845.		
	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.
Oats,.....bbls.			30			173 19 5			4 13 6			
Oakum,.....£			200			£						
Peas,.....qrs.			1 1/2			£						
Quicksilver,.....£			40 13 8			£						
Raisins,.....£			938 18 1			£						
Raisins, in boxes, £						£						
Resin,.....£			119 13 0			£						
Rice,.....£			1,729 8 1			£						
Rye,.....bbls.			1,004			£						
Stoves,.....£			463 13 10			£						
Silk Goods,.....£			1,110 2 4			£						
S-gates,.....£			lbs. 5,149			£						

Appendix
(G. G.)
May.

ARTICLES.	QUANTITIES OR VALUE.											
	1842.			1843.			1844.			1845.		
	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.
Socks, Woolen, £			79 3 4			£						
Starch,.....£			95 10 10			£						
Sausages,.....£			9 8 6			£						
Sponge,.....£			40 6 10			£						
Spices,.....£			481 8 8			£						
Cassia,.....£						£						
Cinnamon, £						£						
Cloves,.....£						£						
Nutmegs,.....£						£						
Pimento,.....£						£						
Pepper of all kinds,.....£						£						
Snuff,.....lbs.			949			£						
Soda Ash,.....£			11 19 6			£						
Sand,.....£			1 4 10			£						
Soap,.....£			139 14 0			£						
Spring Water,.....£			19 8 9			£						
Sheep,.....No.			1,662			£						
Seeds,.....£						£						
Spermaceti,.....£			0 13 10			£						
Timber,.....£						£						

Appendix
(G. G.)
May.

Appendix
(G. G.)
May.

No. 12.—AN ACCOUNT OF ARTICLES IMPORTED AT THE PORT OF ST. JOHNS, &c.—(Continued.)

ARTICLES.	QUANTITIES OR VALUE.				AUTHORITIES UNDER WHICH THE DUTIES ARE COLLECTED.																
	1842.		1843.		1844.		1845.		1842.			1843.			1844.			1845.			
	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.	Imperial Acts.	Provincial Acts.			
Tallow.....£	3,083 19 11	146 13 2	1,954 11 4	10,121 5 0	10,467 13 5	free.	5 p. ct.	134 4 0	15 p. ct.	16 p. ct.	5 p. ct.	15 p. ct.	15 p. ct.	15 p. ct.	5 p. ct.	5 p. ct.	5 p. ct.	5 p. ct.	1 p. ct.	104 13 4	
Tyre.....£	154 13 7	22 0 11	22 0 11	441 6 3	15 p. ct.	16 3 5	5 p. ct.	7 0 7	7 p. ct.	13 11	5 p. ct.	1 2 0	7 p. ct.	30 17 10	5 p. ct.	20 1 3	0 9 3	5 p. ct.	0 10 6	0 10 6	0 10 6
Tar.....£	105 19 3	0 8 2	0 8 2	11 11 4	7 p. ct.	3 4 7	5 p. ct.	4 16 4	4 p. ct.	0 0 4	5 p. ct.	0 0 5	4 p. ct.	0 9 3	5 p. ct.	0 10 6	0 0 5	5 p. ct.	0 0 5	0 0 5	0 0 5
Tamarinds.....£	0 12 5	6 14 7	6 14 7	0 0 8	free.	0 0 8	5 p. ct.	0 0 8	free.	0 0 8	5 p. ct.	0 0 8	free.	0 0 8	5 p. ct.	0 0 8	0 0 8	5 p. ct.	0 0 8	0 0 8	0 0 8
Turpentine.....£	199 7 10	324 17 7	324 17 7	7 1 3	7 1/2 p. ct.	5 17 10	5 p. ct.	9 1 3	7 1/2 p. ct.	0 0 0	5 p. ct.	16 4 10	free.	0 0 0	5 p. ct.	16 4 10	0 0 0	5 p. ct.	0 0 0	0 0 0	0 0 0
Turpentine, Spi- rits.....£	476 12 8	419 19 4	419 19 4	1,959 8 11	free.	23 16 7	5 p. ct.	23 16 7	4 p. ct.	19 16 0	5 p. ct.	22 3 11	4 p. ct.	78 7 6	5 p. ct.	89 1 4	0 0 0	5 p. ct.	0 0 0	0 0 0	0 0 0
Venison.....£	20 7 6	188 18 9	188 18 9	1,020	free.	1 0 5	5 p. ct.	1 0 5	15 p. ct.	19 15 0	5 p. ct.	8 11 9	15 p. ct.	20 19 10	5 p. ct.	23 17 0	0 0 0	5 p. ct.	0 0 0	0 0 0	15 10 3
Vinegar.....£	376 4 9	252 10 1	252 10 1	524 15 9	15 p. ct.	39 6 9	5 p. ct.	17 2 0	15 p. ct.	0 0 0	5 p. ct.	12 12 6	4 p. ct.	20 19 10	5 p. ct.	23 17 0	0 0 0	5 p. ct.	0 0 0	0 0 0	110 4 p. gal. 3d.
Veneers.....£	512 9 4	317 14 11	317 14 11	845 6 0	free.	25 12 5	5 p. ct.	9 7 2	free.	0 0 0	5 p. ct.	17 7 9	free.	0 0 0	5 p. ct.	42 5 4	0 0 0	5 p. ct.	0 0 0	0 0 0	10 p. ct.
Varnish.....£	67 2 2	12 10 6	12 10 6	3 2 6	free.	0 0 0	5 p. ct.	0 0 0	free.	0 0 0	5 p. ct.	0 11 5	free.	0 0 0	5 p. ct.	0 0 0	0 0 0	5 p. ct.	0 0 0	0 0 0	0 10 10
Vegetables.....£	87 3 5	0 16 3	0 16 3	5 1 6	30 p. ct.	22 3 9	5 p. ct.	3 19 3	7 p. ct.	0 1 1	5 p. ct.	0 0 10	30 p. ct.	0 0 0	5 p. ct.	0 0 0	0 0 0	5 p. ct.	0 0 0	0 0 0	0 0 0
Wire.....£	2 14 5	442 9 10	442 9 10	1,159 1 9	15 p. ct.	0 5 8	5 p. ct.	0 2 5	15 p. ct.	34 0 5	5 p. ct.	22 1 11	7 p. ct.	83 4 8	5 p. ct.	5 13 10	0 0 0	5 p. ct.	4 15 14 3	5 p. ct.	269 18 5
Woolen Manu- factures.....£	264 11 2	110 8 1	110 8 1	5,938 15 3	free.	27 13 2	5 p. ct.	12 0 6	15 p. ct.	4 17 2	5 p. ct.	5 10 3	4 p. ct.	0 0 0	5 p. ct.	2 11 7	0 0 0	5 p. ct.	0 0 0	0 0 0	0 0 0
Wax.....£	176 7 8	50 5 8	50 5 8	8 18 3	7 1/2 p. ct.	5 12 6	5 p. ct.	7 12 2	7 1/2 p. ct.	2 4 3	5 p. ct.	2 10 3	4 p. ct.	0 0 0	5 p. ct.	0 0 0	0 0 0	5 p. ct.	0 0 0	0 0 0	0 0 0
Whitstones.....£	24 15 1	21 7 5	21 7 5	15 p. ct.	15 p. ct.	1 11 9	5 p. ct.	2 2 6	4 p. ct.	0 18 9	5 p. ct.	1 1 5	4 p. ct.	0 0 0	5 p. ct.	0 0 0	0 0 0	5 p. ct.	0 0 0	0 0 0	0 0 0
Yeast.....£	24 15 1	21 7 5	21 7 5	15 p. ct.	15 p. ct.	1 11 9	5 p. ct.	2 2 6	4 p. ct.	0 18 9	5 p. ct.	1 1 5	4 p. ct.	0 0 0	5 p. ct.	0 0 0	0 0 0	5 p. ct.	0 0 0	0 0 0	0 0 0

W. MACRAE,
Collector.

CUSTOM HOUSE, ST. JOHNS,
23rd April, 1846.

Appendix
(G. G.)

No. 13.

Appendix
(G. G.)

May

A STATEMENT of PRODUCE exported from the Ports of Montreal and Quebec, during the years
1844 and 1845.

May

ARTICLES.	1844.	1845.	REMARKS.
Ashes,..... Barrels	35,643	27,272	
Flour,..... do	415,467	211,093	
Wheat,..... Bushels	282,183	313,502	
Pork,..... Barrels	11,164	1,015	
Beef,..... do	5,568	1,070	
Lard,..... Kegs	"	148	
Butter,..... do	7,680	10,536	
Oatmeal,..... Barrels	6,725	182	
Peas,..... Bushels	130,355	153,400	
Barley,..... do	63,755	27,688	
Oats,..... do	24,574	28,865	

INSPECTOR GENERAL'S OFFICE,
Montreal, April, 1846.

No. 14.

TABLE shewing the value of MERCHANDIZE exported from Canada, during the years 1844 and
1845, Inland.

ARTICLES.	VALUE IN 1844.	VALUE IN 1845.	REMARKS.
Animals: Horses and Cattle,.....	D. 66,033	D.	
Sheep and Lambs,.....	103	} 38,709	
Swine,.....	142		
Ashes,.....	1,311		
Carrriages, Sleighs and Harness,.....	762	312	
Furs, undressed,.....	19,141	19,354	
Manufactured,.....	3,541	112	
Fish,.....	2,920	7,335	
Fish Oil,.....	51	"	
Grain,.....	390	2,576	
Gypsum,.....	1,038	600	
Hides and Skins,.....	9,766	1,684	
Hardware,.....	2,537	4,234	
Hats, Caps and Bonnets,.....	529	"	
Iron, Bar, Pig, &c,.....	13,417	14,667	
Liquors: Spirits, Wines, &c,.....	337	2,106	
Lime,.....	"	220	
Manufactures: Wooden,.....	608	4,185	
" Leather,.....	1,270	679	
" Linen, Cotton and Woollen, ...	13,843	4,778	
" Silk,.....	855	69	
Provisions: Beef and Pork,.....	65	39	
" Butter,.....	641	59	
" Eggs,.....	362	689	
Rags,.....	3,865	5,103	
Salt,.....	3,764	7,787	
Seeds,.....	27,981	4,581	
Shingles and Lumber,.....	39,023	76,809	
Specie,.....	679,230	402,065	
Wool,.....	7,566	12,203	
All other articles,.....	39,491	17,707	
Merchandize, the particulars of which have not been obtained,.....	"	185,907	
Dollars,.....	940,582	814,619	
	£235,144 10 0	£208,654 15 0 cy.	

INSPECTOR GENERAL'S OFFICE,
Montreal, April, 1846.

Montreal:

**PRINTED BY LOVELL & GIBSON,
ST. NICHOLAS STREET.**

Appendix
(H. H.)
18th May.

STATEMENT furnished by the Queen's Printer, in compliance with the requirements of the Act 8 Victoria, cap. 68, shewing the number of Copies of the Laws which have been printed and distributed by that Officer since the last Session of Parliament.

Appendix
(H. H.)
18th May.

DISTRIBUTION OF STATUTES IN LOWER CANADA.

Session 1844-45, 8th Victoria.	Statutes of Canada. 8 Victoria.		Revised Statutes and Tables.			
	English.	French.	English.		French.	
			Statutes.	Tables.	Statutes.	Tables.
Executive Council Office	12	12	6	6	6	6
Secretary of the Province	21	6	12	9	9	9
Civil Secretary	13	...	12	12		
Receiver General	3	...	2	2		
Inspector General	3	...	2	2		
Commissioner of Crown Lands	3	3	2	2	2	2
Board of Works	5	...	2	2		
Registrar of the Province	1	1	1	1	1	1
Attorney General	2	2	2	2	2	2
Solicitor General	2	1	1	1	1	1
Commissioner of the Jesuits' Estates	1	1	1	1	1	1
Superintendent of Education...	1	1	1	1	1	1
Adjutant General of Militia	2	1	1	1	1	1
Clerk of the Crown in Chancery	1	1	1	1	1	1
Inspector General of the Queen's Domain	1	1	1	1	1	1
Translator of the Laws	5	2	2	2	2	2
Judges in Courts of Law	60	60	40	40	40	40
Commissioners of Bankrupts, Three Rivers	3	3	2	2	2	2
Prothonotaries	18	18	12	12	12	12
Clerk of the Court of Appeals	3	3	2	2	2	2
Clerks of Crown	18	18	12	12	12	12
Clerks of the Peace	15	15	10	10	10	10
Clerk of the Admiralty Court	3	3	2	2	2	2
Clerks of the Circuit Courts	24	24	24	2	2	2
Sheriffs	5	5	5	5	5	5
Coroners	6	6	6	6	6	6
Small Causes Commissioners Courts	167	167	167	2	2	2
Justices of the Peace	885	760	783	214	159	159
Officers of Militia	1087	988				
Clergymen	389	359				
Corporations of Montreal and Quebec	12	12	2	2	2	2
Municipal Councils...	322	322	322	68	67	67
Registrars	31	31				
Boards of School Commissioners	288	288				
Commissioner of Customs	1	1	1	1	1	1
Collectors and Surveyors of Customs	25	25	25	25	25	25
Inspectors of Licenses	3	3	3	3	3	3
10 Colleges	10	10	10	3	3	3
Quebec Historical Society	1	1	1	1	1	1
do Library Association	1	1	1	1	1	1
Montreal Natural History Society	1	1	1	1	1	1
Trinity Houses of Montreal and Quebec	2	2	2	2	2	2
Provincial Secretary, Magdalen Islands.	3	3	3	3	3	3
do do Office, Quebec	...	...	2			
T. Vaux, Esquire, Legislative Assembly	1					
G. W. Wicksteed, Esquire, per Mr. Larocque	...	...	...	...	1	1
Thomas Jones, Esquire, Rivière du Loup	3	9	3			
James Davidson, Esquire, Hinchinbrooke	...	...	1	1		
P. B. Dumoulin, Esquire, Three Rivers	1	1				
Rev. W. Morris	...	...	1	1		
Jean Langevin, Esquire	1	1	1	1	1	1
George R. Young, Esquire, Halifax	1					
<i>Carried over</i>	3466	3167	1498	468	393	393

Appendix
(H. H.)

DISTRIBUTION OF STATUTES IN LOWER CANADA.—(Continued.)

Appendix
(H. H.)

18th May.

18th May.

Session 1844-45, 8th Victoria.	Statutes of Canada, 8 Victoria.		Revised Statutes and Tables.			
			English.		French.	
	English.	French.	Statutes.	Tables.	Statutes.	Tables.
<i>Brought over</i>	3466	3167	1493	463	393	393
Members Legislative Council	160	160	80	80	80	80
do do Assembly	420	420	210	210	210	210
Clerk of the Legislative Council	55	50	25	25	25	25
do do Assembly	50	50	25	25	25	25
Distribution in Upper Canada	4151	3487	1833	808	733	733
	8210	102	87	87	2	2
Delivered, as printed off, to Judges, Public Officers, Legislative Council and Assembly	7361	3949	1920	895	735	735
	...	...	140	270	...	30
On hand, 13th March, 1846	7361	3949	2060	1165	735	765
	639	51	440	1835	* 1515	2235
Total	8000	4000	2500	3000	2250	3000

DESBARATS & DERBISHIRE,
Printer to Her Majesty.

MONTREAL, 20th March, 1846.

* N.B. The delivery of the Revised Statutes in French is not yet completed: about 1000 copies of the number on hand are ordered to be distributed.

DISTRIBUTION OF STATUTES IN UPPER CANADA.

	Statutes of Canada, 8 Victoria.		Revised Statutes and Tables, L. C.			
			English.		French.	
	English.	French.	Statutes.	Tables.	Statutes.	Tables.
Attorney General	3	1	1	1	1	1
Solicitor General	1	1	1	1	1	1
Adjutant General of Militia	1	...	...	...	...	...
Assistant Superintendent of Education	1	...	...	...	...	...
6 Judges in Courts of Law, 6 copies each	36	...	6	6	...	...
26 Judges, one copy each, in sheets	26	...	20	20	...	...
Members of the Legislative Council	170	...	17	17	...	...
do do do Assembly... ..	420	...	42	42	...	...
District Clerks	535	100	...	...	...	...
Clerks of the Peace	1871	to Western District	...	...	...	...
Clerk of the Crown and Pleas	2	...	...	...	...	...
Deputy Clerks of the Crown... ..	19	...	...	...	...	...
Registrar and Master in Chancery	1	...	...	...	...	...
Mayor and Corporation of Toronto	3	...	...	...	...	...
do do do Kingston	3	...	...	...	...	...
10 Boards of Police	20	...	...	...	...	...
Library of the University of King's College	2	...	...	...	...	...
do Law Society	2	...	...	...	...	...
do Upper Canada College	2	...	...	...	...	...
do Queen's College, Kingston	2	...	...	...	...	...
do Victoria College, Cobourg	2	...	...	...	...	...
do College of Regiopolis, Kingston	2	...	...	...	...	...
43 Collectors of Customs	86	...	...	...	...	...
Total... ..	3210	102	87	87	2	2

REPORT.

THE SELECT COMMITTEE to which were referred the Petitions of the Inhabitants of the Counties of Kamouraska and Rimouski, praying that the said localities be united for Judiciary purposes, that a Resident Judge be appointed, and a Gaol established,—have the honor to Report:—

That they have taken into their most serious consideration the Petition above mentioned, in support whereof they have heard several Witnesses, among others, the Honorable the Speaker of Your Honorable House, heretofore a Circuit Judge for the District of Quebec; the Honorable Elzéar Bedard, one of the Judges of the Court of Queen's Bench for the District of Quebec; William Power, Esquire, a Circuit Judge for the District of Quebec for the last several years; William King M'Cord, Esquire, now Police Magistrate at Quebec, and very recently a Circuit Judge for the said District; and Jean Chabot, Esquire, one of the Members of Your Honorable House.

That in support of the same Petition, Your Committee have also examined certain Documents laid before Your Honorable House in conformity with an Address to His Excellency the Governor General on this subject, which Documents contain the opinion of Mr. Justice Bruneau and Mr. Justice M'Cord, in answer to a Circular addressed by the Executive to the several Judges in Lower Canada, for the purpose of obtaining information with respect to the establishment of a new Judicature system in this part of the Province; and that a deliberate examination of the said Documents, and the evidence of the distinguished persons above mentioned, who are perfectly acquainted with the different localities in Lower Canada, and who in their official or professional capacity have several times gone through the whole extent of the Counties of Kamouraska and Rimouski, has enabled Your Committee to obtain the information hereafter mentioned, and induced them to recommend to Your Honorable House, the adoption of the conclusions of this Report.

Cape Chat, the lower extremity of the County of Rimouski, is situate at a distance of about three hundred miles, and Ste. Anne's, the upper extremity of the County of Kamouraska, at a distance of about seventy-five miles from Quebec, where, under the existing judiciary system, the inhabitants of these two large Counties are obliged to go, in order to obtain justice; these Counties cover an extent of two hundred and twenty-five miles in front, by a considerable depth, and contain a population of 35,095 souls, according to the Census of 1842, and at present, doubtless, a population of 40,000 souls, which may be reasonably expected to increase to the striking amount of 50,000, when our right to the great Madawaska Settlement shall be acknowledged,—while, according to the same Census of 1842, the Judiciary District of St. Francis contains only 32,435 inhabitants.

This lower part of the Province, which increases considerably every day, by the advancement (apparent to every one) of its commerce and population, has, however, no other Market for its Produce of every description, than the City of Quebec, which it is always difficult, and sometimes even impossible to reach at certain seasons of the year, especially spring and autumn, in consequence of the total want of communications by water and by land; while, on the other hand, the communications are without comparison much more easy, and the distances much less considerable, between the Judiciary District of St. Francis, and at least one of the other larger Judiciary Districts of the Province.

In consequence of all these considerations of the greatest importance, Your Committee are unanimously of

opinion to recommend to Your Honorable House, to listen favorably to the just prayer of the Petitioners, and form the two large Counties of Kamouraska and Rimouski into a Judiciary District, to be presided over by a sedentary Judge, and to establish a Gaol for the said new District, in the same manner as in the Districts of Gaspé and St. Francis.

After this recommendation, Your Committee have decided on making the following one: that if the Legislature, in their wisdom, should grant the prayer of the inhabitants of the Counties of Kamouraska and Rimouski, Rivière du Loup should be the principal place of the said Judiciary District, and that the Gaol should be there established as prayed for, although that place be not really in the geographical centre of the two above mentioned Counties, because it is in the centre of the population and commerce of the two Counties, and the only outlet in this Province for the Madawaska Settlement, and, above all, the only Port, and the only good Harbour between Ste. Anne's and Bic, at a distance of fifty and some leagues from Quebec.

Several other Petitions from some of the Municipal Councils of the County of Rimouski, have also been referred to Your Committee, but as they had not before them any evidence in support of those Petitions, and it would be too late to procure any for this Session, Your Committee have thought it expedient not to give any opinion on the subject of the said Petitions.

The whole, nevertheless, humbly submitted.

LOUIS BERTRAND,
Chairman.

18th May, 1846.

MINUTES OF EVIDENCE.

LOUIS BERTRAND, Esquire, in the Chair.

Thursday, 30th April, 1846.

Jean Chabot, Esquire, a Member of the House, called in; and examined:—

1. The Petition referred to this Committee prays for the establishment of a Provincial Court, with a Resident Judge, to have Jurisdiction over the Counties of Rimouski and Kamouraska, and to sit at Rivière du Loup; can you give the Committee any information on the subject, and what is your opinion as to the necessity or advantage of establishing such a Court, and the motives on which you found your opinion?—I have resided in the City of Quebec for a number of years, and have practised as an Advocate for the last twelve years. During that period, I have constantly had to transact business with a great number of the inhabitants of the Counties of Kamouraska and Rimouski; I have also visited the County of Kamouraska several times, and Rimouski twice; I am well acquainted with the situation of those localities, and

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the different communications from the said Counties to the other parts of this Province, and the Province of New Brunswick. The population of these two Counties is very great, and the population of the County of Rimouski principally, is increasing rapidly. If the establishment of Matane, Metis, and other places in that County, have not as yet made much progress, it is owing to the difficulty of communication, to the want of roads and other public improvements, and also to the distance from these places, and the only Market to which the Inhabitants can go, that is, Quebec. The Court of Queen's Bench sits at Quebec, and there is in the said Counties only one Circuit Court which sits three times during the year, at Rimouski and Kamouraska, and has jurisdiction to the amount of twenty pounds only. The upper part of the County of Kamouraska is at a distance of about twenty-six leagues, and the lower part of about thirty-eight leagues, from Quebec. The County of Rimouski is next to that of Kamouraska, down the River St. Lawrence, and goes as far as the County of Bonaventure, at a distance of about ninety-eight leagues. The only communication which exists between Quebec and those Counties is by water during the summer; (for I do not speak of the land communication, as the distance is too considerable to afford means of conveyance) but there is no regular Steamboat line in operation. The mode of communication is by means of Schooners, and the length of the journey depends on the wind; the Farmer who leaves his home to go to the Market at Quebec, or for the ends of justice, or for the purpose of serving as a Juror or Witness, cannot have an idea of the time when he will reach Quebec, or return home. In many circumstances a trip from Kamouraska to Quebec lasts from a month to six weeks, and even longer; so that the time lost by the Farmer, with his travelling expenses, prevents him from bringing his produce to Market, and often deprives him of rights which he might exercise, if there were any Courts within reach. It is certain that the establishment of a jurisdiction in those Counties would be most advantageous, and I might even say necessary. The most central place in my opinion would be Green Island. But taking into consideration the communications between Rivière du Loup, and the Settlements of Madawaska and New Brunswick, and also the advantage which Rivière du Loup offers of communicating by water with Quebec, I think it would be better that the Court should be held there for the present. It may probably be soon necessary to hold a Court also in Rimouski, and then Kamouraska might be substituted for Rivière du Loup.

William E. M'Cord, of the City of Quebec, Esquire, Inspector of Police, called in; and answered as follows, to the preceding Question submitted to Mr. Chabot:—I have occupied, first, the situation of District Judge, and afterwards that of Circuit Judge, since 1841, and as such I have had occasion to notice the great deficiency of the Judicature, more particularly that arising from a concurrent jurisdiction; I am, therefore of opinion, that separate jurisdiction should be established for the purposes of administering both Criminal and Civil Laws. Under the present system the Inhabitants are subjected to great privation and inconveniences, by being obliged to attend as Jurors in criminal cases, and subject to be summoned in the City of Quebec in every civil suit, at the option and caprice of every creditor, thereby subjecting them to such expense as almost equal to a denial of justice; under these circumstances I would suggest the erection of a separate District on the South side of the River St. Lawrence below Quebec, to be held at Rivière du Loup, extending from Ste. Anne la Pocatière downwards, to the District of Gaspé, including Madawaska. I am of opinion that Rivière du Loup would be the proper place as the centre of this District, inasmuch as it is a good port of entry from Sea, and at a sufficient distance from Quebec. This is a subject which requires much consideration, and my opinion will be more fully obtained, by reference to a Report I had the honor of making to the Executive Government some time ago.

The Honorable *William Power*, one of the Circuit Judges for the District of Quebec, called in; and the foregoing Question having been put to him, he answered:—The Question which the Committee is pleased to put to me would properly embrace a statement of numerous facts and data, which it is impossible for me at this moment to furnish, and I hope therefore to be excused from answering it otherwise than in a general manner. With the population of the Counties of Kamouraska and Rimouski, and the extent of Territory comprised in those Counties, I am acquainted, having frequently travelled through and administered Justice in them within the last six years. When I formerly officiated as Commissioner of the Circuit Court of Requests, for the District of Quebec, I went to those Counties five times a year during a period of two years and a half. Under the present Judicature system, I continue to visit them as Circuit Judge. I must except, however, that part of the County of Rimouski lying beyond the Parish of St. Germain and extending to the County of Gaspé, through which I have not travelled; but, nevertheless, having represented the latter County during several years in the Legislative Assembly of Lower Canada, my attention was directed, as a matter of duty, as well to the situation of the contiguous County of Rimouski, as to that of the County which I more immediately represented. My experience has convinced me that the establishment of a local Court with a Resident Judge, as prayed for by the Petitioners, would be essential to the welfare of the Inhabitants of that part of the Province where they reside, and would relieve them from the hardship and vexation to which they are subject under the existing Law. The recent attempt of the Legislature to satisfy the popular desire of having Justice equally accessible to all the Inhabitants of the Province, by means of the Circuit Courts, has failed from the circumstance of a jurisdiction being given to the Inferior Term of the Court of Queen's Bench concurrent throughout the whole District, with the jurisdiction of the Circuit Courts,—the consequence of which is, that the gentlemen of the legal profession who reside at Quebec, find it more convenient to themselves, to take out actions from, and bring defendants before, the Court at Quebec, than to travel a distance of 180 miles to the place where the Circuit Court is held at Rimouski, or even of ninety miles to where the Court is held at Kamouraska. Moreover, the travelling such distances is the more difficult and expensive from the want of either Steamboat, Stage, or other regular mode of conveyance. To render it necessary for an individual to travel from a remote part of Rimouski to Quebec, a distance of more than 200 miles, at any season of the year, and over bad roads, in order to defend an unfounded suit, is an intolerable vexation, and one to which he is subject by the existing Law. Should it be deemed advisable, and I am of opinion that it is, to unite the Counties of Kamouraska and Rimouski into one District for judicial purposes, the fittest place for the seat of its jurisdiction would seem to me to be the Rivière du Loup, and this, for the reasons which I think are correctly stated in the Petition. My opinion respecting the defects in the general Judicature system of Lower Canada, and the proper course to be adopted in order to remedy those defects, will be found in a Report which I had the honor to transmit to the Executive Government towards the close of the year 1844, or commencement of the year 1845, and to which I beg leave to refer the Committee, should the Committee see fit to call for it. The Report was made by me in compliance with a Circular addressed to the Justices of the Court of Queen's Bench and Circuit Judges in the year 1844, with a view to obtain information and suggestions respecting a contemplated change in the Judicature system of Lower Canada.

The Honorable *Augustin N. Morin*, Speaker *pro tem.* of the Legislative Assembly, being interrogated; answered:—I do not pretend to express an opinion on the propriety of establishing local Courts in different parts of the Province, but if such Courts are to be established, the Counties of Rimouski and Kamouraska ought to have the preference, as the farthest settlements in those Coun-

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ties, are more than two hundred miles from Quebec. The roads leading thereto are very lengthy, and in bad weather very difficult to travel upon. In winter it is impossible to arrive on a given day without leaving long before hand; I have experienced it while acting as District Judge, and I have, in the fulfilment of my duties, suffered fatigue such as few persons can endure. The communication by water is still more uncertain, and besides dangerous. No person who has business to transact at Quebec, can try that means of communication with any probability of arriving in time. If a local Court ought to be established, Rivière du Loup appears to me the best fitted for such an object. It appears to me to be the most central place; the increasing commercial importance of the locality, and the facility with which vessels, coming from the River and from the Sea, can approach, are also strong arguments in its favor. The issue of the road communicating with Madawaska and New Brunswick, is at that place. When steam or other communications shall be established between the South shore and the Saguenay, Rivière du Loup will be the most direct landing place. If two Courts ought to be established, one might be at Rimouski, and the other at Kamouraska; but if there is to be only one, I would recommend, without hesitation, that it be established at Rivière du Loup.

2. Would it not be as necessary, if not more so, to establish a fixed Court in the County of Rimouski, as at Three Rivers or at Sherbrooke?—The population of the two Counties of Kamouraska and Rimouski is very considerable, although not equal to that of the District of Three Rivers; but it is more susceptible of increase.

The facility of communication between Quebec and Montreal, is very great for the Inhabitants of the District of Three Rivers, and there is no comparison between their case and that of the Inhabitants below. As to the District of St. Francis, I think that the Inhabitants below are as disadvantageously situated as those of that District.

The Honorable *Elzéar Bedard*, one of the Judges of the Court of Queen's Bench for the District of Quebec, being interrogated, answered:—I am not prepared to give a positive opinion either in favor or against the expediency of establishing a permanent Court; this would be altogether subservient to the system of Judicature established all through the Province; if that system was adopted, I am of opinion, that Rivière du Loup, on account of its central position, should be chosen as the seat of a permanent Court in this District, and might acquire extent and importance, on account of its being the outlet of the road leading from Madawaska, where there is already a large population.

In case it should, under a new system of Judicature, be thought proper to let the Inferior District of Gaspé, St. Francis, and Three Rivers remain as they are, do you think that the geographical position, the distance, the population, and the wants of the Inhabitants of the two Counties of Rimouski and Kamouraska, would equally entitle them to the establishment of a local Court in the centre of the said Counties?—Yes, I think so.

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RETURN to an Address of the Legislative Assembly to His Excellency the Governor General, praying His Excellency to lay before the House, Copies of all Correspondence between the Executive Government of the Province and the Quebec Trinity House, and the Corporation of the City of Quebec, concerning the Beaches of the River St. Charles, and of the Orders and Resolutions of the Council on that subject.

By Command,

D. DALY,

Secretary.

Secretary's Office,
18th May, 1846.

(Copy)

TRINITY HOUSE,
Quebec, 15th May, 1840.

Present:

The Honble. J. STEWART, Master.
HENRY LEMESURIER, Esqr., Dy. Master.
DAVID BURNET, Esqr., Warden.
JOHN LAMBLY, Esqr., H. M. & Warden.

The Board resumed the consideration of the Messrs. Pemberton's application for a part of the Beach of the River St. Charles; and Captain Bayfield, of the Royal Navy, being present, and consulted in regard to the best plan of improving the mouth of the said River, it was Resolved, That an humble Address be presented to His Excellency the Governor General, stating, that the Board, having taken the Petition of Messrs. Pemberton into consideration, and having been favored with the opinion of Captain Bayfield in regard to laying out a part of the Beach at the mouth of the River St. Charles for the accommodation of the public, they are humbly of opinion that, before deciding upon Messrs. Pemberton's application, a Survey should be executed upon a large scale, of the space which it may be found expedient to grant; and

praying that His Excellency may be pleased to sanction the expense of the said Survey, which the Corporation are willing to superintend.

Attest,

(Signed,)

LINDSAY & MUIR.
R. T. H. Q.GOVERNMENT HOUSE,
Montreal, 30th May, 1840.

Gentlemen,

I am commanded by the Governor General to inform you, that he has had under his consideration the Resolution of the Board, of the 15th instant, requesting His Excellency to sanction the Survey of the Beach at the mouth of the River St. Charles on a large scale, before deciding on the application of the Messrs. Pemberton. His Excellency requests to be furnished with an estimate of the expense of such Survey, previous to adopting any final conclusion on this subject.

I have, &c.

(Signed,)

T. W. C. MURDOCH.

The Trinity House,
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Sir,

“ We beg at the same time, to hand you, for the information of His Excellency, a copy of the Board's minutes on the subject of an Estimate of the probable cost of surveying the Beach at the River St. Charles, as called for by your letter of 30th May last.”

I have, &c.
(Signed,) LINDSAY & MUIR,
R. T. H. Q.

T. W. C. Murdoch, Esquire,
Chief Secretary, &c. &c. &c.
Montreal.

(Extract.)

TRINITY HOUSE,
Quebec, 16th June, 1840.

Present:

The Honble. J. STEWART, Master,
“ G. PEMBERTON, Warden,
GEORGE B. SYMES, Esqr., Warden,
JOHN LAMBLY, Esqr., H. M. & Warden.

Resumed the consideration of the Chief Secretary's letter of the 30th May last, calling for an Estimate of the probable expense to be incurred for surveying the Beach of the St. Charles; and the Board being unable, from the nature of the work, to obtain an exact Estimate of the same, are of opinion, that the cost of a preliminary Survey containing the outlines of the bank, may not exceed the sum of Fifty pounds, currency.

Ordered. That a copy of the above minute be transmitted to the Chief Secretary, for the information of His Excellency the Governor General.

Attest.

(Signed,) LINDSAY & MUIR,
R. T. H. Q.

GOVERNMENT HOUSE,
Montreal, 16th July, 1840.

Gentlemen,

The minutes of the proceedings had by you on the 15th May and 16th ultimo, touching a Survey of the Beach at the mouth of the River St. Charles, having been duly considered, I have now the honor to convey to you the requisite authority for causing to be performed the preliminary Survey proposed in your minute of the 16th ultimo, at an expense not exceeding Fifty pounds, currency, in communication with the Surveyor General, who has received the necessary instructions on the subject.

I have, &c.
(Signed,) C. N. MONTIZAMBERT.

The Quebec Trinity Board.

GOVERNMENT HOUSE,
Montreal, 16th July, 1840.

Sir,

I am directed to instruct you to place yourself in communication with the Quebec Trinity Board, with a view to the execution of a proposed preliminary Survey of the

Beach at the mouth of the River St. Charles, at an expense not to exceed Fifty pounds, currency.

I have, &c.
(Signed,) C. N. MONTIZAMBERT.

The Surveyor General.

Description of a certain space of Beach lying at the mouth of the River St. Charles, as marked out by the Buoys placed by Captain Lambly and Captain Young, Officers of the Trinity House.

Bounded on the North by a space left for a North Channel, and on the South by a space left for the South Channel, on the West by the River St. Charles, and on the East by the River St. Lawrence, at low water.

Beginning at a certain point on the Beach of the River St. Charles, in alignment with the West side of M'Calum's Wharf situated on the South side of the Channel of the River, and the Steeple of the Hotel Dieu Church in the Upper Town of Quebec, at the distance of about five hundred feet from the North West corner of the said Wharf, as at the point A, on the annexed figurative plan, being at the distance of sixteen feet East of a Ring-bolt fixed into a Rock, used as a land mark; the aforesaid distance of five hundred feet being intended for the breadth of the said South Channel of the River St. Charles. Thence running in prolongation of the said alignment magnetically North $2^{\circ} 30'$ West variation $13^{\circ} 35'$ West, six hundred and forty feet, as at the point B, being about six hundred and sixty feet rectangular distance from the Beach line drawn and bounded to limit the grants of the Beach in front of the Seigniorie of *Notre Dame des Anges*, the said extent being left for the breadth of the said North Channel. Thence magnetically North $57^{\circ} 30'$ East three thousand four hundred feet, to the intersection of a line drawn from Ring-bolt No. 5, fixed on the Beach line aforesaid, on a course South $24^{\circ} 30'$ East, as at the point C, at low water mark, being about seven hundred and forty feet from the said Ring-bolt, the said space being left for the North Channel of the River St. Charles, as aforesaid. Thence magnetically South $51^{\circ} 30'$ East, one thousand seven hundred and fifty feet, as at the point D, being outside of the sand bank in two feet water in the River St. Lawrence. Thence magnetically South $39^{\circ} 30'$ West about two thousand five hundred feet, to a point distant about seven hundred and forty feet from the North-easternmost corner of David Burnet's Wharf at *Pointe à Carcy*, and bearing South 26° West, as at the point E, being the breadth intended to be left for the South Channel of the River St. Charles, at the entrance thereof. Thence magnetically North, 79° West, about two thousand seven hundred and fifty feet along the North side of the said Channel to the place of beginning. The said lot of Beach containing about seven million two hundred and twenty four thousand four hundred and eighty English feet in superficies, equal to one hundred and sixty-six acres, three roods and seven perches.

Done and executed, pursuant to the desire of the Trinity Board of Quebec, agreeably to the commands of His Excellency the Governor General, directed to the Surveyor General, dated 16th July last.

Given under my hand at Quebec, the 31st day of August, 1840.

(Signed,) JOS. BOUCHETTE, Junr.
D. S. G.

Certified true Copy,
Crown Land Department,
Montreal, 15th May, 1846.

(Signed,) D. B. PAPINEAU, C. C. L.

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TRINITY HOUSE,
Quebec, 23rd October, 1840.

Present:

The Honble. J. STEWART, Master,
" G. PEMBERTON, Warden,
D. BURNET, Esqr., Warden,
J. LAMBLY, Esqr., H. M. & Warden,
R. YOUNG, Esqr., S. P. & Warden.

The Board resumed the consideration of the plan and *Procès Verbal* of the Beach at the mouth of the River St. Charles, together with a report from Captain Lambly, after having had communication on the subject, with Captain Bayfield, of the Royal Navy; and it being desirable to obtain further information in respect to the most judicious mode of laying out this space for the accommodation of shipping, and for the purposes of commerce, it was Resolved, That an humble Address be presented to His Excellency the Governor General, transmitting the above documents, and stating that before the Board can decide as to the propriety of recommending grants to be made of any part of the Beach to Messrs. Pemberton, or others, it is essential that the best information to be had in the country should be obtained, as to the mode of laying out the space in the most judicious manner; and praying that His Excellency may be pleased to refer the documents before mentioned to the Board of Works, and that Mr. Killaly may be directed to visit and examine the Beach at the mouth of the River St. Charles, when convenient.

Certified.

(Signed,) LINDSAY & MUIR,
R. T. H. Q.

QUEBEC, 20th October, 1840.

Sir,

I beg to state to you, that I called on Captain Bayfield, and shewed him the plan of the Beach unoccupied at the mouth of the River St. Charles. He told me he saw no objection to its being built on, except that all the projections on both sides of the River shaded and marked X, on the plan, ought absolutely to be removed, and especially the angle formed by the line forming the South boundary of the Jesuits' Beach, and the line forming the western boundary of Mr. Burnet's lot; this projection will cause an obstruction to the ebb tide, and force it all to the southward, and fill the North Channel with mud.

I am, &c.

(Signed,) J. LAMBLY, H. M.

Honorable

John Stewart,
T. H. Quebec.GOVERNMENT HOUSE,
Montreal, 3rd November, 1840.

Sir,

I am directed by the Governor General to transmit to you the enclosed Address from the Quebec Trinity House, respecting the Survey of the Beach at the mouth of the River St. Charles, near Quebec, and to request that the suggestions of the Trinity House may be acted on as soon as it may be practicable to do so.

I have, &c.

(Signed,) T. W. C. MURDOCH.

The Chairman of the
Board of Works.TRINITY HOUSE,
- Quebec, 30th May, 1842.

Sir,

We have the honor to transmit to you the enclosed proceedings of this Corporation to be laid before the Governor General.

We remain, &c.
(Signed,)LINDSAY & MUIR,
R. T. H. Q.Honble. D. Daly,
Secretary.

[Enclosure], in the above communication was the Address of the Trinity House of the 30th October, 1840.]

Enclosure 2.

TRINITY HOUSE,
Quebec, 27th May, 1842.

Present:

The Honble. J. STEWART, Master,
W. PATTON, Esqr., Warden,
E. BOXER, Esqr., H. M. & Warden,
R. YOUNG, Esqr., S. P. & Warden.

The Master having called the attention of the Board to their proceedings respecting the Beach at the mouth of the River St. Charles, it was Resolved, That an humble Address be presented to the Governor General, with copies of the minutes of the Board dated the 23rd October, 1840; and praying that His Excellency may be pleased to direct Mr. Killaly, or some other competent person, to visit and examine the Beach at the mouth of the River St. Charles.

Attest.

(Signed,) LINDSAY & MUIR,
R. T. H. Q.

[Enclosures 3 & 4, had reference to the erection of the South Pillar and Biquet Light Houses.]

SECRETARY'S OFFICE,
Montreal, 9th June, 1842.

Sir,

I have the honor, by command of the Governor General, to transmit to you the enclosed communication from the Trinity Board of Quebec; and in so doing, to observe that His Excellency is very desirous that the completion of the works to which it has reference, may not be any longer delayed than is absolutely unavoidable.

I have, &c.

(Signed,) D. DALY,
Secretary.Honble. H. H. Killaly,
&c. &c. &c.TRINITY HOUSE,
Quebec, 14th March, 1845.

Present:

The Honble. J. STEWART, Master,
R. YOUNG, Esqr., S. P. & Warden,
W. PATTON, Esqr., Warden,
E. BOXER, Esqr., H. M. & Warden,
R. J. ALLEYN, Esqr., Warden.

The Board having before them the copy of an Act to amend the Ordinances incorporating the City of Quebec,

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lately introduced in the Legislative Assembly, observe that by the 15th section of the said Act, it is enacted, "that the Council of the said City shall have full and exclusive jurisdiction over the Beaches of the River St. Charles, within the limits of the said City, and may make By-laws, Rules and Regulations with respect to the same."

And the Council considering that such a power vested in the City Council might hereafter interfere with the navigation of the River St. Charles, and the improvements which it may become necessary to make for the same, and that it would also be at variance with the provisions of the proposed Bill to amend the Laws of this Corporation, which go to extend the jurisdiction of this Board over the Beaches and Waters of the St. Charles, it was:—

Resolved, That an humble Address be presented to the Governor General, praying that His Excellency may be pleased not to allow the said enactment to pass into a Law.

Certified,

(Signed,) LINDSAY & MUIR,
R. T. H. Q.

(Copy.)

SECRETARY'S OFFICE,
Montreal, 12th February, 1845.

Sir,

I have the honor, by command of the Governor General, to transmit to you the accompanying copy of an Address of the Legislative Assembly, and to convey to you His Excellency's instructions that you should cause the Survey, therein proposed, of the River St. Charles, to be made, and should report the result with your observations thereon, for His Excellency's information, with as little delay as possible.

I am to add, that His Excellency has felt it due to the Trinity Board of Quebec, to advise them of the intended Survey, and request them to hold themselves in readiness to co-operate with the Board of Works in regard to it.

I have, &c.

(Signed,) D. DALY,
Secretary.

Honble. H. H. Killaly,
Chairman of the
Board of Works,
&c. &c. &c.

(Enclosure.)

LEGISLATIVE ASSEMBLY,
4th February, 1845.

Resolved, That an humble Address be presented to His Excellency the Governor General, to pray that His Excellency will be pleased to direct a Survey to be made, under the direction of the Board of Works, of the River St. Charles, between the confluence of that River with the St. Lawrence, at Quebec, and the General Hospital, with a view to ascertain the practicability of forming a safe and secure Dock and Harbour for the reception of shipping arriving at the Port of Quebec.

* * * * *

Attest.

(Signed,) W. B. LINDSAY,
Clk. Assy.

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(Copy.)

SECRETARY'S OFFICE,
Montreal, 12th February, 1845.

Gentlemen,

I have the honor, by command of the Governor General, to transmit to you the accompanying copy of an Address of the Legislative Assembly; and to inform you that His Excellency has been pleased to instruct the Board of Works to proceed to cause the Survey therein proposed, of the River St. Charles, to be made with as little delay as possible.

The subject being one in which your Board cannot fail to take deep interest, and in regard to which His Excellency feels desirous to have the advantage of your information and advice, the Board of Works has been further instructed to communicate with you upon it before proceeding to make the Survey, and to invite your co-operation in their proceedings.

I have, &c.
(Signed,)

D. DALY,
Secretary.

The Master and Wardens
of the Quebec Trinity House,
&c. &c. &c.

Montreal, 1st April, 1846.

Sir,

I transmit herewith two Petitions from the Corporation of the City of Quebec, and one from Boatmen of Quebec, which I request you will be pleased to submit to His Excellency the Administrator of the Government.

I have the honor to be, Sir,
Your obedient servant,
(Signed,) J. CHABOT.

Honble. D. Daly,
Secretary, &c. &c.

(Copy.)

To His Excellency Lieutenant General the Right Honorable Charles Murray, Earl Cathcart, of Cathcart, in the County of Renfrew, K. C. B., Administrator of the Government of the Province of Canada, and Commander of Her Majesty's Forces in British North America, &c. &c. &c.

The Petition of the Mayor and Councillors of the City of Quebec,

Humbly Sheweth:

That the space of ground and Beach at the confluence of the Rivers St. Lawrence and St. Charles hereinafter described, being public property, has hitherto lain waste, and has been of no utility to the public.

That the said space of ground may be applied to many useful purposes by the outlay of capital thereupon, such as the making of Docks, the construction of Wharves, and other improvements in which the citizens of Quebec, generally, are deeply interested.

That the situation and extent of the said space of ground and Beach is such, that in the opinion of your Petitioners, the same ought not to be vested in or granted to individuals for the purposes of private speculation and profit, but, on the contrary, the same should be vested in the Corporation of the City of Quebec, for the purposes and use of the City.

That your Petitioners are desirous of obtaining the sanction of the Legislature to an extension of the limits of the City of Quebec, so as to include the said space of

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ground and Beach, and to obtain a grant of the same to your Petitioners, to the end that the same may be applied to the purposes first above mentioned, as well as to the improvements of the Harbour of Quebec, in such manner as it shall be, from time to time, considered expedient and fitting by the Corporation of the said City.

That your Petitioners are further desirous to be authorised to borrow, by way of loan, such sums of money as shall be deemed necessary by them to effect the purposes aforesaid, from time to time; such sums of money to be secured upon the said space of ground and Beach, and the improvements to be thereupon made by your Petitioners.

That your Petitioners are also desirous of obtaining jurisdiction over both sides of the River St. Charles, from the termination of the said space of ground and Beach, as far as an extension of the Westerly boundary of the said City, until it reaches the opposite side of the said River St. Charles.

That the said space of ground and Beach is known and distinguished by the following description, to wit:—A space of ground and Beach measuring in front towards the East, on the River St. Lawrence, two thousand feet, and in front towards the West, six hundred feet, by about three thousand six hundred feet in depth, the said space of ground bounded in front towards the East by a line drawn in the said River St. Lawrence where the same is thirty feet deep, in depth towards the West by the prolongation of the Eastern line of the property of the Corporation forming part of the ground of St. Paul's Market, on one side towards the South by the present low water mark, and on the other side towards the North by a direct line drawn from the Northern extremities of the two aforesaid front lines, which said direct line shall henceforth be the low water mark of the said River St. Charles.

Wherefore your Petitioner's humbly pray that an Act of the Legislature may be passed, conferring on your Petitioners the powers, privileges and authorities aforesaid, and that the said space of ground and Beach may be vested in them for the purposes and in the manner aforesaid.

And, as in duty bound, your Petitioners will ever pray.

(Signed,) G. O'KILL STUART,
Mayor of the City of Quebec.

(L. S.)

Quebec, }
30th March, 1846. }

SECRETARY'S OFFICE,
Montreal, 7th April, 1846.

Sir,

I have the honor, by command of the Administrator of the Government, to acknowledge the receipt, through your hands, of a Memorial from the Mayor and Councillors of the City of Quebec, praying for the grant of a certain space of ground and Beach at the confluence of the Rivers St. Lawrence and St. Charles; and for the passage of a Legislative measure, which should extend the limits of the City so as to include the said tract, and should authorize the Corporation of the City to borrow such sums of money as may be required for its improvement. And I am to inform you that the subject will not fail to receive from His Excellency, the attentive consideration which its importance demands.

I have, &c.,
(Signed,) D. DALY,
Secretary.

J. Chabot, Esqr., M. P. P.
&c. &c. &c.

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Immediate.

SECRETARY'S OFFICE,
Montreal, 7th April, 1846.

Gentlemen,

I have the honor, by command of the Administrator of the Government, to transmit to you the accompanying copy of a Memorial received by His Excellency from the Mayor and Councillors of the City of Quebec; and to request that you will favor me, at your earliest convenience, for his information, with a report of your views as to the expediency, or otherwise, of a compliance with its prayer.

I have, &c.,
(Signed,) D. DALY,
Secretary.

The Master, Dy. Master, and
Wardens of the Trinity House,
&c. &c. &c. Quebec.

The following letters were addressed to the Honble. J. Stewart, Commissioner of the Jesuits' Estates, Quebec, and to the Honble. F. W. Primrose, Inspector General of the Queen's Domain, Quebec.

Immediate.

SECRETARY'S OFFICE,
Montreal, 7th April, 1846.

Sir,

I have the honor, by command of the Administrator of the Government, to transmit to you, the accompanying copy of a Memorial received by His Excellency from the Mayor and Councillors of the City of Quebec; and to request that you will, with the least possible delay, favor me with a report, setting forth for his information, your views as to the effect which a compliance with its prayer, if not accompanied by Legislative or other provisions to prevent such a result, might be expected to have as regards the productiveness of the [Jesuits' Estates,] [Crown Domains.]

I have, &c.,
(Signed,) D. DALY,
Secretary.

JESUITS' OFFICE,
Quebec, 9th April, 1846.

Sir,

I have had the honor to receive your letter of the 7th instant, with a copy of the Pétition to His Excellency the Administrator of the Government, from the Mayor and Councillors of the City of Quebec, praying that a certain space of Beach at the confluence of the Rivers St. Lawrence and St. Charles may be granted to that Corporation, and I have to state, for the information of His Excellency, that the Beach between high and low water in front of the Seigniorship of *Notre Dame des Anges*, which extends upon all the navigable part of the St. Charles and upon the St. Lawrence as far as the River Beauport, belong to the Estates.

That certain parts of this Beach have already been granted to individuals, with the approbation of the Trinity House, and that the remainder may be granted to other individuals, or to the City Corporation, at a fair valuation.

I am not aware, from the description given, how much of the Beach prayed for may front *Notre Dame des Anges*, but that of course may be ascertained when the ground shall have been accurately surveyed.

I have, &c.,
(Signed,) J. STEWART.

Honble. D. Daly,
&c. &c. &c.

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TRINITY HOUSE,
Quebec, 14th April, 1846.

Present:

The Honble. J. STEWART, Master,
HENRY LEMESURIER, Esqr., Dy. Master,
ROBERT YOUNG, Esqr., S. P. & Warden,
EDWARD BOXER, Esqr., H. M. & Warden.

The Board resumed the consideration of Mr. Secretary Daly's letter of the 7th instant, and of the accompanying Petition of the City Corporation for a grant of the Beach at the confluence of the Rivers St. Lawrence and St. Charles, and having had reference to the proceedings had by this Board, at various times, respecting the improvement of that part of the Harbour, it appears that, in consequence of an application from Messrs. Pemberton, a Survey of that Beach was made by the then Deputy Surveyor General, but the Board being anxious to obtain further and more accurate information in regard to the effect the erection of Wharves and other projected improvements might have upon the navigation, they did, on the 23rd October, 1840, and again on the 27th May, 1842, address the Governor General, praying that His Excellency might be pleased to direct Mr. Killaly, President of the Board of Works, to examine the Beach at the mouth of the River St. Charles, in order to obtain the best information as to the mode of laying out the space in the most judicious manner; which service, so far as is within the knowledge of the Board, has not been done.

In considering the Petition now referred to them, the Board, whilst they are sensible of the expediency of improving the Beach at the mouth of the River St. Charles, cannot recommend that a grant of the same should be made to the City Corporation. They are of opinion that after a regular Survey, and some well digested and approved plan of improvements, which should not interfere with the navigation, the property should either be vested in Commissioners, as in the case of the Montreal Harbour, or divided into lots and sold by public auction, subjecting the purchasers to such conditions as the plan might render necessary.

The Board further observe that the City Corporation propose to extend their jurisdiction to both sides of the River St. Charles, thereby assuming a power over that

part of the navigable waters which of right, as stated in this Board's Address to the Governor General, of the 14th March, 1845, should be vested in the Trinity House of Quebec.

Ordered, That a copy of the above Minute be transmitted to the Provincial Secretary, for the information of His Excellency the Administrator of the Government.

Attest.

(Signed,) LINDSAY & LEMOINE,
R. T. H. Q.

Quebec, 20th April, 1846.

Sir,

In obedience to the commands of His Excellency the Administrator of the Government, communicated to me by your letter of the 7th instant, accompanying a copy of a Petition of the Mayor and Councillors of the City of Quebec, praying for a grant of a space of ground and Beach on the St. Lawrence and St. Charles Rivers at Quebec, and directing me to report for His Excellency's information, my views as to the effect which a compliance with its prayer, if not accompanied by Legislative or other provisions to prevent such a result, might be expected to have as regards the productiveness of the Crown Domain; I have the honor to state, that as far as I am competent to judge of the value which might be realized by the Crown, by conceding the space prayed for, I am of opinion that the annual revenue which might be derived therefrom would probably amount to six hundred pounds currency, per annum, being calculated at six per cent upon £10,000, estimated as the value of the ground and Beach in question at the rate of 6d. per superficial foot. This revenue would of course be lost to the Crown, unless by the conditions of a grant to be made, or by Legislative enactment, the Corporation of the City of Quebec were bound to guarantee that amount to Government.

I have, &c.,
(Signed,) F. W. PRIMROSE,
I. G. D. R.

Honble. D. Daly, Secy. of the Province,
&c. &c. &c.

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R E P O R T .

THE SELECT COMMITTEE appointed to inquire into the state of the Judicial and Parliamentary Records in Lower Canada, have the honor to REPORT:—

Your Committee, in obedience to the Order of Reference by Your Honorable House, have entered upon the investigation of the matter referred to them, and have examined several persons, the information collected from whom is to be found in the Appendix to the present Report.

The Rolls, Records and Journals belonging to the Legislative Council of the late Province of Lower Canada have recently, it seems, been classed and put in the best of order by Mr. De Léry, Clerk Assistant to the Honorable the Legislative Council of this Province, by direction of the Speaker thereof, (the Honorable Mr. Caron,) and remain deposited in the vault of the *Evêché*, or Parliament House, at Quebec, formerly occupied, as at present, by the Journals, Archives, Rolls and Papers of that Body. Those Archives are valuable, comprehending the Rolls on which the Statutes passed by the Legislature of Lower Canada were originally inscribed, besides about six thousand volumes of printed copies of the *Edits et Ordonnances Royaux, les Ordonnances du Conseil Supérieur*, the Provincial Statutes of Lower Canada, the Indexes to the same, the *Lex Parliamentaria*, the Ordinances of the Special Councils, the Extra Journals of the Legislative Council, and other prints that have cost the country considerable sums of money. This vault is represented to Your Committee as very damp, owing to a Cistern or Well immediately under it, and as requiring a new floor, which they recommend should be immediately attended to and supplied. The vault should also, in the opinion of Your Committee, be aired during the fine weather, daily, throughout the summer season, by opening the doors and windows,—an attention that would be attended with but little trouble and very inconsiderable expense, compared with the importance of preserving those costly and, to the country, important Records.

Your Committee refer to the information received on this subject from Mr. De Léry, the Clerk Assistant of the Honorable the Legislative Council, and particularly to that of Mr. Faribault, the Clerk Assistant of Your Honorable House, whose valuable suggestions with respect to the Legislative Archives of Lower Canada, and the vault wherein they are deposited, Your Committee recommend the adoption of, as conducive to their preservation.

He states that some trusty person, for a small remuneration, should be charged with the airing and ventilating the apartment at proper times, and closing the openings in a careful manner, in which Your Committee concur, and accordingly recommend.

The Records and Papers printed and in manuscript, formerly appertaining to the Assembly of Lower Canada, are it appears by the information of Mr. Lindsay, the Clerk of Your Honorable House, are kept in the loft or garret of the said *Evêché* or Parliament Buildings at Quebec, but are not, in the opinion of

Your Committee, in a place of safe keeping, being, in case of conflagration, liable to be destroyed by fire. Your Committee recommend that this should be brought under the notice of the Executive Government, with a view to the adoption by it of some precaution as early as convenient, for their safe keeping and security from fire. They are represented by Mr. Lindsay as in good order and preservation at the present time,—a fact also within the knowledge of some of Your Committee.

Your Committee recommend that the Clerk of Your Honorable House (in whose keeping they are) should, with respect to those Records, be instructed to adopt the same precaution as recommended in relation to those of the late Legislative Council of Lower Canada, by causing the apartments in which they are kept to be regularly opened and aired during fine weather in the summer season, and the packages or bundles into which they are made up, to be occasionally disturbed, in order to prevent the inroads of mice and other vermin upon them, charging to the Contingencies of the House any little expense which the precautions mentioned may render necessary.

All the Records and Papers belonging to the Assembly of the late Province of Upper Canada, from the date of its establishment in 1791, were, it seems, destroyed by fire on a visitation by the enemy (to York now Toronto) during the late war with the United States. Another fire, which happened in the latter part of 1824, destroyed the Records of the same Assembly between the two periods. By an order of that House, however, manuscript copies of the Journals destroyed by the first fire, or so much of them as could be obtained from the Colonial Department, were procured, and are at present among the Records of Your Honorable House in the Building in this City now occupied by it and the other Branch. There are also deposited in the same place printed copies of the Journals, as well as a manuscript copy of those of each year from 1824 until the Union of the Provinces.

The Sessional Papers are represented to be in good order, having been collected and classed by Mr. Vaux, an Officer of Your Honorable House, from whom Your Committee have taken information on the subject.

Your Committee beg leave also to draw the attention of the House to the useful suggestion of Mr. Vaux with respect to those Records, which, as he truly states, are kept in a mere hole adjoining the smoking room in this, the Parliament House Building, but which, if deposited in a better and more convenient place, would be susceptible of a better classification than they are in at present.

Mr. Vaux also justly observes that “it is impossible that a proper method can be adopted in the

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" Building now occupied by the Legislature by which the Records of the Assembly can be orderly and conveniently kept. As to their safety there is next to none. They are at present in different rooms and places, each and all liable to be consumed by fire. Safety-Vaults ventilated would, I think, be the best means of preservation. They should be placed under the charge of some responsible person acquainted with them."

Your Committee respectfully recommend the suggestions of Mr. Vaux to the consideration of Your Honorable House.

The Records and Papers belonging to the Legislative Council of the late Province of Upper Canada are, as represented by Mr. Taylor, Clerk Assistant to the Honorable the Legislative Council, and Master in Chancery, deposited in the part of this Building (Parliament House) occupied by that Honorable House, and are represented as tolerably well classed, in a systematic order, but not in a place secure from fire, although every possible care is taken of them; he states that they are kept pretty well aired, and that they are quite free from dampness.

The Laws, as engrossed and passed by the three Estates in Upper Canada, were not, it seems, as in Lower Canada, left in charge of the Clerk of the Legislative Council, but were uniformly, at the close of each Session of the Legislature, transferred from the office of the Clerk of that House to the office of the Secretary and Registrar of the Province, in whose custody (as the proper Officer) they were lodged and now remain.

The state of the Archives and Records in the vaults of the Court House at Quebec, and in charge of the Clerk of Appeals, and the Prothonotaries there, next engaged the attention of Your Committee, as well as that of the Registers, Records and Papers appertaining to the Sheriff's Office at Quebec.

These last are not, as it appears to Your Committee, kept in a place of safety, owing to a want of sufficient vaults in the Court House at Quebec. The Sheriff has, it seems, made application to the Government on several occasions for a vault or place for the safe-keeping of his Registers, but without success. Your Committee, as those Registers and other Papers in the Sheriff's Office are of considerable importance to the public, recommend that the attention of the Executive Government should be drawn to this subject, and that some suitable place for their safe-keeping be provided.

The office of the Court of Appeals and the Registers and Records appertaining thereto are kept in the Court House at Quebec, and are represented as being in the best order; the Clerk (Mr. S. Scott) having, with a care and attention creditable to him, arranged all the papers belonging to it, made new indexes to them, causing also new binding to be made to the Registers of his predecessors in office, without remuneration, and at some expense to himself.

The Archives in charge of the Prothonotaries at Quebec, have been the subject of a petition to Your Honorable House, and which has been referred to Your Committee. It represents that "the Registers of Baptisms, Marriages and Burials, deposited in the Archives of the said Court of Queen's Bench, are of a very old date, commencing in the year 1681, and continuing till the present period.

"That owing to the length of time which has elapsed since those Registers have been written,

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"and the very inferior kind of paper used for keeping Records of such importance, together with the dampness and ill-ventilated state of the vaults of this Court, in which they are kept, many of them are in such a state that it is absolutely impossible to make any use whatsoever of them. There are no Indexes to any of the volumes of the Registers previous to the year 1796, nor is there any general Index to the Registers of each parish, which renders them very imperfect and nearly useless.

"The Registers have been kept in duplicate, one copy being retained by the "Fabrique" of each parish, and the other being deposited with the Civil authorities. We consider that it would be highly advantageous to the public that these Registers should be so arranged as to afford at all times an easy reference; that it would be advisable to authorize the Prothonotary to cause copies to be made of such of the Registers, as from the above causes, are no longer legible, from the copies kept by the Fabriques, and also copies of such of the Registers now in our possession, which, though still legible, are nevertheless in a rapid state of decay; and for this effect, it will be necessary that power be given to the Prothonotaries, whereby all copies which shall hereafter be given from the copies of the registers now proposed to be made, should be taken and considered to be sufficiently authenticated by the signature of the Prothonotary to serve as legal extracts to all intents and purposes whatsoever. By this means there will also be a certain guarantee for the preservation of a complete set of Registers in duplicate, in case of accidents by fire.

"That the Registers of the Proceedings and Judgments of the Court of *La Prévôté* under the French Government, from the year 1666 to the year 1759, are also deposited in the Archives of the said Court, and that they are in a very bad state of preservation, the greater part having been written on common stitched paper without covers, and to which, in most cases, there are no Indexes.

"The necessity that exists that these Registers should be put in proper order and preserved, and that proper Indexes should be made to each, is so apparent, that it is unnecessary to dwell upon the paramount importance of causing it to be done."

Mr. Burroughs, one of the Prothonotaries of Quebec, having attended upon your Committee, has informed it of what, besides the above, the Archives in their charge consist. Your Committee, to avoid unnecessary repetition, refer Your Honorable House to his evidence, to be found in the Appendix, and would respectfully recommend that his suggestions should also be brought under the consideration of the Government, and which, according to his estimate, it does not appear, if carried into effect, would put the country to any considerable expense. He states the amount at two hundred pounds only, but if it were double the amount, Your Committee consider the importance of classifying those Records and their preservation, to be such that Your Honorable House would not hesitate to make it.

Mr. Burroughs also represents that the vaults in the Court House are fireproof, and that such Records as are there are safe from fire, but that those in the two wings of the building in which there are no vaults, are not so, and that, consequently, the records contained in them are exposed to accidents by fire.

Your Committee are of opinion that additional vaults should be made in those parts of the building for their safe-keeping, and recommend accordingly.

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The state of the office and Records of the Clerk of the Crown at Quebec has not been satisfactorily ascertained by Your Committee. The office seems formerly, and to the time of the present incumbent's appointment thereto, to have been, using Mr. Burroughs' terms, "in a perfect state of disorder and confusion". He cannot, he adds, say "in what condition they now are, but that so far as his knowledge goes, the attendance of that gentleman has been regular." The Committee can only add the expression of their hope that his regularity is indicative of, and will be found to have been conducive to, the proper arrangement of, the important Records in his keeping.

The condition of the Office of the Clerk of the Peace at Quebec, and the Records thereof is not as clearly apparent to Your Committee as they could wish, but attendance appears to be regularly given at the office; and Mr. Burroughs observes, that from a superficial view, he should say that the duties thereof were duly performed. Your Committee consequently, are disposed to infer that the Registers, Records and Papers thereof are regularly kept and in safety. Mr. Burroughs' suggestion in reference to this office, as well as to all others, civil and criminal, that the officer in charge should be required to keep a perfect Journal and complete Indexes of the names of all persons, places, causes, matters and things whatsoever, incident to or apparent upon the face of any Record whatsoever, the necessity of which, he states, has for a long while been apparent to him, is entitled to attention.

Your Committee in the course of their inquiry had occasion to become acquainted with the measures adopted by the Government, pursuant to the Address of Your Honorable House last Session, respecting the ancient Archives, Legislative, Judicial and Administrative, of the Colony, from its earliest colonization and settlement by emigrants from France, and, although the subject be not actually within scope of the inquiry committed to them by Your Honorable House, they nevertheless trust it will hear from them with satisfaction, that the suggestions which, in this behalf, it made the last Session to the Executive, have been duly and effectually attended to, and that those highly important Records, interesting in a variety of shapes to the country, as exhibiting the earliest features of its history, its legislation and its judiciary, have been rescued from the ruin with which they were threatened, and put into an order and classification that does credit to the gentleman (Mr. Faribault, the Clerk Assistant of Your Honorable House, whose zeal and exertions in the collection of works relating to the early history and literature of Canada, are known and appreciated by the public,) entrusted with the task, and, of which Your Committee have pleasure in observing, it appears to them, he has successfully and worthily acquitted himself, as will be seen in the Appendix. The perpetuity of those Archives is now secured, and the matters they record rendered imperishable.

The inquiry of Your Committee as to the condition of the Archives in charge of the Prothonotaries, at Montreal, shows that some of them have materially suffered from the dampness of the vaults in which they have been kept. The Registers and Records of the Courts, including the Proceedings of the different tribunals before the conquest, and dating from 1690, (the Indexes to which are said to be incomplete,) are represented, however, as in good order with regular Indexes or Repertories. The "Notariats," particularly, are represented as all admirably arranged alphabetically, and placed in strong pasteboard covers, docketed on the back, with

the name of the Notary, and the year. Several of the Notarial Minutes, however, have been partially destroyed and defaced by dampness in the vaults. They date from the year 1647.

This appears to have been a work of much labour and extra expense to the Prothonotaries, and is therefore to their credit.

The Registers of Marriages, Baptisms and Burials, in those vaults, date from 1680, and come down to 1845, inclusively, and are equally well arranged with the *Notariats*, but the Indexes are said to be incomplete. The last Wills and Testaments are also alphabetically arranged and regularly enregistered in the Register of Probate. They have a complete *Répertoire* or Index. The oldest Will bears date in the year 1743. The *Tutelles*, commencing in 1760, are also reported as well arranged. Those previous to that period, from 1685, are in Registers without Indexes. The Prothonotaries, however, are now, it seems, at work in supplying this deficiency.

There are, it is represented, three large boxes in one of the vaults, containing various Judicial Proceedings, from the year 1600 to 1759, which have never been examined, and, to all appearance, are in a very dilapidated state. In the opinion of Your Committee, they ought to be examined and classed.

Your Committee beg leave to refer Your Honorable House to the recommendation of Mr. Coffin, one of the Prothonotaries of the Court of Queen's Bench, at Montreal. Mr. Coffin recommends the appointment of a fit and well qualified person, acquainted with the old French style of writing, for the purpose of examining, classing, and putting in order all the Registers and Papers in possession of the Prothonotaries, and which had reference to a period previous and up to the period of the conquest. These Papers and Documents, consisting of old French Judicial Registers, Records, Tutelles, Curatelles, Autorisations, Insinuations, &c., are contained, he says, in several trunks in the vaults, unarranged and requiring Indexes. He also recommends that the person or persons so employed should be required to make proper and complete Indexes to such of the Records of the former Court of Common Pleas as are without them, as also to such of the *Notariats*. Registers of Baptisms, Marriages and Burials, as have been deposited with the Prothonotaries without such Indexes or Repertories. In all which suggestions Your Committee concur with him, and beg leave to recommend accordingly to Your Honorable House, and this not only in respect to those documents in the keeping of the Prothonotaries at Montreal, but also in respect of those of the like description in possession of the Prothonotaries at Quebec and at Three Rivers, respectively.

Your Committee also recommend attention to the suggestion of Mr. Boston, one of the Joint Sheriffs of Montreal, who observes that in case of the erection of a Court House at Montreal, there should be for the safe-keeping of the Registers, Documents and Papers of the Sheriff's Office, and those in the other offices of the different Courts held there, not only a sufficient fire-proof and dry vault attached to each office, but that the office itself should in like manner be vaulted and fire-proof,—papers the most important being from day to day deposited in those offices. The necessity of the precautions proper to be taken in this respect, as mentioned by Mr. Boston, is strikingly exemplified to Your Committee by Mr. Honey, a gentleman employed in the Prothonotary's Office, Montreal, who, in his examination before Your Committee, observes, "I beg to remark as a proof of the

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"necessity of the Prothonotary's Office being made perfectly secure and fire-proof, that there are immense numbers of original promissory notes, and other documents filed in the causes instituted in the Court of Queen's Bench, and had I not been in the habit of placing these original notes and documents in an iron chest kept in the Prothonotary's Office, most likely they would have been burnt at the recent conflagration of the old Court House."

The Records and Registers in the offices, respectively, of the Clerk of the Crown, and of the Peace, and of the Sheriffs of Montreal, are represented to Your Committee as well kept and in good order, and that by means of Indexes any information, paper or copy thereof, to be found in those Records and Registers, can easily and at once be procured by applicants.

The Registers and Records in keeping of the Prothonotaries and respective Officers of the other Courts at Three Rivers, are represented by Mr. Coffin, who formerly was a Prothonotary there, to be in good order and properly classed, with the exception of the old French Records, which are partially effaced, the writing of most of them being very difficult to read and scarcely legible. They consist of—

First.—The Registers, Records and Proceedings of different Jurisdictions, Civil and Criminal, previous to the conquest. They are arranged, classified, properly docketed, and placed on shelves.

Second.—Of the Registers, Proceedings of the Court of Common Pleas of Superior and Inferior Jurisdiction.

Third.—Of the Registers, *Plumitif*, Records and Proceedings of the Court of King's Bench, Superior and Inferior Terms.

Fourth.—Of the Registers, Records and Proceedings of the Provincial Court.

Fifth.—Of the Registers of *Insinuations*, and of Probate, *Tutelles*, *Curatelles*, *Autorisations* to sell real property, &c., and *Notariats*.

Mr. Coffin finally recommends the binding of the the old French Registers, and that proper Indexes be made to such as require them; and also that Indexes be made to such of the *Notariats* as are without them; and that the old Registers of the Court of Common Pleas and Court of King's Bench should also be newly bound and Indexes to them made; in all which Your Committee agree with him, and recommend accordingly.

Mr. Dumoulin, an Advocate of long standing at Three Rivers, confirms Mr. Coffin's statement, whose information to Your Committee with respect to the Records of the Courts there, he represents "as very full, accurate and satisfactory;" adding that "it is owing to the indefatigable assiduity and labor of Mr. Coffin, while Prothonotary and Clerk of the Crown at Three

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Rivers, and his methodic arrangements, that the Judicial Archives there have been classed and put in the excellent order in which they are." There is, observes Mr. Dumoulin, "not a paper there that, if called for, could not be had in two minutes."

Your Committee will not expatiate upon the importance to the country, now and in all time to come, of the Archives, Records and Papers with respect to which their inquiries, by order of Your Honorable House, have been directed, and the propriety of measures for their preservation and arrangement. Your Honorable House has sufficiently evinced the sense it entertains in this respect, by the reference pursuant whereto Your Committee have been set to work on the subject.

One of the gentlemen examined before Your Committee, in explaining the order in which the *Notariats* in the vaults of the Court House at Montreal were put and preserved, has observed that it could only be appreciated by a visit to and examination of the vault,—a hint which Your Committee—if time and circumstances had permitted, would not have lost, and which it will not be amiss to turn to account at the next or some future Session. Such a visit will work well in various ways. The diligent and laborious functionary will, through it, be known and distinguished by the order and method in which his Records and Registers are classed and kept, from the slothful and slovenly official, and have credit accordingly,—and may be preferred.

In the meantime Your Committee recommend that the subject be submitted to the consideration of the Executive, with a request that steps be adopted by it for visiting and examining the Records, Archives, and Papers alluded to, connected with the different branches of the Judicature in Lower Canada, and in charge of the respective Officers thereof, as well as those relating to Her Majesty's Domain therein, in charge of the Clerk of the Land Roll or *Papier Terrier*, with a view of ascertaining by actual inspection its precise state and condition, and of carrying into effect whatsoever it shall deem necessary or expedient to be done in this behalf, reporting to the two branches of the Legislature what it shall have thought proper to do in the matter, and which Your Committee consider as only following up, and a consistent and necessary sequel to the work begun and so well accomplished, with respect to the ancient Archives of Canada, under the Address by Your Honorable House of last Session, a labour of which, however small and unostentatious it be, the benefits will nevertheless be felt for ages by those who are to succeed us.

The whole dutifully and respectfully submitted.

ROBERT CHRISTIE,
Chairman.

19th May, 1846.

MINUTES OF EVIDENCE.

ROBERT CHRISTIE, Esquire, in the Chair.

Wednesday, 29th April, 1846.

Charles De Léry, Esquire, Clerk Assistant of the Legislative Council, called in; and examined:—

1. You are Clerk Assistant of the Legislative Council?—I am.

2. Have you in your capacity of Clerk of the Legislative Council, the keeping of the Rolls and Records of the late Parliament of Lower Canada?—I have.

3. Where are they kept and in what condition are they?—They are kept in the vaults of the late Legislative Council of Quebec. The Records, that is to say, the Rolls of Parliament since 1792, the establishment of the late Constitution in Lower Canada, until its suspension in 1838, by the Act of the British Parliament, are kept in separate boxes, the years to which those Rolls relate being marked on each. They were all carefully overhauled and examined last summer, classed and put in excellent order, in which state they now are. There are, however, two boxes of them which seem to have suffered a little from the dampness of one of the vaults, which was owing to a well, or rather cistern, under it, the floor over which being decayed, admitted the damp into the vault; but this I caused to be in part remedied last summer by putting a new flooring over the cistern, which does for the present. The Records and Papers of each Session are also in the boxes, with the Rolls of the same Session. The whole of the boxes are so arranged, numbered and set up in the centre of the vaults, that one can at a moment have access to the Papers of any one Session from 1792 to 1837, that may be called for. Both of the vaults are internally surrounded by cupboards or recesses of wood elevated on feet from the floor, with closed doors, in one of which vaults are kept all the extra copies of Statutes passed in Lower Canada during the Constitution, including the Ordinances of the Special Council, those of each year in separate lockers, labelled on each door mentioning the contents or volumes contained in it, and the other containing the printed and manuscript Journals of Lower Canada, in like manner classed. The whole number of printed volumes so classed and kept in these vaults, including the *Edits et Ordonnances Royaux*, *les Ordonnances du Conseil Supérieur*, the Provincial Statutes of Lower Canada, the Indexes to the same in both languages, the *Lex Parliamentaria*, the Ordinances of the Special Council, and the extra Journals of the Legislative Council, exceed, I imagine, six thousand. The Rolls and Records are enclosed in about eighty boxes of the description above mentioned, besides the cupboards in which the printed volumes are.

4. Do you apprehend any mischief from vermin in those vaults to the Rolls and Papers deposited in them?—No.

5. Do you cause them to be opened and ventilated occasionally; and do you not think it would be well to do so, particularly during the summer season

and in dry weather?—No; they have not been regularly ventilated, but I think it would be well to do it once or twice a week.

6. Is there anything that you would suggest or recommend to be done with respect to those vaults, in order to secure the safety and preservation of the valuable Rolls, Records, Manuscripts and Prints it contains, belonging to the Province?—The vaults are fire-proof with iron shutters and doors, and the Records they contain are in perfect safety; but as the floor is old and nearly rotten, not having been renewed since 1792, I would recommend that a new floor should be laid down in each vault, as essential to the preservation of the Rolls and Papers they contain.

Thursday, 30th April, 1846.

William B. Lindsay, Esquire, Clerk of the Legislative Assembly, called; and examined:—

7. Are you in possession of the Rolls, Papers, Journals, manuscript and in print, belonging to the late House of Assembly of Lower Canada, and, in general, the Archives of that branch of the Legislature; of what do they consist, and where are they kept?—I was in charge of all the documents mentioned in this question when I resided at Quebec, but upon leaving that City to remove to the present Seat of Government, I had to leave them in the Parliament Building at that place, they being so numerous that no room could be found to deposit them in, in the building occupied by the Legislature in Montreal. The Documents consist of all the manuscripts, both on parchment and on paper, since the first year of the Constitution in 1792, up to the time of the suspension of the Lower Canada Constitution, numerous volumes of the Journals both bound and unbound of the House of Assembly of Lower Canada from 1792 to 1836, and an immense number of printed Reports of Committees, Pamphlets and other Papers connected with the above years. The Documents, when I last saw them, were all complete and in good order, with the exception of the Papers of two Sessions which were contained in two record-boxes, but broken open by Lord Durham's servants when that Nobleman occupied the building as his temporary residence, and the Papers thrown promiscuously into two old trunks; but they could be re-assorted in a very short time. I must add, that during Lord Durham's residence at Quebec, some of his confidential officers procured from me some Records, which were never returned, and which I never could find in any of the public offices at Quebec after he left the country. The whole of the Documents before mentioned are kept in a part of the garret of the Parliament House at Quebec, which building is now under the charge and control of the Quebec Corporation.

8. Do you consider the Documents deposited in a place secure from fire?—Although the building is new and covered with tin, I do not consider them secure from fire, which might possibly take in the interior, there being now many persons residing in the building, and who have open fire places and stoves in their apartments. Those persons are connected with the Quebec Corporation, the Literary and His-

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torical Society, the Quebec Library, the Mechanics' Institute, the Provincial Secretary's Assistant for distribution of Licenses, and the retired Messengers of the late Executive and Legislative Councils of Lower Canada. The north-east wing of the building was formerly the old Parliament Building; the chimnies are very defective, and to my knowledge have frequently taken fire.

9. What would you recommend being done with the Documents for their more safe keeping?—I am rather at a loss to answer this question. To my knowledge the vaults under the old wing are partly full with the Records of the Legislative Council, and some parts of the vaults have been abandoned, owing to dampness and unfitness as a deposit for Records. The cellars under the new wing and centre are dry, but not vaulted and as unsafe as the garret. I do not know of any other place in Quebec where they could be deposited.

10. Are you in charge of the Records, Papers and other Documents belonging to the late Special Council?—I was; but they are in the same state and predicament as those of the late House of Assembly of Lower Canada.

Monday, 4th May, 1846.

John Von Exter, Esquire, Advocate, called in; and examined:—

11. Are you not employed in the Sheriff's Office at Quebec, and how long have you been in that capacity?—Yes, I have been so employed for seven years and a half.

12. Have you ever been employed in the Prothonotary's Office at Quebec, and when?—Yes, from the 1st April, 1827, to about the 12th December, 1838.

13. Are the Papers and Records in those offices well kept and properly classed, and in vaults, safe from fire and from damp?—Yes, they have been kept in very good order, with the exception of the dampness of the vaults injuring the paper and effacing the writing, which would require some remedy; also some of the old Registers requiring new binding for better preservation.

14. Is there not a great variety of ancient and important Records, Registers and Papers in those vaults, besides Judicial Records,—and of what description are they?—Yes, there are several other Records, Papers, &c., besides Judicial Records, of which I do not at present remember all; but I remember that the Minutes of deceased Notaries are deposited in the Prothonotary's Office at Quebec, and also the Registers of Baptisms, Marriages and Burials, being a duplicate required to be deposited at the end of the year by every Minister of Religion. There may be others, but I do not remember them. Amongst the Judicial Records are several of the Court of *Conseil Supérieur* and Court of *Prévôté*, existing before the conquest of the Country, which are very valuable Records for reference to, as containing important decisions of the laws of the Country, many of which Registers require to be re-bound for better preservation, some having only parchment covers, very much torn.

15. Are they all so classed with Repertories or Indexes to each, that a person applying, or having occasion for any Papers deposited in those vaults, can without research or difficulty at once have access to and obtain copies of them from the Prothonotary or Archivist in charge?—All the Registers of the Court

of Common Pleas from the year 1776 to the establishment of the Court of King's Bench, about the year 1800, I believe, and the Courts subsequent, have all Repertories or Indexes, but the Registers of the different Courts existing before the year 1776, to some time about the year 1790, require several Repertories and Indexes, as at present it would be difficult to obtain correct information at the Prothonotary's Office from those Registers, from the want of such Indexes; the Registers of Baptisms, &c., also, I believe, require Indexes for such Registers previous to the year 1820.

16. Who is the keeper or legal guardian of those Records and other Papers in those vaults, and responsible for their safe keeping?—The Prothonotaries, Messrs. Burroughs and Huot, and their successors.

17. Would the examination, putting in order, classing and making Repertories or Indexes to the Records you mention, be a matter of considerable expense?—No very great expense, I should think. I should say a sum not exceeding £500 would cover such expense, and possibly £250 might be sufficient.

18. What would you propose to be done to counteract the dampness in the vaults, which you say might injure the papers deposited in them?—I am unable to suggest a proper remedy, unless it be a recommendation to the Prothonotaries to keep a couple of stoves in the passages of the vaults constantly warmed in the winter, and during the summer the windows kept open during the day, to create a constant circulation of air to dry the Records.

19. How many vaults do the Archives in the keeping of the Prothonotaries occupy?—Four vaults are now occupied by the Prothonotaries for their Records.

20. Are the Registers and Records belonging to the Sheriff's Office kept in those vaults, and are any other Archives or Papers besides those you have mentioned, kept there?—The Sheriff of Quebec has no vaults allotted to him for his Registers and Records.

21. Are they safe in case of fire taking in the building?—No, they are not.

22. Are not his Registers and Papers of importance to the public; and explain how?—Yes, they are very important. They consist, first, of the Register of the Deeds of Sale, the Registers of Judicial Sales, and books of receipts of parties receiving monies on sales of real and personal property, made by the Sheriff of the District of Quebec. The Sheriff has now no vault or secure place for the safe custody of such Registers. Some vault or safe ought to be allowed to the Sheriff in the Court House for their safe-keeping. Applications have been made by the Sheriff to the Government, on several occasions, for such vault or other safe place for his Registers, but no answer has been made to this application. This has been some years ago.

23. The destruction then of those Registers and Books might involve many persons and much property in serious difficulties, besides the Sheriff, whom also it might involve in ruin, might it not?—Yes, it would cause the ruin of many persons, from losing the titles of their lands contained in the Registers of Deeds of Sale, and would also ruin the Sheriff himself, from the loss of his receipts of monies paid during upwards of twenty-four years, to the extent of several thousand pounds.

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24. Is there room in the lower or vaulted part of the Court House, for a safe, or place in which the Sheriff might keep his Registers, Books and Papers out of danger from fire?—Yes. I think there would be room for the building of a small safe in the lower part of the Court House, at a cost of about fifty or seventy-five pounds.

25. Are you acquainted with the office of the Court of Appeals for Lower Canada; where is it kept, and in what state is it, as well as the Registers and Records belonging to it?—I am acquainted with the office of the Court of Appeals for Lower Canada, and am aware that the Papers and Registers are now kept by the present Clerk, Mr. Scott, in the best of order, in the City of Quebec, in the Court House; and I am also aware that Mr. Scott has taken the trouble to arrange all the Papers, make new Indexes, and bind anew the Registers of his predecessors in office, at a great expence and trouble to himself, without remuneration.

26. Have you any knowledge of the offices of the Clerks of the Crown and of the Peace at Quebec, and of the order in which the Registers and Records of the same are kept?—I am unacquainted with the manner in which the Registers and Records of those offices are kept; neither am I aware of their order.

27. What other Judicial or Public Offices are kept in the Court House at Quebec, and in what order are they kept?—There are also kept in the Court House, the offices of the Clerk of the Commissioners' Court for the County of Quebec, and of the Clerk of Bankruptcies for the District of Quebec; but I am unacquainted with the manner in which their Records are kept.

28. They are important Records?—They are.

29. Have you anything to suggest to the Committee that will enable it to form an opinion of what is best to be done in order to put those offices, and the Registers, Records and Papers they contain, into a good and systematic order, and for their safe-keeping and preservation?—I am not aware of any other suggestion that I can make, further than I have answered by the preceding.

Tuesday, 5th May, 1846.

Thomas Vaux, Esquire, Second Office Clerk of the Legislative Assembly, called in; and examined:—

30. Were you in the office of the Upper Canada House of Assembly, and how long?—I was in the office of the House of Assembly of Upper Canada from the early part of the year 1829 until the Union of the Provinces.

31. Have you any knowledge of the Rolls, Records, Journals and Papers in print and in manuscript of that body, where they are kept, in whose custody they are, how looked after, and the state they are in; if so, state all you know about them in those respects?—All the Documents of every description belonging to the Assembly of Upper Canada, and deposited therein from 1791, were destroyed by fire during the late war with the United States. Another fire which happened in the latter part of the year 1824, destroyed the Records of the Assembly between the two last periods. By an order of the House, manuscript copies of the Journals, in part, or so much as could be obtained from the Colonial Department, which were destroyed by the first fire were procured,

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and are at present in the office of the Legislative Assembly of Canada. There are also deposited in the same office printed copies of the Journals, and also a manuscript copy of each of the years from 1824, until the Union of the Provinces, concluding with the fifth Session of the thirteenth Parliament of Upper Canada, year 1839-40. The printed copies of the Journals of the last period are very scarce. The Sessional Papers were collated by myself during the recess of the Fourth Session of the last Parliament in Upper Canada, and have been principally under my charge; they are in good condition at present, and are now in the upper part of this building.

32. Have you anything to suggest to the Committee as proper to be done to class and preserve these Documents from decay or injury; state fully your views upon the subject?—As respects the Records of Upper Canada, I believe they are at present classed as well as the place in which they are will allow,—a mere hole adjoining the smoking room in this building. Were there a sufficient and convenient place of deposit, the classification of these Records I am now speaking of—the manuscript Records—could be much better arranged, as also the printed Documents. The manuscript Records of the Legislative Assembly since the Union have also been under my charge; they are in boxes separately and conveniently made for every Session, which I think is the best way for immediate reference,—the classing them according to subjects would not be so convenient. There is another class of Papers besides the manuscript Sessional papers and the printed Journals of the House, which is the printed Sessional Papers, consisting of Bills, Reports of Committees, Petitions, Despatches, Returns to Addresses, &c.; these accumulate greatly, and as it is necessary to keep on hand a quantity of each for future use, it is of moment that they be properly secured. It is impossible that a proper method can be adopted in the building now occupied by the Legislature, by which the Records of the Assembly can be orderly and conveniently kept. As to their safety there is next to none; they are at present in different rooms and places, each and all liable to be consumed by fire. Safety vaults ventilated, would, I think, be the best means of preservation. They should be placed under charge of some responsible person acquainted with them.

Thursday, 7th May, 1846.

Edward Burroughs, Esquire, called in; and examined:—

33. Are you not one of the Prothonotaries of the Court of Queen's Bench at Quebec?—I am one of the Joint Prothonotaries of the Court of Queen's Bench at Quebec.

34. As such, you are the guardian of the Judicial Archives and Papers in the vaults of the Court House at Quebec, are you not?—As such Prothonotary, I am guardian of the Judicial Archives and Papers of the civil side of the said Court of Queen's Bench in the vaults of the Court House at Quebec.

35. Of what do those Archives and Records principally consist, and in what order and preservation are they?—I take the liberty of referring, as part of my answer to this question, to the Petition of the Prothonotary now before this Committee, which I shall quote in the following words: "That the Registers of Baptisms, Marriages and Burials, deposited in the Archives of the said Court of Queen's Bench are of a very old date, commen-

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"cing in the year 1681 and continuing till the present period: That, owing to the length of time which has elapsed since those Registers have been written, and the very inferior kind of paper used for keeping Records of such importance, together with the dampness and ill ventilated state of the vaults of this Court, in which they are kept, many of them are in such a state that it is absolutely impossible to make any use whatsoever of them. There are no Indexes to any of the volumes of the Registers previous to the year 1796, nor is there any general Index to the Registers of each parish, which renders them very imperfect and nearly useless. These Registers have been kept in duplicate, one copy being retained by the Fabrique of each parish, and the other being deposited with the Civil Authorities. We consider it would be highly advantageous to the public that these Registers should be so arranged as to afford, at all times, an easy reference; that it would be advisable to authorize the Prothonotary to cause copies to be made of such of the Registers as from the above causes are no longer legible, from the copies kept by the Fabriques, and also copies of such of the Registers now in our office, which, though still legible, are nevertheless in a rapid state of decay and, for this effect, it will be necessary that power should be given to the Prothonotary whereby all copies which shall hereafter be given from the copies of the Registers now proposed to be made, should be taken and considered to be sufficiently authenticated by the signature of the Prothonotary, to serve as legal extracts to all intents and purposes whatsoever. By this means there will also be a certain guarantee for the preservation of a complete set of Registers in duplicate in case of accidents by fire. That the Registers of the proceedings and Judgments of the Court of *La Prévôté* under the French Government, from the year 1666 to the year 1759, are also deposited in the Archives of the said Court, and that they are in a very bad state of preservation, the greater part having been written on common stitched paper without covers, and to which, in most instances, there are no Indexes. The necessity that exists that these Registers should be put in proper order and preserved, and that proper Indexes should be made to each, is so apparent, that it is unnecessary to dwell upon the paramount importance of causing it to be done." The Archives also consist of and contain all of the Records of the old French Courts, previous to the Conquest of the Country in the eighteenth century; and also all the Records of the civil side of the respective Courts of the District of Quebec, from the period of the Conquest down to the present day. The most of the Registers of this latter period, down to the year 1796, are mostly indexed, but require rebinding for their preservation, and Indexes to be made to such as are deficient of them. All the Registers subsequent to 1796 are perfect in their form and state of preservation, they are well bound and have Indexes complete. My late confrère, Joseph François Perrault, Esquire, subsequent to his appointment to the office of Prothonotary, about the year 1796, bestowed much labour and pecuniary expense in and about the arrangement of the old French Records, at the time in a very disordered state, and subject to rapid decay in the vaults of the Jesuits' Barracks; yet these papers are still in a state of disorder, and require re-arrangement, and Indexes to be made to the same. All Papers, Records and Registers, from the period of Mr. Perrault's appointment down to the present day, have been, and yet are, in a perfect state of preservation, Indexes thereto made, and the whole properly bound and made up into *liasses*, so that they can be referred to immediately, on application to the proper officer. The vaults in which these Records are kept are defi-

cient in their arrangements for the perfect classification of such Records, and an outlay of £150 or £200, in the utmost, would be requisite for this object. Double windows are an object of importance to that part of the building, and the ventilation by stoves, as well in summer as in winter, is also requisite to keep the vaults dry.

36. Are they in vaults, fire proof, dry, well aired, and fit for the purpose, and have you any thing to recommend as proper to be done in order to their being classed and put in order, with Indexes for ready reference, or otherwise, as well as for their future safe keeping and preservation?—These Records are all in vaults under the Court Halls, the whole of which are fire proof, with the exception of those rooms found in the two wings of the building; these rooms are not fire proof, and in consequence the Records contained in them are exposed to accidents by fire.

37. Would the improvement you speak of in your answer to question 35 cost much; say what amount, in your estimation, would do the needful in a proper and complete manner?—I think the expenses incident to the arrangement before mentioned would not exceed the sum there stated, exclusive of such sum as might be requisite for additional vaulting and double windows.

38. Have you any knowledge of the state of the Registers, Records and Papers in the office of the Court of Appeals, and what is the state of them, and of that office generally?—I have a knowledge of the state of the Registers, Records and Papers in the Court of Appeals at Quebec, having frequently had occasion to inspect them carefully and with much minuteness; they appeared to me to be, and are at present, in a perfect state of good order and preservation, with Indexes to all of the Registers complete, and the papers are put up in *liasses*, so that ready reference may be had thereto when required. Such was not the case, however, some time since. The present Clerk of the Court of Appeals, Mr. Stewart Scott has, to my personal knowledge, bestowed much time and labour in the arrangement and in putting in good order, and making Indexes of all the old Registers, Books and Papers appertaining to that office anterior to the date of his appointment. All of those since have been equally well attended to. I conceive, in every respect, the duties of that office to be efficiently despatched.

39. Have you any knowledge of the office of the Clerk of the Crown at Quebec, and of the condition in which the Registers, Records, Rolls and Papers appertaining to it, are kept; if so, say in what state they are?—I have a general knowledge of the office of the Clerk of the Crown at Quebec, and of the condition in which the Registers, Records, Rolls and Papers appertaining to it were and are kept; this knowledge has extended over a period of nearly forty years. Formerly, and unto the period of the appointment of the present Clerk of the Crown, those Records and Papers appeared to me to be in a very disorganized and dilapidated state; I have frequently seen many of them in different parts of the building, perfectly insecure from depredation, in boxes not under lock and key, and which boxes were sometimes for a long period left about the passages of the building; so much so, that I have at times caused such boxes containing these Records, to be removed to vaults under my custody for better security, where they have in some instances remained for many years, until thence by me handed over to the proper Officer. I have also frequently seen them in possession of the officer for the time being at his own private residence, in large quantities, and in a perfect state of disorder and confusion. Since the ap-

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pointment of the present Clerk of the Crown, my attention has not been so frequently drawn to the state of the Office or the Records in the keeping of that gentleman, and consequently, I cannot state in what condition they now are. So far as my knowledge goes, the attendance of that gentleman at his office has been regular.

40. Have you any knowledge of the office of the Clerk of the Peace at Quebec, and of the Registers and Records appertaining thereto, and how they are kept; state what you know with respect to them, and make any suggestion you may think conducive to improvements in this respect?—I have not any special knowledge of the Registers, Records and Papers appertaining to the office of the Clerk of the Peace for the District of Quebec, nor have I a personal knowledge that any complaints have been made with respect to them. Attendance appears to be regularly given at that office, and from a superficial view I should say that the duties thereof were duly performed, but in what state of preservation the Records thereof are, I cannot take upon myself to say. I will take the liberty of suggesting that, with reference to this office, as well as to all others both civil and criminal, legal enactments ought to be adopted, requiring the Officer to keep a perfect Journal and complete Indexes of the names of persons, places, causes, matters and things whatsoever, incident to or apparent upon the face of any Record whatsoever. These are duties for the performance of which I am not aware that any legislative enactments hitherto existed, but the necessity of which has for a long while been apparent to me.

41. Are there any other public offices in the Court House at Quebec appertaining to any branch of the Judicature, besides those you have mentioned, and what; state them and the condition,—as far as you are acquainted with the same,—of those offices respectively?—At present there are within the walls of the Court House at Quebec, the following offices, to wit: The office of the Prothonotary, Queen's Bench, Civil side; the office of the Clerk of the Crown, Criminal side; the office of the Sheriff; the office of the Clerk of the Court of Appeals; the office of the Admiralty Court; the office of the Clerk of the Peace; the office of the Bankrupt Court; the office of the Clerk of the Commissioners' Court for the trial of causes of small pecuniary value.

42. Have you any knowledge of the state of the Registers and Papers appertaining to the office of the Clerk of the Commissioners of Bankrupts?—I have no particular knowledge of it.

Friday, 5th May, 1846.

George B. Faribault, Esquire, Clerk Assistant of the Legislative Assembly, called in; and examined:—

43. Are you acquainted with the vault or place at Quebec, in which the Rolls, Records, printed and manuscript Papers belonging to the late Parliament of Lower Canada are kept, and in what state they are?—Yes, I am. Up to last summer the public documents contained in this vault had been in a very confused state, and several of the Parliamentary Records were in a very damaged condition, occasioned by the damp state of the vault in which they had been suffered to remain during several years previous. About the close of the summer, a person was employed under the direction of the Speaker of the Legislative Council, and the contents of this vault, consisting of the Parliamentary Rolls and Manuscript Papers belonging to the

Legislative Council, as well as several hundred volumes of printed Journals of that body, and also a large number of the printed Laws of the Legislature of Lower Canada, were properly classed and put up in large presses, and labelled indicating their contents.

44. Is the apartment a dry and suitable one for the purpose, well-aired and ventilated by being occasionally, in dry and good weather, opened to let in the light and air?—In the rear of the building called the ancient Bishop's Palace, there is a well which extends under this vault and renders it very damp; but if the windows of the vault which are protected by iron bars, were frequently opened during the summer months (which has never been done,) the light and air would no doubt counteract the bad effects of this dampness, and contribute most effectually to the preservation of these documents. In addition to the above, I would suggest that a new ground floor should be made in this vault, the present floor being much decayed; and under the new flooring there should be applied a good layer of dry sand or other proper substance, to absorb the damp occasioned by this well. Some trusty person, for a small remuneration, should be entrusted with the airing and ventilating the apartment at proper times and closing the openings in a careful manner.

45. Have you anything to suggest to the Committee which you think might be conducive to the safe keeping and preservation of those Archives; or that in your estimation ought to be done or attended to for that purpose; and are you of opinion that an Archivist or some person should be appointed to visit the vault once or twice a week, and see that the Archives are receiving no damage from mice or other vermin, and to open and close the doors in fine weather, that the apartment may be kept dry?—My answers to these questions are contained in that to number 44.

46. You are probably acquainted with the state of the Archives of all descriptions in the vaults of the Court House at Quebec; will you inform the Committee in what state they are—whether well kept and carefully looked after—methodically arranged, and, if in your estimation, it is proper that anything and what should be done to methodise and put them, or any of them, in good order?—I am acquainted with the state of the Archives which are deposited in the vaults of the Court House at Quebec, and under custody and care of the Prothonotaries. These Archives may be divided into four different grand divisions or classes, and the present condition of each may be stated as follows:—

1st. The Judicial Records in Civil and Criminal Cases, containing the proceedings of the different Courts and Tribunals exercising jurisdiction *dans le ressort du Gouvernement de Québec*, erected under the authority of the French Government, and which subsisted from the establishment of the Country until its Conquest in 1759.

Although some of these Records (particularly those relating to Criminal Cases) may not be considered of much importance at the present day, still I think they require some classification for the purpose of more easy reference, even as far as they relate to matters of historical curiosity, which their present state of confusion does not admit of, as they are loosely put up in cartoons or portfolios.

The Records of the *Conseil Supérieur* (which was *de facto* the Executive Council of the then Government) contain the proceedings and decisions of that body sitting as a Court of Appeals or Court of *Dernier Ressort* for the final decision of all Causes in Criminal as well as Civil matters from all the other Courts of

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the three *Gouvernements de Québec, de Montréal et des Trois Rivières*. These important Records are in a good state of preservation; several of them, however, would require Indexes, and the whole of them, comprising about sixty or seventy volumes, would require new backs and proper titles.

2nd. The Records relating to matters of a Civil nature containing the proceedings of the different Courts of Common Pleas, Court of King's Bench and Queen's Bench, in the Superior and Inferior Term for the District of Quebec, since the Conquest of Canada up to the present time.

All these Records, those bound in volumes as well as the different *liasses* or unbound Records, are in a good state of preservation; they are well classed and arranged under an excellent system for prompt and easy reference. This judicious arrangement was introduced by Mr. Burroughs, one of the present Prothonotaries, when he entered upon the duties of that office, and his system has been strictly adhered to since its introduction.

3. The "*Etudes des Notaires du District de Québec*," or Records of all Instruments passed before Notaries, and which are deposited after their decease.

These very important Records commence as early as 1636; they are in a good state of preservation, and so admirably arranged, that although there are several thousand of documents forming the *Etudes* of about three hundred Notaries, any single document which may be asked for, can be procured in a few minutes, on furnishing the date of the Instrument and the name of the Notary before whom it was executed.

The admirable order in which these documents are now found to exist, is due to the unwearied exertions of a former Prothonotary, the late and venerable Mr. J. F. Perrault, who, during several years, devoted considerable labour and attention to the classifying of these important Records.

4th. The Registers of Baptisms, Marriages and Burials for the District of Quebec, from the first establishment of the Country up to the present time.

This class of documents, as their title imports, is assuredly invaluable in every point of view. Since 1791, by virtue of a Legislative provision, an authentic duplicate of every Register of the above description, kept by any Minister or other Ecclesiastical person, must be deposited at the end of each year with the Prothonotaries; this requirement, however, in many instances, has not been strictly complied with.—The general condition of this class of the Records is pretty good, though many of them would doubtless require binding and other repairs. The situation of the three vaults containing the whole of these Records, is well adapted for their preservation and safety, and they are well attended to, heated and aired at all seasons.

47. The Committee understand that the Government has taken steps to classify, put in order, and preserve the Ancient Records of Canada, from its first establishment by the Government of France to the Conquest, and thence to the Union, and that you have taken an active part in the accomplishment of the work; can you inform the Committee of what has been done?—In consequence of an Address from the Legislative Assembly, presented during the last Session to the Head of the Executive Government, praying that some measures might be adopted respecting the state and condition of the ancient French Archives deposited

in one of the vaults of the old Bishop's Palace at Quebec, I received, in May last, instructions from the Honorable Mr. Secretary Daly to examine the state of these Archives, with a view to ascertain what portion of them might require classification, copying, or otherwise to be put in proper order. On examination, I found 80 large folio Registers, which may be briefly described as follows:

- 10 Registers "*Insinuations du Conseil Supérieur*."
- 6 do. "*Edits et Arrêts du Roi de France*."
- 7 do. "*Cahiers d'Intendance, Concessions, &c.*"
- 5 do. "*Registres d'Intendance, Concessions, &c.*"
- 42 do. "*Ordonnances des Intendants*."

A number of these Registers were in a very dilapidated condition, some from the result of age, (their dates being as far back as 1663,) and others from the frequent use and access for the purpose of research. Three clerks were employed during the summer in copying the most important portions of these Registers upon large folio paper preparatory to their being bound, but since last fall only one Clerk has been employed, in order to complete what remains to be done. Proper Indexes are in preparation for the original Registers, and several of the volumes are undergoing binding and repairs, such as pasting or otherwise repairing the leaves which are decayed or injured. The other portions of these Archives were found to consist of several hundred bundles of loose papers relating chiefly to Judicial proceedings in the several Courts created under the authority of the French Government since the establishment of the country. I examined the whole of these voluminous documents, and classed them in the best methodical manner possible; and from the mass I selected a series of *liasses de Procédure Criminelle*, or Records having reference to proceedings in criminal matters in some very remarkable cases, such as cases of murder, suicide, rape, duelling, arson, &c. Some of these documents will be found to possess much interest, as they exhibit, at this present day, the system and mode according to which trials of this nature were then conducted under the French Criminal Code, and the punishment inflicted. With respect to the latter, it will be seen that the barbarous punishment of "*La peine de la Question*" (the Rack,) was practised in Canada up to the year 1753. I must not omit to mention that I also made from this large collection of loose papers, a selection of highly interesting documents, bearing upon some remarkable events connected with the early establishment of Canada, and for which an Index is now being made, after which they will be bound up in a proper shape. A more detailed report respecting these Archives will be hereafter made to the Executive Government in reference to the whole subject.

Mr. Christie, the Chairman of the Committee, in reference to the subject of the preceding answer of Mr. Faribault, informed the Committee, in addition thereto, that during the last summer he had occasion to observe from time to time the progress made by him in examining, classing and putting in order the heap of loose papers deposited in the vaults of the *Evêché* or Parliament Building at Quebec, pursuant to an Address of the House, last Session, to the Governor General, and the great care bestowed by that gentleman in causing to be restored, and as far as practicable rendering again legible the ancient and invaluable Registers above mentioned, as well as in procuring duplicates or copies of them to be made, to the end that if, by any accident, the originals should be destroyed or lost, faithful transcripts of them may remain, and that he deems it but due to Mr. Faribault, to say that he has successfully and worthily accom-

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plished the task he undertook, and has put the whole into an admirable order, affording at once facility in case of reference and a certainty of their permanent and perfect preservation; and, finally, that in rescuing those Archives from the dissolution to which rapidly they were tending, he has rendered an important public service, for which they who in after times will have occasion to refer to and consult them, whether as merely historic documents of bygone days, or as the foundations upon which their patrimony or their acquired rights to property may rest, will owe him a debt of gratitude.

Friday, 8th May, 1846.

Charles Burroughs, Esquire, called in; and examined:—

48. Are you a member of the Bar of Montreal and Practitioner in the Courts thereof?—I am.

49. As such have you occasion to know the state of the Records, Registers, Judicial Archives, and various Papers in the keeping of the Prothonotaries of the Court of Queen's Bench for the District of Montreal?—I am more particularly acquainted with the Records belonging to the Superior Term of the Court of Queen's Bench: with the Notarial and Inferior Term parts of the Records I have very little acquaintance.

50. In what state are they, and where kept?—They are kept in the vaults of the present Court House which was formerly the old Gaol; they are at present in rather an imperfect condition owing to the burning of the late Court House.

51. Are the vaults fire proof, dry, and well aired?—I believe the vaults are fire-proof, and I think pretty dry and well aired.

52. You say they are in a rather imperfect condition; do you mean to say that part of them have been destroyed by fire, or only that they are mixed up in disorder owing to the removal?—I mean that part of the papers are lost, and part of them mixed up.

53. Have many been lost?—I do not think many whole Records are lost, but many papers forming parts of Records:

54. Would the work of putting them in order and properly classing them, be one of much time and expense, and do you think such a work necessary?—I should think it would be a work of some time and considerable expense; and I think it would be very necessary.

55. Can you explain to the Committee of what the Archives in the vaults of the Court House, &c., in keeping of the Prothonotaries consist, and from what date they are?—They consist of very old Records from the date of the Conquest, and I believe previous to it: It would require a particular examination of every Paper to know how far back the dates run?

56. Are not the Registers and Records of the Clerk of the Crown and of the Peace at Montreal, also kept in the Court House; and can you state in what order they are?—They are kept in the Court House; but I cannot say in what order they are.

57. What other offices besides those already mentioned are kept in the Court House?—There is the Bankrupt Office, the Records of which are in rather

an imperfect state, owing, I think, to the defective state of the present Bankrupt Law; and the Commissioner of Small Causes Court.

58. Were the Registers, Records and Papers in charge of the Prothonotaries, in such order and system previous to the late fire, that a person having occasion to refer to any of them could find the Paper he wanted at once, and without delay or much research?—They were not. The Registers, however, are in better order now than they ever were; but the old Records are in a worse state than they were in, owing to the removal in consequence of the fire.

59. Have you ever been employed in the Prothonotary's Office?—I have, and it is by that means my information is derived.

60. Have you any idea how much the examining, classing and putting into proper order, with Repertories or Indexes to all those public Archives in the vault at Montreal, would cost the public; if so, say the amount near about, and how long an expert hand at the business would take in doing it?—I do not think it could be done under three years, and then there would have to be several hands employed. It could not, I think, be done under a cost of £1500.

John Honey, Esquire, called in; and examined:—

61. Are you an Advocate of the Montreal Bar?—I am.

62. Are you employed in the Office of the Prothonotary at Montreal, and how long have you been so employed?—I am in the employ of the Prothonotary, and have been so for thirteen years and upwards.

63. The Committee wish to ascertain the state of the Judicial Registers, Records, Archives, and Papers of all descriptions in the keeping of the Prothonotary of the Court of Queen's Bench for Montreal; of what they consist, the dates of the oldest of them, detailing them by classes in the best and most methodic way you can, from that period to the present day, whether they are in good and systematic order, kept in a place secure from fire and damp, dry and well aired; or whether they are in disorder and require to be examined, classed and properly arranged, with Repertories or Indexes?—The Judicial Registers consist of a yearly Plumitif, in which the proceedings are daily entered in an abbreviated form; and a Register in which all the proceedings are taken from the Plumitif, and transcribed at full length. This system of keeping the present Plumitif in an abbreviated form, was introduced in the year 1827. Previous to this period the Plumitif contained the daily proceedings at full length, and afterwards copied into a Register. The present system, however, was introduced, supposing that it facilitated the business. Besides these books, the Prothonotary keeps a *Délibéré Rôle*, in which all cases *en délibéré*, are entered; an *Enquête Rôle*, in which all cases for evidence are set down; a Book of Entry of all Writs and Writs of Executions that issue, and also one shewing the returns of Writs of Execution made by the Sheriff. The Records of the Court of Superior Jurisdiction consist of the pleadings and documents produced by the several parties, which are filed and paraphed by the Prothonotary, and afterwards entered in the Plumitif and Registers above mentioned, each separate cause bearing a particular number, which is given at the issuing of the Writ. The papers are made up in an envelope of cartridge paper, regularly docketed and placed under its number. These Re-

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Records remain in the Office of the Prothonotary for twelve months after the rendering of final judgment, when they are removed to the vaults and placed under their number, in pigeon holes regularly numbered. A number of Records wherein Judgments have been rendered previous to the year 1820, are placed in boxes in systematic order. In consequence of the want of a sufficient number of pigeon holes, access to the Records in boxes is of course very inconvenient, and which could be avoided by the erection of a sufficient number of pigeon holes. The Records of the Court of Common Pleas date from 1768 to 1795, and are kept in boxes arranged as aforesaid. The Records of the King's Bench date from 1795, and are kept in pigeon holes, in vault No. 1, with the exception of a portion of them which are kept in boxes for want of a new set of pigeon holes. The Records or Papers filed previous to the Court of Common Pleas, are also kept in boxes alphabetically arranged. The proceedings of the different tribunals before the Conquest, are kept in Registers, the date of the oldest of which is in the year 1690. There are upwards of thirty Registers previous to the Conquest; Indexes to these Registers are incomplete. The proceedings of the Court of Common Pleas are kept in Registers, the Indexes to which are also incomplete. The Registers in which the proceedings and judgments in the causes instituted and returned in the Court of King's Bench, from 1795 to 1815, appear to be in good order; Repertories and Indexes to which are not exactly complete. The Registers of the said Court of King's Bench, from 1815 to 1844, are in good order, with Repertories or Indexes to each, complete; as also the Registers of the proceedings and judgments rendered by the Court of Queen's Bench, from 1844 to the Term of March last, all which are in perfect order and indexed. In addition to the above Repertories or Indexes to Registers, the Prothonotaries some years since, at my suggestion, and for the convenience of the public, caused a general *Repertoire* to be made of all causes instituted in the above Courts, from the year 1795, with the number of each cause and names of parties, and other information, which general *Repertoire* has been continued up to the present time. The vault containing the above Records and Registers is always damp, and more particularly so in the autumn and spring, and some of the Records have been injured thereby. I cannot say whether this vault is fire-proof, although it is made similar to a fire-proof vault; it is neither dry nor well aired. In vault No. 3, the Records and Registers of the Inferior Term are placed—the former in boxes arranged by years and Terms. The Registers of the Court are made up with regular Indexes or Repertories, to the Term of April last; this vault is small, and by no means sufficient to contain the Registers and Papers belonging to the Inferior Jurisdiction; it is very damp, dark and not aired. The Archives in vault No. 2 consist of the Notarial Minutes of deceased Notaries, and are all admirably arranged alphabetically, and placed in strong pasteboard covers, docketed on the back with the name of the Notary and the year; these are all in perfect order, well classed and properly arranged. The *Notariats* generally when received by the Prothonotary, are in great disorder, and the Minutes not even docketed, and mostly without Repertories; and those with Repertories, with few exceptions, are incomplete, and require much time and care to put the Minutes in order. This arrangement of placing the *Notariats* in pasteboard envelopes according to dates, was commenced about ten years ago, and has been lately completed with much labour and extra cost to the Prothonotary, which can only be fully appreciated by a visit to and examination of this vault. The date of the oldest Minute in the above vault, is Basset's *Notariat*, commencing in the year 1647. All the Registers of Baptisms, Marriages and Burials are placed in the above vault No. 2, from the year 1680 to the

year 1845, inclusive; they are arranged in perfect order according to Counties and Parishes, and put up in paste-board envelopes, labelled and docketed similar to the Notarial Minutes. The Repertories to these Registers, however, are generally incomplete, and in fact in many instances returned into the Prothonotary's Office without Repertories or Indexes. The last Wills and Testaments deposited with the Prothonotary, are kept in the above vault No. 2, alphabetically arranged, and are all regularly enregistered in the Register of Probate, of which there is a complete *Repertoire* or Index. The oldest Will bears date in the year 1743. The *Tutelles*, commencing in 1760, are kept in boxes in vault No. 2, arranged by numbers and years; previous to that period, viz: from 1685, the proceedings of the Ministerial Department were kept in Registers without Indexes. The Prothonotaries have had for some time in view the arrangement of the *Tutelles*, &c., in envelopes similar to the Notarial Minutes, which has been commenced by them, and will be finished as speedily as possible. Subsequent to the year 1760, all the *Tutelles*, *Insinuations* and *Closure d'Inventaires* have been regularly entered in Repertories or Indexes to this period. The *Insinuations* are enregistered in Registers regularly kept, bound up, and have Indexes complete from the year 1795 to 1846. There are Papers in three large boxes in vault No. 3, containing various Judicial proceedings from the year 1600 to 1759, which have never been examined to my knowledge; they are not arranged, and to all appearance in a very dilapidated state. The vault No. 2, containing the Archives above mentioned, is also damp; and it is more than probable the greater part of the Notarial Minutes would have been destroyed, had not the Prothonotaries caused a stove to be placed therein: this vault is neither dry nor well aired; several of the papers of the Notarial Minutes have been partially destroyed and much defaced by the damp.

64. Have you any other information that you think might be useful to the Committee with respect to those Records and their safe-keeping; if so, impart it without reserve?—With respect to the safety of the Records and Registers that are absolutely required to be kept in the Prothonotary's Office, it would be necessary for the floor immediately above their office, to be fire-proof. This remark will extend to all the offices that may be in the second story of any building to be erected as a Court House. I beg to remark as a proof of the necessity of the Prothonotary's Office being made perfectly secure and fire-proof, that there are immense numbers of original promissory notes and other documents filed in the causes instituted in the Court of Queen's Bench; and had I not been in the habit of placing these original notes and documents in an iron chest kept in the Prothonotary's Office, most likely they would have been destroyed at the recent conflagration of the old Court House.

Saturday, 9th May, 1846.

John Fenning's Taylor, Esquire, called in; and examined:—

65. You are an Officer of the Honorable the Legislative Council, are you not, and what is the Office you hold?—I am an Officer of the Legislative Council of Canada, and hold the respective appointments of Clerk Assistant and Master in Chancery.

66. Were you not also an Officer of the Legislative Council of Upper Canada, and what Office did you hold under it?—I was an Officer of the Legislative Council of the late Province of Upper Canada, and the Office held by me was that of Deputy Clerk of the House.

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67. Does the official situation you hold afford you an opportunity of knowing the state and condition in which the Journals in manuscript and print, the Rolls of Parliamentary Records and other Public Papers appertaining to the Legislative Council of that Province, are at the present time; if so, will you state to the Committee whether they are well classed and in systematic order, kept in a place secure from fire, from dampness, and well aired, and where they are at present kept?—My official situation enables me to state that the Records and Papers connected with the Legislative Council of the late Province of Upper Canada, were, by virtue of an Order from the Executive Government, brought down by me from Toronto to Kingston, and that they are all at present deposited in that part of the building at Montreal which is set apart for the use of the Legislative Council. The Records and Papers are tolerably well classed and are in rather a systematic order, although the documents are not in a place secure from fire, yet every possible care is taken of them; they are kept pretty well aired, and it is believed that they are quite free from dampness.

68. Can you inform the Committee what the number of volumes printed and manuscript may be near about, in the collection appertaining to the late Upper Canada Legislative Council, and whether the originals of the Laws of that Province make part of them, that is to say, whether the rolls on which the Acts of the Legislature of the late Province of Upper Canada were originally engrossed, do not make part of the collection?—The number of printed copies of the Journals is about 460, and there are also forty-five volumes in manuscript. The Laws, as sanctioned by the Three Estates, were uniformly, at the close of each Session of the Legislature, taken from the Office of the Clerk of the Legislative Council by the Secretary and Registrar of the Province, in whose custody (as being the proper officer) they were always lodged; but the third reading of Bills on paper, passed merely by the two branches, are among the Records now in charge of the Clerk of the Legislative Council, and to which I have before alluded.

69. Can you suggest to the Committee anything which in your opinion would be conducive to an improvement in the classing, safe-keeping or preservation of those valuable Archives; if so, the Committee will be thankful to you for the suggestion, and for any information that may occur to you as proper to be imparted, although not touched upon in any of the previous questions?—To this question I have nothing at present to offer in reply.

Tuesday, 12th May, 1846.

Alexandre Maurice Delisle, Esquire, called in; and examined:—

70. The Committee wish to know from you the state of the Registers, Rolls, Records and Papers in your Offices of Clerk of the Crown and of the Peace in Montreal?—The Registers and Papers in my possession as Clerk of the Peace, are complete and in good order; those of the Court of Queen's Bench of Criminal Jurisdiction, are also in good order, but only from the year 1812 inclusively; all the Records and Papers of that Court, previous to that date, were burnt when the Court House was destroyed by fire; they had been stored in an apartment in the attics, which had been temporarily erected for keeping stolen goods, and had been removed from the vault in which they had been previously kept, which vault was applied to another purpose by order of the Government. I have no other place of safety at present to keep those Re-

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ords than the rooms I occupy as offices, which are very unsafe in case of fire. There are missing, however, the papers of a few Terms of the Court of Quarter Sessions of very old dates, and of little or no importance to the public.

71. Is there anything that you would recommend to be done for the putting in order, safe-keeping and preservation of these Archives?—They are in as good order as I could wish them, being all put together, well classed, and in boxes and cupboards; the only thing required for their preservation would be a place of greater security to keep them in.

72. Can you put your hand at once upon any paper of any given year that may be called for by any person having occasion to refer to your office for it?—I can.

William C. H. Coffin, Esquire, called in; and examined:—

73. Will you read the answers given to the Committee by Mr. John Honey, Advocate, and a writer in the Prothonotary's Office, Montreal, and say if there is anything you can add to it for the information of the Committee?—I believe his answers to be substantially correct, and I have nothing to add.

74. Is there anything that you would suggest to the Committee as proper to be done at the public expense, for the purpose of classing and putting in order the Judicial and other Archives in your possession at Montreal?—I would suggest to the Committee the appointment of a fit and well qualified person or persons (and it would be requisite that such person or persons should be acquainted with the old French style of writing,) for the purpose of examining, classing and putting in order, all the Registers, Papers and Documents now in our possession, and which had reference to a period previous and up to the date of the Conquest. These Papers and Documents consisting of old French Judicial Registers, Records, *Tutelles*, *Curatelles*, *Autorisations*, *Insinuations*, &c. are contained in several trunks in our vaults, unarranged and requiring Indexes. I would also recommend that such person or persons should be required to make proper and complete Indexes to such of the Registers of the Court of Common Pleas as are without them, and also to such of the *Notariats*, Registers of Baptisms, Marriages and Burials, as have been deposited with us without such Indexes or Repertories.

75. The Committee understand that you were formerly the Prothonotary at Three Rivers, and would be glad to learn from you the state of the Judicial Registers and Archives in the keeping of the Prothonotary and Clerk of the Crown there, and of what they chiefly consist, as well as the state and condition of the Records and Papers belonging to the office of the Clerk of the Peace, and whether you would recommend anything as proper to be done towards their classification, safe keeping and preservation?—I was for several years Prothonotary at Three Rivers. The Judicial Registers and Archives in the keeping of the said Prothonotary were in good order and properly classified when I left the District, and I believe them still to be so, with the exception of the old French Records, which are partially effaced—the writing of most of them is very difficult to read, and scarcely legible. They consist of the Registers, Records and proceedings of different Jurisdictions, Civil and Criminal, previous to the Conquest; they are arranged, classified, properly docketed, and placed on shelves. 2nd. Of the Registers, Proceedings and Records of the Court of

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Common Pleas of Superior and Inferior Jurisdiction, I believe. 3rd. The Registers, Plunitif, Records and Proceedings of the Court of King's Bench, Superior and Inferior Terms. 4th. Of the Registers, Records and Proceedings of the Provincial Court. 5th. Of the Registers of *Insinuations*, and of Probate, *Tutelles*, *Curtelles*, *Autorisations* to sell real property, &c. *Notariats* or *Greffe des Notaires*. I would recommend the binding of the old French Registers, and that proper Indexes should be made to such of them requiring it, and also Indexes to such of the *Notariats* as are without them. I believe some of the old Registers of the Court of Common Pleas and of the Court of Queen's Bench would also require being newly bound and Indexes made to them. The Archives of the Clerk of the Crown for the District of Three Rivers consist, to the best of my recollection, of the Registers of the Criminal proceedings, Indictments and proceedings thereon, Coroners' Inquests, Writs of Certiorari, Writs of Habeas Corpus and proceedings thereon, Commissions of Oyer and Terminer, and Letters Patent granting a pardon to different Convicts, &c. They are all properly classified and in good order. The Archives of the Clerk of the Peace consist, to the best of my recollection, of the Registers, Indictments and proceedings of the Quarter Sessions of the Peace, the Registers and proceedings of the Weekly Sessions, and *Procès Verbaux* of Grand Voyers.

Friday, 15th May, 1846.

Pierre B. Dumoulin, Esquire, of Three Rivers, Advocate, called in ; and examined :—

76. Read the statement of Mr. Coffin now shewn you with respect to the Judicial Archives kept in the Court House at Three Rivers, where you reside and practice as an Advocate, and say whether you can, of your own knowledge, add anything to the information Mr. Coffin has given to the Committee ?—The information given by Mr. Coffin is, to the best of my knowledge, very full, accurate and satisfactory. I ought also to add that it is owing to the indefatigable assiduity and labor of Mr. Coffin, while Prothonotary and Clerk of the Crown at Three Rivers, and his methodic arrangements, that the Judicial Archives there, have been

classed and put in the excellent order in which they are. There is not a paper there, that if called for, could not be had in two minutes.

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Saturday, 16th May, 1846.

John Boston, Esquire, Joint Sheriff with W. F. Coffin, Esquire, called in ; and examined :—

77. The Committee wish to know from you whether the Registers and Records in your office are in a place of safety from fire, free from damp, and well aired ?—They are in a place safe from fire, but it is not free from dampness, nor is it well aired.

78. Of what do these Records and Registers principally consist ?—Previous to the 24th April, 1829, at which time the Sheriff's Act (9 Geo. 4, ch. 6,) came in force, requiring double Registers of all Deeds executed by the Sheriff, my predecessors made the Deeds upon flying sheets of paper, duplicates of which remain in the office, and to which is attached an Index ; since then the law has been complied with, and double Registers containing transcripts of all Deeds or Sheriffs' titles are kept in the Sheriff's Office, one of which remains permanently in the office, and the other is deposited with the Prothonotaries, so soon as the Books or Registers are filled up.

79. Are those Registers and Records so arranged with Repertories or Indexes, that an applicant for a copy of any title deed or paper in your office, can, at once and without delay, obtain it ?—They are.

80. Have you any thing to suggest to the Committee which in your opinion would be conducive to the safe keeping of the Records in your office, or to its improvement in any respect ?—Yes, I would suggest that in case of the erection of a Court House at Montreal, there should be, for the safe keeping of the Registers, Documents and Papers of the Sheriff's Office, and the other offices of the different Courts held there, not only a sufficient fire-proof and dry vault attached to each office, but that the office itself should in like manner be vaulted and fire-proof, as from day to day, the most important papers are produced and remain in them.

Montreal :

PRINTED BY LOVELL & GIBSON,

ST. NICHOLAS STREET.

FOURTH REPORT

OF THE

COMMISSION OF INDEMNIFICATION,

UNDER 1ST VICT. CAP. 7, AND 2ND VICT. CAP. 35.

JANUARY, 1840.

To His Excellency Lieutenant General Sir Richard Downes Jackson, Knight Commander of the Most Honorable Military Order of the Bath, and Administrator of the Government of the Province of Lower Canada, &c. &c. &c.

The Commissioners of Indemnification appointed under the Ordinance 1st Victoria, cap. 7, and 2nd Victoria, cap. 35, have the honor to submit to Your Excellency the Fourth Report of their proceedings in the matters referred to them.

The cases reported on this occasion are principally claims which arose from the Rebellion on the South side of the St. Lawrence in November 1833. The claimants are almost universally loyalists, and several instances will be found in the following pages of the extreme devotion manifested by the rural population of that District in defence of their country, and in support of the Government established by law in this Province.

For the principles which have guided the Commissioners, and for the manner in which these claims have been enquired into, they beg leave to refer to the remarks introductory to their First Report of proceedings under this Commission.

The number of cases finally reported on in the following pages, is one hundred and thirty-seven; the total sum claimed, amounts to Thirteen thousand two hundred and sixty-four pounds fourteen shillings currency, and the amount awarded, to Seven thousand five hundred and sixty-nine pounds seventeen shillings and threepence currency, shewing a saving to Government, under the Ordinance, of Five thousand six hundred and ninety-four pounds sixteen shillings and ninepence currency.

Whenever the loss sustained has been by the destruction of houses and buildings, the value has been ascertained by the estimation of Mr. J. R. Bronsden, sworn Surveyor to the Commission, a person of acknowledged ability in his profession.

At the close of this general Report will be found special Reports, on the cases of Mr. Tilly Rice of L'Acadie, and Mr. Daniel Shaw of Sherrington, specially referred to the Commissioners from the Civil Secretary of Government for the time being.

E. A. CLARK.

C. TAIT.

C. S. RODIER.

Montreal, 22d January, 1840.

Appendix (L. L.) 22nd May.	No. of Claim.	NAME OF CLAIMANT AND REMARKS.	Amount claimed.	Amount awarded.	Appendix (L. L.) 22nd May.
			£ s. d.	£ s. d.	
	47	James Greenshields, of St. Hilaire de Rouville. The loyalty of the claimant is established. During the Rebellion of 1837, claimant was plundered by the Rebels of various articles, all of which, however, were afterwards recovered, except a brace of pistols, the value of which is awarded. Two pounds ten shillings, currency.	33 0 0	2 10 0	
	48	Joseph Marie Lavoie, of St. Mathias. The loyalty of the claimant is established. On the return of Colonel Wetherall, from the affair with the Rebels at St. Charles, in November 1837, the claimant's house was forcibly occupied by them at Pointe Olivier, in consequence of which it was burned by Her Majesty's Forces, who were fired upon from it. Awarded, Thirty-five pounds, currency.	46 10 0	35 0 0	
	50	Soupras and Marchand, of St. Mathias. This is a claim against the estate of Wolfred Nelson & Co., formerly of St. Denis, and the claimants are referred to their legal recourse against the parties.	495 12 0		
	53	Ignace Lacroix, of St. Joseph Chambly. The claimant's loyalty is well established. On the 22nd November, 1837, during the advance of the Troops upon the Rebel position of St. Charles, a party of Cavalry under the command of Sydney Bellingham, Esquire, required and took away claimant's horse, saddle, and bridle, for the public service, which property was never returned. Awarded, Fifteen pounds, currency.	15 0 0	15 0 0	
	56	Jean Baptist Gaudrault, of St. Césaire. The claimant's loyalty is admitted. He is a school-master, and also a tavern-keeper at St. Césaire. During the Rebellion of 1837, the Rebels entered his house and plundered therein various liquors belonging to claimant. The award is reduced in consequence of a charge for profit, not admissable under the Ordinance, and of some overcharges. Awarded, Twelve pounds ten shillings, currency.	30 8 6	12 10 0	
	60	François Vigéant, of Ste. Marie de Monnoir. The claimant is a loyal man who was made prisoner by the Rebels in 1837, and confined in their Camp at St. Charles. During his absence from home, the Rebels plundered his house of a horse and other property. The horse was returned, but was greatly injured. A claim for fifteen pounds for so many days absence from home, while in the hands of the Rebels, cannot be entertained under the Ordinance. Awarded, Twenty pounds.	35 0 0	20 0 0	
	77	Louis Petit dit Beauchemin, of St. Mare. By the admission of the claimant, he is not one of those loyalists for whose relief the Ordinances 1 Vic., cap. 7, and 2 Vic., cap. 35, were framed.	4 10 6		
	92	Dudley Flowers. <i>See No. 624.</i>			
	94	Loop Odell. <i>See No. 612.</i>			
	117	John J. Whitfield, of Farnham. The claimant is a loyal man, a Captain of Militia, and a country merchant. In consequence of the state of the country at the time of the Rebellion of 1837, claimant was compelled to leave his house and business, by which he alleges that he sustained a constructive loss of one hundred pounds <i>in profit</i> , which he otherwise would have made. Under these circumstances, the Commissioners cannot entertain the claim as against the Government.	100 0 0		
	193	Antoine Lenthier, of St. Eustache. The claimant is of undoubted loyalty. On the 9th of December, 1837, a few days before the battle of St. Eustache, the Rebels plundered claimant's house to the amount awarded. Part of the claim does not come within the Ordinances. Awarded, Three pounds nine shillings.	4 9 0	3 9 0	
	231	Basil Sauver dit Laplante, fils, of St. Eustache. The loyalty of claimant is established. In December, 1837, the day after the defeat of the Rebels at St. Eustache, the house of the claimant was occupied by Her Majesty's Forces, and he sustained damage in consequence, to the amount awarded, viz. Thirteen pounds two shillings and two-pence.	13 2 2	13 2 2	
	239	Paul Benoit Lefebvre, of St. Eustache. The claimant's loyalty is established. During the occupation of the village by the Rebels, in December, 1837, he was plundered by them to the amount awarded, viz. Six pounds.	9 8 6	6 0 0	
	246	François Lenthier, fils, of St. Eustache. The claimant's loyalty is established. During the occupation of St. Eustache by the Rebels, claimant's house was plundered by them to the amount awarded, viz. Seven pounds ten shillings.	9 12 6	7 10 0	
		<i>Carried forward</i>	£796 13 8	115 1 2	

Appendix (L. L.) 22nd May.	No. of Claim.	NAME OF CLAIMANT AND REMARKS.	Amount claimed.	Amount awarded.	Appendix (L. L.) 22nd May.
		<i>Brought forward</i>	£ s. d. 796 18 8	£ s. d. 115 1 2	
	255	Joseph Lefebvre, of St. Eustache. The claimant's loyalty is established. During the reign of terror at St. Eustache, in December, 1837, the claimant was plundered by the Rebels of a fat hog. Two other items in the claim are not admissible. Awarded, Four pounds.	11 12 6	4 0 0	
	257	Joseph Gelinot, of Longueuil. This man's claim is rejected, he having, by his own admission, been present aiding and abetting in the rescue of the prisoners Davignon and Desmaray from the Civil Force and Montreal Cavalry, near Longueuil, in November, 1837.	4 18 4		
	258	Eugène Talham, of Longueuil. This claim is similar to the last, except that the claimant does not himself admit the fact, which has been established by evidence.	6 0 0		
	259	François Demers, of Longueuil. This man's loyalty is not disputed. The Queen's Troops marching to Chambly on the 17th November, 1837, stopped at claimant's house, a tavern, and helped themselves to a quantity of liquor, for which the claimant, however, has much overcharged. Awarded, Five pounds.	10 17 8	5 0 0	
	277	Miss Anne Scott, of St. Eustache. This claim has been investigated, in part, since the last Report of the Commissioners to Her Majesty's Government; but it is still incomplete, in consequence of the refusal of a material witness to attend at the sittings of the Commission at St. Eustache. It must therefore lie over until a subsequent Report.			
	291	Widow Dubé, of St. Eustache. This claim has been investigated since the last Report, and the Commissioners are of opinion that claimant is entitled to the sum awarded, viz. Nine pounds eight shillings and seven-pence, currency.	9 8 7	9 8 7	
	304	Louis Leblanc, of Ste. Scholastique. The claimant's loyalty is established, he having enrolled himself amongst the Loyal Volunteers. Some days after the battle of St. Eustache, claimant's house at Ste. Scholastique was fired by the Troops, by which he lost property as awarded, viz. Fifteen pounds.	25 0 0	15 0 0	
	333	Joseph Rastoule, fils, of St. Eustache. The claimant's loyalty is established. Some days before the affair of St. Eustache, the Rebels plundered claimant to the amount awarded, viz. Seven pounds.	9 5 0	7 0 0	
	349	Donald M'Naughton, of St. Eustache. The Commissioners are of opinion that the claimant has established his claim to the amount awarded, viz. Seven pound ten shillings.	9 10 0	7 10 0	
	370	Jean Marie Cyre, of L'Acadie. The claimant is a loyal man, so recommended by Mr. Tilly Rice, and Mr. W. M'Ginnis, undoubted loyalists. During the Rebellion of 1838, claimant left his house to avoid being forced to join the Rebels, and Her Majesty's Forces finding the house abandoned, and under the supposition that it belonged to a Rebel, as were all the claimant's neighbours, set fire to it. Claimant received Four pounds by the hands of David Kinnear, Esquire, J. P., from the Loyalist Fund. Awarded, for moveables, Thirty-five pounds, and for the house, Twenty-two pounds ten shillings, currency.	99 2 6	57 10 0	
	374	George Finsterer, of Napierville. The claimant is a loyal subject who was made prisoner by the Rebels on the breaking out of the Rebellion of 1838, at Napierville, and confined in the Gaol there until released on the approach of Her Majesty's Forces. During his imprisonment, claimant's house was pillaged by the Rebels. Awarded, Thirty pounds, currency.	48 15 0	30 0 0	
	382	James Harrison, of St. Johns. The claimant is a person of distinguished gallantry and loyalty, and was present at the battle of Odelltown, on the ninth of November, 1838. He is now Sergeant of the Despatch Cavalry under the orders of Lieutenant Colonel Taylor, C. B. In March, 1838, claimant's barn at St. John's was set fire to in the night, and consumed with its contents. Although there is reason to believe that this barn was burnt by a Rebel incendiary, in revenge for the loyalty and activity of the claimant, yet as no rebel can be identified, and there is no proof that the loss was sustained by the act of the Rebels, the Commissioners cannot conscientiously admit the claim.	92 10 0		
	391	John Wauburn dit Langlois, of L'Acadie. The claimant is of undoubted loyalty, servant to Major R. B. M'Ginnis, No. 396. During the Rebellion of 1837, he was compelled to fly to Odelltown in order to save his life, where he served nine weeks without pay. On the outbreak of 1838, he concealed himself under some hay to avoid being made prisoner, and remained there five days until relieved by the approach of the Troops. He is entitled to the sum awarded, viz: Twenty pounds.	38 18 0	20 0 0	
		<i>Carried over</i>	£1159 11 3	270 2 9	

Appendix (L. L.) 22nd May.	No. of Claim.	NAME OF CLAIMANT AND REMARKS.	Amount claimed.	Amount awarded.	Appendix (L. L.) 22nd May.
			£ s. d.	£ s. d.	
		<i>Brought over</i>	1159 11 3	270 9 9	
	396	Major Richard B. M'Ginnis, of L'Acadie. The claimant is a true loyalist, actively conspicuous in support of the Government during the rebellions of 1837 and 1838. While he was employed as Guide to the Regular Troops, by order of His Excellency Sir John Colborne, in November, 1838, his house and premises were entered by the Rebels, and pillaged to the amount awarded, viz.: One hundred and seventy-five pounds currency.	200 10 9	175 0 0	
	403	James Stephenson, of Burtonville, Deléry. The claimant is of undoubted loyalty. His sons were volunteers at the battle of Odeltown against the rebels. While claimant was absent in consequence of the breaking out of the Rebellion in 1838, his premises were occupied by the Rebels, and much damaged. After their flight the house and premises were again occupied by one hundred men and horses of the King's Dragoon Guards, and consumed a quantity of his provender and occasioned other damage. Awarded, Forty-five pounds, currency.	56 19 6	45 0 0	
	407	Joseph Oclair, of L'Acadie. The claimant, in the opinion of the Commissioners, does not come under the class of loyalists for whose special relief the Ordinances 1 Victoria, chapter 7, and 2 Victoria, chapter 35, were framed.	1985 2 0		
	443	Henry Moore, of Napierville. The claimant is a loyal subject who was made prisoner by the Rebels in November, 1838. During his confinement in Gaol his house was pillaged by the Rebels. Awarded, Fifteen pounds seven shillings and six pence, currency.	15 7 6	15 7 6	
	452	Edward Wheeler Douglas, of Douglas Corner, Napierville. The claimant is a loyal subject. On the breaking out of the Rebellion in 1838, he left his house to join his company of volunteers; while he was thus absent his house and premises were taken possession of by the Rebels, and as well as the store pillaged by them. After the flight of the Rebels, his house was occupied by Her Majesty's Forces, and damage was done to the Furniture. Awarded, One hundred pounds, currency.	156 19 0	100 0 0	
	466	Edward Wheeler Douglas & Co., of Douglas Corner, Napierville. This is a claim by the firm of which the claimant, No. 452, is the senior member. The other partners are loyal subjects. The loss was sustained under circumstances precisely similar to those detailed under No. 452, and at the same time. Awarded, One hundred and twenty-five pounds, currency.	151 9 0	125 0 0	
	470	Joseph Balleray, of Napierville. The claimant is a loyal subject. During the Rebellion of 1838, his house at L'Acadie was taken possession of by the Rebels, and the claimant himself made prisoner. Awarded, Six pounds ten shillings.	19 10 0	6 10 0	
	473	Pierre Pollender, of Napierville. The claimant's loyalty is undoubted. He served during the last American War in DeMeuron's Regiment. During the Rebellion of 1838, while he was absent from home at St. John's, serving as a volunteer under Captain M'Donald, his house and premises were entered and pillaged by the Rebels. He afterwards recovered an Ox, the value of which he has deducted. Awarded, Six pounds.	18 10 0	6 0 0	
	483	Orange Tyler, of Napierville. The claimant's loyalty is undoubted. He was imprisoned by the Rebels in November, 1838, first in gaol, and subsequently in his own house in Napierville, which was occupied as a barrack by five companies of the Rebel force. He sustained loss to the amount awarded, viz.: Fifty pounds.	81 0 0	50 0 0	
	487	Thomas M. Thomson & Co., of Napierville. This is a claim made by a firm, all the members of which are loyal subjects. The claimant, Mr. Thomson, was kept in Napierville Gaol by the Rebels, from the 3rd to the 10th November, 1838. During this period his store was pillaged by the Rebels to the amount awarded, viz.: Four hundred pounds, currency.	483 17 0	400 0 0	
	489	Alexis Durocher, of Napierville. The claimant has not satisfactorily established his want of participation in the rebellious proceedings at Napierville, in November, 1838. The claim is dismissed.	94 5 0		
	505	Pierre Gamelin, Notary, of Napierville. The claimant's loyalty is undoubted. He was made prisoner and confined in Napierville Gaol by the Rebels, in November, 1838. His house was pillaged by them. Awarded, Twenty-six pounds three shillings and seven pence, currency.	26 3 7	26 3 7	
	506	Thomas Hartt, of Napierville. The claimant's loyalty is undoubted. He was wounded fighting against the Rebels at Odeltown. His wife and family were driven from their home, and the house pillaged by the Rebels. The claimant has received six pounds from the Loyalist Fund, by the hands of David Kinnear, Esquire, J. P. Awarded, Fifteen pounds, currency.	16 10 0	15 0 0	
		<i>Carried forward</i>	£4405 14 7	1234 10 1	

Appendix (L. L.) 22nd May.	No. of Claim.	NAME OF CLAIMANT AND REMARKS.	Amount claimed.	Amount awarded.	Appendix (L. L.) 22nd May.
		<i>Brought forward</i>	£ s. d. 4405 14 7	£ s. d. 1234 10 1	
	507	Hugh Doherty, of Napierville. The claimant, like his loyal fellow-countrymen, on the breaking out of the Rebellion in 1838, flew to arms, and was present at the battle of Odelltown, on the 7th November, 1838. While serving with his company his house was pillaged by the Rebels. Claimant has received four pounds from the Loyalist Fund, by the hands of David Kinnear, Esquire, J. P. Awarded, Six pounds four shillings and four pence, currency.	6 4 4	6 4 4	
	508	Henry Waters, of Napierville. The claimant is of undoubted loyalty, and fought at both the battles of Odelltown, in November, 1838. During his absence from home his house was pillaged by the Rebels to the amount awarded. Claimant has received five pounds from the Loyalist Fund, by the hands of David Kinnear, Esquire, J. P. Awarded, Thirty pounds seven shillings and three pence, currency.	67 7 5	30 7 3	
	511	Michel Loupret, of Chambly. The claimant is a loyal subject, recommended as such by the Honorable Samuel Hatt, and by Lieutenant Colonel DeSalaberry. His house and premises were destroyed during the conflagration at Napierville, after the flight of the Rebels. Awarded, Twenty-four pounds, currency.	25 0 0	24 0 0	
	513	David Hatch, of Lacole. The claimant is a loyal subject. During the Rebellion of 1838, his house and premises were occupied by the Hussars and Volunteers, who during their stay there used a quantity of fodder and grain belonging to the claimant, for which he now claims compensation. The claimant and his wife cooked for and attended on this Military party for eight days. His furniture was injured and other damage done. Awarded, Twenty-seven pounds.	42 11 9	27 0 0	
	518	George Harrison, of St. John's. Claimant is son of the claimant No. 382, and is a loyal volunteer, who was made prisoner by the Rebels while on duty carrying a Despatch, in November, 1838. They took from him his horse and other articles which he never recovered. Awarded, Twenty-one pounds two shillings and six pence, currency.... ..	28 2 6	21 2 6	
	523	Peter Odell, of Burtonville, Delcroy. Like the other loyalists, claimant was compelled to leave his home in order to resist the Rebels, in November, 1838. During his absence his house was pillaged by them. Claimant has received six pounds from the Loyalist Fund, by the hands of David Kinnear, Esquire, J. P. Awarded, Thirty pounds.	36 10 0	30 0 0	
	525	Terence Murphy, of Napierville. The claimant fought at both the battles of Odelltown, in November, 1838. During his absence from home his house was pillaged by the Rebels. Claimant has received five pounds from the Loyalist Fund, by the hands of David Kinnear, Esquire, J. P. Awarded, Twenty pounds... ..	28 2 7	20 0 0	
	526	Bethuel Phillips, of Sherrington. The claimant is a loyal subject, who was made prisoner by the Rebels, in November, 1838, and confined in Gaol. His premises were occupied by them, and a horse carried off which he never recovered. Awarded, Fifteen pounds, currency.	20 0 0	15 0 0	
	539	Pierre Remillard, of Napierville. The claimant who is aged and blind has produced evidence of his loyalty. His horse was taken from him, being required by the Queen's Troops when they occupied Napierville, and he never recovered the same. Awarded, Ten pounds.	12 10 0	10 0 0	
	538	Hugh Hoy, of Sherrington. The claimant fought against the Rebels at both the battles of Odelltown, in November, 1838. His wife and family, terrified at the events which were occurring, left their home and fled to the woods; on their return they found that the house had been pillaged by the Rebels. Awarded, Seven pounds ten shillings.	10 18 4	7 10 0	
	539	François Thérien, of Napierville. The claimant is a loyal subject, who was made prisoner by the Rebels, in November, 1838, and detained in Napierville Gaol eight days; during this period his house was plundered by the Rebels. On the occupation of the village by Her Majesty's Forces, claimant sustained a further loss. He has received two pounds ten shillings from the Loyalist Fund, by the hands of David Kinnear, Esquire, J. P. Awarded, Twenty-five pounds.	31 0 3	25 0 0	
	545	Patrick Bradley, of Napierville. The claimant is a loyal subject. He was made prisoner by the Rebels on the outbreak in 1838, but made his escape. He then took his wife and four children across the Lines for safety, where he fell sick, which occasioned his absence on the day of			
		<i>Carried over</i>	£4714 1 9	1450 14 2	

Appendix
(L. L.)
22nd May.

No. of Claim.	NAME OF CLAIMANT AND REMARKS.	Amount claimed.	Amount awarded.
		£ s. d.	£ s. d.
	<i>Brought over</i>	4714 1 9	1450 14 2
	the battle of Odelltown. He returned, however, as soon as he was able, and served the rest of the winter as a volunteer; during his absence his house was pillaged by the Rebels. Claimant received four pounds from the Loyalist Fund, by the hands of David Kinnear, Esquire, J. P. Awarded, Fifteen pounds.	21 10 0	15 0 0
551	Patrick Barker, of Napierville. This person appears by his own deposition to have aided and abetted the Rebels at Napierville in 1838, and to be utterly unworthy of any indemnification for his alleged losses. Several witnesses have deposed that he was considered a Rebel Spy, and that while the brave volunteers were combating their enemies at Odelltown, the claimant was employed in pillaging from their houses; a charge which is admitted by himself. The claim is deservedly rejected.	31 9 9	
554	Thomas Manning, of Napierville. The claimant is a loyal subject, who, as well as his son, was made prisoner by the Rebels in November, 1838. The Rebels pillaged from his house, but the principal part of the claim is for a horse valued at twenty pounds, taken by the Royal Artillery after the flight of the Rebels from Napierville. The horse was restored, but is sworn to have been so much injured as not to be worth more than five pounds when so returned to the claimant. Awarded, Twenty pounds.	30 10 2	20 0 0
555	John Chatterton, Seignior of Delery. The claimant's loyalty is undoubted. While serving as a Volunteer at Odelltown, in November, 1837, his premises were occupied by the Rebels and certain damage done. In November, 1838, the claimant was again plundered by the Rebels. Awarded, Twenty pounds.	48 15 0	20 0 0
561	Widow Joseph Hall, of Napierville. The claimant is a loyal subject, whose sons were actively engaged as Volunteers during the late Rebellions. While the village was in possession of the Rebels, in November, 1838, her house was plundered by them. Several articles have been recovered, however, since the claim was filed, the value of which has been deducted. Awarded, Two pounds ten shillings.	9 10 0	2 10 0
562	Isaac Willsie, Esquire, of Delery. The claimant is a person of distinguished loyalty. He holds the Commission of Lieutenant Colonel of Militia; and served against the Rebels with his son, at the battle of Odelltown, on the 9th November, 1838. His son furnished the horses that were attached to the Cannon used by the Volunteers on that occasion, and acted his part manfully, as testified by Lieutenant Colonel Seriver. Two remarkable items in claimant's account, and which prove the spirit and determination of the Old Country loyalists, are, a charge of two pounds, being the price of a <i>box coat torn up and used as wadding for the Cannon</i> ; and another charge of five shillings for a <i>silk handkerchief used for the same purpose!</i> During the absence of the claimant and his son, in defence of their country, his house was pillaged by the Rebels to the amount awarded, viz. Twenty-nine pounds seventeen shillings and nine-pence.	29 17 9	29 17 9
563	Ezra Wingate, of Hemmingford. The claimant is of undoubted loyalty, and fought at the battle of Odelltown Chapel, in November, 1838. One of the claimant's horses was attached to the Cannon used against the Rebels by the Volunteers, at the second battle, and was so severely wounded by a musket shot as to be rendered entirely useless. Awarded, Thirteen pounds five shillings.	13 5 0	13 5 0
565	William F. Hawley of Lacole. The claimant is of undoubted loyalty, and has been promoted for his gallantry and activity at both the battles of Odelltown, in November, 1838. The claim is for a fowling piece belonging to him, which had been deposited at the Store of Toussaint Bachant, at Lacole. When the Queen's Forces marched through the village, this fowling piece was taken away by them, and the claimant has not been able to recover it since. Awarded, Five pounds.	5 0 0	5 0 0
575	Josephite Rousselle, of Napierville. The claimant is a loyal subject. During the confusion on the arrival of Her Majesty's Forces in Napierville, in November, 1838, after the flight of the Rebels, this poor woman lost several articles to the amount awarded. Claimant has received ten dollars from the loyalist fund, by the hands of David Kinnear, Esquire, J. P. Awarded, Four pounds four shillings and nine-pence. currency.	4 4 9	4 4 9
577	Ignace Bertrand, of L'Acadie. The claimant, in the opinion of the Commissioners, does not come within the class of loyalists for whose special relief the Ordinances under which they act, were framed.	82 5 0	
587	John Hewson, of Napierville. The claimant's loyalty is undoubted. He had one son present at the first battle, and he was himself present with two sons at the second battle of Odelltown. Having		
	<i>Carried forward</i>	£4990 9 2	1560 11 8

Appendix
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No. of Claim.	NAME OF CLAIMANT AND REMARKS.	Amount claimed.	Amount awarded.
	<i>Brought forward</i>	£ 4990 s. 9 d. 2	£ 1560 s. 11 d. 8
	lent his horse, saddle, and bridle, to Serjeant George Hoy, of Major March's Volunteers, for the purpose of reconnoitering the Rebel Force, on the 3rd November, 1838, the horse and rider were captured by the Rebels. Claimant never recovered his property. He has received four pounds, currency, from the Loyalist Fund, by the hands of David Kinnear, Esquire, J. P. Awarded, Eleven pounds.	11 0 0	11 0 0
588	Christophe Fortin, of Napierville. The claimant is one of the few Canadians, in this part of the country, who remained unshaken in their loyalty, both before and during the Rebellions of 1837 and 1838. He was made prisoner by the Rebels at Napierville, on the 3rd November, and was kept in Goal until the 10th of that month. During this time, he was pillaged of various articles by the Rebels, who took possession of his house: Awarded, Thirty-six pounds one shilling and eight-pence, currency.	36 1 8	36 1 8
593	Godefroy Tremblay, of Napierville. This is a loyal Canadian, so recommended by Captain Christophe Fortin (No. 588.) On the 4th November, 1838, a band of Rebels carried off a mare belonging to claimant, which was never recovered by him. He has received fifteen dollars from the Loyalist Fund, by the hands of David Kinnear, Esquire, J. P. Awarded, Ten pounds, currency,	12 10 0	10 0 0
595	Timothy Appleton, of Henrysburgh. Claimant is a loyal subject, who was made prisoner by the Rebels at Napierville, in November, 1838. When he was taken, claimant had in his cart certain articles which he had purchased at Montreal that day, and which the Rebels seized. Awarded, Six pounds ten shillings.	8 1 3	6 10 0
599	Aubin Gamache, of Napierville. This is a loyal Canadian, who served in Captain Loop Odell's Company, as a Volunteer. His loyalty is also vouched for by Christophe Fortin, No. 588. On the 5th November, 1838, his house was plundered by the Rebels. Awarded, Nine pounds ten shillings.	9 10 0	9 10 0
607	Thomas Wilson, of Napierville. The claimant is a loyal subject, a merchant in the village of Napierville. When the Rebellion broke out, claimant with the other loyalists was made prisoner by the Rebels and lodged in Goal, where they remained from the 3rd to the 10th November, 1838. His Store was pillaged by the Rebels at their pleasure, like those of Mr. Thompson and Mr. Odell. A deduction has been made on some items, and a claim for loss of profit is disallowed, as not being contemplated by the Ordinance. Awarded, Sixty pounds, currency.	89 19 6	60 0 0
612	Loop Odell, Esquire, J. P., of Napierville. The claimant's loyalty is undoubted. Government having long reposed confidence in this gentleman, he became one of the principal objects of plunder by the Rebels, on their rising in Napierville, the 3rd November, 1838, under Robert Nelson, and C. H. O. Côté, and he eventually sustained the heaviest loss. His claim has been completely investigated, and is well sustained by proof. The principal part of the claim is for the books of account, notes of hand, and mortgages, belonging to claimant, being the records of transactions with an immense number of persons, in their way of business. These were lost in the following manner:—On the breaking out of the Rebellion, on Saturday the 3rd November, 1838, the claimant packed up his books, notes of hand, and mortgages, in two bags, which he sent away by his clerk, on horse-back, intending to place them beyond the reach of the Rebels. The clerk was taken prisoner by the Rebels, who deposited the bags in one of their guard-houses. On the arrival of the Queen's Forces, they burned this house, and in it were consumed the bags containing the valuable papers of the claimant. The claimant thus lost his recourse against those debtors who took advantage of this accident; and he has actually sustained very considerable pecuniary damage, as proved in evidence; the original mortgages of which the copies were thus burned in the Rebel-guard-house, having been also burned in the houses of the Notaries, where they were of record. He is awarded the sum of <i>Four hundred and fifty pounds, currency</i> , for actual loss of goods during the two Rebellions; claimed under Nos. 94 and 612; and the Commissioners recommend to Her Majesty's Government; the payment of the additional sum of <i>Twelve hundred pounds, currency</i> ; to the claimant; as a compensation for the loss of all his books of account, notes of hand, and mortgages; the total sum of <i>Sixteen hundred and fifty pounds</i> , being in full of all demands, and in acknowledgement of the claimant's well known loyalty and devotion to the interests of Government.	2092 8 10	1650 0 0
613	John Rodrig, of Napierville. The claimant's loyalty is undoubted. He was formerly a serjeant in the Regiment De Meuron. On the breaking out of the Rebellion, in November, 1838, he was made prisoner by the Rebels, and confined in Napierville Goal. During his absence from home, his house was pillaged by the Rebels, and a small empty house which he possessed in the village, was burned in the conflagration, which took place after the flight of the Rebels. Claimant received fifteen pounds from the Loyalist Fund, by the hands of David Kinnear, Esquire, J. P. Awarded, for goods, Forty pounds. For the house burned, Twelve pounds.	78 8 0	52 0 0
	<i>Carried over</i>	£7268 8 5	3395 13 4

Appendix (L. L.) 22nd May.	No. of Claim.	NAME OF CLAIMANT AND REMARKS.	Amount claimed.	Amount awarded.	Appendix (L. L.) 22nd May.
		<i>Brought over</i>	£ s. d. 7268 8 5	£ s. d. 3395 13 4	
	614	Daniel Stott, of Delery. The claimant is Major of the first Battalion of L'Acadie Militia, and of undoubted loyalty. The claim is for losses during both the Rebellions. Claimant although an officer at the time, served as a private Volunteer at both the battles of Odelltown, in November, 1838. While absent from his home, on duty, in November, 1837, and again in November, 1838, he was pillaged by the Rebels to the amount awarded, viz. Twenty-one pounds three shillings and nine-pence, currency.	21 3 9	21 3 9	
	616	Susan Stott, widow John Revel, of Lacole. The claimant is widow of a loyal volunteer who died in consequence of cold caught in the service, in November, 1838. The goods lost were taken by the Rebels during the absence of claimant's husband on duty as a volunteer. Awarded, One pound three shillings and nine pence.	3 5 9	1 3 9	
	619	John Welsh, of L'Acadie. This is a claim for the amount of a mortgage due to the claimant by — Decoigne, who was executed for High Treason. The claimant is referred to his legal recourse.	50 0 0		
	624	Dudley Flowers, of St. Valentin. The claimant is a loyalist, and like his fellows was made prisoner and lodged in Napierville Gaol, in November, 1838. During his detention his house was pillaged by the Rebels. He has also another claim, No. 92, for loss sustained during the Rebellion of 1837, when he was compelled to fly from his farm. Claimant has received twenty pounds from the Loyalist Fund, by the hands of David Kinnear, Esquire, J. P. Awarded for both claims, Eighty pounds, currency.	102 14 7	80 0 0	
	626	John Stocks, of Sherrington. The claimant fought at both the battles of Odelltown, in November, 1838. While absent from home on duty, the Rebels came to his house on the 6th of November, and plundered him of ten pounds in specie, as proved in evidence. Awarded, Ten pounds.	10 0 0	10 0 0	
	627	Thomas Moore, of Napierville. The claimant is a loyal volunteer, who, on the breaking out of the Rebellion in November, 1838, was obliged to leave his house to the mercy of the Rebels. During his absence they occupied his premises, and plundered them. Claimant has received six pounds from the Loyalist Fund, by the hands of David Kinnear, Esquire, J. P. Awarded, Thirty pounds.	50 13 0	30 0 0	
	628	James Umpleby, of Napierville. The claimant is a loyal subject, who was imprisoned by the Rebels in November, 1838. He was endeavouring to make his escape on horseback, and they robbed him of the horse, saddle and bridle. The horse was afterwards recovered but much injured. The Rebels also pillaged claimant's house of various effects, for which they give his wife certain <i>bons</i> , signed "C. Huot," the name of a convicted felon. Part of the claim is not admissible under the Ordinances, being for loss of profit, and another part for services rendered to Colonel Love of the 73rd Regiment. Awarded, Fifteen pounds.	22 10 0	15 0 0	
	629	Ignace Girard, of Napierville. This man, by his own admission, aided and abetted the Rebels in 1838. The claim is consequently rejected.	20 12 0		
	636	Philip Atkins, of Sherrington. Claimant served in both actions against the Rebels at Odelltown, in November, 1838. In the last battle both the claimant and his son were shot through the thighs, and claimant is still lame from the effect of the wound. While he was absent with the volunteers, his farm was neglected, his cattle went astray, and he suffered other damage. Awarded, Eight pounds.	11 0 0	8 0 0	
	644	Nicholas Martin, of Napierville. The claimant is a native of Switzerland, and a loyal subject of Her Majesty. During the occupation of Napierville by Her Majesty's Forces in November, 1838, certain damage was sustained by the claimant, his house having been occupied by them. Awarded, Six pounds.	7 5 0	6 0 0	
	648	Lebbeus Phillips, of Sherrington. The claimant was a loyal subject, who died while the Commission was in the village, from consumption arising from cold and fatigue during the period of the Rebellion of 1838. He was taken prisoner by the Rebels while carrying a Despatch. The horse was much injured by the Rebels, but was afterwards recovered. He also lost a saddle and bridle and his clothing, taken by the Rebels when they plundered the house of Captain Douglas, (No. 452) where claimant was stationed. Awarded, Ten pounds.	10 0 0	10 0 0	
	652	Louis Marceau, of Napierville. The claimant is a Canadian Protestant, and a loyal subject. He was on his return from Champlain whither he had proceeded upon a visit to his wife's relations on the 1st November, 1838, but hearing that the political troubles were approaching, he was			
		<i>Carried forward</i>	£7577 12 6	4577 0 10	

Appendix (L. L.) 22nd May.	No. of Claim.	NAME OF CLAIMANT AND REMARKS.	Amount claimed.	Amount awarded.	Appendix (L. L.) 22nd May.
		<i>Brought forward</i>	£ s. d. 7577 12 6	£ s. d. 4577 0 10	
		persuaded by persons whom he met on the road, and flying from the Province, to return with them to Champlain, where he remained until the 14th November, 1838. During his absence, owing to his known loyal principles, his house was entirely sacked by the Rebels, and he sustained considerable loss, as proved in evidence. Part of his loss however was experienced from the Troops and Volunteers, who completed what the Rebels had left undone. A portion of the claim is for property belonging to other persons, in charge of the claimant, which cannot be allowed in this shape, but must be claimed by the parties immediately interested.			
		Awarded, One hundred and twenty-five pounds one shilling and ten pence....	158 18 4	125 1 10	
	654	James Stow, of Napierville. The claimant is a loyal subject. He endeavoured to make his escape from the Rebels in November, 1838, but being fired upon he succeeded in hiding himself in his own house until the Troops arrived and the Rebels fled. His house was plundered by the Rebels, and he lost a few articles by the Troops, after the village was taken possession of by them. One of the articles charged as lost, was <i>lent</i> to a soldier and must be struck off.			
		Awarded, Two pounds	3 19 6	2 0 0	
	658	Narcisse Letourneau, of Napierville. The claimant is a loyal subject. He is one of <i>eight</i> brothers, five of whom were implicated in the Rebellions. Claimant fought at the two battles of Odelltown against two of his brothers, who were in arms with the Rebels. His house was plundered by the Rebels, and by the Troops who had possession of it afterwards. He claims also for the loss of a small barn and stable which he had let to a man who turned out to be a Rebel, and which the Troops burned in consequence.			
		Awarded, Sixty pounds	78 14 0	60 0 0	
	659	Joseph Sarault, Surgeon, of Napierville. The claimant is a loyal subject, who was imprisoned by the Rebels in November, 1838, in Napierville Gaol. During his absence from home the Rebels took possession of his house and pillaged it; about the 12th November, after the Rebels had fled, the Troops entered his Apothecary shop and destroyed his bottles, medicines, and drugs. The claimant makes another claim of ten pounds ten shillings for medicines and medical attendance afforded the loyal prisoners in the Gaol of Napierville, during seven days. The latter claim does not come within the Ordinance.			
		Awarded, Twelve pounds two shillings	22 12 0	12 2 0	
	660	Robert Shedden, of Montreal. Claimant is a loyal subject, who was possessed of two houses in Napierville which were burned during the conflagration subsequent to the putting down of the Rebellion there in November, 1838.			
		Awarded, Three hundred and thirty-seven pounds eight shillings	343 0 0	337 6 0	
	661	Allan Clark, of Napierville. The claimant is a loyal subject. His wife being in a delicate state of health, and much terrified in consequence of the threats of the Rebels who were then meditating a Rebellion, claimant removed his family on the 31st October, 1838, to Champlain, for safety, leaving his store at Napierville in charge of a servant man. During his absence the Rebels pillaged the house and store, as is proved by evidence. When claimant returned about the 9th of November, he found his house in possession of the Volunteers, but on application to Colonel Taylor he got possession of it.			
		Awarded, Thirty pounds	37 15 0	30 0 0	
	662	Théodore Lafleur, of Napierville. The claimant is a loyal subject, apprentice to Louis Marceau, No. 652. When his master's house was occupied by a party of Volunteers or Regular Troops in November, 1838, the claimant lost certain articles, his property, to the amount awarded, viz.			
		Three pounds ten shillings	4 5 3	3 10 0	
	663	J. Baptiste Mongeon, of Napierville. The claimant is a loyal subject, who was made prisoner and bound by the Rebels at Napierville, in November, 1838. His house was pillaged partly by the Rebels and partly by the Troops, during the confusion after the flight of the former.			
		Awarded, Twenty pounds	28 4 0	20 0 0	
	667	Marguerite Frédette, of Douglas Corner, Napierville. The claimant is a loyal subject, a young woman resident at the house of one Cyre in the village, which was entered by the Troops, and a few articles of wearing apparel taken away.			
		Awarded, One pound fifteen shillings and sixpence	1 15 6	1 15 6	
	672	Harriet Douglas, of Douglas Corner, Napierville. The claimant is a loyal subject. She lost her property under the circumstances detailed in the award made in her brother's claim, No. 452.			
		Awarded, Five pounds currency	8 15 3	5 0 0	
	673	Amasa Ladd Douglas, of Douglas Corner, Napierville. The claimant is a loyal subject. He lost his property under similar circumstances to the above, and at the same time. He is brother to claimant No. 452.			
		Awarded, Fifteen pounds	23 12 0	15 0 0	
		<i>Carried over</i>	£8789 3 4	5188 18 2	

Appendix (L. L.) 22nd May.	No. of Claim.	NAME OF CLAIMANT AND REMARKS.	Amount claimed.	Amount awarded.	Appendix (L. L.) 22nd May.
		<i>Brought over</i>	£ s. d. 8789 3 4	£ s. d. 5188 18 2	
	674	Jonathan Brown Douglas, of Douglas Corner, Napierville. The claimant is a loyal subject. His property was lost under circumstances similar to the above, and at the same time. He belongs to the family of claimant No. 452. Awarded, Thirty pounds	52 1 6	30 0 0	
	678	Louis Albert Bender, of St. Edouard. The claimant having accepted the appointment of Surgeon to the Rebel force at Napierville, under Doctors Côte and Nelson, in November, 1838, and having received goods from Mr. Wilson, the grocer, on a <i>bon</i> given to him and signed by "C. Huot," a convicted felon, the claim is rejected	57 11 0		
	684	François R. Picard, of Napierville. The claimant is a loyal Canadian, who was imprisoned by the Rebels in the Gaol at Napierville, in November, 1838. On the occupation of the village by Her Majesty's forces, the claimant's house was taken possession of by the soldiers, and he lost property to the amount awarded, viz., Seven pounds	9 10 0	7 0 0	
	687	John Patton, of St. Athanase. The claimant is a loyal subject. The claim is for damages sustained in consequence of the two rebellions of 1837 and 1838. In the month of February, 1838, a party of Glengary Highlanders occupied a house in the village of Napierville belonging to claimant, and retained possession of it until 1st May following. During their occupation, considerable damage was done to the premises. The claimant repaired the house, but on the breaking out of the last Rebellion, in November, 1838, the same house was occupied first by the Rebels, and afterwards by Her Majesty's Forces, by which farther damage was sustained. The amount of the latter damage is awarded, but not the former, as inadmissible under the Ordinance. Awarded, Four pounds fifteen shillings	34 5 0	4 15 0	
	689	Jane Burton, widow, of Sherrington. This is a claim that demands more than a passing notice, as instancing one of the many acts of heroism and devotion manifested on the breaking out of the Rebellion of 1838. The claimant's husband, John Burton, an honest and worthy man, left his wife and family of nine children, to take up arms in defence of his country, invaded by brigands and Rebels. He fought at the first battle of Odelltown, on the 7th November, when the Rebels were defeated; and without returning to his family, he again met the foe on the 9th at Odelltown Chapel, where he sealed his loyalty with his life, falling mortally wounded by the side of his Captain, the brave M'Allister, who was shot at the chapel door. It is to be hoped that some permanent provision will be made by the Imperial Government in favour of claims of this description. The amount claimed is the value of a yoke of oxen carried off by the Rebels, while the claimant's husband was serving as a Volunteer. The Widow Burton has received five pounds from the Loyalist Fund by the hands of David Kinnear, Esquire, J.P. Awarded, Twenty pounds... ..	20 0 0	20 0 0	
	690	John Brown Douglas, of Douglas Corner, Napierville. The claimant is a loyal subject. His house was occupied by the Rebels under the circumstances detailed under No. 452, and he lost certain articles his property. He also sustained loss by damage done to his horses in consequence of the Rebellion, but there is a deficiency of evidence as to several items of his claim. Awarded, Fifty pounds	99 7 6	50 0 0	
	691	Samuel and Stephen R. Andres, of Chambly. The claimants are brothers, and have produced satisfactory proofs of loyalty. During the march of the Troops through the Parish of L'Acadie, claimants' houses caught fire from other contiguous houses burned by the Troops as belonging to Rebels. The houses have been estimated by the sworn Surveyor of the Commission. Awarded, Three hundred and eleven pounds eleven shillings and nine pence.	925 0 0	311 11 9	
	693	Arthur Delmage, of Sherrington. The claimant's loyalty is undoubted. Whilst he and his two brothers were engaged as loyal Volunteers at the first battle of Odelltown, the Rebels pillaged his house. He has received two pounds ten shillings from the Loyalist Fund, by the hands of David Kinnear, Esquire, J.P. Awarded, Ten pounds five shillings	10 5 0	10 5 0	
	703	Elnathan Phillips, of Sherrington. The claimant is a loyal subject, who was made prisoner by the Rebels, and confined in Napierville Gaol in November, 1838. The claim is for damage sustained by the loss of a horse, bridle, and halter; and also for injury to another horse used by the Rebels. Claimant has received ten pounds from the Loyalist Fund, by the hands of David Kinnear, Esquire, J.P. Awarded, Twenty pounds twelve shillings and sixpence	20 12 6	20 12 6	
	704	George Tittmore, of Sherrington. The claimant is a loyal subject, who was imprisoned by the Rebels in the Gaol of Napierville in November, 1838. The Rebels seized two horses belonging to claimant, which he afterwards recovered with great trouble and expense. The horses were much injured, but part of the claim for loss of time in their recovery does not come within the Ordinance. Awarded, Six pounds ten shillings	20 5 0	6 10 0	
		<i>Carried forward</i>	£9438 0 10	5649 8 5	

Appendix (L. L.) 22nd May.	No. of Claim.	NAME OF CLAIMANT AND REMARKS.	Amount claimed.	Amount awarded.	Appendix (L. L.) 22nd May.
			£ s. d.	£ s. d.	
		<i>Brought forward</i>	9438 0 10	5649 8 5	
	711	Isaac Smith, of Odelltown. The claimant's loyalty is undoubted. During the second battle of Odelltown, Lieutenant Colonel Taylor, who commanded the Loyalists, found it absolutely necessary to set fire to the claimant's barns, in order to prevent the Rebels from sheltering themselves behind them. The barns were accordingly burned, with their valuable contents, and the circumstances were officially reported to the Military Secretary in Colonel Taylor's Despatch. Awarded, for the barns, which have been estimated by the sworn appraiser, the sum of One hundred and twenty-seven pounds; for the moveables, One hundred and sixty-five pounds, being a total sum of Two hundred and ninety-two pounds, currency	526 15 0	292 0 0	
	733	Gilbert Weldon, of Lacole. The claimant is an undoubted Loyalist, who was present as Captain of Militia at both the battles of Odelltown. In the advance of the Rebels to the action of Odelltown Chapel on the 9th November, 1838, they plundered the claimant's house of goods to the amount awarded, viz.: Eleven pounds eleven shillings and eight pence	11 11 8	11 11 8	
	736	George Hay, of Lacole. The claimant's loyalty is undoubted. He was present as Captain of Militia at the battle of Odelltown, and while from home his house was plundered by the Rebels to the amount awarded, viz.: Eighty-two pounds twelve shillings and six pence, currency	82 12 6	82 12 6	
	738	William Revel, of Lacole. The claimant is a loyal subject, and fought at both battles of Odelltown. While so absent on duty the Rebels entered his premises and carried off a horse and other property. Awarded, Fifteen pounds	15 0 0	15 0 0	
	740	Joseph Whitman, Junior, of Lacole. The claimant is a loyal subject, who fought at both the battles of Odelltown. He lost a horse, shot at the second battle. During his absence his house was plundered by the Rebels. Awarded, Thirty pounds, currency	35 15 0	30 0 0	
	741	Robert Hay, of Lacole. The claimant is of undoubted loyalty, and fought at both battles of Odelltown. The claim is for a valuable horse taken by the Rebels. Awarded, Twenty pounds... ..	20 0 0	20 0 0	
	744	William Goforth, of Lacole. The claimant is of undoubted loyalty. The claim is made for the loss of a horse, and other property taken by the Rebels during the Rebellion of 1838; and claimant received Ten dollars from the Loyalist Fund, by the hands of David Kinnear, Esquire, J. P. The horse has been lately recovered, and claimant appeared on the 18th December, 1839, before the Commission at Napierville, and formally withdrew the claim.	16 7 6		
	754	John Oliver, of Lacole. The claimant's loyalty is undoubted; he served in the first battle of Odelltown against the Rebels. On the 8th November, 1838, the Rebels took possession of his premises, and made it their head quarters under the command of Robert Nelson in person. The claimant was made prisoner and his goods pillaged. Awarded, One hundred pounds	117 4 0	100 0 0	
	757	Traver Vanvliet, of Lacole. The claimant is a loyal subject, who fought at both battles of Odelltown. During his absence, the Rebels took possession of his house and premises, carrying off a horse and other articles. Another part of the claim is made for a barn, which was burned down on the 13th December, 1838, as is alleged by an incendiary; this part of the claim cannot be maintained, no one having been identified. Awarded, Thirty pounds, currency	74 3 1	30 0 0	
	758	Major Edward March, of Lacole. This is a distinguished loyalist, who fought at both battles of Odelltown, in November, 1838, and received promotion in consequence. His house in Lacole was taken possession of by the Rebels, and plundered to the amount awarded, viz. Forty-nine pounds fifteen shillings and four-pence	49 15 4	49 15 4	
	782	Hugh Cameron, of Thwaite. The claimant is a loyal subject, and fought at the battle of Odelltown, against the Rebels. Like the other loyalists of the neighbourhood, he was obliged to leave his house to the mercy of the Rebels. He was absent nine days, and during his absence, his house was pillaged to the amount awarded, viz. Twenty-five pounds	48 2 6	25 0 0	
	907	William Wilson, Surgeon, of Chambly. The claimant is a loyal subject. He claims for the loss of a waggon and harness, furnished to Captain Glasgow, R. A., about the end of November, 1837. The intention was that the waggon should be returned, but by some means, it fell into the			
		<i>Carried over</i>	£10430 7 5	6305 7 11	

Appendix (L. L.)	No. of Claim.	NAME OF CLAIMANT AND REMARKS.	Amount claimed.	Amount awarded.	Appendix (L. L.)
22nd May.					22nd May.
			£ s. d.	£ s. d.	
		<i>Brought over</i>	10430 7 5	6305 7 11	
		hands of some soldiers, who sold it for seven shillings and sixpence, to an individual. The claimant eventually recovered it, but it was broken in pieces and totally useless. The harness he never recovered.			
		Awarded, Twelve pounds	15 0 0	12 0 0	
	911	Honble. P. DeRocheblave, of Montreal. The claimant is of undoubted loyalty, Member of the Executive Council of the Province. During the troubles of 1838, about the 12th November, claimant's farm and premises in the Parish of St. Remi, were occupied by Her Majesty's Forces, and he sustained loss thereby, to the amount awarded, viz. Thirty-seven pounds thirteen shillings and four-pence	37 13 4	37 13 4	
	917	Honble. J. B. Hertel DeRouville, of St. Hilaire. The claimant is a Canadian gentleman of undoubted loyalty. In the course of the examination into this case, a number of Affidavits made by divers persons, relative to the claimant, were referred to the Commissioners, by the Civil Secretary of His Excellency Lord Seaton, late Governor General of these Provinces. These Affidavits tended to incupate the character of the claimant as a loyal man, insinuating that he temporised with the Rebels of 1837 and 1838, and was even friendly to their insane attempts to subvert the Government as by law established. After a patient and thorough investigation into the matters alleged, and after taking the depositions of a number of respectable witnesses, the Commissioners have the satisfaction of reporting to the Government, that the conduct of the claimant stands perfectly unimpeachable on the score of disloyalty. On the contrary, the Commissioners do not hesitate to say that all these misrepresentations of the claimant's conduct, arise from the peculiar nature of the services required from him, and from the means which the complexion of the times compelled him to resort to, in order to serve the Government, at the risk of the envy and jealousy of some evil disposed persons in his neighbourhood. With respect to the claim itself made by Mr. DeRouville, it appears on examination, that its amount under the Ordinances 1st Victoria, chap. 7, and 2nd Victoria, chap. 35, is about Four hundred pounds, currency, for actual loss sustained. After due consideration, however, of the peculiar circumstances attending the case, the Commissioners are of opinion, that in acknowledgement of services unquestionably rendered to the Government, during the Rebellions of 1837 and 1838, the sum of <i>Five hundred pounds, currency</i> , might fairly be paid to the claimant, in lieu of all claims on the Civil Government, but without prejudice to any other claim which Mr. DeRouville may have for compensation from the Military Chest. Awarded, Five hundred pounds, currency	1884 7 7	500 0 0	
	919	Mesire Mignault, of Chambly. Claimant is Principal of the Chambly College, and of undoubted loyalty. During the march of the Troops through Chambly to St. Charles, it was thought advisable by the Officer commanding, to take possession of a cannon belonging to claimant. The cannon has not been returned. Awarded, Ten pounds	15 0 0	10 0 0	
	929	Widow Flowers, of Napierville. The claimant is widow of Martin Flowers, of Napierville, who was killed during the last engagement of Odelltown, on the 9th November, 1838. She was obliged to leave her house to the mercy of the Rebels, who pillaged it to the amount awarded. The remarks made towards the close of the award on the claim of Jane Burton, No. 689, are applicable to this case. Awarded, Ten pounds fourteen shillings and four-pence	10 14 4	10 14 4	
	931	Shadrach Chatterton, of Lacole. The claimant is a loyal Volunteer, who fought at both the battles of Odelltown, in November, 1838. During his absence from home, the Rebels plundered his house. He sustained other losses to the amount awarded, viz., in lieu of all claims. One hundred pounds, currency	189 4 9	100 0 0	
	932	Louis Grasette, of St. Valentin. A Canadian who served in the last war against the Americans. He again took up arms in defence of his country, against the Rebellion, in November, 1838, and was present at the first battle of Odelltown, where, in the language of an Officer examined in his case, "he behaved as a brave man should do." He would have been present also at the second battle, but was prevented from fatigue, being an old man. While he was absent on duty, as a Volunteer, the Rebels pillaged his house. The claimant received two pounds ten shillings from the Loyalist Fund, by the hands of David Kinneer, Esquire, J. P. Awarded, Ten pounds	12 1 8	10 0 0	
	974	Sarah Walker, of La Tortue. The circumstances of this case are well known to the Government. The claimant is widow of Aaron Walker, a loyal subject, who was cruelly murdered by the Rebels, in the house of David Vitty, on the night of the 3rd November, 1838. After the death of her husband, claimant's farm was plundered by the Rebels, and she herself was compelled to reside in Montreal, at a considerable expense, viz., thirteen pounds, which does not come within the Ordinance, but which, nevertheless, it is hoped that the liberality of Government will defray, under the lamentable circumstances of this case. Awarded, Thirty-seven pounds twelve shillings	37 12 0	37 12 0	
		<i>Carried forward</i>	£12632 1 1	7028 7 7	

Appendix
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22nd May.

No. of Claim.	NAME OF CLAIMANT AND REMARKS.	Amount claimed.	Amount awarded.
	<i>Brought forward</i>	£ s. d. 12682 1 1	£ s. d. 7023 7 7
1017	Timoléon Quesnel, of L'Acadie. The claimant is a loyal subject. During the march of the Troops on their return from Napierville in November, 1838, claimant lost various articles of property taken by the Troops or Volunteers. The claimant entertained several Officers at his house at the same period, for which he has made no charge. He is local stipendary Magistrate at L'Acadie. Awarded, Eleven pounds eighteen shillings and nine pence	11 18 9	11 18 9
1018	Abraham Vosburgh, of Caldwell's Manor. The circumstances of this case are well known to the Government. The claimant's house in Caldwell's Manor was attacked in the night by Rebel refugees, headed by one Beausoleil and one Bonaventure Viger, on the 3rd February, 1838, previous to the passing of the Ordinance 2 Victoria, chapter 35. The claimant was grievously wounded on this occasion, his barns and the cattle therein burned, besides suffering a loss in property pillaged and carried away. A full detail of the circumstances attending the attack on claimant's house was forwarded to Her Majesty's Government at the time. The loyalty of the claimant and his family is undoubted; and there can be no doubt that the outrage was committed in revenge for the opposition manifested by the Vosburghs to the principles and objects of the Rebels. The claimant has received Sixty pounds from the Loyalist Fund, by the hands of David Kinnear, Esquire, J. P. Awarded, for moveables, One hundred and fifty pounds; for the Barns, &c., One hundred and eighteen pounds ten shillings, being a total of Two hundred and sixty-eight pounds ten shillings, currency	299 18 2	268 10 0
1019	Peter Vosburgh, of Caldwell's Manor. The claimant is son of the preceding, and on the same occasion was grievously wounded in several places by the Rebel refugees, under the circumstances stated above. His property was also pillaged to the amount awarded, viz.: Forty pounds	64 15 0	40 0 0
1020	Anne Vosburgh, of Caldwell's Manor. Sister of the claimant under the preceding number. On the same occasion she lost property to the amount awarded, viz.: Two pounds ten shillings	3 18 0	2 10 0
1028	Robert Hoyle, Esquire, late of Lacole. The claimant's loyalty is undoubted. He is in command of the Stanstead Volunteer Cavalry. During the two late Rebellions he sustained loss from the Rebels. In the fall of 1837 he lost a Scow belonging to his ferry at Lacole, and in November, 1838, he also lost various other articles. The proof however of some of them being insufficient from lapse of time, he is awarded Ten pounds	20 0 0	10 0 0
1034	Eliza M'Ginnis, of L'Acadie. The claimant is sister to Major R. B. M'Ginnis, (see No. 396) and lost her property under similar circumstances, and at the same time. Awarded, Four pounds fifteen shillings	4 15 0	4 15 0
1035	Sarah M'Ginnis, of L'Acadie. The claimant is sister to the above, and lost her property under similar circumstances, and at the same time. Awarded, Forty pounds	43 18 4	40 0 0
1036	Joseph Henrichon, of St. Philippe. The claimant is a loyal subject, and was made prisoner by the Rebels at Napierville in November, 1838; they took from him a mare, saddle and bridle, which he never recovered. Awarded, Fifteen pounds, currency	20 0 0	15 0 0
1038	François Valade, of Napierville. The claimant is a loyal subject. When the Troops entered Napierville after the flight of the Rebels, his house was unfortunately burned through false information that the proprietor was a Rebel. Together with the house, his effects were consumed. Awarded, Fifty pounds	59 18 9	50 0 0
1039	Michel Ménard dit Brindamour, of St. Philippe. The claimant is a loyal subject. During the occupation of Napierville by Her Majesty's Forces, after the flight of the Rebels in November, 1838, the claimant's house was injured to the amount awarded, viz.: Four pounds fifteen shillings.	4 15 0	4 15 0
1100	Marguerite Lacroix, Widow Herse, of L'Acadie. The claimant is the respectable widow of a very loyal man. During the march of the Troops through L'Acadie, soon after the battle of Odeltown, the claimant was in the act of removing her goods to the house of the Curé for safety, in order to avoid the conflagration of Joseph O'Claire's house which the Troops were threatening to fire, until stopped by Sir John Colborne. The Troops took away her horse, cart and harness, which she was never afterwards able to recover. She also lost a few moveables while the Troops were in possession of her house in the village. Awarded, Twenty-five pounds, currency	25 0 0	25 0 0
	<i>Carried over</i>	£18190 18 1	£7495 16 4

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No. of Claim.	NAME OF CLAIMANT AND REMARKS.	Amount claimed.	Amount awarded.
	<i>Brought over</i>	£ s. d. 13190 13 1	£ s. d. 7495 16 4
1106	Laurent Archambault, Esquire, of L'Acadie. The claimant is a loyal subject. During the march of the Troops on their return from Napierville, in November, 1838, the claimant lost a mare, harness, and other property, which was taken by the Volunteers. Awarded, Thirty-two pounds, currency	32 0 0	32 0 0
1107	Messire Crevier, Curé of L'Acadie. The claimant is a loyal subject, and used all his influence of his profession and position as a Minister of religion, to oppose the designs of the revolutionary leaders during the two Rebellions. During the march of the Troops on their return from Napierville, claimant entertained Sir John Colborne and his Staff, for which he has made no charge. He lost, however, certain valuable property, such as a horse, cow, &c., with other articles taken by persons unknown during the march of the Troops. Awarded, Forty-two pounds and eleven pence, currency	42 0 11	42 0 11
		£13264 14 0	7569 17 5

Appendix
(L. L.)
22nd May.

E. A. CLARK.
C. TAIT.
C. S. RODIER.

St. Eustache, 22d January, 1840.

Brought down	£7569 17 3
Deduct errors in addition	999 15 3
	£6570 2 0

Warrants for the above £6570 2s. 0d., were issued, and afterwards cancelled by order of His Excellency the Governor General.

J. S., Commissioner.

ADDENDUM.

SPECIAL REPORT on the Cases of Mr. Tilly Rice and Mr. Daniel Shaw.—January, 1840.

453. Tilly Rice, gentleman, of L'Acadie.

Special Report of the Commissioners of Indemnity, on the claim of Mr. Tilly Rice, of L'Acadie, whose case of loss by fire was referred to them by the letter of the late Civil Secretary, dated the 13th May, 1839.

In reference to the question put to the Commissioners, by the said letter, "whether under the Ordinance 1st Victoria, cap. 7, they can recommend that Mr. Tilly Rice should be remunerated, taking into consideration that Martial Law was in force in the District, and that Mr. Tilly Rice's house was necessarily occupied by the Military," the Commissioners beg to reply that the preamble of the Ordinance 1st Victoria, cap. 7, (of which Ordinance, that of 2nd Victoria, cap. 35, is part and parcel,) is declaratory of, and pre-supposes a by-gone occurrence when alluding to the Rebellion, and to the losses into which inquiry is to be made. "Whereas during the late unnatural Rebellion, certain loyal inhabitants of this Province sustained much loss and damage, by the destruction of their dwellings, buildings, and other property and effects, by the Rebels," are the words of the said Preamble; meaning, as the Commissioners apprehend, losses which had occurred prior to the passing of the Act, not those that might occur at a future period. To the Rebellion allusion is made as

an occurrence past and ended, and no provision is made for losses that might occur at an after period, consequent upon the past Rebellion, or growing out of it. Again the Act says, that the injury sustained must have been by means of the Rebels. The Commissioners have always construed this clause to apply not only to the direct act of the Rebels, in the destruction of property, but to their indirect acts: i. e., to the loss of property by means of the Troops employed in putting down the past Rebellion, to which the Ordinance refers.

Mr. Rice's loss having occurred not only after the passing of the Ordinance which declares the acts to which it refers, as being prior in date, (viz.; on the 3rd of April, 1839, the Ordinance having been passed on the 30th March,) but having been brought about neither by means of the Rebels, or of the Troops employed in quelling the Rebellion, appears to the Commissioners to be without the pale of the law. The evidence taken before the Commissioners proves the fire to have been purely accidental, namely, by the carelessness of a soldier, who having gone into the stable in the night time in quest of his master's horse, left the candle behind him when he came away.

Against the burning of property during a Rebellion, no person can protect himself by an Assurance at a Fire Office, because in all contracts of this na-

Appendix
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22nd May.

ture, there is a stipulation on the part of the Office, that the policy shall be suspended during the existence of a Rebellion, riot, or civil commotion. Hence by the liberality of Government, the Ordinance provides another species of relief. But the loss of Mr. Rice being one proceeding from accident, would have been recoverable from an Insurance Office, had he taken the precaution to assure; and it is consequently to be supposed that the Ordinance could not have contemplated the relief of such cases.

After this explanation of the case, which the Commissioners in discharge of their duty conceive it imperative in them to make, they beg leave on the other hand to state that the case of Mr. Tilly Rice is a very hard one. His house was taken possession of, by a part of the 71st Regiment, who were obliged to use it for Military purposes. To this occupation of it, his consent was not asked or required during the existence of Martial Law. It was burned by means of its Military occupants, not indeed by design, but by accident. It is clear then that Mr. Rice lost his property in the public service. Had he been the sole occupier of his house, there is every reason to believe the fire would not have destroyed it. The Commissioners therefore take leave to submit to Your Excellency, how far this loss should not in fairness be made a charge, and form a valid and equitable claim against the Military Government, it appearing to the Commissioners that under the circumstances of the case, Mr. Rice should not be suffered to bear himself the loss.

The total amount claimed by Mr. Rice, is Fourteen hundred and ninety four pounds ten shillings. The sworn Surveyor of the Commission, looking at the actual state of the ruins at this time, has appraised the loss of the three buildings mentioned, at Five hundred and forty pounds thirteen shillings and fourpence, in lieu of eleven hundred pounds, claimed for them by Mr. Rice. The claimant has proved his loss in moveables to amount to the sum claimed, viz., Three hundred and ninety-four pounds ten shillings,

making a total of proved loss, including appraisement of the buildings, amounting to Nine hundred and thirty-five pounds three shillings and four-pence, currency.

596. Daniel Shaw, of Sherrington.

This case was specially referred to the Commissioners, by letter from Mr. Secretary Murdoch, in November last.

The loss of this individual, though it occurred on the 7th February, 1839, prior to the passing of the Ordinance 2nd Victoria, cap. 35, still does not come under it. His barn was burned by an incendiary, and that incendiary supposed to be a Rebel, but the claimant could not establish the fact, either by his own affidavit, or by the testimony of others. Having been a loyal subject and a Milita soldier engaged at the battles of Odelltown and Lacole, he became, of course, obnoxious to the Rebels, many of whom resided in his neighbourhood. He had had a private quarrel with a noted person bearing this character. From these and other circumstances, the Commissioners are led to believe, (as also was David Kinnear, Esquire, Stipendiary Magistrate, who investigated the case,) that the claimant is right in his suspicions, though the fact cannot be proved. The building has been appraised by the sworn Appraiser of the Commission, at forty-four pounds, currency, and for his loss in moveables contained in the said barn, the Commissioners had the case come under the Ordinance, would have allowed him Fifty-six pounds, making a total loss of one hundred pounds, currency.

The claimant has received forty-five pounds from the Loyalist Fund, by the hands of David Kinnear, Esquire, J. P.

E. A. CLARK,
C. TAIT,
C. S. RODIER.

FIFTH REPORT

OF THE

COMMISSION OF INDEMNIFICATION,

UNDER 1ST VICT. CAP. 7, AND 2ND VICT. CAP. 35.

9TH MAY, 1840.

The Commissioners of Indemnity, under the Ordinances 1st Vict., cap. 7, and 2nd Vict., cap. 35, have the honor to submit for the consideration of His Excellency the Governor General, their Fifth Report of proceedings under the said Ordinances; containing claims from the County of Beauharnois, with the sums asked, and the amounts severally awarded.

The Commissioners confined themselves, in reference to the cases now reported, with but few exceptions, to the investigation of claims preferred by persons whose loyalty could be established by evidence; but they have, in addition, acquired such a stock of information from the best sources, respecting the character and merits of the other applicants, under the Ordinances in question, as will greatly facilitate future proceedings, and enable them with little difficulty, to come to a decision on various claims for Indemnity, yet depending, and therefore not included in the present Report.

The Fifth Report now presented, includes thirty-two decided claims. The amount of these claims is Five thousand and ninety-four pounds sixteen shillings and eight-pence. The amount awarded in all, is Two thousand four hundred and sixteen pounds nine shillings and eleven-pence, shewing a balance saved to the Government of Two thousand six hundred and seventy-eight pounds six shillings and nine-pence, currency.

All which is respectfully submitted.

E. A. CLARK,
C. TAIT,
C. S. RODIER.

Office of the Commission of Indemnity,
Montreal, May 9th, 1840.

Appendix
(L. L.)
22nd May.

Appendix (L. L.) 22nd May.	No. of Claim.	NAME OF CLAIMANT AND REMARKS.	Amount claimed. £ s. d.	Amount awarded. £ s. d.	Appendix (L. L.) 22nd May.
	823	Charles Archambeault, of Beauharnois. This is a loyal Canadian, who was made prisoner by the Rebels of St. Martine, on the outbreak of the Rebellion in November, 1838. At that time he suffered loss by the burning of his house, and by pillage committed by the Rebels. He also lost several articles of property in the confusion caused by the occupation of his house by the Troops and the Indians. Awarded, for the burning of his house, the sum of Thirty pounds, currency ; for moveables, Eighty pounds, currency	143 15 10	110 0 0	
	826	Pierre Fabien Charpentier, of St. Martine. This is a loyal Canadian. On the breaking out of the Rebellion of 1838, he removed his goods in order to preserve them from pillage by the Rebels ; afterwards on the occupation of the village by Her Majesty's Forces, his effects were lost and carried away by persons unknown. Awarded, One hundred pounds, currency	178 11 0	100 0 0	
	838	David Normand, of Beauharnois. The claimant is a person of undoubted loyalty. On the outbreak of November, 1838, the Rebels pillaged his property ; he lost also several articles of value during the occupation of the village by the Queen's Troops, who occupied his house for several days. The original claim was afterwards materially reduced by claimant. Awarded, One hundred pounds, currency	269 7 0	100 0 0	
	839	John Ross, of Beauharnois. A loyal subject, who was made prisoner by the Rebels on the outbreak at Beauharnois, on the 3rd November, 1838. Claimant is a Merchant at Beauharnois, and suffered loss by pillage of his goods by the Rebels. Awarded, Two hundred and fifty pounds, currency, for goods... ..	797 17 10	250 0 0	
	842	Damase Masson, of Beauharnois. After a careful enquiry into this case, the Commissioners are unanimously of opinion that the claimant is not one of those loyal persons for whose benefit the Ordinance 1 Vict. cap. 7, was enacted	1406 15 4		
	844	Robert Johnston, of Beauharnois. A loyal subject, who was fired upon by the Rebels on the outbreak of the 3rd November, 1838. He was compelled to fly, having made his escape from them, and in consequence of the plundering of the Village by the Rebels, and the subsequent occupation by Her Majesty's Troops, he suffered damage to the amount awarded, viz. : Five hundred pounds	600 8 8	500 0 0	
	845	François Heneau, of Beauharnois. The claimant's loyalty is established. During the Rebellion of 1838, his house was seized by the Rebels, and his goods pillaged to the amount awarded, viz. : Seventeen pounds ten shillings, currency	26 13 2	17 10 0	
	847	L. G. Brown, Esquire, of Beauharnois. The claimant is of well known loyalty. He was made prisoner by the Rebels. The Seigniorial house, in which were claimant's furniture and effects, was pillaged by the Rebels during their occupation of the Village, in November, 1838. Awarded, Three hundred and three pounds nine shillings, currency	304 4 0	303 9 0	
	848	Right Honorable Edward Ellice, of London. The claimant is represented by his Agent, L. G. Brown, Esquire. The Seigniorial house, premises and mills at Beauharnois, of which claimant is proprietor, were attacked by the Rebels on the 3rd November, 1838, and much property pillaged and carried off by them, as proved in evidence. Awarded Five hundred and thirty-three pounds, currency,	588 1 0	583 0 0	
	849	Alexander Scott, of Beauharnois. A loyal subject, farmer to the claimant, No. 847. When the Seigniorial house was attacked, his fowling-piece was taken by the Rebels. Awarded Two pounds	3 0 0	2 0 0	
	857	John and Janet Wells, of Beauharnois. The claimants are loyal subjects. The articles for which the claim was made, were the private property of the female claimant before her marriage. During the confusion consequent on the putting down of the Rebellion at Beauharnois, a chest of drawers, containing wearing apparel, was carried off by persons unknown, supposed to have been Troops or Volunteers. Awarded Fifteen pounds	30 3 8	15 0 0	
	862	Tonssaint Champeau, of Beauharnois. The claimant has established his loyalty. He was obliged to fly for his life from the village on the outbreak of 1838, and his house was plundered by the Rebels during his forced absence. The premises were afterwards occupied by the Queen's Troops. Awarded, Thirty pounds, currency	41 2 0	30 0 0	
	863	John Fox, of Beauharnois. The claimant is a loyal subject, in the employ of the claimant L. G. Brown, Esquire, No. 847. He was obliged to make his escape on the occupation of Beauharnois by the Rebels, in November 1838, and his goods, which were in Mr. Brown's house, were pillaged by the insurgents during his absence. Awarded Fifteen pounds, currency	18 10 6	15 0 0	
		<i>Carried forward</i>	£4408 12 0	1975 19 0	

Appendix
(L. L.)
22nd May.

Appendix
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No. of Claim.	NAME OF CLAIMANT AND REMARKS.	Amount claimed.	Amount awarded.
	<i>Brought forward</i>	£ s. d. 4408 12 0	£ s. d. 1975 19 0
867	John Henderson, of Beauharnois. A loyal subject. Claimant was sent to Montreal with letters to the Government from Mr. Ellice, on the latter being made prisoner by the Rebels at Beauharnois, 8rd November, 1838. During his absence his property was pillaged. Awarded, Thirty pounds	86 10 0	30 0 0
873	Jacob LaMontagne, of Beauharnois. The claimant's loyalty is admitted. A few days previous to the breaking out of the Rebellion at Beauharnois, in November, 1838, the claimant having no suspicion of the events which subsequently occurred, went to Montreal to attend to important private business. During his absence the Insurrection took place, and his house was occupied first by Rebels, and then by Her Majesty's Forces. He lost goods to the amount awarded, viz.: Seventy-five pounds, currency	78 2 0	75 0 0
874	David Bryson, of Chateauguay. The claimant is a loyal subject. He was absent, serving as a Volunteer in the Rebellion of 1838, when a party of Militia under Colonel Campbell came to his house, and during their occupation of it claimant lost certain articles his property, to the amount awarded, viz.: Fifteen pounds, currency	16 4 0	15 0 0
875	John Bryson, of Beauharnois. The claimant's loyalty is undoubted. He was made prisoner with Mr. Ellice, jun., Mr. Brown, and other loyalists, on the breaking out of the Rebellion at Beauharnois, in November, 1838. He was carried to Chateauguay, and during his forced absence his property was pillaged by the Rebels. They also took from himself a double-barrelled gun, and other property, part of which, however, was afterwards recovered. Awarded, Fifty pounds	71 8 6	50 0 0
876	Julien Dupuis, of Beauharnois. A loyal Canadian. During the occupation of the village by the Rebels in November, 1838, and afterwards by the Glengary Militia, claimant suffered loss in effects to the amount awarded, viz.: Fifteen pounds, currency	19 8 4	15 0 0
880	Patrick Lynch, of Beauharnois. The claimant is admitted to be a loyal subject. He was employed by L. G. Brown, Esquire, No. 847, at the time when the Seigniorial house was attacked by the Rebels; but having indiscreetly sent his goods for safety to the house of a Rebel Captain, whence they were afterwards carried off as the property of a disaffected person. His claim for their value cannot be admitted	10 8 0	
882	Joseph Surveyor, of Beauharnois. The claimant is a naturalized subject of Great Britain, and a loyal man. He was made prisoner by the Rebels when they seized the Village of Beauharnois in November, 1838, and carried off to Chateauguay. During his absence his house was plundered by the Insurgents to the amount awarded, viz.: Sixty pounds, currency	66 19 4	60 0 0
883	James Howden, of Beauharnois. The claimant is a loyal subject; like other loyalists he was plundered by the Rebels during their occupation of Beauharnois in November, 1838. Awarded, Ten pounds	14 8 0	10 0 0
884	James Thom, of Beauharnois. Claimant's loyalty is certain. He was made prisoner by the Rebels at Beauharnois in November, 1838, but being unable to walk from infirmity was discharged. He was however obliged to leave the Village, and during his absence his house was plundered by the Rebels; it was afterwards occupied by the Glengary Militia, and further loss was sustained. Claimant also lost a sum of money in Notes, but it appearing that sufficient care was not taken by the claimant in reference to this amount, it cannot justly be repaid by Government. Awarded, Thirty pounds	51 8 10	30 0 0
885	James Richardson, of Beauharnois. Claimant is a loyal subject, School Master in the Village of Beauharnois. The School house was occupied by the Rebels, and the claimant's property in the building, consisting of books and a stove, were carried away, or rendered useless. Awarded, Four pounds seventeen shillings	4 17 0	4 17 0
890	Daniel Doncaster, of Beauharnois. The claimant is a loyal man, in the service of the Agent to the Seignior, L. G. Brown, Esquire, No. 847. The Rebels took possession of the Mill at which claimant lived, and plundered Mr. Ellice's property; afterwards the Glengary Militia occupied the same Mill, and the claimant was deprived of property to the amount awarded, viz.: Five pounds, currency	7 11 11	5 0 0
891	Robert H. Norval, Esquire, of Beauharnois. An undoubted loyalist. When the Rebellion broke out at Beauharnois in November, 1838, claimant was made prisoner by the Insurgents, who carried off at the same time claimant's Arms and Accoutrements. The Rebels committed depredations on claimant's property on the same occasion, making his loss amount to the sum awarded, viz.: Fifteen pounds twelve shillings and six pence, currency.	27 2 6	15 12 6
	<i>Carried over</i>	£4802 10 5	2286 8 6

Appendix
(L. L.)
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Appendix
(L. L.)
22nd May.

No. of Claim.	NAME OF CLAIMANT AND REMARKS.	Amount claimed.	Amount awarded.
	<i>Brought over</i>	£ s. d. 4802 10 5	£ s. d. 2286 8 6
895	Ovide Leblanc, of Beauharnois. The claimant's loyalty is admitted. When the Rebels took possession of the Village, they visited claimant's house and plundered it; they made him prisoner, but afterwards allowed him to escape; he was again made prisoner the next day, and confined until the Queen's Forces arrived. When he returned to his own house, he found it had been plundered in his absence, to the amount awarded, viz.: Twenty pounds, currency	28 8 10	20 0 0
906	Pierre Sarault, of Beauharnois. The claimant's loyalty is admitted. He refused to join the Rebels, when threatened with violence, if he did not comply; he afterwards took refuge with the Curé of Beauharnois; he removed his goods however to the house of one François Henault, No. 845, where they were pillaged, together with his (Henault's) goods. Awarded, Twenty-five pounds	38 6 10	25 0 0
959	John Morris, of Ste. Thérèse. A loyal subject. In consequence of the Rebellion of 1837, claimant suffered damage in his Distillery, being obliged to fly to Montreal; he also lost a watch and other articles in the confusion consequent on the arrest and sending in to Montreal of William Henry Scott, for whose apprehension a reward had been offered by Government. Awarded, Twelve pounds ten shillings, currency	25 2 8	12 10 0
1134	Robert Orr Wilson, of Beauharnois. The claimant is a loyal subject, Captain of Volunteers, who was made prisoner by the Rebels of Beauharnois, in November, 1838; he was plundered by them to the amount awarded, viz.: Twelve pounds ten shillings, currency	13 1 8	12 10 0
1142	John and Mary Logan, of Beauharnois. The claimants are loyal subjects. The property lost belonged to the woman before her marriage, and was in the house of John Bryson, No. 875, which was pillaged by the Rebels during the Rebellion of 1838. Awarded, Six pounds eleven shillings and eleven pence, currency	6 11 11	6 11 11
1147	Hyacinthe Brabant of Beauharnois. This is a loyal Canadian, who quitted the Village to avoid being forced by the Rebels to appear to acquiesce in their criminal designs. During his absence his house was burned, in consequence of its proximity to that belonging to one Prevost, a convicted Rebel, and claimant suffered damage to the amount awarded, viz.: Twenty pounds, currency	27 10 8	20 0 0
1172	Edward Ellice, Junior, Esquire, of Beauharnois. The claimant is represented by his Agent, L. G. Brown, Esquire, of Beauharnois. Mr. Ellice was present when the Seigniorial house was captured by the Rebels in November, 1838, when he was made prisoner and carried to Chateauguay; he afterwards made his escape with other loyalists, in a like situation. The claimant was compelled to give up to the Rebels two double barrelled guns, stated each to have cost sixty pounds, currency, and they plundered the house besides of several articles of wearing apparel, linen, &c. The Commissioners have reserved for future consideration any award for the value of the fowling pieces, they having been given to understand that these guns are now in the possession of certain parties in the country, by whom they were purchased from the Rebels; and that consequently there is a probability that they may eventually be recovered by Mr. Ellice's Agent. Awarded, for wearing apparel and linen, Thirty-three pounds nine shillings and six pence, currency	153 9 6	38 9 6
		£5094 16 8	2416 9 11

E. A. CLARK.
C. TAIT.
C. S. RODIER.

Office of the Commission of Indemnity,
Montreal, May 8th, 1840.

Amount claimed, brought down £5094 16 8
Add, errors in addition 9 18 0

£5104 14 8

Appendix
(M. M.)

22nd May.

RETURN to an Address of the Legislative Assembly to His Excellency the Governor General, praying that His Excellency may be pleased to cause to be laid before the House, all Plans, Estimates and Reports, and Tenders, (*Propositions*;) either from the Board of Works, or any other party, which may have been made by order of the Government of this Province, and submitted to the said Government, relative to the construction of a New Court House in the City of Montreal, for the District of Montreal, at the place or places where such Court House is to be erected, and to the probable cost of such Building, according to the said Plans, Estimates, Reports and Tenders (*Propositions*); and also, to cause to be laid before the House, Copies of all Orders and Instructions which may have been given on the part of the said Government to the said Board of Works, or any other party, requiring them to make such Plans and Estimates and Reports, and to make or receive such Tenders.

By Command.

Secretary's Office,
19th May, 1846.

D. DALY,
Secretary.

Appendix
(M. M.)

22nd May.

Letter from the Provincial Secretary to the Chairman of the Board of Works.

(Copy.)

Secretary's Office,
Montreal, 27th May, 1845.

Sir,

I have the honor, by command of the Governor General, to convey to you His Excellency's Instructions that you should take the necessary steps, with the least possible delay, to furnish me for his information, with an Estimate of the amount which would be required to restore the ruins of the Building formerly occupied as the Court House of this District, so as to make it suitable for the purposes for which it was originally erected, and also with a description or plan of any changes which you may consider that it would be necessary to make as regards its extent or internal arrangements, with this view.

I am also to desire that you will at the same time furnish me with a similar Plan or Estimate of such repairs as in your judgment might render it a suitable building for the accommodation, in part, of the Public Offices.

I have, &c.
(Signed,) D. DALY,
Secretary.

Honorable H. H. KILLALY,
Chairman, Board of Works,
&c. &c. &c.

Letter from the Secretary of the Board of Works to the Provincial Secretary.

(Copy.)

Board of Works,
Montreal, 25th August, 1845.

Sir,

I have the honor herewith to transmit to you for His Excellency's consideration, a Copy of a Minute of this Board, passed at a Meeting held on the 23rd instant.

"The Plans and Estimates for the repair and-alter-
"ation of the old Court House Building, whether
"with a view of its restoration to its original appli-
"cation, or to serve for the reception of the several
"Public Departments, called for by the letter of
"Honorable the Provincial Secretary, dated 27th

"May last, and for the preparation of which the ser-
"vices of Mr. Wells, (Architect,) were engaged, hav-
"ing been furnished by that gentleman, and laid
"before the Board; it is found that to restore the
"building as a Court House would cost about
"£10,685 8s. or to accommodate the Public Depart-
"ments, the sum of £7,409.

"In the opinion of the Board, the expediency of
"expending any sum upon this Building is very
"questionable, and they consider the subject de-
"serving the serious reconsideration of His Excel-
"lency in Council, and that an examination and
"valuation of the whole of the Provincial pro-
"perty in this City should be made, for the purpose
"of ascertaining whether from the proceeds of a sale
"thereof, a site at least equally convenient could not
"be obtained for the Public Departments, and a
"large sum be available towards the erection thereof.

"The Board are also of opinion that the present
"might prove to be a very good opportunity for ne-
"gociating with the Military Authorities for the
"Champ de Mars. Were this property connected
"with the Provincial property in front of it, the en-
"tire could be divided, and laid out so advantage-
"ously, as to greatly enhance the value of the whole.

"The Board directed that Mr. Wells' Plans and
"Estimates, together with a Copy of this Minute be
"transmitted to the Provincial Secretary."

I have the honor to be, Sir,
Your obedient servant,
(Signed,) THOMAS A. BEGLY,
Secretary.

Honorable D. DALY,
Provincial Secretary, &c. &c. &c.

Letter from Mr. J. Wells, Architect, to the Chairman of the Board of Works.

(Copy.)

Montreal, 19th August, 1845.

Sir,

Agreeably to your requisition of the 20th June, I proceeded to examine into the state of the Court House of this City, lately damaged by fire, and have made Estimates of the cost of its restoration as a Court House, and also of restoring it as a Building for the use of the Public Departments, with certain additions,

Appendix
(M. M.)

22nd May.

as will be seen on reference to accompanying Sketch Plans, numbered 1, 2, 3, and 4, on which the additions are tinted with a lighter color than the old walls.

The cost of restoring the Building for a Court House with the additions shewn on the Sketch Plans Nos. 1 and 2, I estimate at the sum of £10,685 8s., which sum, includes the building of arched vaults under the whole building, the present vaults I consider sufficiently good to be again made use of.

The cost of restoring the Building for the use of the Public Departments, I estimate at the sum of £7,409,—the proposed arrangements and additions are shewn on the Sketch Plans, Nos. 3 and 4; the above sum includes the extension of the vaults under the whole building. If preferred, the apartments in the centre building, and north wing of the ground story, may be placed in the centre building, and south wing of the second story, over the Governor General's, Civil Secretary's, &c., apartments, and the Board of Works be removed to the centre and north wing of the ground story, with the Crown Lands in the north wing of the second story.

With respect to my opinion, as to the propriety of restoring the Building as a Court House, I must say, that for ultimate economy, it would be preferable to erect an entire new building, as the cost would not be more than double that of the restoration of the present one; which cost would be considerably more than defrayed by the sale of the spare-land, while greater conveniences would be secured in the arrangement.

All which is respectfully submitted by
Your most obedient servant,
(Signed,) J. WELLS,
Architect, &c.

The Honorable H. H. KILLALY,
Chairman, Board of Works.
&c. &c. &c.

[The Sketch Plans are fyled among the Records of the Assembly.]

Letter from the Secretary of the Board of Works, to the Clerk of the Executive Council.

(Copy.)

Board of Works.
15th September, 1845.

Sir,

I have the honor to enclose, for the information of His Excellency in Council, the accompanying Estimate of Mr. Wells, shewing the amount to be saved by using the present walls of the old Court House, in the contemplated restoration of that building.

I have, &c.,
(Signed,) THOMAS A. BEGLY,
Secretary.

E. PARENT, Esquire,
Clerk, Executive Council.

Estimate of Mr. Wells, referred to in preceding Letter.

(Copy.)

Montreal, 11th September, 1845.

Sir,

Agreeably to the requisition of your communication of the 9th instant, I have ascertained as near as possible, the amount that might probably be saved by using the old walls of the Court House, which is as follows:—Supposing the old building is repaired

and enlarged according to the Plans submitted, for a Court House, the saving that would be effected by using the old walls, would be about £2,293 19s. 10d. Supposing the old building to be converted to the purpose of Offices for the Public Departments, according to the given Sketch Plans, the saving that would be effected by using the old walls, would be about £2833.

I am &c.,
(Signed,) JOHN WELLS.

T. A. BEGLY, Esquire.

Letter from Robert Mackay, Esquire, to the Provincial Secretary.

(Copy.)

Montreal, St. Vincent Street,
23rd April, 1846.

Sir,

I see by the proceedings in Parliament, that the Government is likely to build a new Court House upon property "to be acquired" in Montreal. If the Government have in view a new site for such building, and have not resolved already upon one, I would respectfully propose as a site, and offer accordingly that lot of land in rear of the English Church, having frontage in three streets, (Little St. James' and St. Lambert Streets, and Fortification Lane,) which is quite large enough, and from its central situation, well fitted for the purpose.

I am, &c.
(Signed,) ROBERT MACKAY,
Advocate.

Hon. D. DALY, &c. &c. &c.

Letter from the Provincial Secretary, to Robert Mackay, Esquire.

(Copy.)

Secretary's Office,
Montreal, 7th May, 1846.

Sir,

With reference to your letter of the 23rd ultimo, I beg to inform you that I am unable to bring the subject to which it relates under the consideration of the Governor General without being first furnished with a Plan of the lot of ground in question, and a statement of the price at which you would be willing to dispose of the same.

I have, &c.,
(Signed,) D. DALY,
Secretary.

ROBERT MACKAY, Esquire,
Advocate, Montreal.

Letter from Arthur Ross, Esquire, to the Provincial Secretary.

(Copy.)

Montreal, 13th May, 1846.

Sir,

At the request of Mr. Robert Mackay, I have the honor to enclose a Plan of the property fronting on St. James, St. Lambert, and Fortification Streets, which we are prepared to offer to the Civil Government for Four thousand two hundred and fifty pounds, currency. The block presents a frontage of 116 feet 8 inches on St. James' Street, 119 feet 8 inches on St. Lambert Street, 118 feet on Fortification Street.

I remain, &c.
(Signed,) ARTHUR ROSS.

Hon. D. DALY, &c. &c. &c.

[The Plan is filed among the Records of the Assembly.]

Appendix
(M. M.)

22nd May.

Appendix
(N. N.)

22nd May.

RETURN to an Address from the Legislative Assembly to His Excellency the Administrator of the Government, dated the 2nd ultimo, praying that His Excellency would cause to be laid before them "the amount expended for the maintenance of the Police Force for the year 1845, specifying the number employed on the different Canals, and payment to each; and, also, a Return for the years 1843 and 1844, applied for by the House during last Session."

Appendix
(N. N.)

22nd May.

By Command.

D. DALY,
Secretary.

Provincial Secretary's Office,
Montreal, 20th May, 1846.

STATEMENT of the Expenditure for the maintenance of the Police Force on the Welland Canal, for the years 1843, 1844, and 1845, shewing the number employed and payments to each.

	1843.			1844.			1845.			Total.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
William Bonnalie, Chief Constable	136	10	0	96	10	0	...	...	...	233	0	0
William Benson, do do	106	0	0	183	0	0	93	0	0	382	0	0
Edward Wheeler, do do	28	0	0	160	0	0	182	10	0	370	10	0
J. Richardson, Stipendiary Magistrate ... ..	...	...	...	...	...	...	97	10	0	97	10	0
Thos. Montague, Constable	83	10	0	129	10	0	58	10	0	271	10	0
W. B. Roberts	12	10	0	...	...	...	...	...	...	12	10	0
James Beel	83	10	0	126	10	0	79	10	0	289	10	0
William Forbes	47	5	0	...	...	...	...	...	...	47	5	0
Robt. Cameron	22	10	0	...	...	...	...	...	...	22	10	0
William Stoker	83	10	0	129	10	0	69	15	0	282	15	0
P. K. Fullarton	68	5	0	15	10	0	36	0	0	119	15	0
Hiram M'Donald	54	15	0	12	10	0	...	...	...	67	5	0
Geo. Stoker	37	15	0	129	10	0	69	15	0	237	0	0
Fred. M'Kenzie	34	0	0	12	15	0	...	...	...	46	15	0
Adam Gentle	18	0	0	...	...	...	...	...	...	18	0	0
James M'Murphy	15	10	0	15	10	0	...	...	...	31	0	0
J. S. M'Cullough	37	10	0	51	10	0	46	2	6	135	2	6
John Powell	12	15	0	...	...	...	...	...	...	12	15	0
B. Shaw	7	15	0	...	...	...	...	...	...	7	15	0
John M'Murray	27	0	0	32	17	6	...	...	...	59	17	6
Henry Argue	10	10	0	1	15	0	...	...	...	12	5	0
William Stoneman	7	15	0	...	...	...	...	...	...	7	15	0
William Henry Adams	25	5	0	15	10	0	...	...	...	40	15	0
Richard Boyle... ..	4	5	0	...	...	...	...	...	...	4	5	0
Patrick O'Conner	7	0	0	15	10	0	...	...	...	22	10	0
James Cooley	15	5	0	5	0	0	...	...	...	20	5	0
Walter Biggar	15	5	0	27	2	6	...	...	...	42	7	6
Bever Bonnar	11	0	0	...	...	...	...	...	...	11	0	0
W. G. Wonham	15	5	0	15	10	0	...	...	...	30	15	0
Jas. Adam	7	10	0	15	10	0	...	...	...	23	0	0
John Ames ... ..	...	...	...	36	10	0	...	...	...	36	10	0
Samuel Holmes ... ..	...	...	...	10	0	0	...	...	...	10	0	0
William M'Murray ... ..	...	...	...	7	15	0	...	...	...	7	15	0
Gideon Grisdale ... ..	...	...	...	13	0	0	...	...	...	13	0	0
F. B. Allen ... ..	...	...	...	4	10	0	89	7	6	93	17	6
John Barnes ... ..	...	...	...	12	5	0	...	...	...	12	5	0
William Bennet ... ..	...	...	...	4	5	0	...	...	...	4	5	0
Robert Atkinson ... ..	...	...	...	3	5	0	...	...	...	3	5	0
H. K. Scott ... ..	...	...	...	36	0	0	9	7	6	45	7	6
Henry M'Murray ... ..	...	...	...	10	17	6	...	...	...	10	17	6
Thos. Townsend ... ..	...	...	...	15	0	0	...	...	...	1	15	0
Wm. Tierney ... ..	...	...	...	1	15	0	...	...	...	1	15	0
John M'Nulty ... ..	...	...	...	1	15	0	...	...	...	1	15	0
John M'Cormick ... ..	...	...	...	1	15	0	...	...	...	1	15	0
Jacob Griffis ... ..	...	...	...	1	15	0	...	...	...	1	15	0
Thos. Harper ... ..	...	...	...	1	10	0	...	...	...	1	10	0
Alex. Lattimore ... ..	...	...	...	2	5	0	...	...	...	2	5	0
James Patterson ... ..	...	...	...	...	...	...	37	17	6	37	17	6
Robt. Christie ... ..	...	...	...	...	...	...	39	7	6	39	7	6
D. S. Dexter ... ..	...	...	...	...	...	...	36	0	0	36	0	0
Benj. M'Elroy ... ..	...	...	...	...	...	...	12	15	0	12	15	0
Edward Balfour ... ..	...	...	...	...	...	...	16	0	0	16	0	0
Wm. L. Smith ... ..	...	...	...	...	...	...	100	10	0	100	10	0
C. W. Shannon ... ..	...	...	...	...	...	...	59	12	6	59	12	6
Abraham Bradley ... ..	...	...	...	...	...	...	37	17	6	37	17	6
Patrick Everitt ... ..	...	...	...	...	...	...	32	0	0	32	0	0
Samuel Buchanan ... ..	...	...	...	...	...	...	98	5	0	98	5	0
David Kyle ... ..	...	...	...	...	...	...	86	12	6	86	12	6
Stephen Boyle ... ..	...	...	...	...	...	...	8	5	0	8	5	0
Edward Jackson ... ..	...	...	...	...	...	...	5	0	0	5	0	0
John Hurst ... ..	...	...	...	...	...	...	5	0	0	5	0	0
G. Hamilton ... ..	...	...	...	...	...	...	25	10	0	25	10	0
Carried over	£1035	10	0	1341	17	6	1432	0	0	3809	7	6

Appendix
(N. N.)

STATEMENT of the Expenditure, &c.—(Continued.)

Appendix
(N. N.)

22nd May.

22nd May.

	1843.			1844.			1845.			Total.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
<i>Brought over</i>	1035	10	0	1341	17	6	1432	0	0	3809	7	6
S. Purdon	10	17	6	10	17	6
Jos. Thomson	67	10	0	67	10	0
Charles Copland	67	10	0	67	10	0
Adam Flannagan	32	12	6	32	12	6
Ralph Clench	66	7	6	66	7	6
John Callagan	32	12	6	32	12	6
Joseph Campbell	62	5	0	62	5	0
Geo. Wise	52	12	6	52	12	6
Fred. Wilkinson	57	7	6	57	7	6
Geo. Croft	53	5	0	53	5	0
Walter Bryant	29	12	6	29	12	6
John M'Donagh	40	17	6	40	17	6
Geo. Logan	32	12	6	32	12	6
Fred. Walsh	30	15	0	30	15	0
William Hollis	19	2	6	19	2	6
Contingent Accounts	16	17	6	38	5	6	54	8	5	109	6	5
	£1052	7	6	1380	3	0	2146	3	5	4578	13	11

Certified to be a true abstract from documents in this Department.

THOMAS A. BEGLY,
Secretary.Board of Works,
16th April, 1846.

STATEMENT of the Expenditure for the maintenance of the Police Force on the Lachine Canal, for the years 1843, 1844 and 1845, shewing the number employed and payments to each.

	1843.			1844.			1845.			Total.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
William Ermatinger, Stipendiary Magistrate	19	0	0	...	...	...	...	...	...	19	0	0
C. Wetherall, do do ... ..	...	...	...	...	...	...	200	0	0	200	0	0
James Sweeney, Constable	20	0	0	...	...	...	...	...	...	20	0	0
James O'Neill, do	20	0	0	16	7	10½	89	6	0	75	13	10½
John Drodge, do	20	0	0	...	...	...	...	...	...	20	0	0
Thomas Wiley, Chief Constable ... ..	...	...	...	77	0	0	...	...	...	77	0	0
Geo. A. Miller, do do ... ..	...	...	...	48	9	0	50	4	6	98	13	6
Charles Calombe, Constable	20	0	0	...	...	...	...	...	...	20	0	0
Thos. Valentine	20	0	0	...	...	...	...	...	...	20	0	0
Richard Locker	20	0	0	...	...	...	...	...	...	20	0	0
Thos. King	20	0	0	54	18	4½	93	16	0	168	14	6½
William Johnson	20	0	0	...	...	...	1	13	0	21	13	0
B. M'Guire	20	0	0	...	...	...	...	...	...	20	0	0
Henry Johnson	20	0	0	...	...	...	...	...	...	20	0	0
Patrick Lahey	20	0	0	...	...	...	...	...	...	20	0	0
Michael Horn	20	0	0	...	...	...	...	...	...	20	0	0
William Murray	20	0	0	...	...	...	...	...	...	20	0	0
James Wright	20	0	0	...	...	...	...	...	...	20	0	0
James Masterson	20	0	0	...	...	...	...	...	...	20	0	0
Jacques Fauteux	20	0	0	...	...	...	...	...	...	20	0	0
John Murray	20	0	0	...	...	...	...	...	...	20	0	0
James Woodhouse	20	0	0	...	...	...	...	...	...	20	0	0
Alexis Mailliet	20	0	0	...	...	...	...	...	...	20	0	0
Hubert Mailliet	20	0	0	...	...	...	...	...	...	20	0	0
Robert Barbour ... ..	...	...	...	45	14	6	56	14	0	102	8	6
Thomas M'Guire ... ..	...	...	...	36	9	4½	39	6	0	75	15	4½
Patrick Ryan ... ..	...	...	...	43	7	0	52	12	0	95	19	0
John Kinch ... ..	...	...	...	33	17	0	55	6	6	89	3	6
John Conway ... ..	...	...	...	40	19	4½	82	16	0	123	15	4½
Dennis Lane ... ..	...	...	...	9	3	0	69	13	0	78	16	0
E. Delmage ... ..	...	...	...	8	0	0	51	10	0	59	10	0
William Harrison ... ..	...	...	...	25	3	6	...	...	...	25	3	6
André Robillard ... ..	...	...	...	...	...	...	98	1	0	98	1	0
<i>Carried forward</i>	£419	0	0	439	9	0	968	19	0	-1749	7	0

Appendix
(N. N.)

STATEMENT of the Expenditure, &c.—(Continued.)

Appendix
(N. N.)

22nd May.

22nd May.

	1843.			1844.			1845.			Total.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
<i>Brought forward</i> ...	419	0	0	439	9	0	968	19	0	1749	7	0
Robert Balfour	18	8	6	18	8	6
James Kimberly	34	10	0	34	10	0
James Drummond	34	7	0	34	7	0
C. M'Gorn	15	12	0	15	12	0
Robert Pocock	45	1	0	45	1	0
Alex. Milligan	9	3	0	9	3	0
James M'Kay	56	0	0	56	0	0
John M'Crac	56	5	0	56	5	0
Geo. Green	2	15	0	2	15	0
Jas. Brown	68	14	0	68	14	0
Isaac Esutt	55	0	0	55	0	0
Malachi Morin	28	0	0	28	0	0
Henry Cook	47	13	0	47	13	0
William Elliott	32	15	0	32	15	0
John Davis	14	5	0	14	5	0
D. Sullivan	14	11	0	14	11	0
Samuel Neale	31	13	0	31	13	0
Thomas Donaghu	14	5	0	14	5	0
Luke Lynch	17	8	0	17	8	0
D. M'Namara	18	6	0	18	6	0
L. Fraser	8	11	0	8	11	0
Hugh O'Neill	1	10	0	1	10	0
Contingent Accounts ...	49	8	7	141	9	9	226	13	10	417	6	2
	£468	8	7	580	12	9	1737	4	4	2786	5	8

Certified to be a true abstract from documents in this Department.

THOMAS A. BEGLY,
Secretary.

Board of Works,
16th April, 1846.

STATEMENT of the Expenditure for the maintenance of the Police Force on the Williamsburg Canals, for the years 1844 and 1845, shewing the number employed and payments to each.

	1844.			1845.			Total.		
	£	s.	d.	£	s.	d.	£	s.	d.
William Harrison, Constable ...	78	8	6	33	5	6	106	14	0
Patrick M'Guire, do ...	12	12	0	...	...	...	12	12	0
D. M'Donald, Stipendiary Magistrate	132	13	7	132	13	7
Alex. M'Donald, Constable	71	8	0	71	8	0
Martin M'Nulty	58	0	0	58	0	0
Thomas Chambers	58	0	0	58	0	0
Roland Pierce	55	0	0	55	0	0
Patrick O'Brien	55	10	0	55	10	0
Johnson Craig	55	0	0	55	0	0
Alex. Macdonnell,	54	5	0	54	5	0
James M'Intosh	49	15	0	49	15	0
Jas. M'Donald	40	15	0	40	15	0
Alex. Kennedy	54	5	0	54	5	0
Christopher Empey	57	0	0	57	0	0
J. A. M'Donald	59	11	0	59	11	0
Thos. O'Malia	40	2	0	40	2	0
Michael O'Malia	19	4	0	19	4	0
Thomas Connaughty	34	13	0	34	13	0
John Dunn	28	16	0	28	16	0
John Foley	26	11	0	26	11	0
James Killalie	38	6	0	38	6	0
Henry Curtis	32	2	0	32	2	0
Robert Johnson	22	19	0	22	19	0
James Kilmartin	25	13	0	25	13	0
Thos. Wallis	28	10	0	28	10	0
John M'Kay	17	18	0	17	18	0
James Pierce	4	10	0	4	10	0
James Collins	4	10	0	4	10	0
Contingent Accounts ...	13	12	6	25	10	2	38	2	8
	£98	13	0	1163	14	3	1282	7	3

Certified to be a true abstract from documents in this Department.

THOMAS A. BEGLY,
Secretary.

Board of Works,
16th April, 1846.

Appendix
(N. N.)

22nd May.

Appendix
(N. N.)

22nd May.

STATEMENT of the Expenditure for the maintenance of the Police Force on the Beauharnois Canal, for the years 1843, 1844, and 1845, shewing the number employed and payment to each.

	1843.			1844.			1845.			Total.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
J. B. Laviolette, Stipendiary Magistrate	145	17	8	4	18	7	...	...	...	150	16	3
C. Wetherall, do do	30	11	1	183	6	8	...	...	...	213	17	9
L. G. Brown, do do	...	...	...	...	...	...	93	10	4	93	10	4
James O'Neill, Constable	49	0	0	24	1	0	...	...	...	73	1	0
Thomas Grogan	19	10	0	...	...	...	...	...	...	19	10	0
Thomas M'Guire	6	7	6	10	5	0	29	15	0	46	7	6
Robert Barbour	39	12	6	2	5	0	...	...	...	41	17	6
Robert Brizzell	18	17	6	...	...	...	...	...	...	18	17	6
André Robillard	3	15	0	87	12	6	...	...	...	91	7	6
Richard Hargrove	38	17	6	3	17	6	...	...	...	42	15	0
William Harrison	45	5	0	...	...	...	...	...	...	45	5	0
Johnson Hyland	38	17	6	15	5	0	...	...	...	54	3	6
Patrick Ryan	38	17	6	6	15	0	18	17	6	64	10	0
William Middleton	17	10	0	...	...	...	...	...	...	17	10	0
Adam Johnson	3	17	6	...	...	...	...	...	...	3	17	6
Thomas Vernon	21	15	0	...	...	...	...	...	...	21	15	0
Benjamin Seaton	59	3	0	1	10	6	...	...	...	60	13	6
James Sweeny...	7	15	0	...	...	...	...	...	...	7	15	0
Thos. King	19	2	6	...	...	...	...	...	...	19	2	6
Joseph Morin	17	2	6	15	5	0	...	...	...	32	7	6
Geo. A. Miller	...	...	...	...	...	...	45	18	0	45	18	0
John Bryson	...	...	...	...	...	...	41	6	0	41	6	0
William Johnson	...	...	...	...	...	...	9	15	0	9	15	0
James Miller	...	...	...	...	...	...	18	5	0	18	5	0
D. M'Mullen	...	...	...	...	...	...	29	5	0	29	5	0
Angus M'Mullen	...	...	...	...	...	...	37	0	0	37	0	0
G. Graham	...	...	...	...	...	...	13	0	0	13	0	0
John M'Intosh	...	...	...	...	...	...	28	15	0	28	15	0
John Chambers	...	...	...	...	...	...	37	5	0	37	5	0
James Peterkin	...	...	...	...	...	...	18	0	0	18	0	0
William Buckless	...	...	...	...	...	...	28	10	0	28	10	0
Edward Smith...	...	...	...	...	...	...	29	5	0	29	5	0
D. M'Master	...	...	...	...	...	...	29	5	0	29	5	0
A. Mulholland...	...	...	...	...	...	...	25	9	6	25	9	6
Thos. Hanegan	...	...	...	...	...	...	5	11	0	5	11	0
John Fox	...	...	...	...	...	...	22	10	0	22	10	0
William Elliot	...	...	...	...	...	...	17	17	0	17	17	0
William Brown	...	...	...	...	...	...	22	10	0	22	10	0
James Tierney	...	...	...	...	...	...	22	10	0	22	10	0
Alex. Colquhoun	...	...	...	...	...	...	18	15	0	18	15	0
James Elliott	...	...	...	...	...	...	17	10	0	17	10	0
George Birch	...	...	...	...	...	...	12	3	0	12	3	0
Adam Anderson	...	...	...	...	...	...	19	5	0	19	5	0
George Peterkin	...	...	...	...	...	...	11	15	0	11	15	0
Contingent Accounts	92	4	8	106	0	0	184	0	10	382	5	6
	£713	18	11	461	1	9	887	8	2	2062	8	10

Certified to be a true abstract from documents in this Department.

THOMAS A. BEGLY,
Secretary, Bd. Works.

Board of Works,
16th April, 1846.

REPORT.

THE STANDING COMMITTEE appointed to assist Mr. Speaker in the direction of the Library, —and to which was referred the Petition of the Mayor, Aldermen and Commonalty of the City of Toronto, praying that the duplicate Works in the Library may be presented to Toronto Athenæum, have the honor to REPORT:—

Your Committee, in the execution of the duty imposed upon them by Your Honorable House, have examined into the present state of the Library, and have found the same in a very satisfactory condition. The Books ordered last year have been received, and due arrangements made for their care and preservation.

The accounts of the parties employed in the purchase of the new Books have been examined and audited by Your Committee, together with such other accounts relating to the Library as were referred to their consideration by the Committee on Contingencies.

Your Committee, in determining the extent of outlay which they would recommend to be made upon the Library during the forthcoming recess, have considered the value and importance of the present collection, and the propriety of sparing no reasonable expenditure that should be necessary to maintain it, as a credit to the Province, and a means of usefulness to Your Honorable House. They have therefore concluded to recommend additions to be made, in the various departments of Literature, to the amount, as far as can be estimated, on a rough calculation, of One thousand pounds. The lists of Books selected are appended to this Report.

In considering the best mode of importing the Books that may be ordered, Your Committee see no reason to depart from their recommendation of last year, in so far as the employment of resident Merchants, as Agents, is concerned; but they have thought it more advisable, with regard to the English publications, that the order should be entrusted to a regular Bookseller, and as Messrs. Derbishire and Desbarats, who were the importers last year, do not act in that capacity, they beg to recommend that that portion of the order should be placed in the hands of Messrs. Armour and Ramsay, but with the distinct understanding, that their continuance as Book Agents, in future, shall be at the discretion of the Committee, and will mainly depend upon the promptitude, economy, and carefulness evinced in the purchases confided to them. As respects the French Works, they recommend that Mr. Fabre, of this City, shall continue to import them. The terms of commission to be allowed to both parties, over and above the monies expended for the Books, and the necessary charges in their transmission, they would fix at twelve and a half per cent upon the whole amount of outlay.

Your Committee have considered the question involved in the application contained in the Petition of the Mayor and Corporation of Toronto, that the duplicate Works in the Library should be presented to the Toronto "Athæneum," a literary institution which has recently been established in that City, under very favorable auspices. With every dispo-

sition to give their sanction and co-operation to any attempt to diffuse a taste for literary and scientific pursuits among the people of the Province, they feel that there is no authority, either in the Committee, or in Your Honorable House, to alienate or dispossess itself, permanently, of any portion of the public property. It has, however, been suggested, that this difficulty might be overcome by regarding the Books in question as a loan, to be returnable to Your Honorable House in the event of the destruction of the Library of the Assembly by fire, or any similar contingency, and that in this view of the case, an additional argument existed for complying with the prayer of the Petitioners. It cannot be doubted that in removing from the Cities of Toronto and Quebec the Legislative Libraries, a proceeding unavoidable consequent upon the Union of the Provinces, a serious loss has been incurred to those Cities, by debarring such as were permitted to avail themselves of the use of the Books, from a continuance of the benefits they were accustomed to enjoy. Your Committee, therefore, have agreed to recommend that the duplicate Works in the Library, (with the exception of the Parliamentary Books, which ought to be retained,) should be divided between the "Athæneum" of Toronto, and the "Literary and Historical Society of Quebec," upon the terms hereinbefore stated, and in consideration of the loss to those Cities by the removal of the Public Libraries to Montreal.

Application has been made to Your Honorable House, by Joseph Bouchette, Esquire, that some copies of his new Map of Canada might be taken for the Library. Your Committee are informed, that twenty-five copies were ordered to be taken by Your Honorable House last Session; but, considering the magnitude of the undertaking, and its great importance in supplying, what has been long felt to be a desideratum,—an accurate delineation of the localities of the Province, upon a sufficiently extensive scale, Your Committee feel justified in recommending that an additional number of twenty-five copies of this Map be taken, as an encouragement to the Compiler for his arduous and meritorious labors.

Your Committee have empowered the Librarians to cause such binding as may be requisite, to be effected during the recess; as also any alteration in the shelving of the Library, or other necessary arrangements, for the reception of the additions that may be made to the collection within that period.

All which is respectfully submitted.

A. N. MORIN,
Speaker.

18th May, 1846.

APPENDIX.

22nd May.

22nd May.

- LIST of English Works recommended to be procured for the Library of the Legislative Assembly.
- Heeren's Political System of Europe and its Colonies, 2 vols., 1834.
- Campbell's Lives of the Lord Chancellors of England, 1845, &c.
- McCulloch's Literature of Political Economy, 1845.
- Bernan on Warming and Ventilation, 2 vols., 1845.
- Moylan's Law of Registration of Voters.
- Brougham's Lives of Men of Science and Letters in the Reign of George III., 1845, &c.
- Humboldt's Cosmos; translated by Col. Sabine, 1846, &c.
- Gilfillan's Sketches of Modern Literature and Literary Men, 2 vols., 1845.
- Cromwell's Letters and Speeches, by Carlyle, 2 vols., 1845.
- O'Brien, (Leut.-U. S. Army,) on American Military Laws and Courts Martial, 1845.
- Mores Catholici; reprinted 1845—6.
- Huskisson's Speeches, and Life.
- Drummond's (H.) Agricultural Classes of Great Britain, 2 vols.
- Knight's Political, Legal and Constitutional Dictionary, 2 vols., 1846, &c.
- Wilson's, (Prof. H. H.) Continuation of Mill's India.
- Schlegel's Lectures on the History of Literature.
- Smyth's (Prof.) Lectures on Modern History.
- Nicolas' (Sir H. N.) British Order of Knighthood.
- Braim's History of New South Wales, 2 vols., 1845.
- Cresy's Encyclopedia of Civil Engineering, 1846.
- Montholon's Captivity of Napoleon in St. Helena, 1846.
- Laing's History of Sweden.
- Lady Hester Stanhope's Memoirs; and Travels, a Sequel thereto, 1845, 1846.
- Shelford on the Law of Railways, 1846.
- Hunt's Merchants' Magazine. (Complete, and to be continued.)
- Sewell on the Registration of Voters, 1846.
- Cripp's Laws relating to the Church and the Clergy, 1845.
- Stephen's (A. J.) Practical Statutes relating to Ecclesiastical and Eleemosynary Institutions, 3 vols., 1845.
- Tidd's New Practice of the Courts of Law.
- Walsh's Irish Registration Cases.
- Roe on the Law of Elections, 2nd vol., 1818.
- Petrie's Cricklade Election cases, 1785.
- Wordsworth's Law of Joint Stock Companies.
- Howitt's Impressions of Australia Felix, 1845.
- Drummond's (H.) Elements of the Christian Religion, 1845.
- Abstract Principles of Revealed Religion, 1845.
- Gurwood's Wellington Despatches. (Complete Edition.)
- Adolphus' History of the Reign of George III.
- Wakefield's New Zealand, 2 vol., 1845.
- Letters and Official Documents of Mary Queen of Scots, 2 vols., 1845.
- Supplement to the Glossary of Architecture, 1846.
- Warren's Introduction to Law Studies; edition, 1845.
- Anderson's History of the Church of England in the Colonies, 1845, &c.
- Esther: or traces of Travels in the East, 1845.
- Collier on the Railway Acts, 1846.
- Eyre's Discoveries in Central Australia, 2 vols., 1845.
- General Indices to the Sessional Papers of the House of Commons.
- Huber on the English Universities.
- Chitty and Story on Bills of Exchange and Promissory Notes.
- Dictionary of Architecture, 3 vols.
- Sewell on the Office of Sheriff and Coroner.
- Haggard's Consistory Reports, 2 vols.
- Rumsey's case of King vs. Westwood.
- The British Poets; 50 vols. (To be taken of Mr. Leeming, Auctioneer, Montreal, at 10s. per vol.)
- Warburton's Crescent and the Cross.
- Maxwell's Law Catalogue.
- Walford's Laws of the Customs; published by authority, 1846.
- Coode on Legislative Expression, 1845.
- Harrison's Index to Reported Decisions in Law and Equity for 1844 and 1845, 2 vols.
- Broom's Legal Maxims, 1845.
- Pearce's Memoirs and Correspondence of the Marquis Wellesley, 3 vols., 1846.
- The Retrospective Review, 16 vols., 1820—1828.
- Townsend's Lives of 12 eminent Judges of the present Century, 2 vols., 1846.
- Ritchie on Railways, 1846.
- Napier's Conquest of Scinde, 1845.
- Lewis on the Government of Dependencies, 1841.
- Bowyer on the Constitutional Law of England.
- Farren's Rules for reading Acts of Parliament.
- Fry's Report of the Canadian Prisoners' Case.
- Meara, on the Law of Elections in Ireland, 1841.
- Prichard's Natural History of Man.
- Public Engineering Works of the United States; published by Weale.
- Romilly's (Sir C.) Memoirs and Correspondence, 3 vols.
- Williams' (B.) Practical Geodesy.
- Reid and Espey's Theory of Storms, &c.
- Davy's Agricultural Chemistry. (Last Edition.)
- Boussingault's Agricultural Chemistry.
- Marshall's History of the Colonies.
- Pitkins' History of the United States.
- McCulloch's Commercial Dictionary. (Last Edition.)
- Vestiges of the Natural History of Creation; with Sequel.
- Revelations in Russia.
- Forster's Historical Geography of Arabia.
- Foster's Essays.
- Carlyle's Works.
- Life of Lord Sidmouth, by D. Pellew.
- Map of Palestine.
- Chart of the World; with Book of Chronology.
- Chitty's Treatise on Pleading.
- Archbold's Law and Practice in Bankruptcy.
- Bythewood and Jarman's Conveyancing.
- Montague and Ayston on Bankruptcy.
- Woodfall on Landlord and Tenant.
- Comyn's Digest of the Laws of England.
- Cooke's Law and Practice of the Insolvent Debtors' Court.
- Cruise's Digest of Real Property Law.
- Williams on Executors.
- Jarman on Wills.
- Park on Insurances.
- Shelford on Marriage and Divorce.
- Smith's Compendium of Mercantile Law.
- Roper's Law of Husband and Wife.
- Sugden's Law of Vendors and Purchasers.
- Shelford on the Law concerning Lunatics, &c.
- Powell on Mortgages.
- Roberts on Frauds; by Crawford.
- Fonblanque on Equity.
- Jeremy on Chancery Jurisdiction.
- Mitford's Pleadings in Equity.
- The latest and best Work on Bills of Exchange.

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Military Books.

- Abstract of "The King's Regulations and Orders for the Army." (4 copies.)
 Regulations for the instruction, formation and movements of the Cavalry. (4 copies.)
 Regulations for the Field Exercise and Evolutions of the Army. (4 copies.)
 Abstract of the Regulations for the formations, Field exercises and movements of His Majesty's Forces. (4 copies.)
 Military Dictionary.
 British Gunner, by Spearman, 1844.
 Artillerist's Manual, by Griffiths.
 Aide Mémoire à l'usage des Officiers d'Artillerie. — of the Corps of Royal Engineers.
 Pasley's Military Instruction.
 Jebb on the attack and defence of Posts.
 Macaulay's Field Fortification.
 Dufour's Permanent and Field Fortification. (American.)
 Ordnance Manual. (American.)
 Ward's Ordnance Gunnery. (American.)
 Douglass on Naval Gunnery.
 O'Konnef sur les trois Armes.
 Journal of Sieges in Spain, by Sir J. Jones.
 Jomini, Art de la Guerre. —, Grand Opérations Militaires.
 Jackson's formation, discipline, &c. of Armies.
 Wilkinson's Engines of War.
 Napoléon's Maxims.
 Napier's Peninsular War.
 Campaigns of Washington and New Orleans.
 Armstrong's Account of the War of 1812. (American.)

Works relating to the History of America.

- Les Voyages de Champlain; Edit. 1613.
 Voyages à découverte en la Nouvelle France, 1627.
 Sagard, Histoire du Canada à Voyages, &c., 1636.
 Mante's History of the late War.
 Neal's History of New England, 1720.
 Ogilby's America.
 O'Reilly's Greenland, &c.
 Bellegrade's Collection of Voyages, &c.
 Charlevoix's Letters, 1763.
 Cluny's American Traveller, 1769.
 Falconer's Voyages, &c., 1720.
 Philoponi Nova Typis, &c., 1621.
 Champlain (S.) Voyages, &c., Edit. 1619.
 Letters concerning the Expedition to Canada.
 Journal of the Siege of Quebec, 1759.
 Novis Orbis, &c., Grynaeus, 1537.
 Journal of the New England Forces, &c.
 Account of the late action of the New Englanders, &c.
 Dummer, Letters on the Expedition, &c. of, 1712.
 Gibson, Siege of Cape Breton,
 Letter on the Ohio defeat.
 Neal's History of New England.
 Morton's History of New England.
 Duflot de Morflats; new work on the Oregon.
 Beamish, Discovery of America, 1841.
 Smith's Description of New England, 1616.
 Purchas' Pilgrims, 1617.
 The Remembrancer, from 1775 to 1784.
 Thorowgood, Jews in America, 1650.
 Almon's collection of Tracts, &c., 1766-7.
 Chalmer's Revolution of the American Colonies.
 Gardyner, Description of the New World, 1651.
 Gorge's America, 1659.
 Husk's present state of North America, 1755.
 Margrieter St. Joliet, Voyages et Découvertes en l'Amérique Septentrionale. (Republished.)

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- Jacques Cartier, Navigation facile ès Iles de Canada, Hochelaga et Saguenay, 1545. Republished, 1845.
 Alexander's Transatlantic Sketches, 1833.
 Arfwedson, United States and Canada, in 1832—3 and 4.
 Ashe's Travels in America, 1803.
 Ashley on the Trade, &c. of the British Colonies, 1740.
 Bettram's Pilgrimage in Europe, America, &c., 1828.
 Bullock's Six Months in Mexico, &c., 1824.
 Buckingham's America, 9 vols., 1841-1843.
 Burney's History of the Buccaneers, &c., 1816.
 Campbell's Annals of Tryon County, 1831.
 Backwoods of Canada, 1836.
 Catesby, Hortus Europæ Americanus, &c., 1767.
 Clinton's Antiquities of New York.
 Columbus' Memorial: from the Original MSS., 1823.
 Cooney's History of New Brunswick, 1832.
 Colton's Tour through the American Lakes, &c., 1832.
 Dampier's Collection of Voyages, &c., 3 vols., 1702.
 Denis, Côtes de l'Amérique Septentrionale, 1672.
 Delafield, American Antiquities, 1839.
 Drake's Picture of Cincinnati.
 Doddridge's Indian Wars, 1824.
 Dunn on the Oregon, and the British American Fur Trade, 1844.
 Ellis' Journey to New Britain, 1820.
 Finch's Travels in the United States and Canada, &c., 1833.
 Forbes' History of California, &c., 1839.
 Gage's English American's Travels, 1648.
 Graham's Sketch of Vermont, 1797.
 Hazard's Historical Collections, 1792.
 Harrison's Aborigines of Ohio.
 Head's Forest Scenes in North America, 1829.
 Hull's Campaign of 1812; 1824.
 Jefferson's State of Virginia, 1825.
 Jontel's Voyages to Mexico, &c., 1719.
 King's Journey to the Arctic Ocean, 1836.
 Lang's Origin and Migration of the Polynesian Nation, &c., 1834.
 Lyon's Mexico, &c., 1828.
 Oldmixon's British Empire in America, 1761.
 Paine's American Crisis, &c., 1775.
 Palmer's Travels in the United States and Canada, 1818.
 Pownal's North America, 1776.
 Preston's Three Years in Canada, 1840.
 Summary View of America, &c., by an Englishman, 1824.
 Thom's Claims of the Oregon Territory considered, 1843.
 Tudor's Travels in North America, &c., 1834.
 Stephenson's South America, 1829.
 Jones' History of Ancient America, 1843.
 Refn's America discovered in the 10th Century, 1838.
 West's Residence at Red River, &c., 1822.
 Ward's Travels in Mexico, &c.
 Venega's History of California.
 Young's Chronicle of the Pilgrims, 1844.
 Papers relating to the History of Massachusetts Bay, 1769.
 Blow's Description of Jamaica, 1678.
 Memorials of the Courts of Great Britain and France, 1776.
 Byfield's Revolution in New England, 1689.
 Importance of Canada considered, 1761.
 Las-Casas, Voyages et Découvertes des Espagnoles, &c.
 Castell's Discovery of America, 1644.
 Coppiet, Indes Occidentales, 1654.
 Cortes, Treelara, &c., 1824.
 — (F.) Correspondance sur le Mexique, 1778.
 Engel, Mémoires et Observations Géographiques, &c., 1765.
 English Pilot, Book IV. Navigation from Hudson's Bay, &c., 1780.

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Franklin's Interest of Great Britain considered, &c., 1760.
 Historical Account of the British Colonies, &c., 1776.
 Importance of the British Plantations in America, 1731.
 Laon, Relation des Voyages des François, &c., 1654.
 Marshall's Life of Washington, 1804.
 Massachusettensis, 1776.
 Müller, Discovery of North West Coast of America, &c., 1761.
 Representation of His Majesty's right to Nova Scotia, 1756.
 Pinelos, Epitome de la Bibliotheca, &c., 1737.
 Pinto, Seconde Lettre, &c., 1776.
 Plans of American Forts, &c., 1765.
 Saxe-Weimar, Travels in North America, 1828.
 Smith's Oration in Memory of Montgomery, &c.,
 Smith's Wars in Canada, 1826.
 Torfæus, Historia Vinlandiæ, &c., 1715.
 Weld's Travels in North America and Canada, 1807.
 Whitbore's Discovery of Newfoundland, 1622.
 Revue de Législation et de Jurisprudence; redigé par M. M. Le Tourneux et Beaudry, Montreal.
 Six copies of this work, until the end of the current year: and three copies thenceforward.
 The Literary Garland of Montreal. One copy.

Politique, Economie Politique, droit Parlementaire.

Villeneuve Bargemont, Economie Politique.
 Tarbé, Travail et Salaire.
 Trolley, Cours de droit administratif.
 Ampère, Essai sur la Philosophie des Sciences.
 Barnave, Œuvres mises en ordre, par M. Beranger de la Drome.
 Lerminier, Philosophie du Droit.
 Macarel, Elements du droit politique.
 Cormenin, Droit administratif.
 ———, Timon, Le Livre des Orateurs.
 ———, Pamphlets de Timon.
 Lalouel, Les Orateurs de la Grande Bretagne.
 Macarel, Cours de droit administratif.
 Rey, Théorie et Pratique de la Science Sociale.
 Rossi, Traité du droit Pénal.
 ———, Cours d'Economie Politique.
 ———, Traité du droit Constitutionnel Français.
 Simonde de Sismondi (J. C. L.) Nouveaux principes d'Economie Politique. 2nd Edition.
 ———, Etudes sur les Sciences Sociales.
 Lucchesi-Palli, Principes du droit Public Maritime.
 Jacob, Sciences des Finances exposé théoriquement et pratiquement.
 Monteloux, de la Comptabilité en France.
 ———, Législation et Jurisprudence.
 Autonne, Conférences sur le droit Française, avec le droit Romain.
 Auzanet, Notes sur la Coutume de Paris.
 Bacquet, Les Œuvres.
 Bardet, Recueil des Arrêts.
 Meslé, Traité des Minorités.
 Rageau, Glossaire du droit Français.
 Vinnii, Commentarius in quatuor Libros.
 Antoine de St. Joseph, Concordance entre les Codes civiles, et étrangères, et le Code Napoléon.
 ———, Concordance entre les Codes de Commerce étrangers.
 Bayle-Mouillard (J. B.) De l'Emprisonnement pour dettes.
 Wolowski, Revue de Législation et de Jurisprudence.
 Chauveau et Morin, Jurisprudence Criminelle du Royaume, année de 1829 à 1843.
 Dalloz, Jurisprudence générale du Royaume en matières civiles, commerciales, criminelles, administratives, et de droit public.
 ———, Recueil périodique, suite.

Dalloz, Dictionnaire général et raisonné de Jurisprudence, en matières civiles, commerciales, et criminelles.
 Gin, Analyse raisonné du droit Français.

Science, Arts, et Beaux Arts.

Castelneau, (de,) Essai sur le système silurien de l'Amérique Septentrionale.
 Pécelet, Traité élémentaire de Physique.
 ———, Traité de l'Eclairage.
 ———, Traité de la Chaleur.
 ———, Mémoires de la Société Géologique de France.
 ———, Do. do. do. 2de série complète.
 Archimède, Œuvres traduites littéralement.
 Euclide, Œuvres en Grec, Latin, et Français.
 Polonceau, Notice sur l'amélioration des routes, 1844.
 Salverte, (Eusèbe,) Essai historique et philosophique sur les noms d'hommes, de peuples, et de lieux.
 L'Herbier de l'Amateur, divers vols.

Philosophie et Religion.

Descartes, Philosophie. Edition d' A. Martin.
 Machiavelli, Œuvres complètes.
 Arnaud, Œuvres philosophiques.
 Girardin, (Emile de,) De l'Instruction publique en France.
 Combatol, Le Dogme de l'Incarnation.
 ———, Eléments de Philosophie Catholique.
 Mallebranche, Œuvres publiées par M. M. Genoude et Loudoueix.
 Cousin (Victor) Cours de Philosophie Morale.
 ———, Cours de l'Histoire et de la Philosophie.
 ———, Introduction à l'Histoire de la Philosophie.
 Kant, Critique de la raison pure.
 Maistre, (Le Comte Joseph de,) Œuvres complètes.
 Ott-Hegel, de la Philosophie Allemagne.
 Gérando, (Le Baron,) De la Bienfaisance Publique.
 Ozanam, (A. F.) Dante et la Philosophie Catholique au XIII. Siècle, 1840.
 Vico, Œuvres choisies, publiées par Michelet.
 Paschal, Les Provinciales.
 ———, Pensées.

Histoire, Biographie, Géographie, et Voyages.

Lerminier, Cours d'histoire de Législation comparée.
 ———, Introduction générale à l'Histoire du droit.
 Marcellus, (Le Comte de,) Souvenirs de l'Orient
 Michelet, Introduction à l'Histoire universelle.
 ———, Histoire de la République Romaine.
 ———, Tableau Chronologique de l'Histoire moderne.
 ———, Précis de l'Histoire moderne.
 ———, Histoire de France.
 Mignet, Notices et Mémoires Historique.
 ———, Histoire de la Revolution Française.
 Satyre Menippée, avec commentaires.
 Thiers, Histoire du Consulat et de l'Empire.
 Ségur, Histoire de Napoléon et la Grande Armée.
 Sismondi, Histoire des Français depuis le vol. 19 à la fin.
 Voltaire, Histoire de Charles XII, et Histoire de la Russie.
 ———, Siècle de Louis XIV. et de Louis XV.
 Warrin, (de,) L'Inde Anglaise en 1843.
 Gallois, Continuation de l'Anquetil.
 Custine, (Marquis de,) La Russie en 1839.
 Anquetil, Les Œuvres complètes.
 Boré, (Eugène,) Correspondances et Mémoires d'un Voyageur en Orient.
 Laurentié, Histoire des Ducs d'Orléans.

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Michelet, Mémoires de Luther.
Blanc, (Louis,) Histoire de dix Ans.*Littérature.*

Victor Hugo, Œuvres complètes.
Delavigne, Œuvres complètes.
Byron, Œuvres complètes.
Shakspeare, Œuvres complètes.
Molière, Œuvres complètes.
Girardin, (St. Marc,) Cours de Littérature Dramatique.
Ampère, Histoire Littéraire de la France.
Boileau Despréaux, Œuvres complètes.
Corneille, (P. et Th.) Œuvres complètes avec Notes.
Marmier, Poésie et Chant du Nord.
Marrot, (Clément,) Œuvres choisies.
Marmontel, Œuvres complètes.
Racine, Œuvres complètes.
Voltaire, Théâtre complet.
Sismondî, Histoire de la Littérature de l'Europe.
Voltaire, La Henriade.
Marchangy, La Gaule Poétique.
—, La Revue des deux Mondes, complète jusqu' à l'année courante, reliée.
Journal de la Chambre des Députés, 1844 à 1846.

Œuvres suivantes dont un Exemplaire est destinée au Bureau du Traducteur.

Burat, (Amédéc,) Géologie appliquée.
Cotte, Vocabulaire Portatif des Mécaniques.
Dictionnaire du Commerce et des Marchandises.
Lunier, Dictionnaire des Sciences et des Arts.
Escalier, Vocabulaire des termes de Marine, Anglais-François et François-Anglais.
Jourdan, Dictionnaire raisonné polyglotte des termes des Sciences.
Catalogue de Bibliothèque Royale de France.

Livres de Médecine.

Amard, Association intellectuelle appliqué a l'étude de la Médecine.
Annales de la Chirurgie Française et Etrangère.
Annales de la Médecine physiologique par Broussais.
Biographie Médicale, par Jourdan.
Blandin, Traité d'Anatomie, 20 planches, coloriée.
Boisseau, Cholera Morbus.
Boivin, (Madame,) Mémorial de l'Art des Accouchements.
Bulletin de l'Académie Royale de Médecine.
Dantu, Traité de l'Ampuncture.
Delafond, Traité sur la Police Sanitaire des Animaux domestiques.
Delpech, Etude du Cholera en 1832.
Degenettes, Histoire Médicale de l'Armée d'Orient.
Boyer, (Le Baron,) Traité des Maladies Chirurgicales.
Chélius, Traité de Chirurgie, traduit de l'Allemand.
Coche, De l'opération médicale du Récruitment.
Dupuytren, Leçons Orales de Clinique Chirurgicale.
Jourdan, (A. J. L.) Pharmacopée Universelle.
Kramer, Traité des Maladies de l'Oreille, traduit de l'Allemand.
Lancette Française, Gazette des Hopitaux.
Larrey, (Le Baron,) Clinique Chirurgicale.
—, Mémoires de Chirurgie Militaire.
Lepelletier, De l'emploi du tartre stibié a haute dose.
Louis, (Le Baron,) Recherches sur la Phthisie.
Lugol, Mémoires sur l'emploi de l'iode dans les maladies scrofuleuses.
Velpeau, Nouveaux élémens de Médecine opératoires, avec atlas, 24 planches, coloriée.
Cloquet, Anatomie de l'Homme, 300 planches.
Billard, Traité des Maladies des Enfants.
Berton, ditto, ditto, faisant suite à celui de Billard.
Codex, Pharmacopée Française, Paris, 1837.

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RETURN

Appendix
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22nd May.

RETURN to an Address of the Legislative Assembly to His Excellency the Governor General, praying that His Excellency will cause to be laid before the House, the following particulars relative to the Expenditure of the sum of £58,000, granted by the Act 4th and 5th Victoria, chap. 28, for deepening Lake St. Peter: First—The amount expended in the purchase of Steamers and Dredging and other Machines used upon the said Work. Second—The amount expended in the hiring or leasing of Steamers employed thereat. Third—The amount of all sums paid for labor done, distinguishing the sums paid to Engineers, Superintendents, and Officers in command of Steamers and Dredging Machines, together with the time of their employment, the remuneration paid to each, and the names of the parties so employed.

By Command.

D. DALY,
Secretary.Secretary's Office,
20th May, 1846.Appendix
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STATEMENT relative to the Expenditure of the sum of £58,500 Stg., granted by the 4th and 5th Vic., cap. 28, for deepening Lake St. Peter,—shewing the amount expended in the purchase of Steamers, Dredges, &c., also of the hiring or leasing of Steamers, and the amount paid for labor, distinguishing the sums paid to Engineers, Superintendents, and Officers in command of Steamers, Dredges, &c. to 1st January, 1846.

	£	s.	d.	£	s.	d.	£	s.	d.
Amount expended on Steamers, Dredges, Scows, &c., paid as under, viz:									
Millar, Edmonstone & Allan	2802	0	0						
David Vaughan (Contract for building Vessels long prior to his services being engaged as Superintendent)	3737	7	10						
J. & J. Nesbitt	4146	18	0						
				10686	5	10			
Amount expended on Machinery for the above, viz.:									
St. Mary's Foundry	9665	13	1						
Ward, Brush & Co.	4884	3	4						
William Kerr	2473	9	5						
John Armstrong	1233	2	5						
				18256	8	3			
Tobin & Murison, for purchase of Steamer Vulcan				2500	0	0			
William Parkyn, for Buoys, Machinery, &c.				1200	14	1			
Amount expended on outfit, viz.:									
Sundries for outfit for years 1843, 1844, and 1845... ..	3049	15	8						
Carter & Cowan, Ship Chandlery, &c., for outfit	2070	11	11						
H. E. Scott, Materials for outfit	173	13	8						
				5294	1	3			
							37937	6	5
Amount expended on Fuel, viz.:									
Amable Paradis, for Firewood (per contract, lowest Tender)				1007	16	6			
James Sheppard, do (per contract, lowest Tender)				1114	11	8			
Sundry persons, do				73	6	6			
Ryan, Chapman & Co., Coals (bought on Commission)				2405	18	10			
							4601	13	6
Amount expended on Towage, Freight, and Hire of Steamers, viz.:									
A. St. Louis, for Towage				8	0	0			
W. & G. Tate, for Towage				45	0	0			
Millar, Edmonstone & Co., for Towage				84	10	2			
John Torrance & Co., for Towage and Freight				258	16	9			
James M'Kenzie, for Towage				7	10	0			
James M'Kenzie, hire of Steamer				243	10	0			
Murray & Sanderson, use of Barges				24	14	7			
Sundry persons, freight of Coals				257	0	10			
							929	2	4
Amount expended for Victualling, viz.:									
S. Mitchell				175	7	8			
David Vaughan, (prior to Capt. Vaughan's having the superintendence of the Works, the rate allowed for victualling was, for Officers, £2 to £7 10s. per month, the men £2. These charges were reduced by Capt. Vaughan, the Officer to £2 10s., and the men £2)				2842	15	7			
							2518	3	3
Amount expended for Labor.									
Amount paid Seamen, Mechanics, Laborers, &c.							7677	19	3
Carried forward							£53664	7	9

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STATEMENT relative to the Expenditure, &c.—(Continued.)

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	£	s.	d.		£	s.	d.	£	s.	d.	
<i>Brought forward</i>								53664	7	9	
Amount expended for Engineers, Superintendents, &c., viz.:											
Charles Atherton, Engineer, 18th Sept. 1841 to 31st August, 1843 ...	300	0	0	per ann.	}	784	17	2			
1st Sept. 1843 to 29th Feby. 1844 ...	400	0	0	do							
(This gentleman was also paid at the rate of £300 per annum, as Engineer on Lachine Canal.)											
David Vaughan, Superintendent, 1st March, 1844 to 1st Nov. 1845 ...	500	0	0	per ann.	}	833	6	8			
G. Meldrum, Dredge Master, 1st Dec. 1842 to 31st Jany. 1844 ...	12	10	0	per month							
- In lieu of Board ...	0	2	6	per day		244	0	0			
(This Officer dispensed with by Capt. Vaughan.)											
Wm. Hunter, Supt. Machinery, Feby. 1843 to 30th Nov. 1844 ...	12	10	0	per month	}	297	8	5			
- In lieu of Board ...	0	2	6	per day							
(This Officer dispensed with by Capt. Vaughan.)											
D. O'Brien, Store-keeper, 1st April, 1843 to 31st Jany. 1845 ...	6	5	0	per month	}	167	0	0			
- In lieu of Board ...	0	2	6	per day							
James State, Store-keeper, 1st March, 1845 to 31st December, 1845 ...	6	5	0	per month	}	87	10	0			
- In lieu of Board ...	2	10	0	do							
Stephen Yarwood, Paymaster, June, 1843 to 31st December, 1843 ...	50	0	0	per ann.	}	184	12	3			
1st January, 1844 to 30th Sept. 1844 ...	200	0	0	do							
L. E. Dubord, Captain of Tug, April, 1843 to November, 1843 ...	150	0	0	per season	}	211	19	9			
- In lieu of Board ...	0	5	0	per day							
John Cass, Master, Dredge No. 1, April, 1843 to January, 1844 ...	7	10	0	per month	}	76	0	0			
- In lieu of Board ...	2	0	0	do							
William Fleming, Master, Dredge No. 2, April, 1843 to Jany. 1844 ...	7	10	0	do	}	89	10	0			
- In lieu of Board ...	2	0	0	do							
Asa Martin, Engineer, 25th August, 1843 to 30th November, 1844 ...	9	0	0	do	}	92	1	10			
- In lieu of Board ...	2	10	0	do							
David Hood, Engineer, 20th August, 1843, to 29th March, 1845 ...	9	0	0	do	}	222	8	2			
- In lieu of Board ...	2	10	0	do							
1st April 1845, to 10th December, 1845 ...	12	10	0	do	}	24	8	0			
John Tuck, Second Engineer, 7th Sept. 1843, to 30th Nov. 1843 ...	8	0	0	do							
- In lieu of Board ...	2	10	0	do		31	11	9			
Charles Hamelin, First Pilot, 3rd August, 1843, to 4th October, 1843 ...	12	10	0	do	}	52	8	0			
- In lieu of Board ...	2	0	0	do							
(This Officer dispensed with by Capt. Vaughan.)											
Pierre Côte, Chief Pilot, 13th September, 1843, to 30th Novem'r, 1843 ...	16	0	0	do	}	75	10	0			
- In lieu of Board ...	4	0	0	do							
(This Officer dispensed with by Capt. Vaughan.)											
H. Y. Côte, Pilot and Mate, 1st Septem'r, 1844, to 30th Novem'r, 1844 ...	6	0	0	do	}	261	16	9			
20th April, 1845, to 10th December, 1845 ...	7	10	0	do							
Robert M'Kim, Capt. of Tug, 1st March, 1844, to 31st August, 1844 ...	12	10	0	do	}	164	15	2			
1st Sept., 1844, to 10th Dec., 1845 ...	15	0	0	do							
John O'Leary, Master, Dredge No. 1, 1st April, '44, to 31st Aug. '44 ...	8	0	0	do	}	165	5	8			
1st Sept., 1844, to 10th Dec., 1845 ...	10	0	0	do							
Alison Wright, Master, Dredge No. 2, 1st April, to 31st Aug., 1844 ...	8	0	0	do	}	174	2	10			
1st Sept., 1844, to 10th Dec., 1845 ...	10	0	0	do							
William Calvert, Engineer, 19th April, 1844, to 10th December, 1845 ...	9	0	0	do	}	185	18	4			
William Smith, Engineer, 1st March, 1844, to 10th December, 1845 ..	9	0	0	do							
J. Milne, Engineer, 16th February, 1845, to 29th March, 1845 ...	0	7	6	per day	}	120	13	4			
1st April, 1845, to 10th December, 1845 ...	12	10	0	per month							
Thos. Davidson, Master, Dredge, 1st June, 1845, to 10th Dec. 1845 ...	10	0	0	do	}	63	6	8			
Baptiste Joncour, Pilot and Mate, 1st Sept., 1845, to 10th Dec., 1845 ...	4	0	0	do							
								4585	1	4	
								£58249	9	1	
In addition to the information required by the Address from the Legislative Assembly, there has been paid for Plans, Surveys, Insurance of Vessels, drawing Contracts, examining Accounts, &c., Postages, Travelling expenses, and Advertizing								1843	6	8	
Balance of appropriation unexpended, 1st January, 1846								4907	4	3	
£58500 Sterling, equal to in								Currency	£65000	0	0

Certified to be a correct extract from the Books of this Department.

THOMAS A. BEGLY,
Secretary, Bd. Works.

Board of Works,
15th May, 1846.

SECOND REPORT of the Commissioners of Enquiry into the Management of the Board of Works.

LAKE ST. PETER IMPROVEMENTS.

To His Excellency the Right Honorable Charles Murray, Earl Cathcart, of Cathcart, in the County of Renfrew, Governor General of British North America, &c. &c. &c.

The Commissioners of Enquiry into the state and management of the Board of Works beg leave most respectfully to Report, that the Commissioners had scarcely entered upon their duties when their attention was directed to the works in progress on Lake St. Peter for the improvement of the navigation, by persons proffering their testimony to prove that the straight line adopted by the Board of Works for the new channel, would never answer the purpose intended; that it would require fifteen or twenty years for its completion, at a great outlay of money, and that it would fill up nearly as fast as it was taken out. From these objections and others not necessary here to recapitulate, the parties making them gave the preference to the improvement of the old channel over the new line adopted by the Board. The subject too had attracted general attention, and various discussions had from time to time taken place in the public prints on the merits of the respective channels.

Considering it to be a matter of great importance, and falling within the scope of their Commission, they deemed it their duty to enter into a careful examination of all the different opinions, letters and other documents connected with the works in question, that were submitted to them by the Board of Works.

In the month of October last the Commissioners requested the Chairman of the Board of Works to cause an accurate plan and sections of the newly dredged channel through the upper bank or shoal to be taken after the work should be suspended for the season, with a view to ascertain whether the spring flood would have any effect in filling up the channel.

This was correctly done by Mr. Keefer, the Engineer of the Board, after the formation of the ice upon the Lake, and the sections then made accompany the present Report.

On the 28th day of April last, (the high water of the spring had subsided,) the Commissioners proceeded to the Lake for the purpose of ascertaining the effects of the spring flood upon the new cut, and of examining the operations going on and the progress of the work. In this visit they were accompanied by a Deputation from a Committee of the Board of Trade of Montreal.

The first thing they examined was the cut through the upper bank at the entrance of the Lake, upwards of two miles in length, and from the soundings which

they took across the different sections through the whole length of the excavation, they found that no perceptible filling up had taken place, but that the cut remained in the same state as the Dredges had left it the previous fall, as appears from the accompanying sections.

The Commissioners next proceeded to examine the operation of the Dredging Boats, and found them working in the most satisfactory manner,—the two Dredges, according to a close calculation, removing on an average about 2321 cubic yards per day. The bank is composed of a blue clay, sufficiently tenacious to remove all apprehensions as to the channel having any tendency to fill up. The upper bank is of the same material, except as to the upper surface in which there is a slight mixture of river sand, but the composition possesses equal tenacity with the other.

The Dredges have commenced operations at the upper end of the shoal, nearly opposite to the upper Light in the old channel, distant about two miles to the north. The distance from this point to the deep water at the lower end is about six miles, and requires to be dredged,—the first four miles requiring the removal of about two and a half feet on an average to give a depth of fourteen feet at low water as proposed by the Board of Works,—and the last two miles requiring one fourth to give the same depth. To make the channel, therefore, 150 feet wide, as proposed for this year, would require the removal of 352,000 cubic yards, which, at the rate of 2321 yards per day, would take about 152 working days to complete.

The Commissioners also examined the old channel now in use, from the deep water at the lower end of the shoal to the Light at the upper end, and found by sounding, that there is scarcely any difference in depth on a parallel line across the Lake, between the present circuitous channel, and the new and direct line.

The Commissioners, after mature consideration of the information derived from the various sources, have come to the following conclusions:—

That the new and straight line adopted by the Board of Works, and now in progress, is preferable to the old and circuitous channel, and that the Board is fully borne out in the adoption of this line by the valuable opinion of Captain Bayfield, and other scientific men in England.

The Commissioners have no doubt that the first cost of improving the old channel would have been less than that of the new, as the length of the cut necessary for the one is two miles and a half less than that for the other. But that difference of cost,

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will, in the opinion of the Commissioners, be far more than counterbalanced, by the great advantages of the straight line over the circuitous channel, both from greater facility of navigation, and in the keeping of the channel clear hereafter.

They are furthermore of opinion, that the difficulty of obtaining a correct estimate of the total expense is now in great measure, if not entirely, removed by the experience in the progress of the work for the last two years, from which the cost of the dredging now in successful operation can be calculated to something like a certainty.

The plans and sections of the work which were made during the last winter, exhibit the amount of work that had been done to the close of 1845, and what still remained to be done, from the opening of the season of 1846, in order to complete the channel to the width of 150 feet, with a depth of 14 feet at low water. The calculations founded upon them have been verified by the actual admeasurements above referred to, the difference in the two resulting estimates of quantity arising from the Commissioners having made a more ample allowance than the Engineer of the Board.

From the same sections, calculations of the time and expense necessary to extend the channel to 300 feet wide by fourteen feet deep have also been made, and form the basis of the last Report of the Chairman of the Board of Works on this subject.

From these it appears that the sum of £30,000, over the present appropriation, will be required to obtain this desirable end,—to be spread over a period embracing three seasons,—of which only £8,000 will be required during the season now commenced, to make a complete channel of 150 feet in width, and render it at once available for vessels which, from their draft of water, are prevented from using the old route.

The trade would thus be in possession of two channels, of which the one might be made to serve for vessels for whose draft of water it is suitable, and the other to serve for vessels of a larger draft. The risk of collision would thus be very much reduced, and the arrangement could easily be carried into effect by a By-law of the Trinity Board. The Commissioners are also confidently informed, that the operations necessary for extending the channel to 300 feet wide will not in the least incommode the passage of vessels through the new cut, while such operations are in progress.

The gross amount expended on the Lake improvements by the Board of Works, up to the close of the work last season, was £59,994 1s., but of this there was an amount of £37,937 9s. 5d. laid out upon

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Steamers, Dredging boats, scows, machinery, and other outfit. This apparatus, although of course not now equal to that value in consequence of wear and tear, will be available to the Province for other improvements in the deepening of shoals, &c. on the various Lakes, and if its original cost be deducted from the gross amount expended, the actual expense of the excavation of the new channel when made to 300 feet in width, will not greatly exceed the original appropriation.

Before concluding, the Commissioners think it their duty to advert to an objection which has been made against the new channel from the danger to be apprehended of rafts getting into it and impeding the navigation through it. This objection they consider as being not founded on considerations which require much notice. They cannot see that in a Lake of such width any more danger is to be apprehended from collisions from this cause than now exists. Rafts do not generally draw more than three feet and a half of water, and consequently can float over the whole surface of the Lake without difficulty.

The Commissioners in conclusion beg to state that they have deemed it to be their duty to make a special Report to Your Excellency on this work, in consequence of the conflicting opinions which have been set forth regarding it, and the conviction in their minds that any delay in the execution of the work would affect most injuriously the commercial and agricultural interests of the country. They feel convinced that from none of the public works now in progress will greater advantages be obtained to the country in proportion to the cost, and that its speedy completion will tend greatly to diminish the high rates of towage, and the still greater expense incurred by lighterage,—thus lessening the heavy cost to which vessels are now subjected in clearing from the Port of Montreal,—a result desirable at any time, but more especially at this crisis of our commercial relations when the protective duties on Colonial produce are likely to be either entirely withdrawn or greatly reduced.

The Commissioners consider it their duty to mention, in connexion with the above work, that there are two narrow shoals in the River at Lavaltrie, which should be deepened during the present season to the same depth as the new channel, since without that, the important improvements of the Lake will not be available.

The whole nevertheless respectfully submitted.

F. A. QUESNEL,
M. J. HAYS.
T. REDPATH.

Montreal, 14th May, 1846.

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GENERAL STATEMENT of Expenditure upon Lake St. Peter, from December, 1841, to
December, 1845.

OUTFIT.		£	s.	d.	£	s.	d.
Millar, Edmonstone and Allan, Steamers, &c.	...	2802	0	0			
David Vaughan	do	3737	7	10			
J. and J. Nesbitt	do	4146	18	0			
Tobin and Murison	do	2500	0	0			
St. Mary's Foundry, Machinery	...	9665	13	1			
Ward, Brush & Co.,	do	4884	3	4			
William Kerr,	do	2473	9	5			
John Armstrong,	do	1233	2	5			
William Parker,	do and Buoys	1200	14	1			
Sundries for Outfit in 1842-3-4-5	...	3049	15	8			
Carter and Cowan, Ship Chandlery	...	2070	11	11			
H. E. Scott, Materials	...	173	13	8			
Total for Steamers, Dredges, and other Outfits					37937	9	5
Survey	...				650	2	7
Plans	...				56	0	9
Establishment	...				10723	8	11
Postages	...				69	12	7
Freight and Towage	...				969	10	6
Advertizing	...				16	6	3
Law expenses	...				21	5	0
Firewood	...				2195	14	8
Travelling expenses	...				165	10	6
Sundry accounts	...				2259	19	0
Examining accounts	...				57	7	6
Insurance	...				161	2	0
Labor	...				2246	13	2
Rent of Ship-yard	...				156	5	0
Coals	...				2405	18	10
					£30092	15	8
Deduct for Materials sold	...				98	14	8
Total expenditure	...				£59994	1	0

With Second Report of the Commissioners of Enquiry into the management of the Board of Works, dated Montreal, 14th May, 1846.

RETURNS AND STATEMENTS

Of the Affairs of KING'S COLLEGE and UPPER CANADA COLLEGE, and other Documents relating thereto, laid before the Legislative Assembly by the Honorable Mr. Attorney General DRAPER, by Command of His Excellency the Governor General, on Saturday, the 23rd May, 1846.

Letter from the Registrar of King's College to Private Secretary.

- 1.—State of the Endowment of King's College, on 31st December, 1843.
- 2.—Receipts and Disbursements of do. from the Foundation thereof to 31st December, 1843.
- 3.—Salaries and allowances of the Officers and Servants of do. for one year.
- 4.—Establishment of the Bursar's Office for the year 1843.
- 5.—State of the Endowment of Upper Canada College, on 31st December, 1843.
- 6.—Receipts and Disbursements of do. from the Foundation thereof to 31st December, 1843.
- 7.—Establishment of do. for the year 1843.
- 8.—Particulars of School of do. for 1839 to 1843, inclusive.
- 9.—Particulars of Upper Canada College Dues, for 1839 to 1843, inclusive.
- 10.—Collector's General Statement of do. from 1839 to 1843, inclusive.
- 11.—Estimate of the Annual Income of the University of King's College, with the probable charges to be brought annually against the same.
- 12.—Estimate of the Assets of King's College and Upper Canada College, on 31st December, 1843.
- 13.—Report of the Finance Committee of King's College.
- 14.—Bursar's Report on Rents and Interest.
- 15.—Bursar's Letter on certain surplus receipts.
- 16.—Annual Tabular Statements for King's College, for the years 1841, 1842, 1843, and 1844.
- 17.—Annual Tabular Statements for Upper Canada College, for ditto.
- 18.—Letter from Private Secretary to the President of King's College Council.

Letter from the Registrar of King's College to Private Secretary.

KING'S COLLEGE OFFICE,
Toronto, 18th May, 1846.

SIR,

I have the honor to transmit the accompanying Returns, prepared conformably to the request of His Excellency the Chancellor, as communicated in your letter of the 11th April.

A copy of the Report of the College Council on irregularities in the Bursar's Office has not been sent, as it was deemed prudent to withhold the publication of it whilst the Chancery suit arising out of the circumstances from which the Report originated, remains undecided.

I have, &c.

(Signed,)

H. BOYS,
Registrar, K. C.

J. M. Higginson, Esq.,
Private Secretary.

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(Q .Q.)

23rd May.

No. 1.

KING'S COLLEGE.

STATE of the Endowment on the 31st December, 1843.

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	ACRES.
Original Endowment.....	225,944
Sold.....	118,333½
Remaining unsold.....	107,610½
On lease..... 89,759	
Unoccupied..... 17,851½	
	107,610½

LANDS sold in the different years from the foundation of the College.

Year.	No. of Sales.	Acres sold.	Amount they sold for.			Average per Acre.	Aggregate Amount.		
			£	s.	d.		£	s.	d.
1828.	21	3,067	3,656	10	0	23/10	3,656	10	0
1829.	93	11,863	12,994	5	0	1/11	16,650	15	0
1830.	69	8,670	9,492	0	0	1/1	26,142	15	0
1831.	65	8,331	9,449	7	6	2/8	35,592	2	6
1832.	75	8,881	9,905	15	0	2/4	45,497	17	6
1833.	110	13,568	15,790	10	0	3/3	61,288	7	6
1834.	67	7,642	8,731	12	6	3/5	70,020	0	0
1835.	125	18,088	14,488	0	0	6/	84,508	0	0
1836.	47	4,985	5,754	5	0	3/1	90,262	5	0
1837.	53	6,132	7,190	7	3	3/4	97,452	12	3
1838.	20	2,454	3,104	10	0	5/3½	100,557	2	3
1839.	40	4,358	5,770	2	6	6/5½	106,327	4	9
1840.	3	350	318	15	0	18/2½	106,645	19	9
1841.	46	4,717	7,167	11	3	30/4½	113,813	11	0
1842.	79	7,504	12,378	8	6	32/10½	126,191	19	6
1843.	79	7,723½	12,363	0	1	32/	138,554	19	7
	992	118,333½	138,554	19	7	23/5			
	Amount collected.....		80,895	15	10				
			£ 57,659	3	9				

H. BOYS,
Bursar K. C.

No. 2.

KING'S COLLEGE.

STATEMENT of the actual Receipts and Disbursements of King's College from the foundation thereof to the 31st day of December 1843,—being a period of fifteen years.

Receipts in the 15 years.	Amount.			Disbursements in the 15 years.	Amount.		
	£	s.	d.		£	s.	d.
4½ years Royal Grant.....	4,999	19	9	Assistance given to Upper Canada College.....	42,284	7	5
Proceeds of Land collected.....	80,895	15	10	Purchase of the site of the University grounds about the College Avenue and improvements,	13,506	2	8½
Interest collected,	30,751	14	6	Management and incidental expenses.....	16,245	19	2
Rents collected.....	18,131	3	0	University Buildings and outfit; outfit of the Library and Departments, with contingencies of every description..... £17,794 3 4			
University fees collected.....	513	5	0	Salaries..... 2,355 15 8			
					20,149	19	0
				Balance accounted for below,	92,186	8	3½
					43,105	9	9½
£	135,291	18	1		£	135,291	18 1
				<i>Particulars of the above balance.</i>			
				Purchase of Public Debentures amounting to £27,697 19s. 5d. placed in the Bank of Upper Canada for management and safe custody.....	27,322	16	1
				Stock of the Bank of Upper Canada,	250	0	0
				Stock of the Gore Bank,	187	10	0
				Invested in Lands,	5,919	3	11
				Invested in Mortgages,	9,139	16	9
				Cash balance in Bank of Upper Canada,	255	3	4
				do. do. in the Bursar's hands,	44	2	6½
					43,118	12	7½
				Error in excess,	13	2	10
					£	43,105	9 9½

H. BOYS,
Bursar, K. C.

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(Q. Q.)

No. 3.

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(Q. Q.)

23rd May.

STATEMENT shewing the Salaries and Allowances of the Officers and Servants of the University for one year ; with an Estimate of Contingent Expenses for a like period.

23rd May.

NAME.	APPOINTMENT.	ANNUAL SALARY IN CURRENCY.			
		£	s.	d.	
Rev. Dr. McCaul,.....	Vice President,.....	277	15	7	
Do.	Professor of Classics,.....	551	11	1	
Do.	House rent, when not provided with a dwelling,.....				
Rev. Dr. Beaven,.....	Professor of Divinity, &c.....	555	11	1	
Do.	House rent,.....	62	10	0	
Richard Potter, Esqr. M. A.,.....	Professor of Mathematics, &c.....	500	0	0	
Do.	House rent,.....	65	0	0	
Henry Holmes Croft, Esqr.,.....	Professor of Chemistry,.....	500	0	0	
Do.	House rent,.....	*			
W. C. Gwynne, Esqr. B. M.....	Professor of Anatomy,.....	222	4	5	
John King, Esqr. M. D.,.....	do. of Physic,.....	222	4	5	
W. H. Blake, Esqr.....	do. of Law,.....	111	2	2	
W. R. Beaumont, Esqr.,.....	do. of Surgery,.....	222	4	5	
George Herrick, Esqr.,.....	do. of Midwifery,.....	222	4	5	
William Bulwer Nicol, Esqr.,.....	do. of Materia Medica,.....	222	4	5	
Henry Sullivan, Esqr.,.....	do. of Practical Anatomy,.....	277	15	6	
Do.	House rent, when not provided with a dwelling,.....				
Thomas Young, Esqr.,.....	Architect,.....	200	0	0	
John Wedd,.....	Superintendent of the Grounds, 5s. per diem,.....	91	5	0	
Henry Boys,.....	Acting Steward,.....	60	0	0	
Daniel Orris,.....	Bedel and Butler,.....	52	10	0	
William Morrow,.....	Messenger,.....	40	0	0	
Æneas Bell,.....	Door-keeper, Centre building,.....	40	0	0	
Mrs. Margaret Powell,.....	do. West Wing,.....	50	0	0	
James Patterson,.....	Attendant to Professor of Mathematics,.....	52	0	0	
Percy Marling,.....	do. to do of Chemistry,.....	36	0	0	
James Cody,.....	do. to do of Practical Anatomy,.....	60	0	0	
Robert Colby,.....	Attendant in the Dissecting Room,.....	40	0	0	
Thomas Neilson,.....	Labourer,.....	40	0	0	
William Davidson,.....	do.	40	0	0	
Bridget Delany,.....	Cook,.....	18	0	0	
Catherine Delany,.....	Maid Servant,.....	15	0	0	
Mary Oregan,.....	do.	12	0	0	
		£	4923	2	6
Should it become necessary to allow House rent to the Vice-President and the Professor of Practical Anatomy, this sum would be increased to about £5,060.					
* In 1845, Mr. Croft received £41 5s. as lodging money for part of this year.					
<i>Rough Estimate of Contingent Expenses.</i>					
Insurances,.....		£	167	0	0
Labour on Grounds,.....		200	0	0	
Wood,.....		200	0	0	
Hospital,.....		500	0	0	
Library and other Departments,.....		150	0	0	
Steward's Department,.....		300	0	0	
Incidental,.....		183	0	0	
		£1700	0	0	
			1700	0	0
		£	6623	2	6

H. BOYS,

Bursar K. C.

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23rd May.

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23rd May.

No. 4.
ESTABLISHMENT of the Bursar's Office for the year 1843.

NAME.	APPOINTMENT.	AMOUNT.		
		£	s.	d.
Henry Boys.....	Bursar and Registrar.....	400	0	0
Henry Hawkins.....	Senior Clerk.....	175	0	0
John Cochrane.....	2nd do.	150	0	0
Francis Tincombe.....	Extra do.	136	17	6
Stationery and sundries of every description.....		138	2	6
		£ 1000	0	0

H. BOYS, *Bursar*, K. C.

No. 5.
UPPER CANADA COLLEGE.

STATE of the Endowment of the Upper Canada College, on the 31st December, 1843.

	ACRES.
By Grant, dated 16th November, 1832.....	20,000
By do. do. 4th July, 1834.....	1,080
By do. do. 16th May, 1835.....	42,188
	63,268
Sold.....	20,471½
	42,796½
On lease..... 5,816	
Unoccupied..... 36,980½	
	42,796½

N. B. Upper Canada College was also endowed by grant with Block A, in Toronto, called Russel Square, the site of the College containing nine acres, likewise with Block D, in Toronto, containing 5½ acres, divided into 36 building lots, the particulars of which are hereafter stated.

PARTICULARS OF THE SALES.

YEAR.	NO. OF SALES.	ACRES SOLD.	PROCEEDS.			AVERAGE PER ACRE.
			£	s.	d.	
1832.	2	200	140	0	0	14/
1833.	5	697	613	10	0	17/7½
1834.	15	2,280	1,830	0	0	16/0½
1835.	18	1,304	941	10	0	14/5½
1836.	10	682	626	2	6	18/4½
1837.	7	800	700	0	0	17/6
1838.	9	908	937	0	0	20/7½
1839.	107	11,502	8,210	5	0	14/3¼
1840.	1	100	75	0	0	15/
1841.	1	100	75	0	0	15/
1842.	11	1,003½	1,168	17	6	23/3½
1843.	9	895	1,431	17	6	32/
	195	20,471	16,749	2	6	
Amount collected.....			9,663	9	7	
Amount outstanding.....£			7,085	12	11	

Particulars of the Town Lots in Block D.

Original number of Lots.....	36
Sold.....	29
Remaining in hand.....	7
On Lease.....	4
Unoccupied.....	3
	— 7

Particulars of the Sales of Town Lots.

Amount for which the 29 Lots sold.....	£4,204	5	0
Amount collected.....	1,343	12	11
Amount outstanding.....	£2,860	12	1

-H. BOYS, *Bursar*, K. C.

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(Q. Q.)

No. 6.

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(Q. Q.)

23rd May.

UPPER CANADA COLLEGE.

23rd May.

STATEMENT of the actual RECEIPTS and DISBURSEMENTS of Upper Canada College, from the foundation thereof to the 31st December, 1843 ; being a period of fifteen years.

RECEIPTS IN 15-YEARS.	AMOUNT.			DISBURSEMENTS IN 15 YEARS.	AMOUNT.		
	£	s.	d.		£	s.	d.
Grant from the Crown,.....	10,877	14	8	Buildings and Grounds,.....	18,780	14	1
College Dues collected,.....	21,387	9	8½	Masters' Salaries, Books, Stationery, Exhibitions and Prizes,.....	50,550	13	6
Sales of Land collected,.....	9,563	9	7	Boarding House and other dues,.....	10,320	0	5
Sales of Town Lots collected,.....	1,343	12	11	Contingencies, Insurances, Law Expenses, Fur- niture, Wood, and all other incidentals,....	5,280	5	7
Rents collected,.....	336	3	9				
Interest collected,.....	1,987	16	10				
Assistance from King's College,.....	42,275	9	10½	Balance accounted for below,.....	85,431	13	7
					2,440	3	9
	£ 87,871	17	4		£ 87,871	17	4
				PARTICULARS OF THE BALANCE.			
				Invested in Land—Transferred by Mr. Barber, Transferred by Mr. Ridoat,	1,150	0	0
				On Mortgage and Bonds:—	69	0	0
				Mr. De LaHaye,..... £300	0	0	
				Mr. Wells,.....	393	1	4
				Mr. Barber,.....	528	2	5
					1,221	3	9
					£ 2,440	3	9

H. BOYS,
Bursar, K. C.

No. 7.

ESTABLISHMENT of Upper Canada College for the year 1843.

NAMES.	APPOINTMENTS.	AMOUNT.		
		£	s.	d.
The Reverend Charles Mathews,.....	Acting Principal,.....	666	13	4
Mr. F. W. Barron,.....	Do. First Classical Master,.....	333	6	8
The Reverend George Maynard,.....	Mathematical do.	333	6	8
The Reverend H. Scadding,.....	Acting Second Classical do.	333	6	8
The Reverend W. H. Ripley,.....	Do. Third do. do.	333	6	8
Mr. J. P. De La Haye,.....	French do.	222	4	4
Mr. James Duffy,.....	First English do.	194	8	3
Mr. William Thompson,.....	Second do. do.	138	17	9
Mr. C. N. B. Cosens,.....	Preparatory School do.	191	13	4
Mrs. Mary Cosens,.....	Matron Boarding House,.....	75	0	0
Mr. J. G. Howard,.....	Geometrical Drawing Master,.....	111	2	0
The Reverend Dr. Phillips,.....	Retired Annuity,.....	111	2	0
Samuel Alderdice,.....	Porter,.....	40	0	0
		£ 3084	8	1
Exhibitions,.....		54	0	0
Prizes,.....		80	0	0
Stationery,.....		100	0	0
Repairs,.....		100	0	0
Insurances,.....		67	17	6
Labour on Grounds,.....		50	0	0
Wood and all other Contingencies,.....		463	14	5
		£ 4000	10	0

H. BOYS,
Bursar, K. C.

Appendix
(Q. Q.)

23rd May.

Appendix
(Q. Q.)

23rd May.

No. 8.

UPPER CANADA COLLEGE.

PARTICULARS of School of Upper Canada College, for 1839, 1840, 1841, 1842, and 1843.

YEAR.	QUARTER.	NUMBER OF PUPILS.			
		DAY BOYS.	BOARDERS.	FREE SCHOLARS.	TOTAL.
1839.	1st.	112	37	3	152
	2nd.	105	46	3	154
	3rd.	104	53	1	158
	4th.	111	53	1	170
1840.	1st.	106	59	1	166
	2nd.	102	62	1	165
	3rd.	94	49	1	144
	4th.	79	49	1	129
1841.	1st.	80	50	1	131
	2nd.	80	54	1	135
	3rd.	84	52	1	137
	4th.	78	50	1	129
1842.	1st.	95	55	3	153
	2nd.	95	57	4	159
	3rd.	93	50	4	157
	4th.	105	59	4	168
1843.	1st.	123	63	3	189
	2nd.	117	64	6	187
	3rd.	110	59	6	175
	4th.	113	55	6	174

(Signed,)

JAMES DUFFY, *Collector.*

A true Copy,

H. Boys, *Bursar, K. C.*

No. 9.

UPPER CANADA COLLEGE.

PARTICULARS of the College Dues for the years 1839, 1840, 1841, 1842, and 1843, as collected from the Returns of MESSRS. DUFFY, COSENS, ROWSELL and HERSCHFELDER.

YEARS.	TUITION.			BOARDING HOUSE.			BOOKS.			ORNAMENTAL DRAWING.			HEBREW AND GERMAN.			TOTAL.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
1839.	1,154	5	0	1,038	16	8	411	11	8	10	0	0	None.			2,614	13	4
1840.	1,205	5	0	1,210	7	6	397	18	2	44	0	0	None.			2,857	10	8
1841.	1,000	10	0	1,176	17	6	361	18	0	44	0	0	None.			2,583	6	2
1842.	1,167	5	0	1,360	10	0	495	1	11	None.			27	15	0	3,050	11	11
1843.	1,348	10	0	1,426	0	0	462	19	8	None.			28	10	0	3,265	19	8

(Signed,)

JAMES DUFFY, *Collector.*

A true Copy,

H. Boys, *Bursar, K. C.*

No. 10.

THE present Collector's General Statement of the Dues of Upper Canada College, from the 2nd quarter of 1839, when I first began the duty, till the end of 1843.

DUES RETURNED TO ME FOR COLLECTION.	AMOUNT.			HOW DISPOSED OF.	AMOUNT.		
	£	s.	d.		£	s.	d.
Old arrears of dues delivered to me for collection,.....	4,081	5	11	Collected and paid into the Bank of Upper Canada:— Old arrears,.....£1,068 4 11 New arrears,..... 8,161 17 8	9,230	2	7
Delivered to me since,.....	13,783	6	0	Five years disbursements,..... Remaining uncollected:—Old arrears,.....£3,013 1 0 New do 4,451 0 0	1,170	8	3½
	£ 17,864	11	11		7,464	1	0½
					£ 17,864	11	11

JAMES DUFFY, *Collector.*

Upper Canada College, May 13th, 1846.

Appendix
(Q. Q.)

No. 11.

Appendix
(Q. Q.)

23rd May.

AN ESTIMATE of the ANNUAL INCOME of the University of KING'S COLLEGE, calculated on the state of its affairs at the end of the year 1843 ; with an Estimate of the probable charges to be brought annually against the same,—taken upon the scale of Establishment at that period.

23rd May.

PARTICULARS.	AMOUNT.			PARTICULARS.	AMOUNT.		
	£	s.	d.		£	s.	d.
INVESTMENTS —				Estimated expenses of the University,—See Return			
Debentures at 6 per cent.,.....£25,122 19 5	1,507	7	6	No. 3.....	6,623	2	6
Do. 5 " 550 0 0	27	10	0	do. of Bursar's Office,—See Return No. 4.	1,000	0	0
Do. 3 " 2,025 0 0	60	15	0	do. of Upper Canada College,—See Return			
Stock of Bank U. C. at 6 per cent., 250 0 0	15	0	0	No. 7.....	4,000	0	0
Stock of Gore Bank 8 " 187 10 0	15	0	0				
Land and Mortgages,.....15,059 0 8	903	10	10				
					£ 11,623	2	6
£43,194 10 1	2,529	3	4				
Rents—About.....	1,500	0	0				
Do. In arrears, about £16,500, say.....	500	0	0				
Purchase money of Land outstanding:—							
K. C.,.....£57,659 3 9							
U. C. C.,..... 7,085 12 11							
Block D.,..... 2,860 12 1							
£67,605 8 9	3,900	0	0				
Interest due on Purchase money, about £18,000							
say,.....	750	0	0				
Fees of Students in the University, say,.....	740	0	0				
Dues of Scholars in U. C. C., say 150 boys, at £7							
10s. each,.....	1,125	0	0				
Arrears of dues of U. C. C. say,.....	100	0	0				
Annual donation to U. C. C.,.....	1,111	2	2	Balance,.....	632	3	0
	£ 12,255	5	6		£ 12,255	5	6

H. BOYS,

Bursar, K. C.

No. 12.

AN ESTIMATE of the Assets of King's College, and Upper Canada College, on the 31st December, 1843.

PARTICULARS.	AMOUNT.		
	£	s.	d.
Cash and profitable Investments,.....	45,545	13	6½
Proceeds of Lands sold outstanding,.....	67,605	8	9
Interest on Proceeds of Lands sold, in arrear, about,.....	18,000	0	0
Rents in arrear, about £16,500, many irrecoverable,—take them at half,.....	8,250	0	0
College Dues in arrear, £7,464 1s. 0½d, say,.....	3,000	0	0
Lands on lease, 95,575 acres, at 23s. 5d. per acre, the average on our sales,.....	111,902	8	0
Lands unoccupied, 54,832½ acres, say at 15s. per acre,.....	41,124	7	6
Town Lots in Block D, in hand, probable value,.....	1,000	0	0
BUILDINGS AND GROUNDS:—			
Site of the University, Avenue, with improvements, and the new wing of the University, say,.....	20,000	0	0
Grounds and buildings of Upper Canada College, say,.....	18,000	0	0
Such fittings in the Buildings now occupied for the University as are constructed for removal to the permanent Buildings ; also the Library, Philosophical, Chemical and Surgical Instruments and Apparatus, &c.....	7,000	0	0
	£ 341,427	17	9½

H. BOYS,

Bursar, K. C.

REPORT of the Finance Committee of KING'S COLLEGE, made to the College Council at their Meeting held on the 15th day of March, 1842.

The Chairman of the Finance Committee delivered the following Report, with illustrative documents.

The Report is here preceded by the Financial Statement called for on the 19th ultimo, which was delivered on the 23rd, but omitted to be recorded on that day.

Statement of the present state of the Endowment and Financial Affairs of the University of King's College.

Granted as an Endowment,	Acres, 225,944
Deduct errors in measurement, &c.,	2,405½
Endowment,	223,538½
Sold,	Acres, 97,460½
Leased,	" 105,314½
	202,774½
	Acres, 20,764
Instalments received on account of the Sales of Land, Royal Grants, &c.,	£74,548 11 5
Interest received,	19,220 15 11½
Rents received,	15,376 1 3
	£109,145 8 7½
Disbursements on account of Upper Canada College,	£37,992 10 5½
Purchase and maintenance of University Grounds,	12,917 0 4
Bursar's Office, and other expenses of all kinds,	12,887 0 3½
	63,796 11 1
Balance,	£45,348 17 6½
Balance composed of—	
Government Debentures,	£35,669 13 9
Bank Stock,	437 10 0
Cash,	1,696 6 10½
Mortgages,	7,545 6 11
	£45,348 17 6½
Instalments on Sales of Land now due,	22,169 7 6
Mortgages now due,	7,545 6 11
Interest on Instalments to 31st December, 1841,	8,331 16 9
Rents due,	15,277 10 9
Total now due,	£53,324 1 11
Instalments not yet due,	22,183 0 0
Interest on the same to 31st December, 1841,	6,660 0 0
	£28,843 0 0

Estimate of the available Annual Income of the University of King's College.

Government Debentures,	£34,606 15 5 at £6 per cent.—	£2,076 8 1
Do.	200 0 0 at £5 per cent.—	10 0 0
Do.	1,087 10 0 at £2 per cent.—	21 15 0
Interest on Instalments and Debts now due,		1,782 17 8
Interest on Instalments not yet due,		1,330 19 7
Average annual receipt on account of rents,		1,530 0 0
Bank Stock,		35 0 0
		£6,787 0 4
Deduct charges of management,		1,500 0 0
		*£5,287 0 4
Present amount of the Rent Roll of K.,		£2,483 0 5
Rent Roll at the end of seven years,		3,304 11 7
Increase,		£821 11 2
Interest on probable sale of 20,000 acres of Land at an average of 25/ per acre,		1,500 0 0
Additional interest then payable on £1,287 10s. of Government Debentures,		45 0 0
Additional income in seven years,		£2,367 10 2

Statement of the present state of the Endowment and Financial Affairs of Upper Canada College.

Granted as an Endowment,	Acres, 63,268
Deduct errors in measurement,	29½
	63,238½
Sold,	Acres, 18,627½
Leased,	" 5,816
	24,443½
Undisposed of,	Acres, 38,795

* This amount is independent of the sum required to erect the buildings at present contemplated, the fund for which will be produced by the payment of arrears of income.

Appendix
(Q. Q.)
23rd May.

Instalments received on account of Sales of—										
Land and debts, ...	...	...	...	...	...	...	...	...	...	£9,474 14 6
Interest received, ...	...	...	...	...	...	...	...	...	...	766 8 7½
Rents received, ...	...	...	...	...	...	...	...	...	...	268 17 3
College dues and grants, ...	...	...	...	...	...	...	...	...	...	26,959 10 9
										37,469 11 1½
Disbursements of all kinds, ...	...	...	...	...	...	...	...	...	...	75,415 7 6
Balance paid by King's College, ...	...	...	...	...	...	...	...	...	...	£37,945 16 4½
Instalments on sales of Land now due, ...										say, 6,000 0 0
Arrears of College dues, ...	...	...	...	...	...	...	...	...	...	say, 5,600 0 0
Do. debts, ...	...	...	...	...	...	...	...	...	...	678 4 0
Interest payable on Instalments, ...	...	...	...	...	...	...	...	...	...	say, 2,600 0 0
Rents due to 31st December, 1841, ...	...	...	...	...	...	...	...	...	...	237 15 0
Total now due, ...	...	...	...	...	...	...	...	...	...	£15,115 19 0
Instalments not yet due, ...										say, 4,314 0 0
Interest on same to 31st December, 1841, ...	...	...	...	...	...	...	...	...	...	1,000 0 0
										£5,314 0 0

Appendix
(Q. Q.)
23rd May.

Receipts and Disbursements of the University of King's College, for 1839, 1840 and 1841.

	RECEIPTS.			DISBURSEMENTS.			SURPLUS.		
	£	s.	d.	£	s.	d.	£	s.	d.
1839,	7,624	7	0	2,194	17	9	5,429	9	3
1840,	10,284	11	5½	3,823	11	5½	6,466	0	0
1841,	13,280	4	11	3,997	9	10½	9,282	15	0½

Receipts and Disbursements of Upper Canada College, for 1839, 1840 and 1841.

	RECEIPTS.			DISBURSEMENTS.			SURPLUS.		
	£	s.	d.	£	s.	d.	£	s.	d.
1839,	3,576	3	6½	4,473	9	2	897	5	7½
1840,	5,620	6	6	7,276	15	8	1,656	9	2
1841,	3,719	11	9	5,453	15	4	1,734	3	7

Present Rent Roll of Upper Canada College, ...	...	...	...	...	...	...	...	...	...	£129 6 6
Rent Roll at the end of seven years, ...	...	...	...	...	...	...	...	...	...	194 2 3
Increase, ...	...	...	...	...	...	...	...	...	...	64 15 0
Interest on probable sale of 20,000 acres of Land, at an average of 12/6 per acre, ...	...	...	...	...	...	...	...	...	...	750 0 0
										£814 15 0

(Signed,)

J. S. MACAULAY, For the Committee.

REPORT of the Finance Committee of KING'S COLLEGE, made to the College Council at their Meeting held on the 15th day of March, 1842.

The Committee of the Council of King's College appointed to report on the Financial Affairs of the University, have prepared an Estimate of the probable Receipts on account of Income up to the year 1866, inclusive, and also an account current, shewing what sums may be expended on the University without impairing the Endowment.

SEE A.—The Estimate of the probable Income is based on the following data and assumptions.

1st. The annual amount of Interest now received on Government Debentures and Bank Stock is, ...	...	...	...	...	...	...	...	...	...	£2,143 3 1
2nd. The Investment of the present Cash balance will produce an Income of, ...	...	...	...	...	...	...	...	...	...	230 17 5
3rd. The annual Interest on Instalments now due and unpaid is, ...	...	...	...	...	...	...	...	...	...	1,829 1 7
4th. The annual Interest on Mortgages is, ...	...	...	...	...	...	...	...	...	...	471 9 7
5th. The Instalments on sales of Land not yet due amount to £24,635 19s. 5d., and the interest falling due thereon is carried to account, being for the present year, ...	...	...	...	...	...	...	...	...	...	1,301 11 11
6th. The arrears of Interest due on Instalments past due amount to £10,931, which it is assumed may be collected in six annual payments of, each, ...	...	...	...	...	...	...	...	...	...	1,821 16 8
7th. The arrears of rent amount to £15,515 5s. 9d., of which £10,000 may be recovered in six years, giving an annual instalment of ...	...	...	...	...	...	...	...	...	...	1,666 13 4
8th. The Rents amount, per annum, to ...	...	...	...	...	...	...	...	...	...	1,862 0 0
9th. Assuming that £2,700 of the arrears of dues to Upper Canada College may be collected in six years, we get an annual Instalment of, ...	...	...	...	...	...	...	...	...	...	450 0 0

It is further assumed that sales of Land will be annually effected to the amount of £8,000, that having been heretofore the average amount of sales.

SEE B.—In the account current £4,000 is entered as the charge on account of the University for the present year, and £4,000 to procure works and instruments to furnish the Museum, Laboratory, and other incidental expenses; £18,000 is appropriated as a Building Fund, to be expended within four years from this date; £2,145 is allowed as the annual charge on account of Upper Canada College, and £1,500 for the expenses of the Bursar's Office, which includes keeping the grounds in order, and sundry incidental expenses.

The several sums required to be borrowed may be taken from the incoming Capital of the Institution, the receipts of which will probably fully meet these demands.

The debt proposed to be incurred will be repaid in 1865, when the annual income will amount to £14,000, together with the rents which may be receivable on 70,000 acres of Land, which will yet remain unsold.

The Committee have assumed that 6,400 acres of Land, which is below the average amount of annual sales, will be sold annually at an average price of £1 5s. per acre, until all the Lands now under lease and improved, have been disposed of, viz: about 96,000 acres; there will then remain on lease or undisposed of, 74,689½ acres, the estimated value of which may be taken as follows:

74,689½ acres at £1 per acre, ...	...	...	...	...	...	...	...	...	...	£76,689 10
This sum invested at £5 per cent, will produce an income of ...	...	...	...	...	...	...	...	...	...	3,734 9 6
Estimated income of 1867, less Rents, ...	...	...	...	...	...	...	...	...	...	13,167 3 9
										£16,901 13 3
Maximum income allowed by Statute, ...	...	...	...	...	...	...	...	...	...	16,666 13 4
Excess, ...	...	...	...	...	...	...	...	...	...	£234 19 11

In the view taken by the Committee of the Financial prospects of the University, care has been taken not to over-estimate the receipts, which will, as they believe, exceed their recorded anticipations; more especially if diligence be used in collecting the outstanding claims, and the debtors of the University be notified that the Council will not allow the arrears of income to remain at any time unliquidated.

In conclusion, the Committee beg to observe, that if the Royal Grant in aid of the Building Fund of the University be obtained, that sum, together with the £18,000 allowed for in the accompanying account current, will be sufficient to defray the cost of the building the two wings and the Chapel, affording all the accommodation now required.

All which is respectfully submitted.

(Signed,)

J. S. MACAULAY,
For the Committee.

KING'S COLLEGE OFFICE,
12th March, 1842.

Appendix
(Q. Q.)

PAPER A.

Appendix
(Q. Q.)

23rd May.

ESTIMATES of the probable Receipts on account of Income from the Estate of the University of King's College and Upper Canada College.

23rd May.

No.	SOURCE OF INCOME.	1842.			1843.			1844.			1845.		
		£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
1	Interest on Debentures and Stock,.....	2,143	3	1	2,143	3	1	2,143	3	1	2,143	3	1
2	Interest on present Cash Balance,.....(*)	173	2	7	230	17	5	230	17	5	230	17	5
3	Interest on Instalments due,.....	1,829	1	7	2,100	0	0	2,470	3	4	2,853	9	11
4	Interest on Mortgages,.....	471	9	7	471	9	7	471	9	7	471	9	7
5	Interest on Instalments payable,.....	1,301	11	11	1,676	17	9	1,725	2	6	1,381	0	1
6	Instalments for arrears of Interest,.....	1,821	16	8	1,821	16	8	1,821	16	8	1,821	16	8
7	Instalments for arrears of Rent,.....	1,666	13	4	1,666	13	4	1,666	13	4	1,666	13	4
8	Annual Rents receivable,.....	1,862	0	0	1,686	0	0	1,510	0	0	1,334	0	0
9	Instalments of Upper Canada College Dues,.....	450	0	0	450	0	0	450	0	0	450	0	0
* 9 months interest for the present year.		£ 11,718	18	9	12,246	17	10	12,489	5	11	12,352	10	1

No.	1846.			1847.			1848.			1849.			1850.			1851.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
1	2,143	3	1	2,143	3	1	2,143	3	1	2,143	3	1	2,143	3	1	2,143	3	1
2	230	17	5	230	17	5	230	17	5	230	17	5	230	17	5	230	17	5
3	3,208	0	7	3,581	4	9	3,965	2	11	4,370	1	7	4,803	4	0	5,281	13	8
4	471	9	7	471	9	7	471	9	7	471	9	7	471	9	7	471	9	7
5	1,342	15	10	1,436	19	3	1,515	7	7	1,745	0	4	2,145	15	10	2,160	0	0
6	1,821	16	8	* 1,821	16	8	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
7	1,666	13	4	* 1,666	13	4	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
8	1,158	0	0	982	0	0	806	0	0	630	0	0	454	0	0	278	0	0
9	450	0	0	* 450	0	0	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
£	12,492	16	6	12,784	4	6	9,132	0	7	9,590	12	0	10,248	9	11	10,565	3	3

* The last Instalments for arrears of Interest, Rents and U. C. C. Dues. (See remarks on Paper A. in Report Nos. 6, 7 and 9.)

No.	1852.			1853.			1854.			1855.			1856.			1857.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
1	2,143	3	1	2,143	3	1	2,143	3	1	2,143	3	1	2,143	3	1	2,143	3	1
2	230	17	5	230	17	5	230	17	5	230	17	5	230	17	5	230	17	5
3	5,761	13	8	6,241	13	8	6,721	13	8	7,201	13	8	7,681	13	8	8,161	13	8
4	471	9	7	471	9	7	471	9	7	471	9	7	471	9	7	471	9	7
5	2,160	0	0	2,160	0	0	2,160	0	0	2,160	0	0	2,160	0	0	2,160	0	0
6	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
7	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
8	102	0	0	50	0	0	100	0	0	150	0	0	200	0	0	250	0	0
9	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
£	10,869	3	9	11,297	3	9	11,827	3	9	12,357	3	9	12,887	3	9	13,417	3	9

No.	1858.			1859.			1860.			1861.			1862.			1863.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
1	2,143	3	1	2,143	3	1	2,143	3	1	2,143	3	1	2,143	3	1	2,143	3	1
2	230	17	5	230	17	5	230	17	5	230	17	5	230	17	5	230	17	5
3	8,593	17	8	8,977	13	8	9,313	13	8	9,601	13	8	9,841	13	8	1,033	13	8
4	471	9	7	471	9	7	471	9	7	471	9	7	471	9	7	471	9	7
5	2,112	0	0	2,016	0	0	1,872	0	0	1,680	0	0	1,440	0	0	1,152	0	0
6	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
7	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
8	300	0	0	350	0	0	400	0	0	450	0	0	500	0	0	550	0	0
9	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
£	13,851	3	9	14,189	3	9	14,431	3	9	14,577	3	9	14,627	3	9	14,581	3	9

No.	1864.			1865.			1866.			1867.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
1	2,143	3	1	2,143	3	1	2,143	3	1	2,143	3	1
2	230	17	5	230	17	5	230	17	5	230	17	5
3	10,177	13	8	10,273	13	8	10,321	13	8	10,321	13	8
4	471	9	7	471	9	7	471	9	7	471	9	7
5	816	0	0	432	0	0	.....	.....	.....	.....	.....	.....
6	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
7	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
8	600	0	0	650	0	0	700	0	0	750	0	0
9	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
£	14,439	3	9	14,201	3	9	13,867	3	9	13,917	3	9

Appendix
(Q. Q.)

Appendix
(Q. Q.)

Dr.		PAPER B.—ESTIMATED EXPENDITURE, &c.—(Continued.)						Cr.						
23rd May.	1851.	To balance,.....	£	s.	d.	1854.	By University Expenditure,.....	£	s.	d.				
	" Estimated Income,.....	11,827	3	9	" U. C. College, Bursar, &c.,.....		3,615	0	0	" Interest on £20,000,.....	1,200	0	0	
		£	12,162	1	1		" Balance,.....	107	1	1				
							£	12,162	1	1				
	1855.	To balance,.....	£	s.	d.	1855.	By University Expenditure,.....	£	s.	d.				
	" Estimated Income,.....	12,357	3	9	" U. C. College, Bursar, &c.,.....		3,615	0	0	" Interest on £20,000,.....	1,200	0	0	
		£	12,464	4	10		" Balance,.....	419	4	10				
							£	12,464	4	10				
	1856.	To balance,.....	£	s.	d.	1856.	By University Expenditure,.....	£	s.	d.				
	" Estimated Income,.....	12,887	3	9	" U. C. College, Bursar, &c.,.....		3,615	0	0	" Interest on £20,000,.....	1,200	0	0	
		£	13,306	8	7		" Balance,.....	1,061	8	7				
							£	13,306	8	7				
	1857.	To balance,.....	£	s.	d.	1857.	By University Expenditure,.....	£	s.	d.				
	" Estimated Income,.....	13,117	3	9	" U. C. College, Bursar, &c.,.....		3,615	0	0	" Interest on £20,000,.....	1,200	0	0	
		£	14,178	12	4		" Loan repaid,.....	1,000	0	0	" Balance,.....	1,233	12	4
							£	14,178	12	4				
	1858.	To balance,.....	£	s.	d.	1858.	By University Expenditure,.....	£	s.	d.				
	" Estimated Income,.....	13,851	3	9	" U. C. College, Bursar, &c.,.....		3,645	0	0	" Interest on £19,000,.....	1,140	0	0	
		£	15,084	16	1		" Balance,.....	2,699	16	1				
							£	15,084	16	1				
	1859.	To balance,.....	£	s.	d.	1859.	By University Expenditure,.....	£	s.	d.				
	" Estimated Income,.....	14,189	3	9	" U. C. College, Bursar, &c.,.....		3,645	0	0	" Interest on £19,000,.....	1,140	0	0	
		£	16,988	19	10		" Loan repaid,.....	3,000	0	0	" Balance,.....	1,303	19	10
							£	16,988	19	10				
	1860.	To balance,.....	£	s.	d.	1860.	By University Expenditure,.....	£	s.	d.				
	" Estimated Income,.....	11,431	3	9	" U. C. College, Bursar, &c.,.....		3,615	0	0	" Interest on £16,000,.....	960	0	0	
		£	15,735	3	7		" Loan repaid,.....	2,000	0	0	" Balance,.....	1,330	3	7
							£	15,735	3	7				
	1861.	To balance,.....	£	s.	d.	1861.	By University Expenditure,.....	£	s.	d.				
	" Estimated Income,.....	11,577	3	9	" U. C. College, Bursar, &c.,.....		3,615	0	0	" Interest on £13,000,.....	840	0	0	
		£	15,907	7	4		" Loan repaid,.....	2,000	0	0	" Balance,.....	1,422	7	4
							£	15,907	7	4				
	1862.	To balance,.....	£	s.	d.	1862.	By University Expenditure,.....	£	s.	d.				
	" Estimated Income,.....	11,627	3	9	" U. C. College, Bursar, &c.,.....		3,645	0	0	" Interest on £10,000,.....	600	0	0	
		£	16,049	11	1		" Loan repaid,.....	2,500	0	0	" Balance,.....	1,304	11	1
							£	16,049	11	1				
	1863.	To balance,.....	£	s.	d.	1863.	By University Expenditure,.....	£	s.	d.				
	" Estimated Income,.....	11,581	3	9	" U. C. College, Bursar, &c.,.....		3,615	0	0	" Interest on £7,500,.....	450	0	0	
		£	15,885	11	10		" Loan repaid,.....	2,500	0	0	" Balance,.....	1,290	11	10
							£	15,885	11	10				
	1864.	To balance,.....	£	s.	d.	1864.	By University Expenditure,.....	£	s.	d.				
	" Estimated Income,.....	11,139	3	9	" U. C. College, Bursar, &c.,.....		3,615	0	0	" Interest on £5,000,.....	300	0	0	
		£	15,729	18	7		" Loan repaid,.....	2,500	0	0	" Balance,.....	1,284	18	7
							£	15,729	18	7				
	1865.	To balance,.....	£	s.	d.	1865.	By University Expenditure,.....	£	s.	d.				
	" Estimated Income,.....	11,201	3	9	" U. C. College, Bursar, &c.,.....		3,615	0	0	" Interest on £2,500,.....	150	0	0	
		£	15,186	2	4		" Loan repaid,.....	2,500	0	0	" Balance,.....	1,191	2	4
							£	15,186	2	4				
	1866.	To balance,.....	£	s.	d.	1866.	By University Expenditure,.....	£	s.	d.				
	" Estimated Income,.....	13,867	3	9	" U. C. College, Bursar, &c.,.....		3,645	0	0	" Balance,.....	2,113	6	1	
		£	15,058	6	1									
							£	15,058	6	1				
	1867.	To balance,.....	£	s.	d.	1867.	By University Expenditure,.....	£	s.	d.				
	" Estimated Income,.....	13,917	3	9	" U. C. College, Bursar, &c.,.....		3,645	0	0	" Balance,.....	2,685	9	10	
		£	16,330	9	10									
							£	16,330	9	10				

No. 14.

Bursar of King's College Report on Rents and Interest.

EXTRACT from the Minutes of the Proceedings of the Council of KING'S COLLEGE, on 19th March, 1842.

" The Report of the Finance Committee rendered at the last meeting of the Council was taken into consideration, and, being approved, was adopted. It is nevertheless to be remarked that the Report and calculations thus adopted, are founded upon the principle that the whole Capital of the University of King's College is to be left untouched, and that whatever portion of it may be laid out on the buildings, shall be replaced. But if the Buildings be considered capital, as they may fairly be, since they save a large rent which must otherwise be paid for worse accommodation, then and in that case the allowance for the support of the University might even in one or two years be augmented much beyond the assumed limit without any detriment to the Institution, and thus render it in a shorter time more efficient, if the increasing number of Scholars should require it.

" The 2nd Minute of the Council of King's College, held on the 5th instant, requiring that the Bursar should report on the rents and interest due to the College, referred to by His Excellency the Chancellor, in his letter of the first instant, the Bursar begs to submit the following observations.

" From the extended and divided state of property in this country and the poverty of new settlers, it appears to be a practice in all Government Land Departments of the Province, to shew great indulgence in the collection of money; and the same system of management has prevailed in this Corporation, so that in a period of thirteen years, an accumulation of arrears, under these two heads, has taken place to the following amount—

" Rents,..... £15,377
" Interest,..... 10,931

" Probably some part of the arrears due for rents will never be recovered, the parties having abandoned their lands; but the arrears for interest may all be considered as safe, for those arise upon the purchase money of the College lands, and the purchasers will not lose the instalments they have paid and the improvements they have made on the lands, which would be the consequence of their not paying their interest.

" In regard to the collection of these arrears, a sudden demand for the whole of them would throw our purchasers and lessees into distress, by compelling them to sell their cattle and implements to comply therewith. It is therefore submitted that the collection of them should be made more gradually; they might be divided into six instalments, one to be paid down, and the others annually bearing interest, so as to extinguish the whole debt in five years. This would render the payments easy to the parties, who would be thankful for the lenity shewn them, and the Corporation would, with equal or greater certainty, attain their object; and as it is desirable to increase the sales of the College property, but many lessees are deterred from purchasing from knowing that they must pay up their arrears of rent before a purchase will be allowed, it might be advisable in such cases to enlarge the same principle of collection, and permit the arrears of rent to be added to the purchase money, and thus be paid with it in ten instalments,—this would offer an inducement to purchase, and the arrears would at once be invested at 6 per cent. interest. Upon these suggestions the lessee who made a purchase would extinguish his arrears in ten years; and he who did not purchase would do so in six years; but in both cases, the Corporation would derive the benefit of the arrears being placed immediately at interest.

" The Bursar is the more induced to press the adoption of these methods, from believing that the resources of the College property are ample for carrying out the University on a liberal scale, without having recourse to any measures which might unnecessarily embarrass the purchasers and lessees.

" His Excellency has not noticed the arrears of purchase money, and therefore it may be unnecessary to allude to them in any extensive way; they amount to £54,394, and yield an interest of six per cent upon as good a security as the College can have for its money.

" (Signed,

H. BOYS, *Bursar.*"

A true Copy,

H. BOYS, *Bursar, K. C.*

No. 15.

*Bursar of King's College Letter on certain Surplus Receipts.*KING'S COLLEGE OFFICE,
Toronto, 1843.

SIR,

In reply to your letter of the 14th instant, I beg to state that the surplus receipts alluded to, consisted of the excess of our receipts of every description taken together beyond our expenditure. In our accounts all monies paid in, whether from the sale of land, from rents, from interest or purchase money, or from any other source, are entered on the side of receipts, and on the other side are entered all payments under the head of disbursements; and when we have a surplus of receipts to any amount, it is invested in Government Debentures.

As it appears from the latter part of your letter, that the object of His Excellency is to ascertain whether we have been, or are now expending beyond our income and encroaching upon our capital, I beg leave to say that the annual expenditure in the management of the College Estate, together with the annual expenditure on the establishment of Upper Canada College, have ever been considerably within the income actually collected from rents and interests which constitute the true income. A large amount of income, that is, of rents and interest, is in arrears, but hitherto for the annual charges of the establishments, we have kept considerably within the income actually collected; and allow me to add that our income, properly so called, is also equal to provide a very liberal establishment for the intended University. This I have endeavoured more clearly to exhibit in document No. 11 of the Financial Return transmitted to Mr. Hopkirk for His Excellency's information, on the 20th May last.

Besides the annual expenditure of our establishment, we have erected the buildings of Upper Canada College, have purchased a site for the University, and have advanced a large sum to the Contractor for the new buildings of the University. These great outlays could not be wholly from our income, and our surplus, from whatever source derived, has been made to contribute towards them. But I submit that these are legitimate objects for the expenditure of Capital. Had we not erected the buildings, we must have hired others in their stead, and the land we have bought might be sold again with great advantage if we wished to part with it. It is therefore but a transfer of Capital in another form, and this is the only way in which we can be said to have encroached upon our Capital.

Our income at this moment is sufficient for the annual expenditure of the College, Upper Canada College, and the contemplated University. The expenditure upon the buildings must be made from the future sales of the estate, and from best calculations I can make, an outlay of from £30,000 to £40,000 will be paid off in six or seven years, —our present income remaining untouched.

(Signed,

H. BOYS.

J. M. Higginson, Esq.

A true Copy,

H. BOYS, *Bursar, K. C.*

Appendix
(Q. Q.)

No. 16.

Appendix
(Q. Q.)

23rd May.

Dr. STATEMENT of Receipts and Disbursements of King's College for the year 1841.

Cr. 23rd May.

	£	s.	d.		£	s.	d.
To balance from last year,.....	840	9	1	By labor on grounds,.....	250	17	1
" Instalments,.....	6,191	6	0	" Advances to Upper Canada College,.....	1,734	3	7
" Interest on Instalments,.....	3,055	7	1	" Investments,.....	8,130	10	0
" Rent,.....	2,140	3	11	" Interest on Investments,.....	137	10	7
" Debts repaid,.....	155	15	3	" Agency on do.	22	1	11
" Interest on debts repaid,.....	52	4	1	" Incidental expenses,.....	337	2	10½
" Interest on Investments,.....	1,765	3	11	" Salaries, Bursar's Office,.....	784	17	3
" So much returned by Upper Canada College,.....	114	4	10	" Extra services do.	593	2	6
" Pasturage on grounds,.....	72	8	11	" Instalments returned,.....	25	0	6
				" Interest on do.	3	0	0
				" Loans and Debts,.....	174	9	9
				" Rent returned,.....	1	15	0
				" Inspection of Lands,.....	392	18	3
				" Law Expenses,.....	102	17	11
				Balance to next year,.....	12,690	16	2½
					1,696	6	10½
£ 14,387	3	1		£ 14,387	3	1	

Explanation of above Balance.

Balance of cash in Bank of Upper Canada, on 31st December, 1841,.....	£1,076	14	10
Do. in Bursar's hands,.....	10	12	0½
	£1,696	6	10

A true Copy,

H. BOYS, Bursar, K. C.

Dr. STATEMENT of Receipts and Disbursements of King's College for the year 1842.

Cr.

	£	s.	d.		£	s.	d.
To Balance from last year,.....	1,696	6	10½	By advances to Upper Canada College,.....	2,158	5	6½
" Instalments, interest on,.....	2,334	5	7	" Labor on Grounds,.....	380	17	0
" Instalments,.....	6,137	16	6	" Investments,.....	8,146	2	3
" Rents,.....	1,415	8	2	" Interest on Investments,.....	41	14	9
" Interest on Investments,.....	2,543	13	9	" Agency on do.	6	1	10
" Debts repaid,.....	3,948	10	0	" Incidental, Bursar's Office,.....	215	10	2½
" Grounds over-charge,.....	0	0	8	" Salaries do. do.	805	16	11
" Amount borrowed from Bank of U. C.,.....	4,200	0	0	" Extra services, do.	346	17	6
				" Inspection of Lands,.....	166	0	6
				" Law Expenses,.....	186	8	2
				" University Expenses,.....	1,467	8	2
				" Buildings,.....	4,605	0	0
				" Salaries,.....	246	2	0
				" Repairs,.....	100	16	10
				" Library,.....	63	4	0
				" Incidental,.....	2,268	9	11½
				" Museum,.....	86	10	3
				" Insurances,.....	4	2	6
				Balance to next year,.....	21,295	8	4½
					980	13	2
£ 22,276	1	6½		£ 22,276	1	6½	

Explanation of the above Balance.

Cash Balance in the Bank of Upper Canada,.....	£930	3	11
Do. in the Bursar's hands,.....	50	9	3
	£980	13	2

A true Copy,

H. BOYS, Bursar, K. C.

Appendix
(Q. Q.)

Dr. STATEMENT of Receipts and Disbursements of King's College for the year 1843.

Cr. Appendix
(Q. Q.)

23rd May.

	£	s.	d.		£	s.	d.
To balance from last year,.....	980	13	2	By so much advanced to U. C. College,.....	2,154	3	0½
" Interest on Investments,.....	1,768	1	2	" Investments,.....	2,988	7	9
" Investments transferred,.....	10,500	0	0	" Interest on Investment,.....	0	4	10
" Loan from Bank of Upper Canada,.....	6,500	0	0	" Agency on do.	16	8	6
" Instalments,.....	6,834	0	0	" Loans and Debts,.....	14,700	0	0
" Interest on Instalments,.....	2,904	12	0	" Interest on do.	163	4	7
" Debts repaid,.....	1,633	16	1	" University Buildings,.....	5,248	3	6
" Rents,.....	1,183	13	6	" Do. Salaries,.....	2,355	15	8
" Interest on Debts repaid,.....	458	19	8	" Do. Incidental,.....	995	1	7
" University Fees,.....	513	5	0	" Do. Library,.....	739	13	6
" Interest on Notes of hand,.....	39	18	5	" Do. Labor on Grounds,.....	358	0	11½
" Pasturage on Grounds,.....	69	11	2	" Do. Repairs of Buildings,.....	407	16	6
				" Do. Insurances,.....	138	5	0
				" Do. Steward's Department,.....	448	1	6½
				" Do. Mathematical do.	859	18	8½
				" Do. Chemical do.	81	17	7
				" Do. Curator and Demonstrator do.	181	17	6½
				" Do. Theological do.	11	5	3
				" Do. Medical do.	28	14	4
				" Do. General Museum,.....	60	2	10½
				" Do. Inspection of Lands,.....	0	10	0
				" Do. Law Expenses,.....	9	1	0
				" Bursar's Office' Salaries,.....	761	16	3
				" Do. do. extra services,.....	269	10	0
				" Do. do. incidental,.....	99	3	9½
					33,077	4	3½
				Balance to next year,.....	299	5	10½
	£ 33,376	10	2		£ 33,376	10	2

23rd May.

Explanation of the above Balance.

Cash Balance in the Bank of Upper Canada,.....	£255	3	4
Do. in the Bursar's hands,.....	44	2	7½
	£299	5	11½
By Error,.....	0	0	1
	£299	5	10½

A true Copy,

H. BOYS, *Bursar, K. C.*

Dr. STATEMENT of Receipts and Disbursements of King's College for the year 1844.

Cr.

	£	s.	d.		£	s.	d.
To Balance from last year,.....	299	5	10½	By Salaries,.....	6,438	18	3½
" Account returned by Upper Canada College...	3,605	10	10½	" Investments,.....	1,699	18	7
" Instalments collected,.....	5,754	15	2	" Purchase, of interest accrued thereon,.....	17	9	2
" Interest on Instalments collected,.....	2,897	10	5	" Buildings,.....	1,524	13	9
" Rents collected,.....	1,335	10	6	" Repairs,.....	404	3	0½
" Pasturage on Grounds,.....	80	0	10½	" Theological Department,.....	17	18	9
" Interest on Notes collected,.....	99	17	2	" Mathematical Do.	41	2	6½
" Investments returned,.....	2,462	4	9	" Chemical Do.	526	6	10½
" Interest on Investments,.....	2,241	16	0	" Medical Do.	951	3	10
" Advances for outfit returned,.....	4,749	17	10	" Curator's Department and Museum, and			
" University Fees and Detriments collected,.....	736	8	2	General Museum,.....	37	12	4
" Deposits,.....	64	13	9	" Stewards Department,.....	452	7	10
				" Library,.....	1,198	15	8
				" Law Expenses,.....	400	18	5
				" Agency on Investments,.....	4	15	0
				" Incidental,.....	977	6	6½
				" Inspection of Lands,.....	27	10	0
				" Labor on the Grounds,.....	328	9	0
				" Insurances,.....	31	7	11
				" Bursar's Office,.....	954	0	0
				" Deposit returned,.....	50	0	0
				" Loans repaid, withdrawn, it belonging to			
				U. C. C.,.....	528	2	5
				" Instalments withdrawn, being investments			
				not included in the charge per contra of			
				£1457,.....	852	0	0
					20,462	19	11½
				Balance to next year,.....	864	1	5
	£ 21,327	1	4½		£ 21,327	1	4½

Explanation of the Balance.

Cash Balance in the Bank of U. C.,.....	£725	1	9
Do. Bursar's hands,.....	138	19	8
	£864	1	5

A true Copy,

H. BOYS,
Bursar K. C.

Appendix
(Q. Q.)

No. 17.

Appendix
(Q. Q.)

23rd May.

STATEMENT of the Receipts and Disbursements of Upper Canada College, for the year 1841.

23rd May.

Dr.				Cr.			
	£	s.	d.		£	s.	d.
To Dues from Mr. Duffy,.....	1,743	0	11	By Incidental,.....	282	5	10
" Interest on Instalments,.....	538	11	8	" Boarding House, advances for.....	1,065	0	0
" Instalments,.....	671	7	9	" Insurances,.....	72	0	0
" Royal Grant,.....	677	6	3	" Books and Stationary,.....	489	18	9
" Debts repaid,.....	40	0	0	" Salaries,.....	3,126	1	3
" Interests on debts repaid,.....	20	0	0	" Law Expenses,.....	110	1	11
" Rents,.....	11	3	0	" Loans and Debts,.....	93	17	4
" Borrowed from King's College,.....	1,734	3	7	" Agency,.....	4	16	5
" Insurances,.....	18	2	2	" So much returned to King's College,.....	114	4	10
				" Grounds, labor on.....	43	19	0
				" Buildings,.....	50	0	0
				" Interest returned,.....	1	10	0
	£ 5,453	15	4		£ 5,453	15	4

A True Copy.

H. BOYS, *Bursar, K. C.*

STATEMENT of the Receipts and Disbursements of Upper Canada College, during the year 1842.

Dr.				Cr.			
	£	s.	d.		£	s.	d.
To Dues from Mr. Duffy,.....	1,863	14	10	By Incidental,.....	692	12	6
" Interest on Instalments,.....	527	11	3½	" Boarding House, advances for.....	1,156	10	0
" Instalments,.....	665	16	2	" Insurances,.....	67	17	6
" Debts repaid,.....	10	0	0	" Salaries,.....	3,046	1	4
" Interest on debts repaid,.....	5	0	0	" Books and Stationary,.....	159	14	6
" Rent,.....	58	16	0	" Law Expenses,.....	59	16	5
" Royal Grant,.....	989	7	0	" Buildings,.....	470	19	0
" Amount borrowed from King's College,.....	2,158	5	6½	" Grounds, labor on.....	35	6	1
				" Exhibitions,.....	34	0	0
				" Advances on account of Dues,.....	492	10	0
				" College Prizes,.....	64	3	6
	£ 6,278	10	10		£ 6,278	10	10

A True Copy.

H. BOYS, *Bursar, K. C.*

STATEMENT of Receipts and Disbursements of Upper Canada College, during the four quarters of the year 1843.

Dr.				Cr.			
	£	s.	d.		£	s.	d.
To Instalments,.....	822	9	0	By Advances on account of Dues,.....	1,660	2	6
" Interest on Instalments,.....	672	1	3	" Salaries,.....	2,908	11	9
" Dues collected by Collector,.....	2,451	11	9½	" Repairs of Buildings,.....	541	19	4
" Rent,.....	22	10	6	" Incidental,.....	682	1	10
" Interest on Notes of hand,.....	5	3	2	" Insurances,.....	26	12	6
" Amount borrowed from King's College,.....	2,154	3	0½	" Exhibitions,.....	46	10	0
				" Prizes,.....	71	9	0
				" Labor on Grounds,.....	23	8	1
				" Books and Stationary,.....	158	4	6
				" Law Expenses,.....	8	19	3
	£ 6,127	18	9		£ 6,127	18	9

A True Copy.

H. BOYS, *Bursar, K. C.*

STATEMENT of Receipts and Disbursements of Upper Canada College, for the year 1844.

Dr.				Cr.			
	£	s.	d.		£	s.	d.
To Royal Grant,	2,222	4	5	By Salaries,	2,100	15	8
" Instalments collected,	743	9	5	" Exhibitions,	58	0	0
" Interest on Instalments,	601	4	8	" Stationary, Prizes, &c.	79	1	4
" Do. Notes of hand,	56	17	8	" Insurances,	103	19	5
" Rents collected,	50	16	2	" Advances on account of Dues,	1,354	15	0
" Dues collected,	3,437	12	2	" Repairs and other Incidentals,	403	13	4½
" Loans and debts repaid,	597	2	5	" Grounds, labor on,	3	11	3
				" Repaid to King's College,	3,605	10	10½
	£ 7,709	6	11		£ 7,709	6	11

A True Copy.

H. BOYS, *Bursar*, K. C.

No. 18.

Letter from Private Secretary to the President of King's College Council.

GOVERNMENT HOUSE,

Montreal, 4th March, 1846.

MR LORD.

I am commanded by His Excellency the Administrator of the Government to inform you that His Excellency, in his capacity as Chancellor of the University, had under his consideration the Memorial submitted to the late Governor General by Dr. Gwynne, with the Report of the Committee of the College Council thereupon.

It appears that Lord Metcalfe thought it right to obtain the best legal advice to which it was in his power to refer, on the important questions which have been raised, as to the alienation of the real estate forming the Endowment of King's College, and to the mode of expending the funds of the University.

The opinions given have been also under the consideration of His Excellency.

His Excellency is advised that it is competent to the College Council to sell or alienate the lands which form the Endowment, in order to raise funds for carrying on the proper business of the Institution.

His Excellency is further advised that it does not necessarily follow, that because the Charter authorizes certain things to be done by Statute, Rule or Ordinance, that they may not also be done by vote or resolution of the College Council; though whatever the Charter *requires* to be done by Statute, &c., cannot be done by mere vote of the Council.

And further, that a Statute ought to be passed for any permanent or stated appropriations of money in the shape of salaries to Professors or others, and that any other payment of contingent account, whether for the Library or other incidental purpose, or for the ordinary current expenses of the Institution, should be made under the authority of some Statute, Rule or Ordinance, either specifying the particular service or expenditure, or directing prospectively how such charges may be incurred or defrayed as the occasion arises, and providing for the subsequent passing of the accounts.

In the absence of such Statutes, it is however conceived that many necessary disbursements in the ordinary conduct of the affairs may be made by mere resolution or order, and without a formal Statute. The necessity of such Statute in strictness of law not, as His Excellency is advised, making whatever has been done otherwise, illegal.

But for the satisfactory discharge of the duties of the College Council, the manner in which the revenues and property of the University should be managed, and the appropriation and use to be made thereof, should as far as possible be provided for by Statute.

I am directed by His Excellency to express his concurrence in the foregoing opinions, and his wish that this may be made known to the College Council.

His Excellency further directs me to state, that although the duty devolves upon the Chancellor to propose in the manner pointed out by the Charter, Statutes, Rules and Ordinances for the consideration of the Council, the duty of examining and determining whether the proceedings of King's College, or of the Council as its governing body, are within the limits of the Charter, or are an excess or abuse of the powers thereby given,—appears to devolve upon the Visitors, and not upon the Chancellor, who is himself an *ex-officio* Member of the College Council.

In cases therefore where any such excess or abuse is supposed to exist, or where any Member or Officer of the Institution has a complaint to prefer, resort would be properly had in the first instance to the Visitors appointed by law, to interfere and exercise the powers of supervision confided to them.

The opinion already expressed respecting the subjects which should be regulated by Statute, renders it in the opinion of His Excellency unnecessary, on the present occasion, to state his views on the suggestions for the sale and management of the Estate, or the keeping the accounts and regulating the expenditure of King's College, contained in the Report of the Committee, which has been under his consideration.

I have the honor to be, My Lord,

Your Lordship's most obedient humble servant,

(Signed,)

J. M. HIGGINSON.

The Lord Bishop of Toronto,
President of the University of King's College, &c. &c.

A true Copy,
H. Boys,
Registrar.

Montreal:

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ST. NICHOLAS STREET.

R E P O R T

OF THE

SELECT COMMITTEE APPOINTED TO ENQUIRE INTO THE EXPENSES ATTENDING THE COMMUTATION OF TENURES.

Your Committee have entered upon the matter referred to them, in respect to the Commutation under the Imperial Statute, 3 Geo. 4, Chap. 119, of the Tenure of Land held *à titre de cens* or *en roture*, of the Crown in Lower Canada, and have now the honor to REPORT :—

Your Committee have examined divers persons who have been concerned in the Commutation of the Tenure of Land in Lower Canada, as provided for by the Act above referred to, including the Honorable Mr. Primrose, Clerk of the Land Roll or *Papier Terrier*, of the Royal Domain in Lower Canada, and the Honorable Mr. Attorney General Smith, who all agree that the great and unnecessary expenses and delay incurred under the present process of commuting Lands held *en roture* into the tenure of free and common soccage, as contemplated by the aforesaid Act of the Imperial Parliament, are an obstacle to the Commutation, which by that Act it was intended to promote; and Your Committee are satisfied that it consequently has not had the beneficial effects contemplated by the liberal and beneficent views of the Home Government towards the Colony.

This is clearly exemplified in a Return of Commutations of Tenure of Lands held *en roture*, under the said Imperial Act, laid before the Committee by Mr. Primrose, whereby it appears that the whole number of those who have commuted, since the passing of the Act, (1822,) lands so held, does not exceed, to the present time, fifty. The delay, trouble and expense, which persons desirous of commuting are liable to undergo in effecting it, appear to Your Committee to amount in fact to a prohibition; and such as to render an acquiescence in the inconvenience and burdens incidental to the Seigniorial or Feudal Tenure, as it exists in Lower Canada, preferable to the exertion and pains indispensable to procure a disenfranchisement from it.

Your Committee append to their present Report, the information they have obtained by their inquiries. The expenses of the Commutation, without including the Commutation Money or fine paid the Crown, may be stated as follows, according to Mr. Primrose, whose statement accords, or nearly so, with that of others :—

	£	s.	d.
To the Attorney General, for his First Report,	5	16	8
To the Inspector General of the Queen's Domain, First Report,.....	1	3	4
To the Council Office, for Order, about.....	0	12	6
To the Prothonotary's Office, for Surrender, about.....	0	12	6
For valuation,.....	2	6	8
For plan and description, about.....	2	6	8
Fees on patent, including Attorney General's draught,.....	7	0	0
	£19	18	4
To which must be added, charges for drawing Petition, for drawing Surrender, and Agency, which could not, as Mr. Primrose considers, be put at less than.....	5	16	8
	£25	15	0

making in all Twenty-five pounds fifteen shillings, and perhaps upwards, of fees; and which, it is to be observed, are not imposed by the Act authorizing Commutation, nor by any Law, but by, as it would seem, an Order in Council, to compensate, by way of *quantum meruit*, the officers whose action in the process of Commutation, it also would appear, has heretofore been deemed necessary, but which, to facilitate the process, it is desirable should be dispensed with. The expense of itself, particularly on a lot of small value (£200 for instance,) is a material objection to the commutation of it, but the delay is a still greater. These ought, in the opinion of Your Committee, to be obviated; and it has accordingly been the study of your Committee to ascertain some mode of commuting that will supersede them, in order that the working of the Imperial Act, which it is desirable to facilitate, may correspond with the liberal and beneficent views of the Legislature, and that such of Her Majesty's Subjects in Lower Canada as choose to avail themselves of it, may, without the vexatious delays and expenses complained of, obtain the benefits thereof. The suggestions of Mr. Primrose in this respect are entitled to consideration. In answer to the question No. 56, "Are you of opinion that the process could be simplified so as to render it at once more expeditious and less expensive than at present?" he gave the following answer:—"I am of opinion that the process might be simplified so as to render it both more expeditious and less expensive. It has occurred to me that the Commutation of Tenure might be effected by means of an *Acte* passed between the *Censitaire* and the Crown, through the medium of the Office of the Clerk of the Land Roll or *Papier Terrier* of the Queen's Domain, in the form of a declaration made by the *Censitaire*, of the property held by him and the Titles under which he had acquired it—of his desire to have the Tenure thereof commuted—of the terms under which the same had been complied with and carried into execution. To this *Acte* I would make the Governor of the Province for the time being, a party, as representing the Crown, and it should contain a clause of re-union to the Domain, and a re-grant to the party under the new Tenure, either of free and common soccage or *franc alleu roturier*, as might be desired by the applicant. I consider that under proper regulations, this course would save much time and expense, and that all that would be required would be a Legislative enactment to attach authenticity as matter of record, to an *Acte* thus passed, with, probably, the additional security of requiring the registration of an authentic copy of the same in the Registry Office of the place where the property might be situated. In carrying out the details of such a system it might probably be proper that the original application for Commutation being addressed to the Governor General, should be referred with the Ti-

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“ tles to the Attorney General and my Office, as here-
 “ tofore, to prevent surprise and ascertain the real
 “ rights of the applicant,—and, also, a valuation would
 “ be required if it could not be agreed upon ; but I see
 “ no reason for the delay and expense of a plan and des-
 “ cription, other than the Titles would afford, and the
 “ fees for patent, surrender, and agency, might be nearly
 “ wholly done away, with the exception of a mode-
 “ rate charge to be allowed to the officer for making
 “ the record of the proposed declaration, which decla-
 “ rations should be recorded in a Register appropriated
 “ to that specific purpose.”

And in a subsequent answer he says, in referring to
 the above, “ I should state that the plan I have pro-
 posed in my answer to question No. 56, was sug-
 gested to my mind, by having observed in the old
 Records of my office, that the Intendant in some in-
 stances had exercised such a power in a somewhat
 similar form; the practice being for the declaration to
 the *Papier Terrier* to be made to that Officer, who
 signed them with the *Censitaire*.”

As a contrast to the process of commutation hitherto
 practised with respect to Lands held of the Crown
en roture, in which the action of several functionaries
 is put in requisition, including the Attorney General,
 the Inspector General of the Queen's Domain or Clerk of
 the Land Roll, a Surveyor of the Crown Land Depart-
 ment for a plan with description of the land to be commu-
 tated, the Executive Council or Clerk thereof, the Protho-
 notary of the Court of Queen's Bench, two *Experts* for
 valuation, and the Provincial Secretary, with heavy fees to
 each, not short in all of £20, of itself, more than enough
 to discourage even wealthy applicants, besides agency
 for drawing petition, surrender and so forth, estimated at
 not less than five to six pounds more, and the long de-
 lays which so many references necessarily cause, Your
 Committee would respectfully point to that adopted by
 the Seminary at Montreal, under the Ordinance 3rd
 Victoria, chapter 30:—a process as explained by the
 Reverend Messire Comte, the Procurator of the Semi-
 nary, in his examination before Your Committee, so
 extremely simple and summary as frequently to be the
 work of but an hour or two, and ordinarily not more
 than two or three days, and seldom costing the *Censi-
 taire* over 7s. 6d. or 10s., the Seminary itself defray-
 ing half the expense.

Mr. Comte states that “ the Seminary, desirous of
 effecting as promptly as possible, the change of Ten-
 ure, has endeavoured to avoid difficulty and delays,
 and to lighten the indispenable costs of commuta-
 tion, &c., by defraying itself the heaviest portion of
 them.”

He gives the following explanation of the Process :
 “ The Procurator of the Seminary, to whom the *Censi-
 taire*s are to make application, has full power to com-
 mute for all lands or real property within its *Censive*,
 in conformity to the Ordinance 3 Victoria, chapter 30,
 and on the most moderate terms according to the
 circumstances. He is not bound to refer for advice
 to the Council of the Seminary, but in extraordinary
 and exceptional cases, and which are of rare occur-
 rence.

“ When a *Censitaire* (or owner) presents him-
 self, his title is called for. If it is a property the
 value whereof is well known, the business is
 done at the moment; nothing more is necessary than
 drawing up the *Acte*, (Deed) the work of an hour.
 If there are arrears to but a small amount, immediate
 payment is expected. If they are considerable, the
 amount is adjusted, and a reasonable delay granted,
 the *Censitaire* paying legal interest, and sometimes
 without interest if the delay is short.

“ If the value of the property is not well known,
 the Seminary takes a day or two to inform itself.
 In the interval some person in whom it confides, is
 sent to visit the property and buildings. Informa-
 tion is taken of their value, either from the neigh-
 bours or from persons versed (*Experts*) in these
 matters. Then a price is proposed to the *Censitaire*.
 If he agree, the whole is terminated as above stated.

“ When the property has been sold, the Seminary
 takes for the basis of its price (or Commutation Fine)
 the amount of sale, unless, owing to particular cir-
 cumstances, this amount is under or above the true
 value. In that case the true value is determined as
 above. In these cases it only costs the *Censitaire*
 half the price of the title, that is 7s. 6d. to 10s.

“ If the Commutation Fine exceeds £100, the *Cen-
 sitaire* may hold it *à rente constituée* on security
 of the property commuted, or may make it payable
 at a term of five, six to ten years, paying the legal
 interest. If it be under £100, it is usual to exact
 immediate payment. To facilitate, however, the *Cen-
 sitaires*, a term of four to five years is readily grant-
 ed for the payment of Commutations from £50 to
 £100.

“ But if the Commutation is not paid down, the
Censitaire, besides the title, pays the expense of
 enregistration. The procedure above mentioned
 does not necessarily take more than two or three
 days.

“ If property of a very large extent or considerable
 value is in question, or if there be a difference of
 opinion with the *Censitaire* concerning it, the Se-
 minary names an Arbitrator and the *Censitaire*
 another, who are authorized to name a third, and
 their valuation is submitted to. The *Censitaire*
 pays in such cases half the amount of arbitration,
 which has not, to my knowledge, exceeded £2 to
 £3, so that the highest expenses of Commutation, and
 in the most difficult cases, have never exceeded £5,
 nor have the longest proceedings incidental to any
 such, ever required more than from ten to fifteen
 days.

“ The Seminary ordinarily adopts the designation of
 the property to be commuted, as given in the *Cen-
 sitaires* Title Deeds. If, however, these are not
 clear, or if the lots are of a very irregular figure, a
 small figurative plan, costing only a few dollars, is
 annexed to the *Acte* of Commutation.

“ It has not hitherto been necessary to have recourse
 to the legal proceedings indicated by the Ordinance
 3 Victoria, cap. 30.

“ The Seminary, by a little patience and indulgence,
 has always succeeded in effecting amicable arrange-
 ments with its *Censitaires*. In this manner, 943
 Commutations have been made to the present time,
 comprising 1500 lots of land and emplacements, in
 the City and environs of Montreal. In the distant
 country parts there have been very few.

“ I have endeavoured to cast into the form of Con-
 tract, near about, the different ways in which an ar-
 rangement can be made. It is well understood that
 this Commutation changes in no respect the rights
 of others, nor the other credits or obligations which
 the Seigneur may have upon the land commuted, and
 that he preserves for his arrears and Commutation
 the same rights and privileges he had for the reco-
 very of his Seigniorial Rights, without novation or
 derogation.”

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A more simple and satisfactory process could not be desired, and Your Committee see no reason why the mode of Commutation adopted by the Seminary at Montreal with respect to land and real property within its *Censive*, should not also be adopted with respect to land and real property *en roture*, within the *Censive* of the Crown.

Upon the whole Your Committee, being of opinion that the Imperial Act above quoted, passed in a spirit of benevolence towards Lower Canada, never can produce the beneficial results intended, while the impediments of expense and delay in the process of Commutation complained of, remain in the way, and that the Act, until they are effectually removed, will remain comparatively a dead letter, beg leave respectfully to

suggest the expedience of adopting the system of Commutation followed by the Montreal Seminary, which, while altering the Tenure, leaves untouched all other liabilities than those of a Feodal or Seigniorial character, to which the land or real property may have been subjected previous to Commutation, nothing but the Tenure being altered or disturbed,—and recommend the introduction of a Bill accordingly.

The whole respectfully submitted.

ROBT. CHRISTIE,
Chairman.

26th May, 1846.

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MINUTES OF EVIDENCE.

ROBERT CHRISTIE, Esquire, in the Chair.

Wednesday, 1st April, 1846.

Henry Weston, Esquire, called in; and examined:—

1. You are Deputy Registrar of the County of Montreal?—I am.

2. You filled till lately, the same situation at Quebec?—I did.

3. How many years have you been in Canada, and where have you resided?—I have been in Canada since 1834, and have resided principally at Quebec.

4. Have you had occasion to know any thing of the working of the Act of the Imperial Legislature 3 Geo. 4, chap. 119, with respect to the Commutation of Tenures in Lower Canada?—I have.

5. How?—Whilst Chief Clerk in the Crown Lands Department, several Commutations took place under my immediate observation.

6. Is the process of Commutation, in your opinion, as easy, unexpensive and expeditious as is desirable, or as might consistently, with a due regard to all the interests concerned, be fixed?—Certainly not.

7. Will you favor the Committee with your views on the subject, pointing out the simplest, shortest, least expensive and best mode of effecting a Commutation under the Act in question?—There does not appear in the said Act, to be any serious obstacles to the surrendering of property into the hands of Her Majesty for the purpose of being re-granted by means of a simple Notarial deed, instead of doing so in open Court attended with complicated legal proceedings, and I respectfully submit that the re-grant in free and common soccage might also be made by a Notarial Act, or some equally simple Instrument, to which the Governor of the Province would become a party on behalf of Her Majesty.

8. What, in your opinion, may it be necessary to do in the way of legislation to facilitate the operation of the Act?—If the view which I have taken on the subject, be a correct one, I do not think that any further legislation is required in the matter, but I feel great hesitation in hazarding an opinion on a point which occupies the attention of others more competent to advise in this particular.

9. What would the Commutation of a lot of ground of the value of £500, held à titre de cens of the Crown,

cost the purchaser; say, for example, within the limits of the City of Quebec?—As follows:—

Commutation Fine, 10 per cent on property, value £500,.....	£50	0	0
Attorney General for Report,.....	5	16	8
Inspector General do.	1	3	4
Surrender (in Court,).....	2	6	8
Prothonotary,.....	0	10	0
Inspector General for valuation,.....	2	6	8
Letters Patent,.....	7	0	0
Surveyor General £5, but said to be now reduced to.....	2	6	8
	<u>£71</u>	<u>10</u>	<u>0</u>

10. What might the Commutation of a lot of land of the same tenure, without the limits of the City of Quebec, cost the proprietor?—The Commutation Fine would be five per cent on the value of the property, with the same burdensome fees of office.

11. How is the land to be commuted valued, and by whom?—By the Inspector General of the Queen's Domain.

12. Is the valuation left to him solely?—The parties may employ an *Expert* to act with him, and in case of difference of opinion they are to agree upon an umpire.

13. Is this in virtue of the law, or by an Order in Council?—I believe by an Order in Council.

14. By the statement above given, the Inspector General of the Queen's Domain gets a fee of £1 3s. 4d. and a further one of £2 6s. 8d. "for valuation;" is this all he gets for his services on a Commutation of Land *en roture*?—Yes.

15. Does he act in such case as Counsel for the party applying for a Commutation?—I believe that he does so.

16. Then he acts in the same case for both parties,—the Crown whose officer he is,—and the subject applying for Commutation?—Yes, as *Expert* for the Crown, and attorney for the parties.

17. Are the fees of the Commutation of a Fief or Seignior greater than those you have mentioned?—I believe not.

18. The fees paid by the party applying for a Commutation to his agent or attorney; whether such agent or attorney is the Inspector General or another, are over and above those you have mentioned?—Yes.

19. What may be the expenses of agency in such cases?—I cannot say; it is a matter that rests between the party and his agent.

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20. Are you aware that any persons have refrained from commuting, owing to the expenses that are to be incurred?—Yes, I have known several persons who have not commuted on account of the fees. On small properties the expenses cannot be borne, being equal to the fine for commuting.

21. The expenses then are, as you believe, an obstacle?—Yes, the principal one.

22. You are of opinion, consequently, that if they were altogether removed or mitigated, Commutations would be more frequent?—Yes, few would build on, or improve property, unless they had commuted.

Monday, 6th April, 1846.

John Monk, Esquire, Advocate, called in; and examined:—

23. Are you employed in any, and what public situation in Montreal?—I am Clerk in the Attorney General's office, and paid by the public.

24. Have you any opportunity in the situation you hold, of knowing the process through which applications for Commutation of the Feudal Tenure under the Imperial Act 3rd George IV chap. 119, usually pass, and the expenses to be incurred?—I have.

25. State the process and the usual expenses?—First of all, the party presents a petition to the Governor, praying a release from feudal burdens, and a re-grant in free and common socage, of the property he is desirous of commuting. Upon the receipt of this petition, if in any of Her Majesty's *Censives* other than the Jesuits' Estates, it is referred to the Attorney General, to report upon the petitioner's titles, and to the Inspector General, to report upon the amount of arrears. Should the report of the Attorney General be favorable, the petitioner surrenders the lot to Her Majesty, which surrender must be recorded in the Court of Queen's Bench; then the petitioner pays up all the arrears. The petition is referred to the Surveyor General, to prepare a description of the lot. This done, it is referred to the Attorney General, for the preparation of the Patent. The draught on paper is prepared by the Attorney General—two copies on parchment, one for the Secretary, to which the Great Seal is attached, one for enrolment, to which the Great Seal is also attached. It is afterwards enregistered, and a copy on paper is then prepared for the party applying. Before the preparation of the draught, the petitioner must file a receipt from the Receiver General for the amount of the Commutation Fine. For land situated in the Jesuits' Estates, reference is made to the Commissioners of the Jesuits' Estates, the petition being in the first instance made to the Governor. The above is the process. Now for the expenses:—On the Report upon the Titles, the Attorney General receives a fee of £5 16s 8d. The Secretary, for the two parchment copies, one of which remains in his Office, and the other is registered, £7; and the party pays for his copy at the rate of 6d. per hundred words, which generally average about 3000 words.

26.—These fees are all paid by the petitioner?—Yes.

27.—By what Law are these fees regulated, or are they fixed by the Executive, or the pleasure of the party receiving them?—I am unable to state whether these fees are fixed by Order in Council or otherwise. On my entrance into office, some thirteen years since, I found them established. I am not aware of any law regulating those fees.

28.—Have they, to your knowledge, at any time since your entry into that office, been discontinued, when, for what reason, and by whom?—They have been exacted from that period up to the present time, with the exception of about thirteen months, during which they

were discontinued. Mr. Lafontaine, about two months after assuming office, having desired me to discontinue receiving them and all other fees whatever. It continued so while Mr. Lafontaine remained in office.

29.—Can you, by supposing a case, give the Committee a synopsis of the expenses of commuting a lot of land held *à titre de cens*, say of the value of £500, and another of a Fief or Seigniori of the value of £5000?—

Commutation Fine, 10 per cent, property valued £500.....	£50 0 0
Attorney General.....	5 16 8
Letters Patent, &c.....	7 0 0
Copy to a party applying, 6d per 100 words,	0 15 0
Expenses of Surrender and Enregistration in Prothonotary's Office, say.....	3 10 0
	£67 1 8

For Seigniories—the expense of advertising the property to be commuted must be added to the Commutation Fine, 5 per cent, and the expenses above mentioned.

30. The fee, it seems, for Letters Patent is £7,—to whom is it paid?—To the Provincial Secretary.

31. Does it belong to him, or go into the Treasury?—Three pounds go to the Treasury, and four pounds to the Attorney General; the Provincial Secretary gets no part of it.

32. This four pounds goes to the Attorney General then, over and above his fee of five guineas upon the reference?—Yes, the five guineas are for the Report upon the Title, the four pounds for the preparation of the Patent.

33. Do you think the process could not be so simplified as to avoid a great portion of the expenses?—I think it might; there are two copies made of the Patent which could be dispensed with, by giving the parties applying the original Patent after registration,—this might reduce the fee in part; and much will depend upon a plan of the property being sent with the application, and the Agent for the petitioner understanding the course to be pursued in effecting the Commutation.

34. Has the Inspector General of the Queen's Domain any fee or fees on Commutation, and what are they, and by whom paid?—I believe he has a fee of £2 6s 8d. fixed by the Crown Lands Office, for establishing the value of the property to be commuted, in order to ascertain the Fine; the said fee is paid by the applicant for Commutation.

35. You say they are fixed by the Crown Lands Office; has it any power by law to fix such fees?—I say from the Crown Lands Office, but I take it to be in virtue of an Order in Council.

36. Is not the Commutation Fine paid upon property in town different from that in the country?—It is ten per cent, and five per cent in the country.

37. Why is the difference made?—I cannot understand it.

38. Have you any knowledge that persons are deterred from commuting with the Crown owing to the expense and delay incurred in Commutations?—Yes, particularly on account of the delay.

Mr. Monk subsequently furnished the following Memorandum:—

1. The propriety of the reduction of the Commutation Fine to five per cent for the City, as in the County of Quebec, is a question for the consideration of the Committee.

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2. It would in many cases obviate a delay of two months, were the Prothonotaries allowed to enregister Deeds of Surrender in vacation, instead of compelling parties desirous of commuting, to file their Deeds of Surrender in open Court, during the Supreme Terms.

3. The propriety of reducing the *lods et ventes* on the last mutation of a lot in the ownership, held *en censive* of Her Majesty, and of the *droit de quint* on the last mutation in ownership of a Seigniory, provided the purchaser demands a Commutation of Tenure within one calendar month from the date of the sale, is another question which I respectfully consider deserving of the attention of the Committee.

Were instructions given to the Inspector General, to report upon the arrears previous to, or at the time of the Petition being sent to the Governor,—and these instructions might be publicly notified,—and were the party applying to forward a Surveyor's Plan, with his application, much delay might be avoided. For instance, take an ordinary case:—

Petition, Plan, Surrender,.....	1 day.
Inspector's General's Report on arrears,.....	1 "
Attorney General's Report on Titles,.....	1 "
Surveyor General description, Inspector General's valuation,.....	1 "
Attorney's General's Draught of Patent,.....	1 "
Engrossing,.....	1 "
Enregistration,.....	1 "
Loss of time in transmission of papers, say,.....	7 "

14 days.

Tuesday, 7th April, 1846.

Joseph Bouchette, Esquire, called in ; and examined :—

39. Are you employed in the Crown Land Department, and in what capacity?—I am, as Senior Surveyor and Draughtsman.

40. Have you a knowledge of the routine usually pursued when individuals wishing to commute under the Imperial Statute 3rd George IV. cap. 119: make application for the purpose?—I have a general knowledge of it.

41. Is there any reference to you on such occasions, and for what purpose ; explain and specify if any and what expenses are incidental to such reference?—The reference to me is to prepare a description for insertion in the Letters Patent, of the dimensions of the tract or lot of ground to be commuted, —the only expenses are those incidental to an actual survey of the same, where the description in the Deed of Surrender is insufficient, when an actual survey is then called for by the Petitioner under the hand of a sworn Land Surveyor, whose *Procès verbal* or report accompanied with a plan, is filed in the Crown Lands' Office, and a description predicated thereupon. The expenses of survey are paid to the Surveyor by the Petitioner. I cannot say what the expenses amount to, as they vary according to the size of the tract of land to be surveyed. If the parties applying to commute would in every case annex to their petition a description and plan of a sworn Surveyor, great cause of delay would be obviated thereby.

42. Have you any knowledge of the other ordinary expenses attendant upon Commutations?—No.

43. Is not the delay in effecting Commutations frequently a subject of complaint with those commuting?—It is.

44. Can you explain the causes of such delay and suggest any mode of obviating it?—The causes of delay arise generally from the forms to be gone through in

effecting the valuation of the property before commuting, and also in the forms necessary to effect a Deed of Surrender, which proceedings, in each stage, have to be submitted to the Council for further action in the several Departments. I cannot now suggest any mode by which the delay could be obviated. It frequently happens that much delay is caused by the parties applying, not understanding the forms to be gone through to effect the Commutation.

Monday, 27th April, 1846.

Bartholomew C. A. Gigny, Esquire, called in ; and examined :—

45. Have you ever had occasion to commute any Land *en roture* of the Crown in Lower Canada; when, where, and the value of such lands?—I have had occasion to commute four lots held *en roture* of the Crown in Quebec, sometime, if I remember right, (for I have not here any memorandum) from 1827 to 1831, of the value of about £2,500; exclusive of the building.

46. Did you find such Commutation expensive, and will you state in detail the expenses?—I did find the Commutation enormously expensive, as also circuitous, tedious, troublesome and vexatious. I cannot refer the Committee to any statement of the expense, but, excessive as that was, the trouble and delay were even more annoying.

47. Do you think the delay and expense of such Commutation to be such as to prevent persons from commuting?—Certainly.

48. Can you suggest any improvement in the process of Commutation, by which the delay and expense complained of might be partially avoided?—I would respectfully suggest the appointment of one or more *Experts, en titre d'office*, with a small allowance for each appraisal, giving the Commutor a right of Appeal. The Royal Notary might, it seems to me, be entrusted with the necessary power. At all events, the process should be simple, direct and cheap ; it should be begun, continued, and ended and consummated, in one and the same office, by one and the same person.

The following Questions were submitted to the under-named gentlemen of Quebec, viz :—Edward Burroughs, Esquire, Honorable Edward Bowen, Robert Shaw, Esquire, William Price, Esquire, John Jones, Esquire, Colin McCallum, Esquire, William Petry, Esquire, and John Munn, Esquire.

49. Where do you reside ?

50. Have you had occasion to apply at any time for a Commutation of the Tenure of Lands *en roture*, within the Queen's Domain in Lower Canada, into the Tenure of Free and Common Soccage ; when and where do the lands lie ; state the value of the land commuted and the whole expenses of Commutation, including the costs incidental to the proceedings in detail ?

51. Are you of opinion that the delay and expenses of such Commutations have a tendency to prevent Commutations ?

52. Can you suggest any more summary or shorter mode of effecting Commutations than the mode hitherto in practice ; if so, state it ?

53. The Committee will be glad to receive from you any suggestions you may have to submit of a tendency to facilitate and expedite the process of Commutation, and to avoid unnecessary expenses.

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Reply of *Robert Shaw*, Esquire, to the foregoing
Queries:—

QUEBEC, 6th May, 1846.

Sir,

It is with much regret that I have to reply to your respective letters of the 27th ultimo and 5th instant, (with queries relative to the Commutation of Tenure) and to state that I am unable to give any information thereto.

I did commute a small property in the Upper Town, but I sold it afterwards, and have not now the means of ascertaining the expenses incurred; but it cost me a great deal of trouble at the time.

A. Simpson, Esquire, now of your City, commuted at the same time, and will probably be able to furnish details.

I remain,
Sir, &c.

ROBERT SHAW.

Answers of the Honorable *Edward Bowen* to the
Queries forwarded to him on the 27th April:—

Answer to 49. I reside in the City of Quebec.

Answer to 50. I had occasion in 1829, to apply for, and did obtain a Commutation in the then King's Domain for a tract of land or emplacement on Montcarmel Street, of 121 feet 6 inches by 114 feet or thereabouts, in depth on one side towards the West, and 98 feet or thereabouts in depth on the other side towards the East, and in rear by the Seigniorial line separating it from the *Fief Cap aux Diamants*.

The expenses of Commutation were: drawing Deed of Surrender and copy prepared by myself.....	£	
Prothonotary's fee for enrolling same, Copy and Certificate (copy prepared by myself,)	0	10 0
Drawing Memorial to Governor, and copy prepared by myself.....		
The Inspector General's fee on examining Titles.....	1	3 4
The Attorney General's do do	2	6 8
To amount of Commutation Fine, 10 per cent on £250.....	25	0 0
(See Appendix to Journals of Assembly for 1830, letter M.)		
The Patent fees, and for copy thereof, about	5	16 8

Having mislaid my memoranda, I cannot state with certainty the precise amount of Patent fees. Again in 1845-6, I had occasion to apply for, and did obtain a Commutation of Tenure in the Queen's Domain of a Tract of Land or Emplacement on Montcarmel Street, of 103 feet in front towards the North on said street, by 52 feet or thereabouts towards the West on Grisons Street, in rear by part of the Seigniorial line separating the Queen's Domain in that place from the *Fief Cap aux Diamants*, in a diagonal line, and on the other side towards the East, by 8 feet or thereabouts, on Laporte Street, with part of my dwelling house thereon erected. The expenses of Commutation were as follows:

Draught and engrossed copy of surrender prepared by myself.....	£	
Draught and engrossed copy of Memorial to His Excellency, do do		
Prothonotary's fee on enrolment, copy by myself.....	0	10 0
Surveyor Larue for copy of Ground plan	1	5 0
Inspector General's fee for examining Titles	3	10 0
The Attorney General, fee on examining Titles.....	5	16 8
To the Patent fees and copy.....	7	12 6
Sundry postages without charge for agency by Mr. Weston.....	0	6 9
To amount of Commutation Fine, 10 per cent on £2350 10s Od.....	235	10 0

Answer to 51. I am decidedly of that opinion.

Answer to 52. I have not had occasion to give the subject the necessary consideration,

Answers of *Edward Burroughs*, Esquire, to the
Queries submitted to him on the 27th April last:

Answer to 49. I reside in the City of Quebec, in the Province of Lower Canada.

Answer to 50. I have had occasion to apply for, and have obtained a Commutation of Tenure of Land and premises, held *en roture* within the Queen's Domain, in the City of Quebec, in Lower Canada, into the Tenure of Free and Common Socage. This application was made and granted in the year 1832, but the precise dates of the application and grant I cannot at present state, as all the papers to which I must of necessity refer, to establish these facts, were delivered over by me to Bartholomew Conrad Augustus Gogy, Esquire, to whom I sold that property, by Deed passed before Panet and colleague, Notaries Public, the 24th May, 1832. Upon reference to that gentleman, who now resides in the City of Montreal, Your Committee will be able to obtain more ample information upon this matter. The lands or immoveable property hereinbefore referred to are situate in the City of Quebec, near Montcarmel Street. The price which Mr. Gogy paid me for that property was £737 17s. 8½d. currency. The expenses incident to that Commutation are unknown to me at present, the same having been paid by Mr. Gogy, in addition to the price above mentioned, and all vouchers with reference to the same being in his possession.

Answer to 51. I am of opinion that the delays and expenses attending applications for the Commutation of Tenure, have a tendency to prevent Commutation. I have been and still am desirous of commuting other premises belonging to myself, but have been deterred from applying for the same, by reason of the amount charged for that object.

Answer to 52. I will take the liberty of suggesting that, in my opinion, a shorter mode of effecting Commutations than the mode hitherto in practice, might be adopted with advantage to the public interest and private convenience, with reference to the Commutation of Tenure. The form of the Act of Surrender I would say, making due allowance for the difference of particular transactions, will be found in Schedule No. 3, referred to in the Provincial Ordinance 4 Victoria, cap. 30, with this difference, that the Deed ought to be an *Acte authentique* passed before a Notary. This Act, after being enrolled in the Queen's Bench, and certified so to have been done, to be annexed to, and presented with, a summary Petition to be addressed to the proper authority, for Commutation of the Tenure of the immoveable property in question; and the prayer of which Petition being granted, a Deed reconveying the same property to the Petitioner in Free and Common Socage may be made out nearly in the terms of the one referred to in 4 Victoria, cap. 30 above mentioned, which would be attended with small expense in proportion, as I understand to be the amount hitherto incurred for such object.

Answer to 53. I think I have stated fully all suggestions that have occurred to me by my preceding answers.

Answers of *William Petry*, Esquire, to the Queries enclosed to him on the 27th April, 1846.

Answer to 49. At Quebec.

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Answer to 50. I had occasion to apply for Commutation of Tenure of Lands within the Queen's Domain in Lower Canada into free and Common Soccage in 1834, together with a consequent application for a grant of an adjoining bench situate near the City of Quebec. The value of the Lands commuted was determined by *Experts* at £2,222, and the Commutation Fine thereon, at 10 per cent, was £222; the Patent fees, £8; and a fee to the Attorney General of £5 16s. 8d. for draught of Patent. The value of the bench, as a consequent grant of the Commutation of the adjoining land, was determined by *Experts* at £277. The Patent Fees, £251 7s. and a Fee to the Attorney General of £5 16s. 8d. for draught of Patent. The costs incidental to the proceedings in the above cases, amounted to £250.

Answer to 51. I am decidedly of opinion that the delay and enormous expenses (at times exceeding the value of the land, as in my own case just quoted) attending Commutations, have a tendency to prevent Commutation, and neutralize the benefits intended by the Canada Tenures Act.

Answer to 52. I cannot suggest any more summary or shorter mode of effecting Commutation than that now in practice, nor in my opinion, can any more expeditious be adopted, if the Officers in the various Public Departments do their duty faithfully, and prosecute the matter to a conclusion, instead of allowing the papers to remain in a corner of a desk for months and even years, until, in fact, the matter is forgotten altogether.

Answer to 53. I can suggest nothing to facilitate and expedite the process of Commutation beyond the Public Officers doing their duty, and on this point I am happy to find a change has taken place for the better in the Public Departments. I know a case where an application was made for Commutation of Tenure in 1841, that was not concluded until 1845, and I know an instance in 1845, in which, such was the attention paid by the gentlemen of the Office of the Secretary of the Province, the Receiver General's Department, the Surveyor General's Office and Attorney General, but particularly in the Provincial Secretary's Office, that a stranger in Montreal got through the whole of his business in a Commutation case, in two days; and in one week from the day of his paying the Commutation Fine, his Patent was forwarded to him at Quebec—a change from the old order of things amounting to miraculous. If this same attention were paid in every case, (particularly when parties reside at a distance from the seat of Government,) there cannot possibly be any cause of complaint of delay. I would suggest that after a party has paid the Attorney General's fee for the draught of Patent, if any alteration is made in the draught by order of the Executive, and a new draught has to be made, that the applicant should not be required to pay the fee a second time, which, to my certain knowledge, has occurred with another party, as also with myself. I would also suggest that the applicant should not be required to pay the Attorney General's fee until the Patent is delivered to him executed, which would save the applicant the payment of the said fee over again, in case the Attorney General to whom the first fee was paid, should not continue in Office until the Patent was issued, which I know to have been the case,—two fees paid two different Attorneys General for one draught of a Patent.

Answers of *John Jones*, Esquire, to the Queries submitted to him on the 27th April.

Answer to 49. I reside at Quebec.

Answer to 50. No, but I have had occasion in two instances to purchase property in the City of Quebec in the Queen's Domain, upon the understanding that the Tenure was to be first commuted; the Properties alluded to were estimated, the one at £1,500, the other at £1,600. The proceedings are still incomplete, and the deeds have not yet been passed. The Commutation Fine is 10 per cent.

upon the estimated value, a rate far too high. Unless the Commutation fine be reduced to five or six per cent, which is above the extent of the *Lods*, (as the onethird as usually deducted,) the generality of the purchasers see no object in commuting. The incidental expenses on all properties being the same, they amount to a complete bar to the change Tenure of small properties.

The costs incidental to the proceedings, paid by me were, viz:—

Drawing up Petition by lawyer,.....	£1	0	0
Reference to Inspector General Queen's Domain, to certify the payment of arrears,...	1	3	4
Queen's Notary, bond for <i>Experts</i> ,...	1	3	4
Cost of <i>Experts</i> in my own case,.....	4	13	4
Attorney General's fee,.....	5	16	8

Proceedings in case of Surrender, I cannot recollect at present.

Attorney to manage it, being difficult for individuals to get on unassisted, from 5 to 10 guineas.

Answer to 51. Yes.

Answer to 52. Answered by 53.

Answer to 53. Every thing needful might be done in the Office of the Inspector General of the Queen's Domain, or that of a Notary or Attorney.

Answers of *John Munn*, Esquire, to the Queries submitted to him on the 27th April.

Answer to 49. Quebec.

Answer to 50. I have had occasion at sundry times, from 1827, to apply for commutation of lots of land into free and common soccage in St. Roch's, Quebec, and for which I obtained Patents after paying all the necessary expenses, which I found both troublesome and costly. Unfortunately I have as yet been unable to find these papers, having either lost or mislaid them during the late conflagration of St. Roch's, and it is, therefore, out of my power to send you any account of such costs, &c., as you require.

Answer to 51. Yes.

Answer to 52. I am not sufficiently acquainted with these matters to say how it should be done, but I do think that a more summary, shorter, and less expensive mode is much wanted.

Answer to 53. The same answer as to No. 52.

Answers of *Colin McCallum*, Esquire, to the Queries submitted to him on the 27th April last.

Answer to 49. At St. Jean Port-Joli.

Answer to 50. About ten years ago I had occasion to apply for a Commutation of Tenure of a piece of ground or emplacement situate in Quebec, Des Carrières Street, valued at, as near as I recollect, eight hundred pounds. The expenses I found heavy, but from want of my papers, I am unable to give particulars.

Answer to 51. Yes.

Answer to 52. Not having given this matter a consideration, I am not prepared to suggest any plan of amelioration.

Answer to 53. Answered in the last reply.

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Answers of *William Price*, Esquire, to the Queries submitted to him on the 27th April last.

Answer to 49. Quebec.

Answer to 50. Yes. In the year 1828, the Grande Allée, within two miles of the City of Quebec, valued, at £1,200. The commutation was 5 per cent. I have not the means by me of giving a statement of the other costs and expenses, but I think they amounted to about £35.

Answer to 51. They may, on property which the owner has no immediate intention of building upon, or improving, but would be no impediment if he proposed to himself any material outlay.

Answer to 52. I have never been called upon to give any attention to the matter, and therefore could not, at present, suggest any.

Answer to 53. It has not been in my way to consider the matter sufficiently, but I should think it very serviceable to the public generally, as well as to individual proprietors, that the right of Commutation should be open to every proprietor.

Thursday, 30th April, 1846.

The Honorable *Francis Ward Primrose* called in; and examined:—

54. You are Inspector General of the Queen's Domain, and Clerk of the *Terrier* in Lower Canada, are you not?—I am.

55. Is it not with your Office that persons desirous of effecting Commutations of the Tenure of Land held *en roture*, into that of free and common soccage, are, in the first instance, to make application; if not, explain for the information of the Committee, the whole process to be gone through in obtaining Commutations, at what stage of it the applicant has to recur to your Office, and the whole expense to be incurred in procuring such Commutations of a lot of ground or emplacement, for instance, in the City of Québec, of the value, say of £250, including every usual charge incidental to applications of that nature for agency and otherwise, in so far as you know them, down to that for the Letters Patent?—Persons desirous of effecting Commutations of Tenure of Land *en roture*, into that of free and common soccage, in the first instance are held to present a Pétition to His Excellency the Governor General, setting forth the property the Tenure of which they pray may be commuted; accompanied by the Titles by which it may have been acquired, which Pétition is referred immediately to the Attorney General and the Inspector General of the Queen's Domain, to examine and report upon the Title to the property, and whether all dues accruing to the Crown, in behalf of the same, have been fully paid and discharged. In point of practice, these documents are usually, in the first instance, transmitted to my office, and they are forwarded by me with my Report to the Attorney General, who, having made his Report, they are referred to the Executive Council, and if there be no impediment, an Order in Council is made, granting the prayer of the Pétition to be carried into execution in the accustomed manner. The process by which this is to be effected, is to require a surrender to the Crown of the property in question, to be recorded in the Court of Queen's Bench for the District in which it may be situated. This surrender, with the proper certificate of its having been duly recorded, is transmitted to the Secretary of the Province, and a valuation of the property to be commuted is then made, to determine the amount of the Commutation Fine, which is fixed at 10 per cent, upon the estimated value, upon property situated in the towns, and 5 per cent upon that in the country. Such Commutation Fine having been paid, the party applicant is held to obtain from the Surveyor General, a plan and description by actual mea-

surement, of the property, and then the whole is sent again to the Attorney General, with instructions to draught the Letters Patent, which accordingly issue for a new grant in free and common soccage. This is the ordinary mode of proceeding, although, to expedite matters, the different steps do not always follow in the same order; as, for instance, it being necessary that the surrender should be made in Term time, in open Court, this is sometimes done preparatory to the other proceedings; at others postponed, according to circumstances.

The expenses incurred in these proceedings are, to the best of my knowledge, as follows:—

To the Attorney General, for his final Report,.....	£5	16	8
To the Inspector General of the Queen's Domain, final Report,.....	1	3	4
To the Council, for Order, about,.....	0	12	6
To the Prothonotary's Office, for surrender, about,.....	0	12	6
For Valuation,.....	2	6	8
For plan and description, about,.....	2	6	8
Fees on Patent, including Attorney General's draught,.....	7	0	0
	<hr/>		
	19	18	4

To which must be added charges for drawing Petition, for drawing Surrender and Agency, which could not, I consider, be put at less than.....

	5	16	8
	<hr/>		
	£25	15	0

I should remark that I cannot speak with certainty as to the charge for agency. In respect to the Valuation previous to 1841, *Experts* used to be nominated for this purpose, with power to name a third, which caused a heavier expense, both in drawing the necessary instruments and the charge for the gentlemen employed. In 1841, it was recommended by a Report in Council, that the Crown Land Department should ascertain the value, without any *Expert* being named by the party; and in practice that Department referred to the Inspector General of the Domain, to report upon the value, for which the above charge of £2 6s. 8d. was authorized; and this has continued ever since, with the exception that the references to me have, of late, been made direct from the Provincial Secretary's Office. Previous to the junction of the Surveyor General's Office with the Crown Land Department, I have reason to believe that the Surveyor General used to charge parties £5 16s 8d for a plan and description, but I have understood that the expenses are not now more than I have stated. These expenses are, of course, over and above the per centage for the Commutation Fine: they are for the most part incurred without reference to the value of the lot to be commuted.

56. Are you of opinion that the process could be simplified so as to render it at once more expeditious and less expensive than at present; and if so, the Committee request you will favor it with your views in this respect?—I am of opinion that the process might be simplified so as to render it both more expeditious and less expensive. It has occurred to me that the Commutation of Tenure might be effected by means of an *Acte* passed between the *Censitaire* and the Crown, through the medium of the Office of the Clerk of the Land Roll or *Papier Terrier* of the Queen's Domain, in the form of a declaration made by the *Censitaire*, of the property held by him, and the Titles under which he had acquired it; of his desire to have the Tenure thereof commuted; of the terms under which the same had been complied with, and carried into execution. To this *Acte*, I would make the Governor of the Province for the time being, a party, as representing the Crown, and it should contain a clause of reunion to the Domain, and a re-grant to the party under the new Tenure, either of free and common soccage or *franc alleu roturier*, as might be desired by the applicant. I conceive that under proper regulations the Crown would save much time and expense, and that all that would be required would be a Legislative enact-

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ment to attach authenticity, as matter of record, to an Acte thus passed, with probably the additional security of requiring the registration of an authentic copy of the same in the Registry Office of the place where the property might be situated. In carrying out the details of such a system, it might probably be proper that the original application for Commutation being addressed to the Governor, should be referred with the Titles, to the Attorney General and my Office, as heretofore, to prevent surprise, and ascertain the real rights of the applicant; and also a valuation would be required, if it could not be agreed upon; but I see no reason for the delay and expense of a plan and description, other than the Titles would afford; and the fees for Patent, surrender, and agency, might be nearly wholly done away with, with the exception of a moderate charge to be allowed to the officer for making the record of the proposed declaration, which declaration, should be recorded in a Register appropriated to that specified purpose.

57. Have not the delay, expense and tediousness of the process in obtaining Commutations of Tenure, deterred many persons from applying for them, and been, in your opinion, the cause of preventing Commutations that otherwise would have been applied for and effected?—I have reason to believe that the delay, expense and tediousness in obtaining Commutations of Tenure, have deterred some persons from applying for them, and have prevented some which would otherwise have been effected.

58. Can you suggest any other matter that may enable the Committee to come to a conclusion as to the most advisable course to be adopted to meet the objections complained of, as to tediousness, delay and expense of Commutation?—I should state that the plan I have proposed in my answer to question No. 56, was suggested to my mind by having observed in the old records of my office, that the Intendant, in some instances, had exercised such a power in a somewhat similar form, the practice being for the declaration to the *Papier Terrier* to be made to that officer, who signed them with the *Censitaire*.

59. Have you any objections to furnish the Committee with the draught of a Bill which, in your opinion, would, if passed into a law, facilitate Commutations under the Imperial Acts?—I should have no objections.

Monday, 4th May, 1846.

The following letter was addressed to the Honorable F. W. Primrose, by the Clerk of the Committee, by order of the Chairman:—

HOUSE OF ASSEMBLY,
Committee Room,
4th May, 1846.

SIR,

The following extract from the Minutes of the Proceedings before the Committee to which is referred the inquiry relating to the Commutation of the Feudal Tenure, is sent you by direction of the Committee, who will receive any thing you may have to submit on the subject.

I have the honor to be, &c.

(The enclosures to the above were questions Nos. 14, 15 and 16, and the replies thereto.)

Answer of the Honorable F. W. Primrose to the preceding letter,

QUEBEC, 5th May, 1846.

The Committee of the Legislative Assembly, to whom is referred the inquiry relative to the Commutation of the Feudal Tenure, having been pleased, by a letter from their Clerk, dated 4th May, 1846, to direct an extract

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from their Minutes to be transmitted to me, with a view to my submitting to them anything I might think proper on the subject, I desire to state that, in the prosecution of applications for change of Tenure, I have not been in the habit of acting either as Counsel, Agent or Attorney for the parties, further than in some few instances drawing, at their request, the Petition to the Governor, and the Surrender, and causing the same to be enrolled in the Queen's Bench. I believe I am correct in stating that the only instances in which I have so done, is that of John Brooke, Esquire in 1840, John Bonner, Esquire, and Messrs. McLeod and Atkinson in 1844. In the case of Mr. Brooke, he applied to me through a friend, for the purpose of carrying through the proceedings, hoping from my knowledge of the course to be pursued, to get the Commutation through in a shorter period, and on that occasion I did so, and having some trouble in consequence of an error in the draught of the Letters Patent, which had to be rectified, and other circumstances connected with the verifying of the line with the neighbouring Fief of the Seminary, which passed through the property, I charged an additional fee of five guineas. In Mr. Bonner's case I find that I prepared and got enrolled his Surrender, for which I charged £2 6s. 8d. In Messrs. McLeod and Atkinson's cases, which are really one, Mr. McLeod being proprietor of one lot and having a promise of sale from Mr. Atkinson for the other, I acted as a friend in getting through the proceedings which are not yet terminated, he being a professional client of mine, and I consequently prepared the Petitions and Surrender, for which I intended to charge my usual professional fee for such service, that is, £1 3s. 4d. for the Petition and £2 6s. 8d. for the Surrender. I have not charged, and never intended to charge any thing for agency. I should remark that by the order of reference in such cases, the proceedings are to be carried through wholly at the expense of the Petitioner; that for the performance of my duties in reporting upon the titles and ascertaining whether there be any arrears of dues, as well as in acting as *Expert* for the valuation (the only part of the proceedings in which the Crown has any interest) the Executive has fixed the amount that I shall receive from the party, and that the instruments in the preparation of which I have, as before stated, been occasionally employed to prepare, are usually formal and are usually done so by an Advocate or Notary, and the preparation of which is by no means incompatible with my duties to the former. I should add that where the parties had regular Agents of their own, I have frequently recommended them to employ them in preference to myself, and have furnished, gratis, the usual forms for the purpose.

I beg to express my thanks to the Committee for having afforded me this opportunity of explanation on the subject referred to in the questions and answers transmitted to me, and my readiness to give any further information they may require; although I regret at the same time, that no question was put to me when personally under examination bearing directly or indirectly on the point.

F. W. PRIMROSE,
Inspector General of the Queen's Domain.

Saturday, 9th May, 1846.

John Porter, Esquire, called in; and examined:—

Answer to 49. I reside at Quebec.

Answer to 50. I applied for a Commutation of Tenure of land situate in the Seigniorie of Sillery, five miles from Quebec, about the month of November last, and received the Patent about three months after. The property was estimated at £1400; upon which I paid a Commutation Fine of 5 per cent,..... £70 0 0
Attorney General's fee,..... 5 16 8
Inspector General of Queen's Domain,..... 2 6 8
Prothonotary at Quebec for enregistering the Surrender,..... 1 0 0
Secretary of the Province for the Patent,.... 5 16 8
Surveyor for surveying, and plans &c. about, 9 0 0
£99 16 8

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This, as far as I can remember, embraces the whole cost of the Commutation.

Answer to 51. I am.

Answer to 52. I think the whole might be effected in the Office of the Inspector General of the Queen's Domain at Quebec.

Answer to 53. Answered by the foregoing replies.

Alexander Simpson, Esquire, called in ; and examined :—

Answer to 49. I reside at present at Montreal, but, until recently, have lived at Quebec for the last twenty two years.

Answer to 50. I am.

Answer to 51. I have at several times had occasion to apply for Commutation of Tenure of properties within the immediate vicinity of Quebec; one of the properties referred to was valued at £1200. The expense of commutation and fees of one description or another amounted to about 3 per cent, besides the commutation fine. I cannot at this moment state it in detail, not having any memorandum at hand. The property alluded to, was situated, by measurement, two miles from St. Lewis Gate on the St. Lewis Road, and the same distance from St. John's Gate on the Ste. Foy Road; a Commutation Fine of ten per cent was charged.

Answer to 52. I have no doubt of it: it has actually prevented me on various occasions, in respect to properties I had and still have; but in recent changes of Tenure, since the valuation of the property has been left to Mr. Primrose, much greater facilities have been afforded to applicants—that is to say, greater despatch in carrying through the Commutation.

Answer to 53. I think the whole of it might be done through one of the Government Officers,—the Inspector General of the Queen's Domain for instance; and when the party applying for Commutation and the Crown Officer disagreed as to the value of the property, *Experts* might be named—one on each side, with right to call in a third, whose decision should be final. This would prevent delay as well as extravagant expenses.

Answer to 54. Answered by the foregoing reply.

Monday, 11th May, 1846.

The Honorable *George Moffatt*, a Member of the Committee, examined :—

60. Have you ever had occasion to commute the Tenure of any land *en roture*, held of the Crown, into that of free and common soccage in Lower Canada, if so, did you find the process easy, expeditious, and unexpensive, or the reverse?—I have some property in the Seigniorie of Laprairie, which I lately commuted into the Tenure of free and common soccage. I employed a professional gentleman to manage the business for me, and the forms to be complied with and references to be made are such as to render professional assistance necessary. My application was made in the month of November or early in December, and I have, notwithstanding the diligence used by my agent, only received my Patent a few days ago.

61. What was the value of the property commuted; the amount of the mutation fine, and the expenses of mutation; detail them?—The estimated value of the property commuted was about twelve hundred pounds, and the Commutation Fine was at the rate of five per centum. The expense paid by me (exclusive of £5 16s. 8d. paid to my Agent for draughting Power of Attorney, filing deed of surrender, correspondence with Govern-

ment, and prosecuting petition to concision,) were as follows:

Attorney General's fee for report on my Titles.....	£5 16 8
Prothonotaries for recording Deed of Surrender.....	0 17 6
Paid for Patent.....	7 12 6
	£14 6 8

The same property, if subject to the rule established by the Seigniors of the Island of Montreal, might have been valued and commuted in three or four days, if not less, and at an expense of about ten shillings for the Deed.

62. Do you think the delay, trouble and expense of commuting lands held in the Domain of the Crown in Lower Canada, to be an obstacle to the Commutation contemplated by the Act of the Imperial Parliament, 3 Geo. IV. chap. 119?—In my opinion, most decidedly so.

The Honorable Mr. Attorney General *Smith*, a Member of the House, examined :—

63. The Committee perceive by the evidence taken in the course of their inquiry, that a fee of five guineas is paid to the Attorney General on each Commutation or reference to him of the titles or papers of the person desirous of commuting, and wish to know from you whether the fee is fixed by law and by what law, or whether it be by an Order in Council; and when was the same fixed by such Order?—The fee of five guineas was, I believe, fixed by Order in Council, shortly after the Canada Tenures Act came into operation, and has been the fee ever since.

64. Would not a smaller fee be a compensation for the service; if so, what would you think it fair to fix the fee at?—The fee of five guineas is not too high, as the Attorney General has, in most cases, to peruse and examine a number of titles affecting the property to be commuted, and to report thereon. Where the property to be commuted is of small value, say £200, or under, the fee might be fixed at £3 10s.

65. Are you of opinion that the delay and expenses of Commutation, as hitherto experienced and complained of, with respect to lands *en roture* in the Domain of the Crown, have prevented Commutations?—The delay in respect of Commutations has, I believe, in some instances deterred parties from commuting: the expense, never to my knowledge. Commutations have however of late been effected in much less time than was formerly required for that purpose.

Monday, 11th May, 1846.

Additional Queries forwarded to the Honorable Mr. *Primrose*.

66. The Committee wish to have a Return, if you can furnish it, of all Commutations of Tenure that have taken place of lands *en roture* within the Domain of the Crown in Lower Canada, since the passing of the Imperial Act 3 Geo. IV. c. 119, to the present time, mentioning the names of the persons commuting, the date of Commutation, the locality or place where the land commuted is situated, the value of the land commuted, and how appraised (by *Experts* or by convention) and the Commutation Fine on each, giving the whole as summarily as may be, and with as little delay as possible?

67. The Committee wish also to know, in reference to the fees you have mentioned, and which are taken on commutations, viz: those to the Attorney General, to yourself, and to others, upon what authority they are demanded; by law, and if so, by what law—or as a *quantum meruit*—and whether the fees have been fixed by an Order in Council, or whether they are at the pleasure of the Officers receiving them?

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Monday, 15th May, 1846.

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The Chairman laid before the Committee the following reply of the Honorable Mr. Primrose, to the two preceding Questions:—

QUEBEC, 14th May, 1846.

SIR,

In consequence of your communication of the 11th instant, I have the honor to enclose a Return (as far as my information enables me to do) of all Commutations of Tenure that have taken place of lands *en roture* within the Domain of the Crown in Lower Canada since the passing of the Imperial Act 3 Geo. IV. c. 119, to the present time, with the particulars desired by the Committee of the Legislative Assembly on Commutation of Tenure.

In reference to the authority under which have been taken the several fees referred to in my examination before the Committee, I have the honor to state, as respects my own, that the fee of £1 3s 4d for reports upon Titles, and as to arrears of dues, was fixed by an Order in Council, dated 6th December, 1826, and the fee of £2 6s 8d for valuation, by the Crown Land Department, according to a letter from the Commissioner of Crown Lands to me, dated 11th March, 1842, both to be paid by the applicant. As to the fee of £5 16s 8d to the Attorney General for Report upon the Titles, I am not aware of any public authority by which it is regulated; but the reference being made to him at the expense of the applicant, I believe it to be a matter of custom as the usual professional fee of that officer for private services. The fee of £7 to the issuing of the Patent, I have always understood to have been regulated by an Order in Council, but I never had communication of it. As to the fees for the survey, I am not aware that there is any regular tariff, and I conclude the charge to the party was according to the extent of the service.

I have, &c.

F. W. PRIMROSE,
I. G. D. R.

Monday 18th May, 1846.

Mr. Thomas Ross called in; and examined:—

68. Are you an Officer or Clerk in any of the Government Offices, and in which?—I am Clerk in the Provincial Secretary's Office since November, 1839.

69. The Committee are informed that in the process of Commutation of the Tenure of land *en roture* into that of free and common socage, there is a fee or charge of £7 12s 6d paid by the person prosecuting the Commutation, for the Patent that issues with respect to the land that is commuted: can you inform the Committee by what authority the fee is taken and the date thereof, and to whom the fee goes, and how it is disposed of?—There is a tariff on this subject which I found in existence when I came into office, establishing a fee of £7, currency, on Letters Patent commuting such Tenures; the authority for which is an Order in Council bearing date the 15th December, 1830. The Letters Patent, it is to be observed, remain in the office where made, only official copies of them being delivered to the party who has obtained the Commutation. It is for this copy that the 12s. 6d. is taken, being an average charge for each copy, at the rate of sixpence per hundred words—some ranging over, others under this amount, according to the number of words. This 12s. 6d. goes into the Public Treasury as part of the Casual Revenue, being in the first instance paid into the hands of Mr. F. D. Harrington, as Chief Clerk and Receiver of fees, who pays it over to the Receiver General; of the £7, Mr. Attorney General East gets £4, the remaining £3 go to the Public Treasury in like manner as part of the Casual Revenue.

70. Can you explain to the Committee the process of Commutation, as well as that of land-granting, with respect to lands in Lower Canada, and suggest any improvements with respect to both or either?—From my

position in the Provincial Secretary's Office, I am not able to relate correctly the several courses through which the original Petition for a Commutation of Tenure passes, previous to the draught being furnished by the Attorney General. Upon the draught of the instrument being completed, it is placed in my hands as the Engrossing Clerk of the Eastern Section of the Department to which I am attached. I can particularize the different steps towards its completion after its receipt by me. In the first instance, I engross the original Letters Patent. After careful examination it is signed by His Excellency the Governor General, after which it passes the Great Seal, and the Secretary of the Province affixes his signature to the Document. The Letters Patent are then complete. Previous to its being recorded at full length by the Provincial Registrar, who affixes his signature to a Fiat on the face of the document, attesting to the fact of its being so recorded, an enrolment of the original is made, which is signed by the Secretary of the Province. The original and enrolment remain deposited for ever in the Secretary's Office. Upon a request being made by the party interested, a certified copy of the Letters Patent is furnished to him. With regard to Letters Patent to land, the same course is pursued in their completion after the reference from the Crown Lands Department reaches the Secretary's Office; but I must observe that all Patents for Land acquired by purchase, since the passing of the Act 4 and 5 Victoria, cap. 100, are completed free of expense, and certified copies of the same furnished to the Grantees through the Commissioner of Crown Lands. Whilst on the other hand, on free grants and sales effected previous to the passing of the above-mentioned Act, fees are exacted under different tariffs and the proceeds paid into the Provincial Treasury. I am not prepared to suggest any improvement as to the first steps that are taken in completing the documents necessary for a Commutation of Tenure for Land Patents; but I shall take the liberty of stating that, with regard to the course through which these documents pass, in the engrossing branch of the Secretary's Office, the system could be much modified, which, in my humble opinion, would afford much convenience to the parties interested. The system of completing Land Patents for Upper Canada, is the one I would humbly suggest should be carried out in Lower Canada. The course adopted in that part of the Province is, as follows: a reference is furnished by the Crown Land Department to the Secretary of the Province; upon that authority the Patent issues. A Record at full length is made in the Provincial Registrar's Office and the original Patent goes into the hands of the Grantee. This system could with advantage be adopted in the preparing of land Patents of every description, and instead of all the original Patents remaining in the Secretary's Office as is the case at present, they might be given over to the parties interested,—a record being kept of the original instrument, which would do away with the necessity of three copies of every Letters Patent being engrossed, saving considerable delay and expense, and giving much greater satisfaction to the Public.

Thursday, 20th May, 1846.

The Reverend Messire Comte, Priest of the Montreal Seminary, called in; and examined:—

71. You are the *Procureur* of the Seminary of St. Sulpice at Montreal?—Yes.

72. Is it to you that persons wishing to commute the Tenure of their lands in the City or in the Island of Montreal, address themselves?—Yes.

73. Will you have the kindness to explain to the Committee the mode adopted by the Seminary for that purpose, and to state the time and expense necessary to effect the Commutation of a lot of land or emplacement, and to furnish a form of the new Title Deed (*Titre nouvelle*) granted by the Seminary?—As the Seminary wish to adopt the change of Tenure as soon as possible, they have tried to avoid delays and loss of time, and to diminish indispensable costs, the greater part of which they must bear. The *Procureur* of the Seminary, to whom the *Censitaires* address themselves, has full power to com-

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mute all property in conformity with the Ordinance 3 Vic. chap. 30, and on the most reasonable conditions according to circumstances: he is only obliged to refer to the Council of the Establishment, in extraordinary and peculiar cases, which are few in number. 1st. When a *Censitaire* presents himself for Commutation, he is asked for his title. If it is for property the value of which is well known, the affair is settled at once, that is, in about an hour, the time required to draw out the Deed. If any arrears are due, immediate payment is required, if they are not to any considerable amount; if they are, the amount is settled, and a reasonable time is granted to the *Censitaire*, for the payment thereof on condition that he will pay legal interest thereon, and sometimes even no interest is required if the delay is short. 2nd. If the value of the property is not well known, a delay of one or two days is asked for, so that it may be ascertained. During that interval, some trusty person is sent to examine the property and buildings: inquiries are made respecting their value either from the neighbours or from persons well acquainted with such matters. A price is then proposed to the *Censitaire*. If he accept, everything is concluded as above stated. 3rd. When the property has just been sold, the price of sale is generally taken as a criterion, except when in particular cases that price is evidently under or over the just value. In both cases, the value is ascertained as above. When that happens, the *Censitaire* has to pay one half only of the price of the Title Deed, that is, from 7s. 6d. to 10s. If the Commutation is over the sum of £100, the *Censitaire* may retain it at a constituted rent on the property, or make it payable at the end of five, six, or ten years, with legal interest. If it is under £100, immediate payment is generally required. In order, however, to accommodate the *Censitaires*, they are without difficulty allowed to pay Commutations of from fifty to a hundred pounds, at the end of four or five years, with legal interest thereon; but if the Commutation is not paid in cash, the *Censitaire* has to pay, besides the Title Deed, the costs of enregistrement. 4th. If the property is very considerable, or if no agreement can be come to with the *Censitaire* as to its value, then the Seminary and the *Censitaire* appoint each an Arbitrator; the Arbitrators are authorized to appoint a third Arbitrator, and their award is final. The *Censitaire* then pays one half of the costs of arbitration, which, to my knowledge, have never exceeded £2 or £3, so that the costs of the most difficult Commutation have never exceeded £5, and the longest proceedings have never taken up more than ten or fifteen days. The description of the property is generally taken from the Deeds of the *Censitaires*. If, however, their Deeds are not distinct, or, if the lots are of too irregular a figure, a small figurative plan, which costs a few dollars, is annexed to the Deed of Commutation. It has not yet been necessary to have recourse to the legal proceedings authorized by the Ordinance 3 Vic. chap. 30. With a little patience and indulgence, the Seminary have always succeeded in coming to an amicable arrangement with the *Censitaires*. Up to this day, 943 Commutations have been effected, comprising more than 1500 lots of land and emplacements in the City and neighbourhood of Montreal. In the remote parts of the country, very few have been effected. I have endeavored as nearly as possible, to write on the form of a deed the different modes of arrangement. It must be well understood this Commutation in no wise affects the rights of other parties, nor the claims and obligations which the Seigneur may have in respect of the commuted property, and that he retains the same rights and privileges with respect to the arrears and the price of Commutation, as he had with respect to his Seigniorial rights, without any novation or derogation whatever.

APPENDIX.

Form of the Acte or Deed of Commutation in use by the Seminary of Montreal, as produced by the *Procureur* thereof, the Reverend Messire Comte.

Before the undersigned Notaries Public for that part of the Province of Canada heretofore called Lower Canada, residing in the City of Montreal, in the said

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Province, came and appeared Messire Priest, residing in the said City, Superior of the Gentlemen Ecclesiastics of the Seminary of St. Sulpice of Montreal, Seigniors of the Fiefs and Seigniories of the Island of Montreal, of St. Sulpice and of the Lake of Two Mountains, assisted for the purpose of these presents by Messire of the same place, Priest, and *Procureur* of the said Seminary, who, at the request to him made by A, (name occupation and residence), to grant them in conformity with the Ordinance hereafter mentioned, a Commutation, release, and extinguishment of and from the *droits de lods et ventes, cens et rentes* and all Feudal and Seigniorial burthens whatsoever to which he (they) may be subject in respect of a lot of land, (or the several lots of land whereof he is, (they are) proprietor and possessor, (or proprietors and possessors;) situate in the said Seigniorie of , and entered in the Land Roll No. (description of the lot or lots).

The said lot (lots) appertaining to the said A by whom it was (they were) acquired from B, by Deed, &c., and free from arrears of Seigniorial dues up to this date, (or charged with the sum of £ for arrears of cens et rentes, and lods et ventes, according to account this day settled between the parties £ by these presents as well for himself in his said name and capacity, as for and in the name of the said Ecclesiastics, hath from this day for ever acquitted, released and discharged the said lot (lots) of land, of and from all *droits de lods et ventes, cens et rentes, droit de banalité de moulin, de retrait*, and all other Feudal and Seigniorial rights whatsoever to which the said lot (lots) may be subject or liable; so that by these presents, the tenure of the said lot (lots) of land is from this day forever converted into that of *franc alev roturier*, in conformity with the Ordinance of the Special Council of the said Province, passed in the third year of the Reign of Her Majesty Queen Victoria, chapter 30, which provides among other things "for the gradual extinction of the Seigniorial rights and dues within the Seigniorial limits of the said Fiefs and Seigniories" above mentioned,—and shall never again be held and possessed by the said A, his heirs and assigns, under any other title whatsoever.

The said Commutation, release and discharge, were thus made and granted for and in consideration of the sum of, (for instance, £108 6s. 8d.) lawful current money of the said Province, to wit, £8 6s. 8d. current money aforesaid, the principal sum representing the yearly sum of ten shillings current money aforesaid, the amount of the *cens et rentes* payable in respect of the said lot, by virtue of the Deed of Concession, and the sum of £100 current money aforesaid, being the proportion due to the Ecclesiastics of the sum of £2,000 current money aforesaid, at which the said lot was (lots were) estimated by private agreement between the parties, (or according to estimate of C and D, Arbitrators chosen by the parties, as will appear by their Report dated which said sum of £

was forthwith paid and the receipt whereof is hereby acknowledged, (or remains at a quit rent, *rente constituée, rachetable à toujours*) redeemable, in payments of not less than £25 or £50 each, (or is payable at the end of 2, 3, 4, &c. years,) with legal interest to be paid thereon annually; as to the arrears above mentioned, the said A obliges himself to pay them (in such and such a manner, generally with legal interest, sometimes without interest.) For the security of the payment of the said (arrears and) Commutation money, the Seigniors expressly reserve to themselves under and by virtue of the 8th section of the said Ordinance, without any novation or derogation whatever, the same legal recourse, privileges and priority of hypothec as they would have had for any *droits de lods et ventes, and cens et rentes* extinguished by the present Commutation and represented by the said sum.

And for all the purposes of these presents the said parties have elected their Domiciles at their respective residences, where, &c.

Done and passed at the City of Montreal, at the office, (*Procure*) of the Seminary in the year one thousand eight hundred and , on the day of the month of , and the said parties have signed with us Notaries, these presents being first duly read.

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RETURNS OF COMMUTATIONS OF TENURE OF LANDS held *en Rature* in Lower Canada, under the Imperial Act, 3 Geo. IV, c. 119.

NAME OF APPLICANT.	Date of Report of Inspector General of Q. D., on application.	Locality.	Value of Property.	How Appraised.	Commutation Fine.	REMARKS.
E. Burroughs,.....	3rd July, 1836,	Upper Town, Quebec,.....	Not known to Inspector General of Q. D.	..	10 per cent on value,.....	<p>Previous to the year 1841, the value of the property to be commuted for the purpose of fixing the Commutation Fine, was ascertained by <i>Experts</i>, one named by the Crown and the other by the party, with power to name a third; but as during that period no information was afforded to the Office of the Inspector General of the Domain, of the result of these proceedings, he has no means of making a Return of the Value of the Property commuted or the Amount of the Commutation Fine.</p>
Representatives Urquhart,.....	27th April, 1837,	Do.	Do. ....	..	Do.
Honble. M. Bowen,.....	23rd February, 1839,	Do.	Do. ....	..	Do.
Robert Vatorson,.....	24th February, 1830,	Do.	Do. ....	..	Do.
Robert Shaw,.....	3rd April, 1830,	Do.	Do. ....	..	Do.
William Price,.....	5th April, 1830,	Banlieu, Quebec,.....	Do. ....	..	5 per cent on release,.....
Alexander Simpson,.....	12th April, 1830,	Do.	Do. ....	..	10 per cent on release,.....
B. C. A. Guey,.....	3rd June, 1830,	Upper Town, Quebec,.....	Do. ....	..	10 per cent on value,.....
E. Redard,.....	29th June, 1831,	Do.	Do. ....	..	Do.
K. Burroughs,.....	4th October, 1831,	St. John's Suburbs, Quebec,.....	Do. ....	..	Do.
Louis Lacroix,.....	6th December, 1831,	Do.	Do. ....	..	Do.
J. Be, Ghonx,.....	21st March, 1832,	Banlieu, Quebec,.....	Do. ....	..	Do.
Messrs Grant and Greenshields,.....	16th May, 1832,	Volte Cove,.....	Do. ....	..	Do.
John Alunn,.....	2nd October, 1832,	St. Roch Suburbs,.....	Do. ....	..	Do.
John Fraser,.....	3rd November, 1832,	St. Anso des Alpes,.....	Do. ....	..	Do.
J. S. Shaw,.....	16th January, 1833,	Banlieu, Quebec,.....	Do. ....	..	Do.
George Campbell,.....	20th October, 1834,	St. Roch Suburbs,.....	Do. ....	..	Do.
Robert Wood,.....	23rd December, 1834,	Upper Town, Quebec,.....	Do. ....	..	Do.
Thos. Hunt and wife,.....	11th February, 1835,	Lower Town, Quebec,.....	Do. ....	..	Do.
John Jones, Jr.,.....	23rd April, 1835,	Do.	Do. ....	..	Do.
Rizart Duchesny,.....	9th June, 1835,	Upper Town, Quebec,.....	Do. ....	..	Do.
Honble M. Bell,.....	29th February, 1836,	Lower Town, Quebec,.....	Do. ....	..	Do.
Pierre Boisson,.....	12th April, 1836,	Banlieu, Quebec,.....	Do. ....	..	Do.
E. Gillias et al.,.....	29th March, 1837,	Lower Town, Quebec,.....	Do. ....	..	Do.
William Torrance,.....	31st March, 1837,	Banlieu, Quebec,.....	Do. ....	..	Do.
Colin McCallum,.....	17th June, 1837,	Upper Town, Quebec,.....	Do. ....	..	Do.
Mrs. D. Downs and al.,.....	2nd October, 1837,	St. Roch Suburbs,.....	Do. ....	..	Do.
W. G. Anderson,.....	19th December, 1837,	Lower Town, Quebec,.....	Do. ....	..	Do.
Honble. J. Neilson,.....	27th March, 1838,	Upper Town, Quebec,.....	Do. ....	..	Do.
Thos. Karyna,.....	25th June, 1838,	Lower Town, Quebec,.....	Do. ....	..	Do.
W. H. Bredant,.....	30th September, 1839,	Do.	Do. ....	..	Do.
A. Lalson,.....	29th October, 1839,	St. Roch Suburbs,.....	Do. ....	..	Do.
John Brooks,.....	24th January, 1840,	Lower Town, Quebec,.....	Do. ....	..	Do.
Elias Taylor,.....	2nd March, 1840,	Banlieu, Quebec,.....	Do. ....	..	Do.
John Blinn,.....	1st May, 1841,	Lower Town, Quebec,.....	Do. ....	..	Do.
Alexander Simpson,.....	24th January, 1842,	Banlieu, Quebec,.....	£670	By Insp. Gen. of Q. D.	Do.	
John Bonner,.....	31st May, 1842,	Do.	235	Do.	Do.	
Arthur McDonald,.....	27th July, 1843,	Do.	4,441	Do.	Do.	
Alexr. Dunn,.....	30th October, 1843,	Do.	700	Do.	Do.	
John McLeod,.....	18th March, 1844,	Upper Town, Quebec,.....	2,500	Do.	Do.	
Henry Alkison,.....	18th March, 1844,	Do.	309	Do.	Do.	
Miss Ferguson,.....	March, 1844,	Do.	360	Do.	Do.	
Henry Black,.....	1844,	Do.	525	Do.	Do.	
Dr. James Douglas,.....	16th September, 1844,	Lower Town, Quebec,.....	1,350	Do.	Do.	
Honble. M. Bell,.....	16th May, 1845,	Upper Town, Quebec,.....	1,200	Do.	Do.	
Honble. E. Bowen,.....	13th December, 1845,	Do.	1,100	Do.	Do.	
Mrs. White,.....	18th March, 1842,	Banlieu, Quebec,.....	£1,700	ESTATES,	170 0 0	
Hiera Dr. Millr,.....	17th April, 1845,	Farm at St. Roy, Sillery,.....	1,888 10	Do.	79 8 6	
C. Smith,.....	7th March, 1845,	Banlieu of Quebec,.....	3,000 0	Do.	300 0 0	
John Korte,.....	6th December, 1845,	St. Roy, Sillery,.....	1,400 0	Do.	70 0 0	

E. E.

F. W. PRIMROSE, I. G. D. R.

These properties being situate within the Jewell's Estate, the preliminary proceedings were taken in communication with the Commissioner for the management of these Estates; the Inspector General of the Domain having been only called upon to ascertain the value. There may have been other properties commuted within the limits of the Jewell's Estate without any knowledge of the undersigned.

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*Draught of a Bill prepared by the Inspector General of
the Queen's Domain.*

BILL.

An Act to facilitate the Commutation of the Tenure of Lands held of the Crown *en roture*, in Lower Canada, into that of Free and Common Soccage.

WHEREAS it is expedient to facilitate the Commutation of the Tenure of Lands held of the Crown *en roture* in Lower Canada, into that of Free and Common Soccage, and the extinguishment of all Feodal dues, charges and incumbrances thereon, by rendering the proceedings necessary for such Commutation more expeditious and less expensive than they are at present; Be it therefore enacted, &c.

And it is therefore enacted by the authority aforesaid, That whenever any *Censitaire* or owner of land held of Her Majesty, Her Heirs and Successors, *en roture*, in that part of this Province called Lower Canada, land held in *mortmain* also included, shall be desirous to commute the Tenure thereof into the Tenure of Free and Common Soccage, and for this purpose shall have presented a Petition to the Governor of the Province for the time being to that effect, and the value or indemnity to be given or paid to Her Majesty, Her Heirs or Successors for the release of the land in question from all such Feodal and Seigniorial dues, charges and incumbrances affecting the same, and its commutation from the Tenure *en roture* into the Tenure of Free and Common Soccage, shall have been fixed and determined upon by the said Governor, by and with the advice of Her Majesty's Executive Council for this Province, and the amount of such indemnity or commutation money shall have been paid by such *Censitaire* or owner of land so intended to be commuted as aforesaid, to Her Majesty, it shall be lawful for the Governor of the Province for the time being, for and on behalf of Her Majesty, Her Heirs and Successors, by an Act to be passed in the manner hereinafter mentioned, to commute the Tenure of such land and release all Feodal rights arising to Her Majesty by reason of such Tenure, and for that purpose to reunite the said lands to the Domain of Her Majesty, and make a fresh grant thereof, in the name and on behalf of Her Majesty, Her Heirs and Successors, to the owner of such land or lands and his heirs for ever in Free and Common Soccage.

II. And be it further enacted by the authority aforesaid, That the said Act to be passed as aforesaid, shall be in the form of a declaration or reconnoissance to the *Papier Terrier* of the Queen's Domain in Lower Canada, to be made by the owner of such land to the Governor of the Province for the time being, and shall be drawn up by the Clerk of the Land Roll or *Papier Terrier* of the Royal Domain in Lower Canada, and recorded in a Register to be kept by him for that purpose, and shall contain a description of the property intended to be commuted by metes and bounds, the Titles by which the same had been acquired, and the payment or not of the dues accrued thereon, the amount of indemnity or Commutation money, and the payment thereof, the release and extinguishment of all Feodal rights affecting the same, a reunion thereof to the Domain of Her Majesty, and a regrant thereof to the owner of such land or lands, and his heirs forever in Free and Common Soccage, and shall and may be in the form in the Schedule to this Act annexed; and such Register shall be signed by the Governor of this Province for the time being, and by the *Censitaire* or owner of such land, if he can write and sign his name, or in default thereof, a declaration shall be made to that effect, or by the lawful Attorney, specially authorized thereto, of such *Censitaire* or owner of such land, and shall likewise be countersigned by the said Clerk of the Land Roll or *Papier Terrier*, and such Register, and the matters and things therein set forth and enregistered under the provisions of this Act, shall be held, deemed and taken to be authentic and matter of Record, to all intents and purposes whatsoever, and copies of such declarations duly certified to, be true under the

signature of the Clerk of the Land Roll or *Papier Terrier* of the Royal Domain in Lower Canada for the time being, or other Officer having the custody of such Register, shall be held, deemed and taken to be authentic, and shall be received as evidence in all Courts of Justice within this Province; and an authentic copy of such declaration shall at the diligence of the party applying for Commutation, be enregistered at full length in the Registry Office for the County within which the immovable property, the Tenure of which is intended to be commuted, shall or may be situated; and when and as soon as the said declaration shall have been duly executed and recorded as aforesaid, and a copy thereof shall have been duly enregistered in the Registry Office of the County wherein the land is situate, the Commutation of the Tenure of such land or lands *en roture*, into the Tenure of Free and Common Soccage, shall to all intents and purposes be held and taken to be perfect and accomplished, and the Tenure of such land or lands forever thereafter deemed and considered to be in Free and Common Soccage and as such shall accordingly be disencumbered and free of all Feodal and Seigniorial dues, charges, liabilities and incumbrances of any and every kind and description whatever, forever thereafter, as are the lands holden in Free and Common Soccage in the Townships of Lower Canada.

III. And be it further enacted by the authority aforesaid, That it shall not be lawful for any of the public officers employed in carrying through and recording the proceedings to be had under the provisions of this present Act, to take or receive any other or greater fees than those set forth in the Table of Fees in the Schedule to this Act annexed, contained.

IV. And be it enacted, That the words "Lower Canada," wheresoever they occur in this Act, shall mean all that part of this Province which formerly constituted the Province of Lower Canada; the word "Governor" shall mean the Governor, Lieutenant Governor or Person administering the Government of this Province; and the words "Governor in Council" shall mean the Governor, Lieutenant Governor or Person administering the Government of this Province, acting by and with the advice of the Executive Council thereof; and generally all words, expressions and provisions herein occurring, shall receive such large, beneficial and liberal construction as will best ensure the attainment of the objects of this Act, and the enforcement of its several enactments, according to their true intent, meaning and spirit.

V. And be it enacted, That nothing herein contained shall apply to, or affect or be construed to affect in any manner the rights of Her Majesty, Her Heirs or Successors, or any person or persons, or any body corporate or politic, those only excepted which are specially mentioned in this Act.

This is my draught,

F. W. PRIMROSE, Q. C.

Quebec, 9th May, 1846.

SCHEDULE.

Know all Men by these Presents, that on the _____ day of _____ in the year of our Lord _____ personally came and appeared before (Titles of the Governor of the Province for the time being) A. B. of, &c. (or C. D. the lawfully constituted Attorney of A. B. of &c. by Power of Attorney passed, &c.) which said A. B. declared that he is owner and proprietor of the following immovable property, situated in the *Censure* of our Sovereign Lady the Queen, at _____ in Lower Canada, and held of our said Lady the Queen *à titre de cens* (describe the property with its metes and bounds) as having acquired the same from (set forth the Titles of acquisition) upon

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which said contracts of acquisition, the dues accrued to Our said Lady the Queen have been fully paid and satisfied (or are still due, as the case may be): And whereas the said A. B. being desirous of commuting the Tenure of the said above-described immovable property, and of obtaining from Our said Lady the Queen, a release of and from all Feodal rights affecting the same, and a re-grant to him and his heirs of the same in Free and Common Soccage, hath presented a Petition to His Excellency (the Governor for the time being) to that effect, and hath duly paid to Her Majesty the sum of £ , being the amount of the Indemnity or Commutation Money fixed and determined by the said Governor in Council.

Now these presents witness, that having acceded to the prayer of the said Petition, and in order to carry the same into effect, and in consideration of the payment of the said Indemnity or Commutation Money aforesaid, I, the said (the Governor for the time being,) in pursuance of the Statutes in such case made and provided, have reunited, and hereby do reunite the above described immovable property to the Royal Domain in Lower Canada, and further have for and on behalf of Our said Sovereign Lady Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, Her Heirs and Successors, remised, released, and quitted claim, and by these presents do remise, release, and for ever quit claim unto the said A. B., his heirs, executors, curators, administrators and assigns, all and every the *Cens et Rentes, Lods et Ventes*, and other Seigniorial rights, dues, and duties, which by reason of any grants or implied grants of the said immovable property, heretofore made or presumed to have been made by Our said Lady the Queen, or any of Her Royal Predecessors, or by any competent authority whose rights may now be vested in our said Lady the Queen, by right of Conquest or Cession, or otherwise, or which by reason of the Tenure under which the said immovable property hath heretofore been or was held, Our said Lady the Queen, Her Heirs or Successors might lawfully have or claim upon or for the said above-described immovable property; and, also, that in further pursuance of the said Statute in such case made and provided, I, the said (Governor for the time being,) for and on behalf of Our said Lady the Queen, Her Heirs and Successors, do give,

grant and confirm to the said A. B., his heirs and assigns for ever, all that (describe the property,) to have and to hold the said lot of land, &c., with their and every of their rights, members and appurtenances, unto and to the use of the said A. B., his heirs and assigns for ever, in Free and Common Soccage, by fealty only, in lieu of all and all manner of rents, services, fines, rights, dues, duties, claims and demands whatsoever, in like manner as lands are now holden in Free and Common Soccage, in that part of Great Britain called England.

Thus declared, done and passed at on the day and year first above written; In faith and testimony whereof, these presents have been signed by (the Governor for the time being) and by the said A. B. (or state that A. B. declared he could not write or sign his name, as the case may be) (or by the lawful Attorney of A. B.) and countersigned by E. F. Clerk of the Land Roll or *Papier Terrier* of the Royal Domain in Lower Canada.

TABLE OF FEES.

- To the Attorney General, for Report to the Governor as to the titles and right of the Petitioner to obtain Commutation..... £
- To the Clerk of the Land Roll or *Papier Terrier* of the Domain, for his Report on ditto, and as to arrears of Dues..... £
- To the Executive Council Office, for copy of any necessary Order in Council..... £
- To the *Expert* employed in valuation of the property in order to fix amount of indemnity £
- To the Clerk of the Land Roll or *Papier Terrier* of the Domain, for draughting and recording the Act of Declaration and Commutation, per 100 words..... £
- To do for copies of the same, per 100 words £
- To do for Certificate..... £

F. W. PRIMROSE.

Quebec, 9th May, 1846.

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Montreal :

PRINTED BY LOVELL & GIBSON,

ST. NICHOLAS STREET.

SECOND REPORT.

THE SELECT COMMITTEE to which were referred various Petitions relating to Roads in the Island of Montreal, beg leave to make their FINAL REPORT, as follows:—

Your Committee have taken into consideration the Petition of William Hannah and others, relative to a claim preferred by the Petitioners to exemption from Toll upon the Upper Lachine Road, in consideration of certain land surrendered by them for the construction of the Road; and after examining the Petitioners, and other witnesses, in relation to the same, they cannot recommend that their prayer be granted, but are of opinion that the Petitioners should be paid for the land surrendered by them, in all cases where it may not have already been done.

Your Committee have also considered the Petition of John Dillon and others, which contain various charges and allegations affecting the Trustees of the Montreal Turnpike Roads; and after examining the Petitioners and other witnesses, could not find any ground in support of the said charges and allegations, and therefore consider them altogether unfounded. And they consider it their duty to remonstrate against the conduct of the Petitioners, in preferring such charges before Your Honorable House without being able to support them.

Your Committee have also considered the several Petitions of William Evans and others, N. B. Desmarteau and others, and J. T. Brondgeest and others, praying for amendments to the Turnpike Road Act, for the removal of the Toll Gates, and for alterations in the Schedule A. appended to the Act 4 and 5 Vic. cap. 35; and after hearing the Petitioners and others upon the subject, they deem it inexpedient at the present time to grant the prayers of the Petitioners, unless provision be made for indemnifying the Trust for any loss that the change of the Toll Gates might occasion.

All which is respectfully submitted.

A. JOBIN,
Chairman.

27th May, 1846.

MINUTES OF EVIDENCE.

ANDRE JOBIN, Esquire, in the Chair.

Monday, 13th April, 1846.

Benjamin Holmes, Esquire, called in; and examined:—

1. Would you recommend the improvement of the Road between St. Laurent and the Sault au Recollet?—Having read the Petition of Gabriel Roy and others, I am of opinion that the small portion of the Road connecting the Turnpike Roads leading from the City of Montreal to l'Abord à Plouffe, and the the Sault au Recollet, should be improved as prayed for by the Petitioners, who, in the present state of the Road, are deprived to a great extent of the advantages of the Turnpike Roads. But it must be borne in mind, that the required improvements can-

not be accomplished but at a cost of from £2,000 to £2,500, to which should be added the expense of erecting and maintaining two gates; therefore the law should be so framed as to confer upon the Trustees the right of levying, upon the Road contemplated to be improved, such rates of Toll, in addition to any now levied on other portions of the Turnpike Roads, as will suffice to cover the annual interest of the capital expended, the collection of the Tolls on the said proportion of Road, and the requisite repairs. Reference having been made to the completion of the Lachine Lower Road, I am of opinion that the intermediate space upon that line should be immediately turnpiked, of course applying the answer above given to that Road, in respect to provision for the outlay of capital, &c. &c.; indeed the same argument is generally applicable to the extension north, east, south, and west of the Turnpikes, now admitted to be generally advantageous by the inhabitants.

Friday, 17th April, 1846.

The Honorable *Hamilton H. Killaly*, President of the Board of Works, being called in; and the following question being put to him, he answered, that he would communicate his reply by letter.

2. What is your opinion as to the erection of bridges across the branches of the Ottawa, between Ste. Anne's and Vaudreuil, and the proper line of road to be adopted from those bridges to the City of Montreal.

Monday, 20th April, 1846.

The Chairman reported the following Letter which he had received from the Hon. *H. H. Killaly*, in reply to the question put to him on Friday last.

Board of Works,
Montreal, 18th April, 1846.

Sir,

In reference to the subject of your enquiries yesterday, relative to the erection of bridges across the branches of the Ottawa between Ste. Anne's and Vaudreuil, and as to the proper line of road to be adopted from those bridges to the City of Montreal, I have the honor to report, for the information of the Committee of which you are the Chairman:—

That in 1841 my attention having been directed to the subject by Lord Sydenham, I made a general examination of that section of the country. I will take the liberty now of stating, firstly, the conclusions I then came to, and secondly, how far those conclusions are affected by circumstances since that period.

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That the erection of those bridges is most desirable there can be no question; by them the inconvenience and dangers to be encountered every spring and fall on this portion of the main communication between Eastern and Western Canada would be removed, and the interests of the important section of the Country on the South Bank of the Ottawa would be very much advanced. The position affords safe and good sites for the bridges.

The object for which my examination was made, was to enable me to form an opinion as to the most favorable line to adopt for this portion of the main Provincial highway between those points, and by it I was led to the following conclusions:

That the present shore Road, as far as Point Claire, should be followed, with the exception of such small deviations as could be made to cut off unnecessary turns now existing, and from that point to strike straight across, so as to fall in with the head of the macadamized portion of the St. Antoine Road and so by it into the City. By adopting this course, the saving in distance would be about three miles between Ste. Anne's and Montreal.

Since I made the examination which led me to the foregoing conclusion, the project of a Provincial Railway from Montreal westward has been started, and being sanguine as to its construction at no distant day, I am now of opinion that it would not be wise to incur expenditure on the Provincial high road then contemplated, as the Railroad would, in the portion under consideration, supersede it; and for the local accommodation the improvement of the shore Road to Lachine would, I think, be more desirable.

Should the construction of the bridges be decided on, they should be planned so as to answer the double purpose of a Railroad and ordinary road bridge, and the level of their roadways should be regulated with due care as to the grade at which the Railway would necessarily pass over.

I send herewith a sketch of part of the Island of Montreal, on which I have marked the probable line of Railway, and the lines of road referred to in the foregoing.

I have the honor to be,
Sir,
Your obedient servant,
HAMILTON H. KILLALY.

A. JOBIN, Esquire, M. P. P.
&c. &c. &c.

(On the Petition of William Hannah and others, of the Parish of Lachine.)

Friday, 17th April, 1846.

Mr. William Read called in; and examined:—

3. Did you pay toll on the old Turnpike Road from Montreal to Lachine?—No, nor perform any other service. The Trustees of the road granted to me and others the right of passing free over it, as a consideration for granting the land required for the road.

4. Since the passing of the present Turnpike Road Law, have you been required to pay tolls?—Yes; I applied to the Trustees for exemption, but they declared that they did not consider themselves competent to entertain the claim, and referred me to the Legislature.

Mr. William Hannah, of Lachine, called in; and examined:—

Answer to Q. 3. I did not, as I was not living there at the time, but when I purchased my farms I considered that I should be exempted from ever paying tolls, as my two farms were purchased from persons who had the right of passing over the road free of toll.

Answer to Q. 4. (Same as last witness.)

Mr. Olivier Mullet, of Lachine, called in; and examined:—

Answer to Q. 3. (Same reply as Mr. W. Read.)

Answer to Q. 4. I have paid tolls.

Mr. M^r Kercher, of Montreal, being called in; and interrogated, states that he was lessee of the old Turnpike Gate for four years, during which time the proprietors of five farms claimed to be exempted from tolls, on the ground that they had given land for making the road; but he still considers them to be in his debt for the amount of their tolls respectively, as they never shewed him any authority for the right which they claimed. He further states that he has never entered an action for the recovery of those tolls, as he considered that, in consequence of a defect in the Act, no sums could be collected if they ran over a certain limited time.

(On the Petition of William Evans and others, of the Parish of Montreal.)

Saturday, 18th April, 1846.

Mr. William Evans called in; and examined:—

5. Upon what road do you reside?—I live at the Côte St. Paul, and travel to town by the Upper Lachine Road.

6. Have you ever commuted with the Trustees for tolls?—No; I was very desirous of commuting, and applied to the Trustees for the purpose, but my application was refused.

7. Upon what grounds did the Trustees refuse?—They stated that they would not consent to do so, but gave no reason; this was before the tolls were leased.

8. What principle of commutation did you propose to the Trustees?—That the amount of commutation should be in proportion to the distance travelled,—the same to apply to residents only.

9. Do you think it would be judicious to remove the gate near the town to a further distance on the road?—I certainly do think that in its present position it operates as a great hardship upon the people living in the village of the Tanneries, which is less than a mile beyond the gate.

10. Are you not aware that the St. Joseph Suburbs are now extended up to the said gate?—They are.

11. If that gate remains as it is, with the present tolls levied, is it not your opinion that it will put a stop to the enterprize of the people using the basins constructing on the Lachine Canal just beyond, and tend to diminish the value of property in that neigh-

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bourhood?—I have seen the basins constructing immediately beyond the present gate, and I believe they are intended as depôts for supplying the City with wood, &c., and I think if the present tolls are continued it will be a serious check upon persons concerned in that business.

12. Are you of opinion that the persons supplying the wood, or those consuming it, will have to pay the amount of these tolls?—The consumers of course.

13. Are you then of opinion that the inhabitants of the Tanneries should pay no toll at all?—I certainly am not.

14. How then, if the gate were removed, would you propose to levy the tolls on these people?—The proprietors between the City bounds and the place where the gate might be removed to, should be obliged to keep that portion of the road in proper repair, and to be accountable for the first cost of the same.

15. Do you think the present scale of tolls a correct one?—I do not know how it could well be altered; with respect to the Stages, I think it might well be increased, as they greatly injure the road.

16. Are you subject to statute labor, and are you liable to be called upon for fencing and ditching the Turnpike Road between the Côte St. Paul and the Tanneries?—I am so liable, and I am now keeping between sixty and seventy yards of fence constantly in repair upon this road.

17. Have you any complaint to make against the administration of the Trustees?—No.

18. Have you any matters to complain of in the present operation of the Turnpike Act?—I have; I am obliged to make about half a mile of road between my house and the Turnpike Road, and have to pay full tolls, notwithstanding that I pass but two miles upon that road.

Benjamin Brewster, Esquire, called in; and examined:—

Answer to Q. 5. On the Upper Lachine Road, about one hundred yards beyond the first gate.

Answer to Q. 9. I do; I think it should be removed at least a mile further out. I consider it injurious to the lands in the neighbourhood of the City,—preventing their settlement; and I think that a large amount of lumber business will be absolutely sent round to the St. Lawrence, in consequence of the tolls on this road, that would otherwise come this way.

Answer to Q. 14. I would assess them in the manner proposed in the twelfth section of the original Act authorizing the construction of the road, namely, by making them pay according to the length of road they may require to use.

19. Do you think that would indemnify the Trust for the loss of the tolls they now receive?—I think if they were to commute in this way with all the persons residing on the road, the receipts would still pay all the expenses and yield 12 per cent on the outlay.

Answer to Q. 15. I think the following would be a more correct one:—

Proposed Rates to be paid for passing over the Upper Lachine Road.

s. d.

- | | | |
|---|---|----|
| 1. For every Coach, or four-wheeled covered private Carriage, drawn by two Horses or other beasts..... | 1 | 6 |
| 2. For every four-wheeled half-covered or open private Carriage, drawn by two Horses or other beasts..... | 1 | 0 |
| 3. For every four-wheeled uncovered private Carriage, drawn by one Horse or other beast..... | 0 | 7½ |
| 4. For every Gig, Cab, Caleche, or Spring Cart, drawn by one Horse or other beast..... | 0 | 6 |
| 5. For every Waggon, Wain or other Carriage for loads, (four wheels,) drawn by two Horses or other beasts..... | 0 | 10 |
| 6. For every Cart or other Carriage for loads, (two wheels,) drawn by one Horse or other beast..... | 0 | 6 |
| 7. For every Stage-Coach, Diligence, Van, Caravan, with four wheels, for the conveyance of passengers, and drawn by two Horses..... | 2 | 0 |
| 8. For every Stage-Waggon, with four wheels, drawn by two Horses..... | 1 | 3 |
| 9. For every Horse, Mare, Gelding, or other beast, with a rider..... | 0 | 2 |
| 10. For every Horse, Mare, Gelding, Ass, Mule, Ox, Cow, or other head of Cattle, not drawing..... | 0 | 1 |
| 11. For every head of Sheep, Lambs, or Swine..... | 0 | 0½ |
| 12. For each Horse in any harness, over the number above specified..... | 0 | 3 |
| 13. For every double Sleigh with pole and two Horses abreast..... | 0 | 6 |
| 14. For every single Sleigh or Berline, with one Horse, high runners, and shafts attached to the left side..... | 0 | 3 |
| 15. For every Train with one Horse..... | 1 | 0 |
| 16. For every additional Horse to the above, in harness..... | 0 | 2 |

Persons residing on the Côte St. Paul Road, and on the Upper Lachine Road, between the foot of the hill, at the village of St. Henri, (Tanneries de Rolland,) will be allowed to pass into Montreal at half the above prices; and also those residing upon the Lower Lachine Road will be allowed to pass to Upper Lachine, by the River Road, upon paying the same rate.

Her Majesty's Officers and Soldiers, in dress or undress uniform, not passing in a hired or private vehicle, and all Persons, Animals, and Carriages attending Funerals, or going to and coming from Church on Sundays and Holydays to pass free. All Carts, and other vehicles, conveying manure, that shall have tires on the wheels not less than three inches wide, and all double or two horse Sleighs conveying manure, with two horses abreast, not less than three feet wide inside the runners, and not less than three inches shoes on the runners, and all loads that may be going from or coming into Town, to or from any place on the Lachine Canal, (not exceeding one mile,) which will be, or has been chargeable with Lachine Canal Tolls, shall be allowed to pass free.

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Benjamin Brewster, Esquire, again called in; and examined:—

20. Are you a lessee of the Lachine Toll Gate?—I am.

21. Does the present mode of levying toll bear fairly or equally on all?—It does not.

22. What alterations would you suggest?—I beg leave to lay before this Committee a Scale of Tolls which I submitted to the Turnpike Trustees last week, changing some of the rates, and allowing certain parties the benefit of the twelfth section of the Turnpike Act, which would relieve some of those that suffer the most, although not to the extent that the revenue collected upon that road would justify, also the proposed conditions for the sale for the present year.

23. Do you think the conditions of sale for the present year more favorable than the last?—I do not. For instance, a vehicle going out of Town, and paying at any gate, say to Lachine, may prolong their ride to Pointe Claire, round by the Little River, to Bout de l'Isle and home, passing both gates on the Plank Road, free; but a vehicle coming into Town ever so short a distance, crossing the Town, could not go out through a gate without paying a second time, although in the first case a person may, by that route, travel twenty-five miles for sixpence; the second, myself, for instance, could not go as far as Gilbert's, on the Quebec Road, without paying twice, and my whole travel upon the Turnpike Road something less than five hundred yards. In the first named case the person passes through three distinct districts, each having a separate interest, still only one is authorized to take the payment for his road for which he pays a large rent. My next neighbour, whose house is only two hundred feet from the Toll Gate, pays the same price as in the first named case, although the first travels twenty-five miles as I before stated. Mr. Stephens must also return by the same gate; but a man coming to Town from Lower Lachine, and paying at the gate upon that road half toll, can return home by the Upper Lachine Road free; and again, suppose Mr. Colville, in his own carriage, is on his way home, Mr. Lemoine accompanies him in another similar carriage, both pay the same price, but Mr. Lemoine returns home free, using the road twice as much as Mr. Colville, or he may make the circuit first spoken of, and use three times as much road as Mr. Colville. Now it appears to me that one pays too high a toll, or the other too little. The Toll-Keeper's security, Mr. Watson, of the Côte des Neiges Gate, informed me that one day last summer, during the American travel, he had passed eighty vehicles free that had paid at the St. Lawrence Gate, although he pays £1085 rent per year; and on Sundays and Holydays during the summer, he is continually employed in attending on persons who have paid at other gates,—by this I mean those who ride on said days for pleasure. The only changes in the rate I proposed are to lower the rate on Stage-waggons, and to raise the rate on double sleighs, and continue free only to such vehicles carrying manure as comply with the description spoken of, and relieving those that reside near the Town Gate. The Committee will notice, that although a considerable falling off in the revenue must take place as soon as the Railroad is completed, my offer will give, on a four years lease, from £125 to £150 more than the receipts for the four first years amounted to with the changes in rates. On the Scale is a

proviso, that property having already paid toll on the Canal should be free; if this can be concurred in, a large increase in the revenue of the Canal Tolls, and a great convenience to the builders, may be anticipated. To induce the owners of timber to come by the Canal, a large basin is under construction, about two hundred yards beyond the Toll Gate. Timber, Plank, Boards, and Wood, although landing there, must pay Canal Toll to the St. Gabriel Lock, about half a mile below or past the Toll Gate, but there is no way to land, nor sufficient storage for timber, except at the basin before spoken of. Take an example of the present mode: Canal Toll on Timber 7s. 6d. per M., Turnpike Toll, in summer, 7s. 6d. per M. more, making 15s. per M. which would compel the owner to risk his Timber by the River, and keep him constantly in trouble afterwards until sold. In winter the Turnpike Toll all the way through from Lachine would only amount to 10½d. per M. The toll upon Cord Wood by Canal is 6d., and if landed at the Basin spoken of, and pay Turnpike Toll in summer, it would add 1s. making 1s. 6d. per cord; but let it be landed at Lachine, and brought down in winter, the Turnpike Toll would not be quite 2d. per cord. Take Flour also; the Canal Toll upon 1,000 bbls. is £8 6s. 8d., and if landed at the Basin the Turnpike charge would be £7 13s. more, making £15 19s. 8d.; but land it at Lachine, and bring it in double sleighs over the whole road, the Turnpike Tolls would only be 8s. 4d. for the whole 1,000, a great inducement, I think, to stop and store at Lachine. I would also remind the Committee that this Turnpike Act retains in full force any burden or servitude laid upon us by any previous Act, such as ditching, fercing, and statute labor. On these very Turnpike Roads, we are liable to be called upon to commute and pay in cash on the first day of May in each year. In justice to the Trustees I must say, they called upon us by advertisement, but they did not proceed any further with it.

24. Do you think that all persons residing upon any line of Turnpike Road ought to have the benefit of commutation?—I beg to hand this Committee a letter addressed to me by a large part of the people who reside at the village of the Tanneries de Rolland. I fully concur with them in the wish expressed in their letter, and also hope that the Committee will be pleased to take this matter into their consideration, in the confident expectation that they will recommend such relief as the case requires. I think that all persons residing upon any line of road ought to pay in proportion to the use they make of the road.

25. What plan would you advise to effect that object?—The best plan, I think, to carry out fairly a commutation would be to have every man's rate established by *Experts*, or by the Municipal Assessors for the Municipality where the road may be situated. The expense would be very trifling, and carried to the expense account of the Road, and whatever sums returned by such Assessors should be paid to the Trust at once. In that case one gate might be abolished on the Lachine and Quebec Roads, and two on the St. Lawrence Road, the expenses of which are greater than the payment of assessing all the roads under the Trust. One gate, then, on each road might be placed as near the centre as might be practicable, and the toll sold for the foreign travel only, or persons who may pass over the whole road. To the above plan I would except the St. Lawrence Gate, but that I would remove to the four corners of the Road at the Mile End Tavern only.

26. Does not the Gate in your neighbourhood prevent the City from extending in that direction?—It

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does; a company of persons purchased land there to divide into lots, expecting to subdivide into four hundred and eighty one-eighth acre lots. None of these lots have been yet sold, neither is there any good prospect of sale, if each of these is to be taxed with from 3s. to 5s. per week for the privilege of travelling one half-mile upon the Turnpike Road. There are a number of mill sites upon the Canal very near, but if all those that go to them pay seven miles toll for half a mile travel, it must retard the prosperity of that section very much, and be a serious burden.

27. Are there many persons residing on the first mile of the Road near you?—There are only two but what can avoid the gate, and they may come by the Canal Bank if they choose.

28. Have you reason to believe the tolls will be less the current year than the last?—I have reason to believe so. Last year I paid £455 over the gross receipts of the previous year, because it was known that the navigation of the Canal would be interrupted on the 15th August for the next six weeks, and it was supposed also that it could not be rendered navigable again before the present spring, and there were three locks in progress of erection that paid about £20 per month for tolls on drawing stone for the whole summer months; they are now completed.

Wednesday, 29th April, 1846.

James Cameron, Esquire, of Montreal, called in; and examined:—

29. You are one of the signers of the Petition praying for a removal of the toll bar on the Longue Pointe Road one mile to the north; will you explain to the Committee in what manner the revenue will be improved by so doing?—There are two steamboats plying at the Longueuil Ferry, which pay £37 10s. to the heirs of the late Hon. John Richardson, and £25 to the Corporation for licenses; they have also to hire the "L'Espérance" steamer, to keep away opposition,—which last year cost them £700: were the toll bar removed as above mentioned, the landing of the ferry might be taken lower down; one boat would then suffice for crossing, and £100 a year would be saved for fuel alone.

30. Why do these boats pay £37 10s. per annum to the heirs of the late Hon. John Richardson?—Originally there was a narrow road that was a public road, but not wide enough, and Mr. Richardson's family widened it for a consideration of £37 10s. per annum, through their private property.

31. Do the steamboats connected with the Chambly Turnpike Trust pay the various charges above mentioned, amounting in all to £887 10s., merely to be enabled to pass the toll bar, and thereby land their passengers and freight above the toll bar, within the boundaries of the City?—Yes, the toll bar is at the City limits, and the boats land above it, in order that the passengers may not have to pay toll.

32. From what funds are the several sums above mentioned paid?—They come out of the funds of the steam ferry; and, as I suppose, are paid by the Secretary of the Chambly Trust.

33. If the toll bar were removed one mile north of the City limits, would the above mentioned sum

of £887 10s. be saved to the Turnpike Trust?—I think it would, as the steamboats would land below, and they would not then have to pay any tax to the Corporation. The current also is very strong where the boats now land, and by landing lower down they could make three trips where they now make two, and could cross at all times.

34. Do you think the toll bar could be rented at a greater price per annum, if it were removed one mile north?—No, it would not rent for so much.

35. What would be the probable loss to the Turnpike Trust by the proposed removal?—I cannot say; but if all the proprietors were willing to pay as much as they did last year, it would cover a part of the loss, and I believe they would all be willing to pay that and even more; and a number of other persons who own property there would contribute their share towards covering a part, if not the whole of the loss.

36. Is it not considered by the owners of property in your vicinity, a great damage to the value of that property to have the toll gate placed at the City limits?—It certainly is; property beyond the toll bar is lower by nearly one-half in consequence; a number of houses are vacant that could not be let at any price,—no improvements are made, and every thing is at a stand, which causes a very heavy loss to all the proprietors.

37. Do you think your neighbours would guarantee to the Turnpike Trust the same rent as was paid last year for the toll bar, if it should be removed as prayed for in your petition?—I cannot say; but I think the saving to the boats by landing lower down, added to what the proprietors would pay, would more than cover the loss in the amount of tolls.

38. What would be the effect of removing the toll bar back to its present place during winter, when the road is good on the ice?—Very little good.

39. Is it true that owners of rafts of timber and cord wood from the Upper country, suffer considerable loss in consequence of the present position of the toll bar?—A very great loss, as they are obliged to sell their wood and all kinds of lumber at a much lower price. Last year an instance happened where 5s. to 7s. a cord was paid for carting firewood up into the town, including the tolls.

40. Are the proprietors in your vicinity desirous of commuting the tolls which they pay, for an annual sum?—Some of them would like to commute.

Mr. Hiram Gilbert being called in, and interrogated, corroborated the testimony of the preceding witness; and added, that the extra saving to each boat in fuel, if they landed lower down, would be £100, making the total loss to the Turnpike Trust, by landing at the present place, of £987 10s.; and said moreover, that if he were allowed to move the gate a mile lower, he would himself guarantee the rent which was paid for the current year. He thought that all the residents on the road ought to be permitted to commute on fair terms; and considers it a great hardship for persons who live near the toll bar to be obliged to pay the full toll. The toll bar ought never to have been placed where it is, in the middle of a village; and the keeping of the roads in repair ought to be left more to public competition.

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Mr. *Francis McNamara* being called in, and the evidence of the two preceding witnesses read to him, he confirmed and corroborated the same.

Mr. *Simon Valois*, of Montreal, being called in, and the evidence of Messrs. Cameron and Gilbert read to him, he corroborated the same; and moreover added, that below the turnpike there are sometimes from one to two hundred rafts of wood of every description, the price of which is increased by the tolls.

Thomas Proctor, Esquire, of Montreal, being called in, and the evidence of Messrs. Cameron, Gilbert, and Valois being read to him, he approved, confirmed, and corroborated the same.

Thursday, 30th April, 1846.

The Chairman laid before the Committee a communication received by him from the Chairman of the Montreal Turnpike Roads, and which is as followeth:—

Turnpike Trust Office,
Montreal, 23rd April, 1846.

Sir,

The Trustees of the Montreal Turnpike Roads have had communication of a Petition before your Committee, signed by John Dillon, John Clark, and others, in which various charges and allegations affecting them are made.

They began by stating that the Trust is now composed of Bank Directors and Merchants, and the former Cashier of the Montreal Bank, and they allege that that composition is bad, and that the Trustees have acted dishonestly and unjustly.

Admitting that it were true that the Trust is composed of Bank Directors and Merchants, and a Cashier, the enquiry will immediately arise, why should that be made an objection? Are Bank Directors and Merchants, and the Cashier of the most important Banking Institution in British America, not competent in respect of intelligence to manage the affairs of the Montreal Turnpike Trust? But, say the Petitioners, by such men the Trust could not have been administered honestly and equitably, for the benefit of the public: no, on the contrary, their interest has been to keep the public in debt, and to have to themselves the use of the Tolls, and accordingly that they have so conducted themselves. This is a very heavy charge; and men of any decency of feeling or manners would have hesitated before advancing it; they would have some justification, at least, for making it. In the case of the Trustees of the Montreal Turnpike Roads; it so happens that the tolls (as paid into the Office by the Lessees of Tolls, or formerly by the Turnpike Gate Keepers) are deposited at once into the Bank of Montreal, where they bear an interest of three per cent. It will be thus perceived that the scandalous charge is refuted by a plain and simple fact that admits of immediate verification by your Committee.

The next inquiry is, who are the Petitioners? Are they men of station in society, of high intelligence? Men of education, of unimpeachable honor, and possessing the confidence of the community?

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The answer will be, the signers are John Dillon, John Clark, and a few ignorant men, ten in number altogether, who have lent their names to the indecent and impudent persons above named; men so deficient in the very rudiments of education as to have been unable to compose their own Petition. They engaged the services of an Attorney of contemptible standing at the Bar of the Courts, as their amanuensis. Yet it is such men who have signed a Petition charging Public Officers of station in society, and possessing the confidence of the community, with fraud and dishonesty. Another question here arises; will the Committee of which you are Chairman, sanction such a Petition, by passing over in silence charges made by vindictive men, without the slightest foundation, against Public Officers of character, enjoying public confidence, who have for several years bestowed much time, and all their abilities as men of business, to the public service gratuitously? Will the Committee, by its silent reception of this Petition, encourage to assault by unprincipled calumniators, gentlemen selected for a public trust by Her Majesty's Government, and who have gratuitously performed the duties they assumed creditably to themselves and profitably to the public?

There was much duty to be performed at the cost of much time, and demanding the exercise of all the ability and all the knowledge of business possessed by the Trustees, when the Turnpike Roads were being formed. For a period of two years, the attention they were compelled by a sense of duty to bestow, after acceptance of a public trust, was unremitting. Fifty miles of Turnpike were formed, and have been maintained ever since, in such a way as to shew they have been economical of the public funds, prudent in administration, energetic in execution, and in performance attentive. Is it, then, to be endured, that, annually, Petitions so full of falsehood and calumny, that their parentage can be attributed only to malice,—is it to be endured, that such Petitions shall be entertained without condemnation, in the severest language, by Committees of the Legislative Assembly? If so, respectable men will not accept the responsibility of public trusts. Were they Public Officers, salaried largely by the public, they might with less indignation complain of such conduct, and might be less entitled to the consideration of a Parliamentary Committee; but it is far from satisfactory, that the most outrageous attacks on character should be countenanced against Public Officers who have performed arduous public duties for years, gratuitously, not expecting, still less asking or desiring, any reward but the consciousness of having executed a trust of confidence in such a manner as to have justified the favorable opinion of them entertained by Her Majesty's Government, and by their fellow subjects, when they were appointed. The Trustees call upon your Honorable Committee to stigmatize the signers of a Petition, which can be denominated nothing else but an outrage on common decency, as they deserve.

The first charge against the Trustees is, that they have made and still continue to make use of the revenue of the Trust for their private advantage. So far is this from being the case, that the monies of the Trust are, as fast as they are collected, deposited in the Bank of Montreal at interest. Yourself, Sir, or any Member of your Committee, can verify this assertion by inquiry at the Bank.

The second charge is, that the Trustees have employed a Bankrupt as Secretary and Treasurer. The person alluded to, they say, is without means or responsibility; it is true he has no pecuniary means whatever, save salary, and that not a high one; but

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if responsibility consists in being worthy of the confidence of his employers; in having a character for integrity to lose, and not one to acquire, as may not be the case with some of the Petitioners; if having passed creditably and honorably through the Bankrupt Court entitle him to confidence, surely the Trustees cannot be blamed for employing him as their Clerk. Merchants do not demand, far less expect, securities from their Clerks, and the Secretary of the Trust is in precisely the situation of a Clerk; he is employed by the Trust as such; he is not the depository of the monies of the Trust; on the contrary, the monies are deposited in the Bank as fast as received. He is fortunate in possessing the confidence of the Trustees, and should the propriety of reposing that confidence in him be questioned, an investigation, requiring very little time, will demonstrate it has not been misplaced,—and that investigation we should much desire.

The third charge against the Trustees is, “that they pay little Tolls themselves, and have placed the Toll Gates far beyond the limits of the City, to favor their friends.” If it be inferred from the first part of that charge, as it may well be, that the Trustees favor themselves in regard to the Tolls, then is the inference false to the last degree,—for the Trustees have repeatedly refused to avail themselves of what they might very properly have deemed a privilege, namely, to pass the Toll Gate free. They have invariably rejected any suggestions to avail themselves of such a right. They have refused to enjoy any, the slightest advantage, in any respect, over their fellow subjects in virtue of their Trusteeship. Nor is it less false, that they have placed the Toll Gates far beyond the limits of the City to favor their friends. In the first place, none of the Toll Gates are far removed from the City limits but two, namely, one at the village of Lachine, the other near the Village of Pointe aux Trembles, and those two are placed there to collect distant tolls, which would otherwise be lost to the public; all the other gates are within the City limits, or very near to them. In each case where a gate is not precisely at the City limits, the reason has been that the ground immediately on those limits was not so favorable for the location of a Turnpike Gate as at a distance of a few yards. The Trustees are not ignorant of the fact, that in the case of one gate, not precisely at the City limits, it has been said it was removed some fifty or a hundred yards from those limits to favor a friend of one of the Trustees; but it is not the fact. The ground where it is placed is higher and better adapted for the site; and secondly, the property of that friend of one Trustee extends a considerable distance on both sides of the City limits; so that had the gate been placed precisely on those limits, that friend could have exempted herself from toll by passing over her own ground, independently of the Road, and the Turnpike Gate. The Trustees need scarcely remind a person of your experience that mankind are greatly more prone to suspect others of interested motives or selfishness, than of disinterestedness and public spirit. Malevolence is a predominating feature of human nature; where there is one man indisposed to entertain a slanderous imputation, there are scores who delight in it.

The Petitioners next assert, that the Petition they had the honor to present to the Legislative Assembly last Session, submitting complaints against the Trustees, were fully proved; whereas it is within your own knowledge that their Petition was pronounced unfounded, frivolous and vexatious. In the succeeding paragraph they pathetically complain that they pay heavy tolls, and invoke the speedy reduction of the Road Debt, as a consummation devoutly

to be desired, and a matter of the greatest benefit to themselves. The plain meaning of the complaint and invocation being, that they do not like to pay tolls on Turnpike Roads. Doubtless, if the Province would assume the Road Debt, and relieve those who derive great profit and advantage from the Turnpikes, from all tolls, it would be very pleasant to the ten Petitioners; but the proposition will scarcely meet with the same pleasant reception from the Representatives of the entire Province, the majority of whom might be disposed to think it unfair, that they should be obliged to bear a burden for the especial benefit and profit of the inhabitants of the City and County of Montreal.

The Petitioners next charge the Trustees with not “doing any thing by public contract, but have their work done by private bargains,—to be thereby the better enabled to make whatever charges they please, without the possibility of detection.” The Trustees beg to observe, that since the Roads were completed, now three years and more, there has been little other work to be done than keeping them in good order; this has been done by procuring rough stone from quarries in various directions,—by having it broken,—by having bridges or culverts repaired when broken,—by having the water-tables or ditches dug from season to season,—by having the grass cut down on the road sides, &c. &c. This is chiefly what has been done since the roads were completed; and the Trustees conceive that such matters are more economically administered by private bargain, than if offered to public competition. In one instance, however, very familiar to John Dillon and John Clark, and that is, the repairing of the bridge or wharf in face of Handyside’s Distillery, numerous tenders were received, but the lowest was considered to be far too high. The lowest, if it had been accepted, would have cost the Trust over one hundred pounds; the Trustees undertook the work themselves, and the cost was less than seventy. The Trustees have never decided on having any work done through private bargain, but after consideration and full satisfaction that it could be done better or more cheaply, either by themselves or under their superintendence. They beg to cite one instance, to shew how large a saving has been effected by doing the work themselves. In 1842, they advertized for tenders for broken stone, and accepted the lowest; they will take the tender that was accepted, of supplies for near half the road, to Upper Lachine, as an example. The price paid to the contractor was two shillings per load of fifteen cubic feet; that was the lowest tender, and was accepted. Since that period they have procured the material themselves, and employed men to break it, and the cost of all the stone employed for the repair of many miles of Turnpike, namely, half the Upper Lachine Road, the Road from the Tanneries to the Pavilion Tavern, and the Lower Lachine Road from the Pavilion Tavern to the City limits, has cost the public only one shilling and one penny per load; the stone used on the further half of the Upper Lachine Road costs about one shilling and fourpence now,—when obtained by public contract, it cost two shillings. Hundreds of pounds have been annually saved to the public by this mode of doing business. This assertion is susceptible of easy proof, if the Committee desire it. The Petitioners assert that the Trustees have acted in this way, to be the better enabled to make what charges they pleased, without the possibility of detection. You, and the Committee, well know what degree of credence to attach to the assertion, from the simple and plain fact, that copies of all their accounts and vouchers for all their payments are transmitted semi-annually to the

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Inspector General for examination, and also to the Legislative Assembly: further, that the accounts are published annually, by order of the Assembly, among the printed memoranda of the proceedings of Parliament; and to these accounts, as so printed, the entire public has access. It would indeed be incredible that the Trustees should jeopardize the reputation which has entitled them during a long period of time to public confidence,—which confidence caused them to be entrusted with the making and maintaining of the Roads of the Trust, by Her Majesty's Government,—by collusion and participation in fraud, with contractors,—or by false accounts, which the entire public has access to,—accounts submitted for public examination; these accounts be it further observed, being accompanied by vouchers. It would be indeed incredible. Suspicion of fraud might attach possibly, were it not that so much light is thrown upon all the Trust's proceedings, and that examination is had thereof by the proper Public Department, and by the Legislative Assembly. Under such circumstances, fraud could scarcely be concealed.

The Petitioners next contrast the Revenue of the Trust, for the year ending 1st December, 1843, with that of the year ending 1st December, 1844, and because there is a difference between the Revenue of the two years, jump at once at the conclusion, that gross and unblushing fraud and robbery has been practised. It is well known that the works on the Lachine Canal, and the immense increase of buildings in the City of Montreal, for the year ending 1st December, 1844, demanded extraordinary supplies of stone from the quarries, and that fact might have been considered by the unscrupulous Petitioners; but no, it was more congenial to their inclinations and dispositions to attribute public robbery to their superiors, although such robbery could not have escaped detection.

They institute another contrast between the Revenue of the Trust for the year ending 1st December, 1843, and the amount which the Tolls produced when sold by public Auction in the month of May last year. They make no allowance for the fact that, prior to the sale it was made public by the Board of Works, the Lachine Canal would be closed for a considerable time, and that the Tolls of that Road, owing to that fact being known, sold at a very high rate; the inevitable effect of public competition and speculation caused all the other Tolls to be sold at higher rates than the published returns of Revenue for previous years would have seemed to justify. It cannot be denied that an idea got abroad, that the Turnpike Gatekeepers, though under oath, did not make faithful Returns of the Tolls, and that this idea incited speculators to bid more than those published Returns of Revenue would seemingly have warranted. These facts are beneath the notice of the Petitioners. They are quite determined that there shall be fraud; they have resolved on that; their own vile suspicions are assumed to be irrefragable facts.

The Petitioners next declare that "some of the items introduced into the annual accounts of the Trustees are vague, fraudulent, and unsatisfactory." What reason have they for making so serious a charge? Why, it seems, in glancing their eyes over the public accounts for the year 1844, transmitted to Parliament, they found under the head of the "General Account of the Roads," an item of £299, denominated Petty Accounts; and they forthwith spring to the conclusion that no detailed account had been furnished, when in fact the details of the disbursements included in and forming that sum of £299, formed part of the transmitted accounts, in a separate account. Here is a fact for consideration. They positively assert that the sum of £299, is charged in a

lump sum, without any explanation whatever, further than is contained in the two words, "Petty Accounts;" when the fact is, that the items forming that amount and account were detailed in the accounts then transmitted. And I beg now to transmit a copy of that account, that you, and the Committee, may have a strong proof of the little regard the Petitioners have for truth, or the absolutely no hesitation with which they deal in calumny and falsehood.

The Petitioners complain, that the Trustees "have made a charge against the public for prosecuting an assault committed upon one of their Turnpike Gatekeepers, notwithstanding the offender was fined in a penalty of one pound, currency, and the costs." The facts are as follows:—when the Turnpike Gate near Pointe aux Trembles was opened, and toll demanded, great hostility was manifested towards the Gatekeeper by travellers, and every effort made to pass the gate without paying toll; so much was this the case, that the Gate-keeper applied for protection, and he was allowed to hire a man for that purpose. On the occasion referred to, he was violently assaulted, and placed in peril of his life by a party of assailants. The Trustees considered it to be their bounden duty to prosecute the offenders, and to cause them to be punished as the law directs in such cases. The Advocate of the Trust was employed, and was paid for his services, (as is usual,) more than is allowed by the small Courts; there were costs incurred also which the Court did not allow.

The Petitioners next allege, that the Trustees "have squandered and are still squandering large sums of money in feeing Lawyers from the funds of the Trust, to take every advantage of the intricacy of the law, and to harass and ruin proprietors whose properties they have taken possession of, and for which they refuse to remunerate them." The facts are, that the Trustees have been and are still assailed by parties who will not listen to proposals for arbitration, but who perversely persist in having recourse to the Courts. The Trustees are thus compelled to defend themselves. They beg further to state, in proof how unfounded is the representation that they refuse to remunerate proprietors for the portion of their properties required for the making of the Turnpikes, that, of the great number of proprietors whose ground has been required for the Roads, there remain only a few who refuse to settle except by a decision of a jury.

In the succeeding paragraph to that last commented on, the Petitioners urge that measures be adopted to compel the Trustees to deposit the monies of the Trust in a public monetary Institution on interest. Entirely ignorant of the fact, that the monies have been so deposited, they must needs accuse the Trustees of making use of the public monies for their sole profit. Nothing can more plainly and visibly display the blind malignity of the Petitioners.

They next urge on the Legislative Assembly to oblige the Trustees to publish their accounts,—apparently unaware that the accounts of the Trust are regularly forwarded to the Assembly, and published in the Appendix to the proceedings of each Session.

In the closing paragraph of the Petition, the Legislative Assembly is earnestly besought to use all possible means to have the Trustees removed; and to have appointed in their stead upright and intelligent men,—men entirely unconnected with mercantile affairs,—men who will have an interest in the good management of the Trust. Upon these observations the Trustees would remark, firstly, that they will

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offer no opposition to their own removal, should it be desired by Government or the Legislative Assembly, but they are of opinion, that in substituting men having a direct interest in the Roads and seeking anxiously for a speedy liquidation of the Debentures, and what they call so heavy and grievous a tax as the Turnpike Tolls, there would be grounds to apprehend the sacrifice of the general good for individual benefit. The Trustees will most willingly resign, if it should be desired. Finally, the Trustees beg to apologize for occupying the time of the Committee with a reply of such length, to so absurd a Petition; but despite its absurdity, they seize the opportunity

afforded by it to place on record, in relation to the administration of the affairs of the Trust, facts they have never had the opportunity heretofore of making known to the public.

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I have the honor to be, Sir,
Your most obedient servant,
BENJ. HOLMES,
Chairman R. Trust.

J. H. JOBIN, Esquire,
Chairman, &c. &c. &c.

PETTY ACCOUNTS OF MONTREAL TURNPIKE TRUST, 31st July, 1844.

			Voucher.	£	s.	d.
January 6, 1844	...	To amount of J. Keller's account for spikes ...	2	29	1	1
do do do	...	To paid for three snow ploughs ...	9	7	2	6
do do do	...	" for wooden shovels ...	Part of 19	2	10	6
do do do	...	" Asselin, ironing wooden shovels ...	do 13	1	11	10
do do do	...	" postages, discount on bills, &c. ...	...	0	4	6
do do do	...	" Bourdon, services as informer ...	16	3	2	9
do 13, do	...	" sheep's skin, for Office ...	20	0	5	6
			26			
			27			
do 20, do	...	" sundries ...	28	23	17	10
			29			
			30			
do 27, do	...	" Gervais, services as informer ...	43	3	15	0
do do do	...	" Keely, for snow ploughs ...	44	9	13	1
do do do	...	" Superintendent, sleigh hire to Lachenaye ...	...	0	7	6
do do do	...	" steel pens, discount on U. C. bills ...	...	0	4	5
February 10, do	...	" Gervais, services as informer ...	...	0	1	3
do do do	...	" sleigh hire for Toll Collector, Quebec Gate ...	...	0	7	6
do do do	...	" do for Superintendent to different roads ...	...	0	0	5
March 2, do	...	" for red tape ...	...	0	15	0
do do do	...	" Messenger's expenses to Ste. Thérèse ...	65	0	11	8
do do do	...	" Loissette's services as Bailiff ...	63	39	16	0
do do do	...	" Starke, for printing ...	67	2	16	3
do 14, do	...	" Daniel Thompson, services as informer ...	80	0	0	8
do do do	...	" discount on U. C. Bank bills ...	...	46	12	0
do 16, do	...	" H. Griffin, N.P., amount of his account ...	68			
			94			
do 28, do	...	" wrapping paper, 17s. 6d.; oil, 4s.; discount on bills, 2d. ...	101	1	1	8
			102			
April 10, do	...	" Crawford, N. P., services ...	111	10	7	8
do do do	...	" discount on U. C. Bank bills ...	...	0	0	3
do 25, do	...	" Herald, for advertizing ...	126	4	9	0
do do do	...	" Loissette's Bailiff's fees ...	127	3	11	6
do do do	...	" J. M. Ferres, balance of his account ...	137	3	9	7
May 29, do	...	" discount on U. C. bills ...	...	0	1	0
do do do	...	" renewal of insurances on Toll Houses ...	190	6	2	9
June 5, do	...	" for cab hire for Magistrate ...	...	0	7	6
do do do	...	" discount on bills ...	...	0	2	4
do do do	...	" Attorney, in case of assault on Gate Keeper ...	201	1	5	0
do 17, do	...	" ink, 1s. 6d.; discount on bills, 3d. ...	...	0	1	9
do do do	...	" Crawford, N. P., account ...	202	1	15	0
do 22, do	...	" Witnesses in case of assault ...	214	0	8	7
do do do	...	" R. D. Handyside, for services ...	221	12	10	0
do do do	...	" Dubreuil, for calling notices ...	222	0	7	0
do 28, do	...	" printing in Times newspaper ...	231	7	10	0
do do do	...	" discount on U. C. Bank bills ...	...	0	0	5
do do do	...	" Attorney, in suits for evasion of tolls ...	230	2	0	0
July 3, do	...	" discount on bank notes ...	...	0	0	9
do 9, do	...	" Starke, for printing tickets ...	258	8	0	0
do do do	...	" discount on U. C. Bank bills ...	...	0	0	3
do do do	...	" cost of cabs, caleches, sleighs, to various roads and gates for six months ...	259	15	17	6
do 27, do	...	" discount on U. C. notes, 8d.; red tape, 10d. ...	...	0	1	6
do 31, do	...	" do ...	...	0	1	0
do do do	...	" Messenger, one month's salary, to 20th August ...	281	1	5	0
		Carried over	£253	19	3

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PETTY ACCOUNTS OF MONTREAL TURNPIKE TRUST.—(Continued.)

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		<i>Brought over</i>	253	19	3			
July	31, 1844	...	"	Thos. Mitchell's account for legal services	...	{ 239 } { 261 } { 275 }	30	15	8			
do	do do	...	"	watch boxes at temporary gates, fixing gates, wages at said gates	...	{ 149 } { 159 } { 181 }	8	15	0			
do	do do	...	"	cab hire for month of July	...	...	0	17	5	
							£303	7	4			
		<i>Cr.</i>					£	s.	d.			
July	17, 1844	...	By	cash received from Clerk of the Peace for fines	...	0	7	0				
do	do do	...	"	part amount of Bailiff's fees at Dr. of this account, received	...	3	11	3				
do	do do	...		from Attorney	...				3	18	3	
										£299	9	1

E. E.

JAMES HOLMES,
Secretary to the Turnpike Trustees.

James Holmes, Esquire, Secretary to the Montreal Turnpike Road Trustees, called in; and examined:—

41. Does not the 15th Section of the Turnpike Act provide that all "persons bound by law to perform any labor on any of said roads, to commute by the payment in cash of an annual sum;" and do you not think it best to repeal this Section?—This Section, so far as the action of the Trustees of the Montreal Turnpike Roads is concerned, has been a dead letter. They have never enforced it, so far as commutation for statute labor on the roads is referred to in it. I think it might be repealed without disadvantage.

42. Would the persons at Hochelaga not be much benefitted by the removal of the gate, in accordance with their Petition?—There can be no doubt they would, but their benefit would be great injury to the Trust Roads generally, by the subtraction of much revenue. They would be placed in a greatly more advantageous situation by the removal of the gate, than the rest of the public beyond the City limits. Exempted from City assessments on one side, on the other they would be nearly exempted from toll.

43. Do you think that the Longueuil boats would and where they now do, if the gate were removed?—I think it quite likely that they would not, for an offer made by the Trustees to permit all the vehicles from the south side of the river to proceed to and return from Montreal on the same day, for the sum of £50 per annum, was not accepted. It is not likely such an offer would not have been accepted, and that for such a saving as £50, the boats would change their place of landing now.

44. Has not the removal of this ferry to the present very inconvenient place been a great injury to the Petitioners at Hochelaga?—I should suppose it had been an injury, but to what extent I am unprepared to say.

45. Would the removal of the Upper Lachine toll-gate tend materially to diminish the revenue on

that road?—Its removal to the entrance to the village of the Tanneries would not, in the present state of the population of the intervening space, materially diminish the revenue of the Trust; but, if removed, considerable additional value will be conferred on the property or real estate of that intervening space, by the attractions of no Turnpike tolls, and no City assessment.

46. Would not the increase of toll upon the Canal, as supposed by Mr. Brewster, much more than compensate for the loss, if any?—Exemption of produce, or wood, from tolls for the use of the Turnpikes, would no doubt attract property of that description to the projected basins beyond the Turnpike gate.

47. Do you not think that the parties to the letter handed in by Mr. Brewster, have good reason to ask for a reduction in the tolls, say to half-price?—So long as the revenue of the Trust will not permit a reduction of present rates, no parties using the roads should be favored: parties residing near the City think it hard they should pay full toll, alleging that they use but a small section of the road in coming to town; they do not state how much of the Turnpikes they travel over free of toll in the opposite direction, when the fact is, that parties living beyond the City limits may travel a very considerable number of miles over the Turnpike roads whenever they choose to do so, without meeting a gate, and necessarily without paying any toll. Again, they enjoy the advantage of being able to travel over the short space of Turnpike intervening between their abodes and the City, a great many times in the course of the same day, and farmers near the City avail themselves of this advantage to a great extent. However, it is evident that, until the revenue is greater than the requirements of the Trust to meet interest, repairs, and wear and tear, there cannot be a reduction of toll, or commutation, without a certainty of the non-payment of the semi-annual interest on Road Debentures, unless the Executive Government advance what may be deficient. The great works prosecuted the last three years on the Lachine Canal, and the vast increase of building in the City and Suburbs of Montreal, have caused a great increase of the tolls at cer-

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tain gates during the space of time; but the works on the Canal having in a great degree ceased, and the building of houses in the City having materially fallen off, the tolls must fall off considerably. The transportation of stone from the quarries in the neighbourhood of the City is a great source of revenue to the Trust. The parties to the letter handed in by Mr. Brewster have, in my opinion, no better reason to ask for a reduction of tolls to half-price, than any other portion of the public.

48. Will not the opening of Bonaventure Street to the Tanneries, and the street now under construction by the Board of Works across the Canal bridge, by Mr. Brewster's property, enable any one who chooses to come to town, and evade the tolls?—No, for check-gates will prevent evasion of tolls. The Trust has erected such check-gates already at different points, at various times, and prevent evasion.

49. Are the calculations in Mr. Brewster's statement correct, or nearly so?—I have not seen the statement referred to in this question; or, if I have, I cannot pronounce on it till I know which statement is referred to. I have seen many statements by Mr. Brewster.

50. Would the acceptance of Mr. Brewster's offer to take the Lachine Road and move the toll-gate, not secure as large an average revenue as could be reasonably expected for the next four years, besides granting the relief asked for by the other persons, and remove also the objections anticipated by Mr. Brewster to the proposed trade, by way of the Canal basin in that neighbourhood?—No; I have reason to believe the contrary, so far as the average revenue is concerned. There can be no question whatever, that the exemption from toll of all firewood, or property, entering the projected basins on and near Mr. Brewster's property, would encourage the proposed transportation of such articles by the Canal, by encouraging Mr. Brewster to make his basin,—and others would follow him; but it should be remembered that this would be the making the fortunes of private individuals at the public expense. A compromise might be made with such parties by the Trustees, for the use of the road, at a less charge than sixpence per load. It would be giving them an advantage over others; for example, those at Hochelaga, whose firewood has to enter the City by the Quebec gate.

51. Would you not recommend the prayer of the Petitioners at Hochelaga, upon their securing to the Trustees as large an average revenue as offered by Mr. Brewster to be granted?—The reply to this question shall be the answer sent to Government on the Petition of the proprietors at Hochelaga. I do not know what is meant by the offer of Mr. Brewster in connection with their Petition. If this project of removing the gates be entertained, it will have to be followed up, and the Turnpikes will require for their maintenance an increase of toll on the public generally.

[Witness then produced the following extract of letter from Trustees to Provincial Secretary respecting removal of Toll-Gate at Hochelaga.]

15th April, 1846.

" 1st. The revenue derived from the Turnpike Gate in question would be seriously diminished.

" 2nd. That the reasons assigned by Petitioners, why that particular gate should be removed, apply to other gates of the Trust; for example, to the gate on the Upper Lachine Road, beyond which

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" a large village is situate; also to the gate near the Mile End, beyond which resides and traffics a dense population. If the boon be conferred on the Petitioners, it cannot equitably be denied to inhabitants of other localities, and the inevitable consequence would be so serious a falling off in the revenue of the roads, as materially to affect the efficiency of the Trust.

" 3rd. The Petitioners inveigh against the Turnpike tolls, and yet strenuously resist the extension of the City limits, so as to include their properties; should they obtain their prayer, they would enjoy an exemption from a public charge imposed on all who reside without the City limits.

" 4th. The revenue of the Turnpike Trust will not permit a diminution, being now not more than sufficient to pay the interest on the Road Debentures, and various other demands, including renewal of plank road at a not distant date."

52. Mr. Brewster having alluded in his evidence, to that regulation of the Trustees which permits vehicles entering or leaving the City by one gate, to return home by another gate, on payment of only one toll, and shewn how unequally it acts in certain cases; will you state what you know about that regulation?—There is such a regulation, and it was made for public convenience, and because it would not injure the Revenue much, if any. Mr. Brewster has shewn a case, certainly, which, if it ever happened, or was likely to happen six times in the course of the year, might be adduced as a strong example of unequal action. He supposes the case of a person paying toll on the Lachine Road, six pence, then making the circuit of the Island of Montreal, and striking the Turnpike Road again at Bout de l'Isle, and thence proceeding to the City, via the Long Point and Quebec Gates, through which gates Mr. Brewster contends they would have the right to pass without paying, in virtue of the regulation referred to. Now, I think it very unlikely indeed, that the case ever occurred; in the first place, of a person making such a circuit, and, in the second place, I do not conceive a person could rightfully demand to be allowed to pass, toll free through the Long Point and Quebec Gates, under that regulation, as it is evidently intended to apply to gates not far apart. But even could they rightfully demand to pass those gates toll free, it is very unlikely indeed such a demand would ever be made, as any one acquainted with the Island of Montreal will testify. Mr. Brewster, in contradistinction to that supposed case, says persons entering the City by the Lachine gate, cannot leave the City by the Quebec gate without passing a second toll; this is true,—and it would be strange if they were. The regulation of the Trust alluded to was to allow persons to return home by a second gate,—a great public convenience, not to allow the entire Turnpike Road to be travelled over for one toll, as would be the fact, were what Mr. Brewster considers a hard case altered.

53. Are the ferry boats at Longueuil put to any and what expense, by landing their freight and passengers where they do at present, over and above what they would pay if they were to land at the old landing place, about half a mile below?—I consider there must be the additional expense of fuel, to enable the steam ferry boat to reach its present landing-place, which for one year must be considerable, say about £100; and, besides, the cost or rent of the present place of landing, £37 10s., over and above what would be paid below, where the inhabitants are willing to furnish a landing place gratis. The Turnpike Trustees made an offer last year to the Chambly

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Trust, to allow all vehicles, horses, &c. coming across in the ferry boats, to pass toll free to the City and back the same day, for the sum of fifty pounds for the season, but nothing came of this offer. I may state moreover, that a tax is imposed by the Corporation on Steamers ferrying within the City limits, of, I believe, £25, which would be saved by a change of landing place. I may observe here, that if the ferry boat belonging to the Chambly Trust landed its passengers below the Toll gate of the Montreal Turnpike Trust, opposition ferry boats would destroy its traffic, or turn off from it all the Ferriage, by landing their passengers above the Toll gate. This reason will prevent the Chambly Trust running their boat below the Toll Gate.

54. What is the nature of the arrangement which the Turnpike Commissioners made with the Messrs. L'Espérance in regard to their opposition on the ferry from Longueuil to the Montreal shore?—The Trustees of the Montreal Turnpike Roads have not had any thing to do with Mr. L'Espérance in regard to the ferry opposition. The Trustees of the Chambly Turnpike Trust doubtless have some arrangement with him.

55. At what period do the Lessees of the Toll bars pay their annual rents?—They pay semi-monthly.

56. Are the funds received by the Trustees from the Lessees of the Toll bars deposited at interest, if so, please to state at what periods they are so deposited, and at what rate of interest?—The funds are deposited at interest in the Montreal Bank, by certificate deposits; the monies are deposited as fast as received, and three per cent interest is obtained.

(On the Petition of N. B. Desmarteau and others, of Montreal.)

Mr. Léandre Chaput, of Montreal, Tavernkeeper, called in; and examined:—

57. What do you think of the manner in which the Tolls are now levied on the Montreal Turnpike Roads?—The regulations which oblige persons, who cannot return on the same day, to pay the Tolls again the next day, are very severe on the country people who reside at a distance from the Town, inasmuch as they cannot return home on the day on which they arrive, and the said regulations oblige these people to remain outside of the Turnpike Gates on the day on which they arrive; so that they only come into Town the next day, to avoid paying double toll; for this reason, not only the country people but the Petitioners and the whole commerce of the City suffer considerably, inasmuch as the country people do not remain any time in Town, and have no time to make their purchases, being in such a hurry to leave the Town, so as not to pay double toll.

Mr. Scraphin L'Huissier, of Montreal, Tavernkeeper, being called in, corroborated the testimony of the preceding witness.

Mr. Samuel Price, of Montreal, Tavernkeeper, being called in, also corroborated the same.

Tuesday, 5th May, 1846.

Mr. James M'Vey was called in, and the evidence given by him before the Committee respecting the Montreal Roads, last Session, being read,—he stated that he had nothing further to add.

(On the Petition of John Dillon and others, of the Parish of Longue Pointe and its vicinity.)

Friday, 8th May, 1846.

Mr. John Dillon, of Longue Pointe, called in; and examined:—

58. Please state what you have to say in support of the Petition of John Dillon and others, against the conduct of the Trustees of the Montreal Turnpike Roads?—The Trustees have got the public money in their hands, and they are defending law suits against the proprietors of whose property they have illegally made a road through from Longue Pointe to Bout de l'Isle, and preventing them from obtaining that speedy justice, which the Turnpike Ordinance expressly directs. It is also known, that the money collected as tolls is not put out at interest, by which means the public suffer very heavy losses. The laborers employed upon this road have high wages, with no person to superintend them; and, in my opinion, they do not work half the day.

Mr. John Clark, of Longue Pointe, called in; and being interrogated, answered:—The best part of my property has been seized upon by the Montreal Turnpike Road Trustees, and that without my consent, and a new line of road run by them between my dwelling house and out buildings, to the great injury and destruction of my property, and for which land so taken by them I have never been remunerated. I have applied to the Courts of Justice as directed by the Ordinance 3 and 4 Victoria, but, instead of obtaining justice there, I have been compelled to pay costs, (a receipt I here produce,) and carry on a ruinous law suit against men who have the public money to defend themselves with, (part of which I myself pay,) and which they prefer squandering in that illegal manner, to paying the proprietors whose properties they have injured. At the time the Road Trustees were tracing out the new line of road leading from Montreal to Quebec, I saw their intention of altering its route every where, except in front of Road Trustee Handyside's property, (this of course they did to favor him, and which favor Mr. B. Holmes, one of the Road Trustees likewise, told me that Trustee Handyside requested of them.) I joined with other proprietors in making an offer of sixty, instead of thirty-six feet, as required, in width, in front of our properties, and to bank our banks with stone within two years, that the public should suffer no loss; that offer the Trustees contemptuously refused. They then illegally entered upon and possessed themselves of our property contrary to the existing law of the country, and for which damage the Trustees refused to compensate us; and use the funds entrusted to them in feeing Lawyers to prevent us from obtaining justice. The power of the Grand Voyer was transferred to the Road Trustees by the Ordinance 3rd and 4th Victoria, which constituted them; but he, the Grand Voyer, did not possess the power to alter the rout of a road without the consent of the inhabitants; and the Road Trustees in doing so, have exceeded the power delegated to them. They have altered the road every where, except at their own properties, and there they continue it in the old line, and added land to their properties they had no right to. I can point out in the Road Trustees accounts, the charge of £299 9s. 1d., under the head of Petty Accounts, or expense, and likewise the cost of £3 prosecuting an assault upon Casey, Long Point Toll-bar man, notwithstanding the man who committed that assault was fined in a penalty of one pound and costs, as Mr. Delisle's register will prove. The Road Trustees give out no public contracts for the work to be done upon the road; they hire the laziest of

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men, who I can solemnly declare never work half a day's work, although they are paid for a full day's work,—to the great injury of the public. The roads are kept in such a state in winter that the vehicles and loads are obliged to be abandoned; and their Superintendent, who receives a large sum of the public money, is to be found drinking at taverns, instead of attending to his business. The public money is therefore paid to men that no person knows if they work or not; and the Road Trustees own accounts will prove what I state to be correct; they have no vouchers, and the amount of the public money is under the head of work done, do. do. do. to

ever such an amount. The tolls when sold at auction last year realized a sum of £1055 2s. 7d. over the previous year, and a sum of £2734 15s. 3d. over the year before that, that is to say, the year 1843. This is, I think, clear evidence of the Trust having been mismanaged; this proves that the Road Trustees should be obliged to do every thing openly, and by contract. If the Tolls, according as they are collected, were lodged in the Savings Bank, they would return a large sum annually, which would assist in paying off the road debt, and in lightening the Tolls now paid.

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	£	s.	d.
The Tolls collected at the nine Toll Bars for the year ending 1st December, 1844, as per Road Trustees Return	8012	9	8
The foregoing was the year previous to the letting of the Tolls at auction, when there was an increase of	1055	2	7
The Tolls accounted for to the public, as received by the Road Trustees at the different toll gates for the year ending 1st December, 1843, were	6332	17	0
This shows a decrease in 1844, of	1679	12	8
If the increase in the Tolls which was obtained where they were let at public auction be added	1055	2	7
It will make a difference between the years 1843 and 1845, of	2734	15	3
The Tolls accounted for to the public as received by the Road Trustees at the different toll gates for the year ending 1st December, 1842, were	6352	0	1
This shows a difference on the year 1844, of	1160	9	7
And the rise obtained when let at public sale	1055	2	7
It will make a difference between the years 1842 and 1845, of	2215	12	2
This statement shows a loss to the public in consequence of the Road Trustees not letting the Tolls at public auction, after the expiration of one year, when they had ascertained what they were likely to return annually, of	6005	9	0

If the Tolls, according as they are received, were placed at interest for the benefit of the public, they would have returned a large sum at this date towards paying off the road debt.

(Extract from the Montreal Gazette of 19th May, 1845.)

On Saturday morning, according to previous announcement by the Trustees, the different Tolls of the Montreal Turnpike Roads for one year, from the

1st June next, were submitted to public competition. This sale being the first time of the disposal of the Tolls in this manner, excited a considerable degree of interest, and Mr. Leeming's Auction Rooms presented a very animated scene. The upset prices of the Tolls were the net receipts as returned by the Gatekeepers for the year ending 1st December, 1844; the biddings were very spirited, and a considerable increase on the upset price was obtained in every instance. We give below a list of the upset prices, the prices obtained, and the names of the purchasers:

	Upset Price.		Price obtained.		Purchaser.
	£	s. d.	£	s. d.	
St. Laurent Tolls	2500	0 0	2500	0 0	John Greaves.
Quebec	1010	0 0	1055	0 0	John M'Donald.
Côte des Neiges	950	0 0	1085	0 0	John Watson.
Upper Lachine	1300	0 0	2225	0 0	Geo. Harrison.
Lachine	470	0 0			
Lower Lachine	300	0 0	386	0 0	Duncan M'Intyre.
Victoria	300	0 0	350	0 0	John Bates.
Long Point	305	0 0	325	0 0	Peter Casey.
	£7185	0 0	7976	0 0	
			7135	0 0	
Increase this year			£841	0 0	
St. Antoine Gate, not sold			214	2 7	
			£1055	2 7	

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STATEMENT OF TOLLS collected at the several Toll Gates of the MONTREAL TURNPIKE TRUST, from their first establishment in June, 1841, to 5th April, 1845, shewing separately, the Tolls collected during the Wheeling and Sleighing Seasons.

Time.	St. Laurent Gate.	Quebec Gate.	Côte des Neiges.	Upper Lachine Gate.	Lachine Gate.	St. Antoine Gate.	Lower Lachine Gate.	Victoria Gate.	Long Point Gate.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
From 1st June, 1841, to 1st December, 1841	£903 9 11	699 5 3	408 12 11	658 8 6	194 5 5	80 8 5	76 19 6	100 18 9	
From 1st December, 1841, to 1st April, 1842	423 10 11	297 0 3	257 1 9	233 14 8	171 4 6	43 8 7	28 18 6	35 11 8	
From 1st April, 1842, to 1st December, 1842	1723 14 10	1386 12 0	709 1 3	831 13 11	369 0 5	101 19 2	186 9 2	52 18 6	
	£2147 5 9	1683 12 3	966 3 0	1065 8 7	540 4 11	145 7 9	215 7 8	88 10 2	
From 1st December, 1842, to 1st April, 1843	415 4 8	200 7 10	254 19 8	282 14 1	123 16 9	27 17 3	22 6 3	34 4 0	
From 1st April, 1843, to 1st December, 1843	1446 19 0	868 19 1	655 5 6	939 9 0	907 7 6	88 17 6	212 16 3	200 19 1	250 13 7
	£1862 3 8	1069 6 11	910 5 2	1222 3 1	431 4 3	116 14 9	235 2 6	235 3 1	250 13 7
From 1st December, 1843, to 1st April, 1844	542 11 8	264 16 11	323 14 10	325 17 0	199 4 4	34 6 11	36 16 4	113 7 2	58 15 6
From 1st April, 1844, to 1st December, 1844	2123 12 4	826 0 3	699 8 8	1056 0 11	340 0 9	179 15 8	320 7 10	253 15 5	313 17 2
	£2666 4 0	1090 17 2	1023 3 6	1381 17 11	539 5 1	214 2 7	357 4 2	367 2 7	372 12 8
From 1st December, 1844, to 5th April, 1845	£661 5 4	310 14 2	333 11 5	202 15 2	193 1 9	43 2 7	31 10 0	138 17 9	64 18 2

REMARKS.

The Tolls of the St. Laurent Gate include the amounts collected at the Temporary or Check Gates on the Road from the Mile End Tavern to the Victoria Road, on which Roads Check Gates are indispensable to prevent evasion of Toll.

The difference between the amount of Tolls collected at the Quebec Gate in the year ending 1st December, 1842, and two subsequent years, is chiefly owing to the landing-place for the Longueuil Ferry Boats having been changed.

During the Winter Season roads are formed on the ice, and the Turnpike Roads from the City limits to Bout de l'Isle and to the Pavilion Tavern are but little used in consequence.

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Mr. *Daniel Salmon* called in; and being interrogated, answered:—I have been professionally engaged by Mr. Clark. I can state to the Committee in what manner he has been treated by the Trustees of the Montreal Turnpike Roads and the Courts of Justice. First. There has been an arbitration entered into between the said Trustees and Mr. Clark for the damage done to his property; but as Mr. Clark could not accept of the award offered to him in consequence of that arbitration, being the said award no compensation whatever for the damages he had sustained, he has applied to the Court of Quarter Sessions to obtain the decision of Jury upon the matter in contestation between him and the said Trustees. The rule to empanel a Jury was first granted by the Quarter Sessions; but a Writ of Certiorari was immediately issued, appealing of the decision given by the Quarter Sessions; and for more than two years we have been stopped proceeding before the Court of Queen's Bench, some of the papers being missing, having been taken away from the record. At last we have been heard before the Court of Queen's Bench, and the Court having sent us back to the Quarter Sessions; we have not been able since to obtain a Jury to be empanelled,—and the matter remains as it was, after a great deal of costs incurred by Mr. Clark, without being able to obtain justice.

Friday, 15th May, 1846.

The Chairman laid before the Committee the following Letter received by him from the Chairman of the Montreal Turnpike Roads:—

Turnpike Trust Office,
Montreal, 14th May, 1846.

Sir,

I had the honor to address you on the 20th ult., to which letter I beg leave to ask reference, and to solicit that it be appended to the Report of Your Honorable Committee, as it replies to the allegations contained in the Petition of John Dillon, John Clark and others.

Since that letter was written, the Trustees have been favored with an abstract of the evidence of the same individuals, wherein I find it stated that I had

informed Mr. Clark, that Mr. Commissioner Handyside was extremely anxious that the line of road in question should be that adopted by the Trustees. This assertion I think it necessary, in justice to the deceased Mr. Handyside, distinctly to contradict; and to state that, so far was that gentleman from evincing, on any occasion, the slightest desire to advance his own interests when coming into contact with his duty as a Trustee, that he declined voting on any occasion when the line of road in the vicinity of the property of his Firm was under consideration. His brother, Mr. Adam Handyside, was however heard by the Trustees, and it may be that Mr. Clark has confounded in his own mind, what was stated to be the objections urged by Mr. Adam Handyside, to the road passing in rear of their property, imputing his arguments to the Trustee, Mr. Robert Handyside, who, as I have already stated, did not interfere; and in his confusion of ideas he seeks by implication to involve the writer in admissions never made.

Mr. Clark's reckless attacks upon the Trustees, may be accounted for by the fact, that he is the possessor of a farm, situate a little below that of Messrs. Handyside, which is extremely broken by a deep and serpentine ravine or creek, and over which had the road passed where Mr. Clark was anxious it should pass, three or four expensive bridges would have been necessitated,—very convenient and desirable for Mr. Clark, but not at all so for the public.

The refusal of the Trustees to adopt a line of road at that particular point, for Mr. Clark's sole advantage, will account for that person's hostility to the Trust, whilst it was the cost incidental to the route proposed by him, which determined the Trustees to select the route of the present road.

I have the honor to be,

Sir,

Your most obedient Servant,

BENJAMIN HOLMES,

Chairman R. T.

A. JOBIN, Esquire,

Chairman of Committee

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REPORT.

THE SELECT COMMITTEE to which were referred Copies of the Despatches from Her Majesty's Principal Secretary of State for the Colonies, respectively dated the 25th April, 1845, and the 3rd February, 1846, with their enclosures, relating to the Provincial Customs Act passed during last Session, beg leave to present the following REPORT:—

Your Committee have considered Lord Stanley's Despatch of the 25th April, 1845, respecting the admission of Cattle, duty free, for Her Majesty's Service, and they beg leave to append the evidence taken before them, together with that taken before the Committee of last Session for inquiring "into the cause of the present state of the "Agricultural interest in many parts of Lower Canada," in support of the course taken by the Legislature on that question, as well as in reply to the assertion made in Commissary General Filder's Letter of the 25th March, 1845, that Canada cannot support her own markets. The evidence now produced has left an impression on the minds of Your Committee that the supply in the different markets of the Province has been greatly underrated, and could be readily increased should occasion require.

The records furnished from the Office of the Commissary General do not, in the opinion of Your Committee, support the position assumed by that Officer, that the law had increased the price of all Meat furnished to the Troops about 24 per cent; indeed, from the time of the passing of the Act, until six months after the date of his communication, it does not appear that any contract, at any time whatever, was made.

The first contract entered into after the operation of the present Act, was on the 1st October last, at 21s. 9d. being less than it was in 1842-3; about 10 per cent advance on 1843-4, and 15 per cent on 1844-5, which was one of the most depressed years that the Agricultural interests of Lower Canada had ever experienced.

Your Honorable House having already acted upon the other questions enumerated in Mr. Gladstone's Despatch of the 3rd February 1846, Your Committee have not entered upon its merits.

All which is respectfully submitted.

R. N. WATTS,
Chairman.

29th May, 1846.

MINUTES OF EVIDENCE.

ROBERT NUGENT WATTS, Esquire, in the Chair.

Monday, 6th April, 1846.

William Filder, Esquire, Commissary General, called in; and examined:—

1. Will you state the contract prices for fresh Meat for Her Majesty's Troops during each of the last four years?—

Montreal per 100 lbs.	Currency.	St. John's per 100 lbs.	Currency.
1842-3.	21s. 11d.	...	21s. 2½d.
1843-4.	19s. 7d.	...	19s. 6 d.
1844-5.	18s. 0d.	...	18s. 6 d.
1845-6.	21s. 9d.	...	22s. 4 d.

The consumption of the Troops when the Contracts for the year 1842-3 were entered into was double what it was during the subsequent years, which will account for

the higher prices. Up to 30th September 1845, there was either no duty on Cattle imported, or the duty was returned to the Contractors by the Colonial Government or the Commissary General. The Contracts for 1845-6, are the first which stipulate that the contractors are to pay the duty without being reimbursed.

2. Before the passing of the present Provincial Customs Act, did the Commissariat refund to the contractors the duties paid on any Cattle which may have been imported from the United States for the use of Her Majesty's Troops?—Up to October 1844, the Colonial Government returned the duty; from that time till October, 1845, I returned it: this was paid in addition to the contract price.

3. What was the amount of that duty, and the average weight of the Cattle?—The average of slaughter weight was, for a long period, 510 lbs. The following is a Statement of the amount so paid by me to the contractors for one year, from the 1st October, 1844:—

Montreal,	883 Head.....	£912 11 7
Laprairie,	282 do	203 7 2
St. John's,	200 do	195 19 3
Isle aux Noix,	98 do	77 7 0
Chambly,	262 do	187 10 0
Prescott,	7 do	8 9 6
Kingston,	290 do	294 0 8
Niagara,	325 do	307 8 0
Amherstburg,	65 do and 1084 lbs,.....	63 19 0
		2412
		£2250 11 9

4. Is the contract for 1845 the first made since the present Act came into force?—Yes.

4. Have you reason to believe that the supply of Cattle in the Colony is unequal to the demand?—The supply of the Country was not adequate to the demand.

6. Where did you obtain your information?—From several contractors, and the Reports of Commissariat Officers all through the Province.

7. Can you say whether the contract has been fulfilled from the United States, or from Canada?—It has been necessary to obtain part of the supplies from the United States.

8. Are you aware if the price rose in the United States at the same period?—I cannot imagine that such has been the case, for our contractors buy the Cattle, and have to pay the duty.

MINUTES OF EVIDENCE taken before the Special Committee appointed on the 27th January, 1845, "to enquire "into the cause of the present state of the Agricultural "interest in many parts of Lower Canada, and to report "whether in their opinion any Legislative enactment can "be brought to its relief without prejudice to the general "interests of the Province."

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ROBERT NUGENT WATTS, Esquire, in the Chair.

Friday, 7th February, 1845.

Mr. *Alexander Kilborn*, of Stanstead, called in; and examined:—

1. Do you believe that a farmer can afford to hire laborers to work his farm at the present price of produce?—No.

2. Will you suggest any means by which the prospect of the farmer can be improved?—I can see none other than raising the price of produce. I have just now sold cattle for two-thirds of their value. I reside at a distance of seven days journey from market; the Americans are nearer, say three days. The Townships are chiefly a grazing country, and grain will not pay to bring at present prices, owing to distance from market.

3. Why is it that the Americans can afford to pay the present duty, and yet undersell the Canadian farmer?—I think they are driving a losing trade; they must send their cattle to our markets, being three hundred miles from their own. Their country being older, and climate better, gives them a little advantage over us; still they are giving up the practice of raising beef, because it does not remunerate them. They are now taken to raising sheep.

4. What in your opinion would be a remedy for this state of things?—I think that the duty should be raised on certain Agricultural produce.

5. Is it not a fact that since Agriculture was protected, the prices have ranged lower than before?—Yes.

6. What is the reason thereof?—In consequence of the large stock of cattle increasing on hand for the last five years, and the Americans having closed their market to us, we are necessarily confined to our own markets, and have now to sell at such prices as produce will bring. The prices are now ruinous to the producers in consequence of cattle being allowed to enter for the Commissariat. As many cattle are now introduced as formerly. Large cattle might be imported from the States, and changed for small Canadian cattle, on which a drawback is received without the knowledge of the contractor. Valuing Potatoes at 7½d. per bushel, a man will lose £5 on a yoke of oxen. I have sold off my stock, and will raise no more. I have run behind £100 per annum, and some of my neighbours have done worse. A man cannot employ laborers at present prices; a man hiring himself at seven dollars per month is better off.

7. Do you not think that a hired laborer at seven dollars per month, with board only, is better off than a man farming his own land?—Yes, I do! I had an Irishman who worked for me, and made enough money to buy a farm; he then left me to go upon it, and got into debt. I made money in trade, and turned farmer; but I mean to abandon it for business again. A gentleman of Stanstead is losing one thousand dollars per annum; he was originally a Merchant and made a fortune, but he is spending it as a farmer.

8. How much will it cost to bring a bushel of wheat from the Eastern Townships to Montreal?—It will cost in winter, 2s. per bushel, and in summer, 3s. 6d. per barrel. All the rich and wealthy farmers of the country are curtailing their farming as much as possible so as to sink as little money as they can. One neighbour in Stanstead who has been in the habit of employing from 15 to 20 men, now employs but 7 or 8.

9. What is the price of real estate?—It is unsaleable.

10. What is the cost of clearing and fencing, per acre?—Clearing costs £3 per acre; fencing rails, 12s. 6d. per hundred.

11. Would the land sell for this amount, with buildings, &c.?—No.

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Mr. *Edmund Longley*, of Shefford, called in; and examined:—

12. Are you not a Commissariat contractor?—I am.

13. Do not the Commissariat return the duty on foreign cattle?—They do, upon proof that they have been imported for the use of the Commissariat.

14. Can you state how much drawback you have received for cattle for the use of the Troops, for the three months ending the 1st October 1844, to 1st January 1845?—I have received drawback once, viz: in December, since the commencement of my contract; I cannot state the exact amount, but it was between £200 and £300. My contract commenced the 1st day of October.

15. Have you any idea of the reason of this practice on the part of the Commissariat?—The reason given by the Commissariat was, because they expected that the Agricultural protection Act would not be renewed after the 5th January.

16. From what Officer have you received the drawback?—From the Commissariat.

17. What papers and vouchers do you furnish to enable you to get this drawback?—I show Permits, that the cattle were imported and entered in my name at the Customs, and make oath that they were slaughtered and actually delivered to the Troops. The age of imported cattle is given in the Permit.

18. Are you obliged to swear that the cattle mentioned in the affidavit are the same as those in the Permit?—I swear that I have paid or caused to be paid the duties on so many head of cattle under four years, as mentioned in the Permit, which cattle have been slaughtered, and the beef actually delivered to the Troops; this is as near as I can recollect the words of my oath.

19. Do you own all the cattle so entered in your name at the time of entry, or have you agents to make such entry in your name, with the prospective view of buying the cattle afterwards?—I do not authorize cattle to be entered in my name, unless a bargain is made for them beforehand. Cattle may have been entered in my name without my knowledge or consent.

20. Could any contractor, by taking a false oath, obtain the drawback on cattle that have not paid duty?—I do not know, but I think that it might be done.

21. What quantity of beef is supplied daily to the Troops in Montreal?—In December, the supply amounted to 55,000 lbs.

22. Are you in the habit of slaughtering Canadian cattle for the use of the Troops?—The cattle with which I supply the Commissariat are principally American.

23. Are you aware what becomes of the Permits for cattle imported for the Montreal market?—I am not.

Mr. *Hiram Gilbert*, of Montreal, a Butcher and Farmer, called in; and examined:—

24. Are you aware what becomes of Permits for cattle entered for the Montreal market?—I do not know; but the Drovers seem to prize them after the cattle are sold.

25. Are any cattle sold in Montreal market that are entered in the name of any Commissariat contractor?—Yes, a large quantity of late; I think nearly one half of the American cattle sold in the market.

26. What becomes of the Permits for the cattle entered in the Contractor's name, and sold in the Montreal market?—I have seen the Permits for cattle in the hands of the partner of one of the contractors, and have been told by the Drovers that after selling their cattle in the

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market they handed over the Permits to the Commissariat contractors.

27. What is the effect of the practice by the Commissariat of returning the duty on cattle imported for the use of the Troops?—I think to reduce the price 2s. 6d. per 100lbs. If there was not some way of avoiding the law so many cattle would not be entered in the Contractor's name: I have known instances of a Drover going back sixty miles to get his Permit changed, after having sold them to the Contractors at a certain price, on condition of getting the Permit changed, which cattle were afterwards sold to the butchers. I know that a lot of cattle was entered in the Montreal Contractor's name, by a Drover who sold seventeen of them to a dealer; the dealer took them to Quebec, and sold them to the Commissariat Contractor there, who was to repay him the drawback on obtaining the Permit; he thereupon came back to Montreal and asked the Drover for it; the Drover replied that he had entered them in the Contractor's name, who refused to give it up because he had bought three of them; he therefore got an old Permit and sent it down to Quebec. It was considered a joke at Montreal.

Friday, 14th February, 1845.

Mr. Charles Penner, of Lachine, Farmer, called in; and examined:—

28. You have a large amount of capital embarked in farming?—I have.

29. What interest does farming pay on the capital embarked in it?—It does not give me simple interest, and certainly nothing for my time and superintendence.

30. To what cause do you attribute this fact?—The short time we have to put in and gather our crops compels those who farm on a large scale, to hire extra hands and teams which are idle in winter,—to the high price paid for labor,—and the low price of produce.

31. Do you think the laboring farmer as well off as a hired laborer?—A man in regular employment can save money, when the laboring farmer cannot.

32. Can you suggest any remedy for the depressed state of things which you have mentioned?—Reciprocal duties to those in the United States; for we cannot, now, with any safety, invest capital in cattle, owing to the fluctuation in the market caused by the importation of cattle from the United States. The Americans have the choice of two markets, whereas we are obliged to confine ourselves to our own, frequently at a ruinous loss. If certain of a steady market, many farmers would invest capital in fattening cattle for the Canadian market.

33. Do you find that the recent Statute for Agricultural protection has been of benefit to Lower Canada?—It would be a benefit if the law was fairly carried out; but owing to the Commissariat allowing the drawback on the cattle imported for the use of Her Majesty's Troops, the law can be so easily evaded, that it amounts not only to a nullity, but acts as a premium for the introduction of American cattle.

34. In what way?—Because the first class cattle brought in from the States can be substituted for Canadian cattle of inferior weight, which being handed over to the Commissariat would take nearly double the number of those imported to make up a corresponding weight, while the Commissariat allow a drawback of so much per head. It is notorious that the Commissariat contractor never delivers to the Troops first rate beef.

35. What would you consider a remunerating price for fattening for market?—Cattle fed on grass and sold in the fall, 25s. per 100 lbs.; in winter, stall fed cattle can-

not be sold under 30s. per 100 lbs.; if those prices could be realized, a large capital would be invested in the trade in this Country.

36. Do you think that Lower Canada could supply her own cattle market at those prices?—Yes, at those prices. Canada has never raised as much as she could, on account of the uncertainty of the market preventing farmers investing their capital in fattening stock.

37. Do the Americans generally send us first class beef?—No: When their own markets suit, they never send us first class beef,—always beef of second quality.

38. Have you found that the Tariff passed by the Americans act to the prejudice of the Canadian Farmers?—Yes; previous to that time I frequently sold stock to go to the United States: since it passed I have sold none.

Mr. James Somerville, of Lachine, Farmer, called in; and examined:—

39. Is your farm long established?—Over thirty years.

40. Do farms in your neighbourhood afford a fair remuneration for time and superintendence, besides interest for the capital embarked in it?—They do not.

41. To what cause do you attribute this fact?—To the high rate of wages, and low price of produce.

42. Do you think that Agriculture can be made to pay in Lower Canada?—Only by obtaining higher prices for our produce than we at present obtain.

43. To what cause do you attribute the depressed state of Agriculture?—To the large quantity of produce of all descriptions,—and number of cattle coming from the United States.

44. Can you suggest any remedy for the present depressed state?—By raising the duty on Agricultural produce from the United States.

45. Can you suggest any other?—No.

Mr. William Evans, of Côte St. Paul, Farmer, called in; and examined:—

46. Is your farm long established?—Twenty years.

47. Do farms in your neighbourhood afford a fair remuneration for time and superintendence, besides interest for the capital embarked in it?—They do not.

48. To what cause do you attribute this fact?—To the free importation of foreign produce: it prevents us having a steady market, particularly in regard to cattle. Farmers in this country are obliged to sell their stock at a loss of fifty per cent on their own cost. I have known farmers to feed cattle, and when ready for sale in the spring, they found that the Montreal market was inundated with American cattle, which reduced the prices to whatever the butchers chose to give.

49. Do the Americans generally send us first class beef?—In general they send their best beef to their frontier towns—Boston or New York, and their inferior cattle generally come here, which has a very injurious effect on our market, inasmuch as the butchers select the best cattle for our consumption, and the inferior are slaughtered and packed for shipment to England as Canadian beef.

50. Do you think that Agriculture can be made to pay in Lower Canada?—I should think so, under an improved system of Agriculture, and reasonable protection from foreign produce.

51. What duty would you suggest?—Reciprocal duties.

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52. Supposing a farm with farming implements was offered to two men, and they came to a mutual understanding that both should give their whole time to it, but one should have all the produce on giving £2 per month, and board, to the other, who would be the better off of the two at the end of the year?—No doubt the hired man. It would be ruin to the man that would give £2 a month to the other.

53. Is it not a fact that farmers in general who work their lands themselves, from want of remunerating prices for their produce, have got into debt, and grown poorer these few years back?—It is.

54. Are you aware of grain being imported from the United States to our market?—Yes, Indian Corn and Rye to a very large extent; for Distilleries here.

55. What would you consider a remunerating price for fattening for market?—Grass fed cattle slaughtered in the fall, 25s. per 100 lbs.; stall fed cattle, 30s. killed in winter. I have seen it at 12s. 6d.; it seldom exceeds 20s. per 100 lbs.

Saturday, 15th February, 1845.

Edmund Cox, Esquire, of the Township of Kingsey, Farmer, formerly a Captain in the 87th Regiment, called in; and examined:—

56. Is your farm long established?—One of the oldest in Kingsey; part cleared thirty-five years ago, and part within the last few years.

57. What is the expense of clearing land, per acre?—From ten to twelve dollars.

58. Would the average number of farms in your neighbourhood sell for what they cost to clear and fence them, to say nothing of the value of the buildings and first cost of the land?—No, they would not: I have known the best farms in the Township sell for less.

59. Is not the land of Kingsey generally good?—Most admirable—well adapted for the growth of Wheat.

60. Do you think that Agriculture can be made to pay in Lower Canada?—Certainly not for the capitalist; perhaps for the laboring farmer.

61. Do farms in your neighbourhood afford you a fair remuneration for your time and superintendence, besides interest for the capital embarked in it?—No, certainly not.

62. Can you suggest any remedy for the depressed state of things?—A more ready communication by opening Mail Roads and erecting Bridges over the Rivers leading to market, and reciprocal duties to the United States.

63. What does it cost you to send grain to market?—It is at present so expensive that sending grain to market is quite out of the question.

64. Have you at all seasons of the year an uninterrupted communication with a market?—Owing to the want of Bridges, we have no communication with a market either in spring or fall.

Monday, 17th February, 1845.

Robert Hart Hamilton, Esquire, Surveyor of Her Majesty's Customs, Montreal, called in; and examined:—

65. Do you know the quantity of salted meat which has been bonded at Montreal,—the produce of cattle slaughtered in bond, since the Agricultural Act came into force?—Yes, 55 tierces and 250 barrels beef.

66. What duty would that beef be subject to, if taken out of bond for home consumption?—Five per cent.

67. Can it be exported without the payment of any duty?—Yes.

68. Have you ever made any calculation of the quantity of meat, cattle over four years old, will, upon an average, produce, and if so, state the quantity?—I have; and the average of produce is two and one half barrels, and under four years old, two and a quarter barrels, generally three barrels in the 100 barrels less than the quantity I specified: I am speaking of barrels weighing 200 lbs. net.

69. Do you, under these circumstances, consider the duty levied to be in fair proportion according to the age of the cattle?—Certainly not; the average shews the contrary.

70. Are you aware of any duty being paid back to contractors?—Not any in Montreal by the Customs Department; but I believe that the duty has been returned to them by the Commissariat Department.

71. What check is exercised at the frontier to distinguish animals under four years old from those over that age?—They are examined by the Landing Waiters of the Customs.

72. Is it considered requisite that a Landing Waiter should know any thing about the ages of cattle?—Not that I am aware of.

73. Do they generally possess that knowledge?—I am satisfied they do not.

74. The cattle under four years old might be entered for under that age, with little chance of detection?—Undoubtedly.

75. Are you aware of any cattle having been seized for trying to evade the duty?—Yes, I recollect attending the sale of eighteen head at Montreal seized by the Officers of the Customs at St. John's.

76. What price did they fetch?—As far as I can recollect, about ten dollars per head.

77. Did you consider that any way near their value?—I was told by competent judges that it was not one-third of their value.

78. How do you account for that circumstance?—By the combination of the Drovers and Butchers, which was quite evident at the sale.

W. J. Knox, Esquire, of Lachine, called in; and examined:—

79. Have you been long engaged in farming in Canada?—Eight years.

80. Were you accustomed to farming before coming to Canada?—I have been always accustomed to farming, and have assisted in the management of extensive landed property in Ireland.

81. Can you give any reasons for the great depression of the farming interests in Lower Canada?—I find three very evident reasons for the depression of the farming interests in Lower Canada: First, The partition of farms into small longitudinal patches. Second, An Act of the Imperial Parliament 1 Will. 4. Cap. 24, which, since 1831, has destroyed our market for farming produce to the West Indies and Lower Ports, at the same time that it opened the Canada market to American produce free of duty. The third reason is the failure of our Wheat crops from the fly, since 1835.

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82. You say that the partition of farms tends to depress the farming interests; how is that?—In this country where the winter is severe, the practice of holding small farms has a much worse tendency than in England. When a farm is under 100 arpents (and there are many not more than fifty) the cultivator is too poor to employ laborers, or to farm advantageously; this land is cut up with roads, fences and farm steadings, and cannot be laid out advantageously. Five small farms of 100 arpents each require nearly as much fencing as one farm of 500 arpents; they require five roads, five sets of farm steadings, and five farming establishments, instead of one: a much more numerous set of farming implements, and a waste in every way. In short, it is known from experience, and can be proved by argument, that a much greater surplus produce can be raised off one large farm than off five or ten small farms.

83. What do you mean by surplus produce?—I mean that which remains to take to market, after the farmer, his horses, and laborers, are fed and paid.

84. Can you prove that one large farm is more beneficial to the Country than five or ten very small farms?—I could prove it by argument, but it would take up too much time of the Committee; but it is generally acknowledged both by practical men, and by all writers on economy, that one extensive establishment can be managed more economically, efficiently and judiciously, than a number of small; and there are many farms in Lower Canada of less than 50 arpents.

85. You say that farming in Canada has suffered from the Imperial Act of 1 Will. 4. Cap. 24, explain this?—Before that time, 1831, Canada had the supplying of the West Indies and the Lower Ports with a great deal of farm produce, viz: flour, beef, pork, and a great variety of other articles; this Act not only opened the West India Ports to the Americans, (who, for various reasons, were able to undersell us.) but not content with that, the same Act permitted the free importation of all kinds of farming produce into Canada; so that not only were our former markets of no avail to us, but we were obliged to stand the competition of the whole frontier of the United States from Vermont to Michigan, whenever it was convenient for them to send their produce into Canada.

86. Was there no reciprocal treaty with the United States to benefit us; when we admitted their produce free of duty, did they not return the compliment?—There was no reciprocal duty whatever, as far as Canada was concerned:—some of shipping. The United States could bring in all kinds of produce to Canada free, or at *ad valorem* duties, whilst we could send nothing to the United States without paying very heavy specific duties.

87. Why were such laws enacted?—It must have been to benefit the Lumber trade; at same time losing sight of our Agricultural interests altogether.

88. What was the consequence?—The climate of the United States being better, or at least such as to enable them to raise grain, beef and pork at less expense than we could; we, in Lower Canada, were totally unable to compete with them, and all capitalists who tried farming and embarked capital, lost their money; and I have often heard the best and most successful farmers say that it was impossible to invest £1000 in stock, and realize the capital again.

89. How does this affect the farmer?—Very little capital is invested in the feeding or breeding of animals, which is a great loss to the country and ruinous to the farms.

90. Why ruinous to the farms?—Because there are no means of manuring lands properly, except by keeping stall fed cattle, or at least a numerous stock through the winter so as to eat up your rough produce and refuse, which is unfit for market.

91. Can you propose any remedy?—I think there should be as heavy a duty as possible put on foreign cattle, and on flour, beef and pork, if smuggling can be prevented.

92. What would be the consequence of duties?—Farmers would then have confidence and bestir themselves; they would commence feeding cattle and hogs; they would erect better steadings for winter; have steaming apparatus for preparing the food, and in a very few years so much would be raised that we could hardly find a market for such quantities. Beef, pork and mutton of excellent quality would probably be at the same price as is now paid for very inferior.

93. How could that benefit the farmer?—If he had good accommodation for feeding, he could do it much cheaper, and if he fed quantities, they would manure and improve his grain crops, so that between the stock and the improved grain crops he would be paid.

94. State this more particularly?—A great number of cattle, &c., being held by farmers might lower the price of beef and pork; but a quantity of live stock in a country will tend to keep up the price of hay and coarse grains. The quantity of stock will also enable the farmer to raise a greater quantity of wheat, for which there must always be a demand, and remunerating prices.

95. You mentioned the failure of the wheat crops from the fly as one great cause of the poverty of the farmers of Lower Canada; what remedy do you propose for this?—There seems to be no remedy except sowing late in the spring, so as to avoid the fly, and also sowing such species of wheat as will resist the rust consequent on late sowing; but the fly is a temporary evil and is disappearing.

96. You think then that there is a prospect of good wheat crops again?—I think that by having such laws as would enable us to keep large stocks of cattle, so as to manure our lands properly and cultivate them well, we may still have large crops of wheat. And whenever the fly totally disappears, we may have crops of all descriptions of spring wheat equally good as the Chambly country was formerly so famous for.

97. Then your deliberate opinion is, that there should be additional duty imposed on cattle, beef and pork?—I think we should have duties so high as to reach the smuggling point; of course there would be no use in having such high duties as to induce smuggling. But there is no doubt that without duties we cannot compete with the frontier of the United States so long as cash is so scarce in that country, and so plentiful here comparatively, besides the superior climate for raising at a cheap rate.

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REPORT.

THE SELECT COMMITTEE to whom was referred that part of the Report of the Chairman of the Board of Works which refers to Lake St. Peter,—Beg leave to REPORT to Your Honorable House:—

That Your Committee proceeded to examine into the subject submitted for their investigation on the 16th day of May, 1846, and continued their sittings from day to day, receiving the evidence of numerous individuals immediately interested in this controversial question or who are qualified to give an opinion in reference to the navigation of the said Lake; Your Committee also examined a great mass of documentary testimony in relation to the same subject.

Your Committee embraced with avidity an offer made by the Chairman of the Board of Works to place at their disposal a small Steamer usually employed in the Board's operations on Lake St. Peter, to convey them down to that place, for a personal inspection thereof: but Your Committee sincerely regret that any circumstances should have prevented Mr. Killaly from accompanying them to the locality of the disputable ground. Your Committee experienced every facility in furtherance of their design; and the weather proving propitious, the soundings on the Lake were taken with great accuracy and precision, which was accomplished most satisfactorily by passing and repassing entirely through both the Old and New Channels, sounding every four minutes; the result of which operation tested the general accuracy of Captain Bayfield's Survey and soundings.

Your Committee assuming that any Channel made by dredging the bottom of the Lake ought not to be of less dimensions than 150 yards wide, and 14 feet in depth at the driest season of the year, have based all their calculations on such capacity.

The accompanying Charts of the said Old and New Channels of the Lake are accurately made by Your Committee, and the soundings thereon are those made by them on the 25th day of May last, and the estimate of the amount of excavation required to complete either Channel. is predicated on such soundings.

Your Committee now proceed to lay before Your Honorable House, a detailed statement of the quantity of soil required to be excavated, and an estimate of the expense attending the same.

Excavation required to improve and complete the present Ship Channel from deep water to deep water,—the little Bank before you reach the first Light-vessel.

	Feet.	Inches.		Cubic Yards.
Average,	2	6	for 81 yards,	10,150
"	3	2	2640 "	1½ mile 418,000
"	2	4	do. "	do. 307,950
"	1	9	do. "	do. 231,105
"	"	6	1100 "	27,500

994,705

Amount of excavation required in the New Channel from near the seventh Buoy down to the deep water.

	Feet.	Inches.		Cubic Yards.
Average,	2	10	1760 yards, 1 mile,	249,333
"	2	7	do. do.	226,286
"	2	2	do. do.	190,882
"	2	0	do. do.	176,200
"	1	6	do. do.	132,000
"	0	6	880 ½	22,000
				996,701

The Dredges now remove 2321 cubic yards per day (see Commissioner's Report on page 4.) It will therefore take 428½ working days to complete the present Ship Channel throughout; and allowing by a fair computation that the dredges commence operations in the spring on an average of years on the 10th day of May, and retire from the autumnal operations on the 10th day of November, which makes a period of six months, and allowing on an average of months, that in each month there will be twenty-one working days, we have 126 working days in the year; and as the Chairman of the Board of Works estimates that the whole establishment on Lake St. Peter, including £1000 a year for contingencies, costs £8,500 a year (see the Chairman of the Board of Works' Report for the year 1846, page 13,) it follows that the entire excavation for completing the present old Ship Channel throughout may be fully accomplished for the sum of £28,473.

The above estimate of required excavation is taken from the actual soundings of the Lake made by Your Committee, on the 25th day of May, 1846, in the presence of several other Members of Your Honorable House, and may be relied on; and it affords them peculiar gratification to be borne out in their statement by an authority (on all matters of this nature) as distinguished as it is deserved, (see Captain Bayfield's Minutes of Evidence taken before a Committee of the House of Assembly of Lower Canada, on the 16th day of January, 1836, Appendix to volume forty-five in reference to the improvement of the navigation of Lake St. Peter,) where that officer is asked the following question: "From your knowledge of that part of the St. Lawrence (namely, Lake St. Peter,) do you think it would be practicable to deepen the Channel so as to allow vessels of a greater burden to proceed to Montreal, than its depth at present admits?"—He replies; "Yes, I think it possible, although I consider it a work of great difficulty." Captain Bayfield then proceeds to observe "that it may be done by excavating the present Channel through the St. Francis shoal for a distance of two miles, by which, however, only six inches or at most one foot increase of depth would be gained. To obtain a greater depth a Channel must be excavated through the Flats of

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"Lake St. Peter four and a half nautical miles in length, a work which would require so much time and labour, that, with the means contemplated, it is not impossible that the end first excavated might be filled up by sand washing in by the time the other was reached. The magnitude of such a work will be best understood by the statement that if it were contemplated only to obtain an additional increase of two feet in depth, and to limit the width of the excavation to 200 feet, and it could not well be less to allow vessels to turn in, and to pass each other without risk, no less than eleven millions of cubic feet of soil would have to be removed to effect it."

Eleven millions of cubic feet for a channel 200 feet wide is equal to 916,666 cubic yards for a channel of 150 yards wide, which makes only the trifling difference of 1-13th part less than the estimate made by Your Committee.

As a further corroboration of the accuracy of the present estimate, Your Committee refer Your Honorable House to the authority of a Civil Engineer, who has the reputation of being a man of great practical experience in his profession, and one whose position, in relation to the Works in question, gave him rare opportunities of acquiring the most perfect knowledge of every essential requisite on which to form an accurate judgment. Your Committee allude to Mr. Atherton, Superintendent of the Works on Lake St. Peter, in the year 1843. That gentleman states, in his Report to the Board of Works, and dated the 23rd of August, 1843, that the present Ship Channel may be improved to carry a depth of 14 feet at the lowest water, and 100 yards wide, by excavating 600,000 cubic yards; now 600,000 cubic yards at 100 yards wide is equal to 900,000 at 150 yards wide, which makes only 1-11th part less than Your Committee's estimate, and only 1-55th part less than the estimate of Captain Bayfield.

If any additional testimony to the foregoing be requisite to convince the most sceptical of the accuracy of the present statements in relation to the amount of excavation required to complete the navigation of the present Ship Channel, Your Committee refer them to the Report of John Young, Esq., of this city, a gentleman whose reputation for honor, integrity and sound judgment, is unquestionable. The Report in question is made to the Secretary of the Board of Trade of Montreal, and states "that having been appointed by the Board to accompany the Commissioners of Enquiry into the Management of the Board of Works, on their intended survey of Lake St. Peter, I was informed by the Secretary of the Commissioners on Thursday, the 23rd ult., that those gentlemen would leave on Monday night, and requesting me to invite any parties who felt interested in the Works. Deeming it a matter of importance that the parties who had objected to the Works as now carried on, should have an opportunity of maintaining their views, I requested the permission of the Government to enable Captain Boxer, R.N., Captain of the Port of Quebec, to accompany me, which was immediately granted; I also invited Captain C. L. Armstrong, of the Steamer Lord Sydenham, and the Branch Pilots, Coté and Hamelin.

"On Tuesday we held the Survey, and the following remarks are based upon the information obtained during that Survey:

"The whole length of the straight channel now being dredged is about nine and a half miles from deep water to deep water. Up to the present time, three and a half miles have been dredged, and in about two or three months, I think that a channel of the

"above length will be completed 150 feet in width and fourteen in depth, that is when there is eleven feet of water in the shallowest part of the lake."

Mr. Young then estimates that the excavation required in the natural channel, to make it navigable the entire length for vessels drawing 14 feet water (with the exception of a bar of 150 feet wide which would only require a few days more to deepen) and 150 feet wide, to be 352,000 cubic yards, which is equal to 1,056,000 cubic yards for a channel 150 yards wide, making it one sixteenth part more than the estimate made by Your Committee.

After this concurrent testimony in reference to the amount of excavation required to complete the navigation of the Old Channel, Your Committee may now safely be permitted to refer to the expense for completing the New Channel. By the Report of the Board of Works for the year 1846, at page 13, under the head of Lake St. Peter, it appears, "that the object aimed at is to open from end to end a Channel of 150 feet wide, with not less than 14 feet at the lowest water." The said Report also states "that in the first three and a half miles the excavation has been made of the required breadth, with the exception of two or three places for a short distance, in which the breadth is little over 100 feet; it further states that the sum of but £23,403 2s. 5d. would be chargeable to the work already effected, and £38,000 for the outfit." Now presuming that the Channel for that distance be fully 150 feet in breadth, it would require the sum of £46,806 4s. 10d. in addition to that already expended; to complete it to the required capacity of 150 yards in width, and from the end of the said three and a half miles down to the deep water, the amount of excavation required is 996,701 cubic yards, which may be accomplished, (by the same principle of calculation as that adopted in estimating the expense of the Old Channel,) for the sum of £28,531, making the amount for excavation on the New Channel £98,740 7s. 3d., to which must be added, in the case of either Channel, the diminished value of the outfit of £38,000 before mentioned, in proportion to the time occupied in perfecting the operation of the respective Channels.

It also appears, by a return (bearing date the 20th day of May, 1846,) to an Address of Your Honorable House to His Excellency the Governor General, praying that His Excellency would cause to be laid before Your Honorable House the particulars relative to the expenditure of the sum of £58,000 sterling, granted by the Act of the 4th and 5th Victoria, chapter 28, for deepening Lake St. Peter, that the balance of that appropriation unexpended is £4,907 4s. 3d. Your Committee now refer to the Report of the Commissioners of Enquiry into the management of the Board of Works to His Excellency the Governor General, dated the 14th day of May, 1846, and in page 8 we find it thus stated, "From the same sections, calculations of the time and expense necessary to extend the New Channel to 300 feet wide, by 14 feet deep, have also been made, and form the basis of the last Report of the Chairman of the Board of Works on this subject."

From this document it also appears that the sum of £30,000 over and above the present appropriation, will be required to obtain this desirable end—so says the Report.

Your Committee will now recapitulate the respective sums expended, or in anticipation of being expended on this New Channel.

From the Report of the Board of Works for 1846, to which Your Committee have before alluded to, you have the sum of £23,403 2s. 5d. already expended, for

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labour, £4,907 4s. 3d. on hand unexpended, and £30,000 the additional sum required, making an aggregate amount of £58,310 6s. 8d; and all this to complete a Channel only 100 yards in width, which is equal to £87,465 10s. for a Channel 150 yards wide, which is only 1-8th part less than the Estimate made by Your Committee, and this, be it remembered, is gleaned from official documents furnished by the Chairman of the Board of Works.

Your Committee will now allude to the evidence given before them by a gentleman who stands deservedly high in his profession as an experienced officer, and seaman; Captain Boxer, R. N. states: "That he fully agrees with Mr. Young on the general view he takes of the subject," and further proceeds to observe: "I am decidedly of opinion that it would be dangerous in the extreme for vessels to pass through a Channel of about 3 miles in length and no greater breadth than 150 feet wide, under almost any circumstances; indeed it would be madness to attempt it, taking into consideration the variable winds and sudden squalls prevalent on the lake during the period when this Channel would be required, and I consider a Channel in a straight line with the river above, would be more dangerous as a Ship Channel than the old one; and I am still decidedly of that opinion, for the rafts and river craft of every description would then be compelled to use it, from the increase of current that must naturally take place when that Channel is made navigable for large vessels."

The judicious observations made to Your Committee, by J. D. Armstrong, Esq. Master of the steamer Montreal, are worthy of particularization. He states "that in consequence of the shallowness of the water on the bank of a certain portion of the New Channel, passage steamers and small craft could not give sufficient room to tow steamers with ships, to ensure safety to both; that a ship at anchor riding athwart the current with a strong easterly wind, would so far block up the Channel as to render it dangerous for other vessels to pass her, and that rafts passing through the New Channel, which at times would be inevitable, would completely block it up;" and in reference to the Old Channel, he observes that "if the small bar above the first Light-vessel were removed, a channel of 1500 feet wide and 17 feet in depth, would be obtained down to the lower Light-vessel; thus affording for a distance of 4½ miles a Channel 1050 feet more in breadth and fully three feet more in depth than is contemplated to be dredged in the New Channel. I am therefore decidedly of opinion, laying aside pecuniary considerations, that the Old Channel should be improved from the lower Light-vessel down to deep water."

Your Committee, therefore, always keeping in view monetary considerations (that the trade of Montreal may not be unnecessarily burdened) have failed to discover any rational motives for the adoption of the New Cut, in

preference to the improvement of the Old Channel, and can only imagine that such decision may have been made, and the work proceeded with, without any estimate of the relative expense of the respective channels.

The increasing importance of the trade of the Port of Montreal makes it imperative to prosecute with vigour the improvement of the navigation of the lake, and render it accessible to ships of greater burden; the practicability of which is evidently apparent to Your Committee.

Your Committee were, and still are, most anxious to obtain copies of the communications, made by the Chairman of the Board of Works to Captain Bayfield, Captain Beaufort and J. M. Rendall, Esq. Civil Engineer, which drew from these gentlemen their approval of the New Cut in preference to the Old Ship Channel, but have failed to obtain them, although the Chairman and Secretary of the Board were respectively desired to furnish them. Your Committee are apprehensive that from some source unknown to Your Committee those eminent authorities have been impressed with some misapprehension in relation to the subject submitted for their consideration; and Your Committee are the more impressed with this belief on referring to Mr. Rendall's communication to Captain Beaufort, dated the 16th February, 1845, wherein he terms the New Cut, rather a restoring of the Old Channel; and speaks of going on with the excavation on the Lake during the winter season.

Your Committee are of opinion that if the New Channel be completed, that in consequence of the extreme shallowness of many parts of its extreme verge on either side, on which there will not be 4 feet water, that rafts, particularly stave rafts, which frequently draw considerable more water than 4 feet, will ground and block up the Channel; but the Old Ship Channel is not obnoxious to such objection, having no less than 11 feet on its margin throughout the entire route.

Your Committee, in summing up the statement herein contained, take leave to represent to Your Honorable House the result of their investigations; which thus appears: If it be determined on, now, to abandon the New Channel and improve the navigation of the old Ship Channel, as contemplated and recommended by Your Committee, an expenditure of £44,788 may be saved to the Province.

All of which is nevertheless most respectfully submitted.

J. T. WILLIAMS,
Chairman.

COMMITTEE ROOM,
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MINUTES OF EVIDENCE.

COMMITTEE ROOM,
18th May, 1846.

Committee met.

MR. ARMSTRONG, in the Chair.

Mr. John Millar, called in; and examined:—

1. Were you Master of the ship or barque "James Campbell," in the beginning of October last?—I was.
2. Was your ship towed through the New Channel in Lake St. Peter, and by what steamer, and were you on board, and did the same steamer take you to Quebec, and what was the amount of tonnage and lighterage paid by you?—I sailed to the head of Lake St. Peter, and there a small boat belonging to the Board of Works towed my ship through the New Channel, and to Quebec. No tonnage or lighterage was paid by me.
3. Have you ever stated that there were ten inches more water in the New Channel than in the shallowest part of the old one, and by what authority did you make this statement?—As far as I can recollect I stated that there was about 4 inches more water in the New Channel; my reasons, for saying so, are that my ship struck hard on both bars of Flat Island.
4. Are you aware that tides influence the rise of water in Lake St. Peter, and is it not known among Pilots that apart from the influence of the tides, that the water in Lake St. Peter and the Flat Islands is the same?—With easterly winds the water rises in the Lake, but with westerly winds and dry weather there is very little difference.
5. Admitting the depth of water to be the same in both channels and admitting the New Channel to be 300 feet wide, would you prefer being towed in company with 2 or 3 other vessels, through the New Channel than the old one?—I would, and 300 feet would be large enough for three vessels, but not to meet.
6. From the experience you have had of passing through the New Channel, would you consent to have your ship towed through it by one of our fastest tug-boats at her best speed?—Yes, I would, and would also sail through.

Mr. Zephirin Boudreau, called in; and examined:—

7. Were you the Pilot of the "James Campbell" when she went through Lake St. Peter in October last?—Yes, I was.
8. Do you know the nature of the banks on both sides of the New Channel at its upper entrance and what is it?—At the entrance I was told it was sand, but Capt. Millar and myself sounded on each side of the 150 feet, and found $4\frac{1}{2}$ feet of water with mud bottom.
9. Would you undertake to pilot the ship "James Campbell" through the New Channel in tow of one of the strongest tug-boats—or would you undertake to sail the James Campbell through, or any other ship of her tonnage?—I would not consent to be towed at full speed, nor would I undertake to sail through.

19th May, 1846.

Mr. Pierre Côté, a "Branch Pilot," called in and examined:—

10. Were you present at a Survey of Lake St. Peter on or about the 28th April last, and by whom were you requested to go down; and have you in any way a knowledge of the Report drawn up by John Young, Esquire, to be correct?—I was present on the 28th April, and was requested by John Young, Esquire, to go with him. I have acknowledged Mr. Young's Report to be correct, and have also signed it.
11. Were you informed by Mr. Atherton that he had made a Report to the Board of Works, in which, after making two Surveys of the Channel now dredging and the Old Channel, he stated that the Old Channel should be deepened; and do you think that opinion correct?—I was, and I sounded the Lake three or four times over, and I am decidedly of opinion that the Old Channel is the best. Mr. Atherton reported the same to the Board of Works, with whom I was surveying, and being at that time in the employ of the Trinity House, I reported to them that the New Channel could never be made to meet the expectations of the trade.
12. What will be the distance saved by the proposed New Channel; and are there any places between Quebec and Montreal, which are more crooked than the Old Channel, and name the most prominent?—The distance saved will be about $\frac{1}{2}$ a mile, and there are a great many places more circuitous, viz: Pointe-aux-Trembles, Ile à la Bague, Pointe à Picot, Cap à Laroche, Richelieu.
13. Did you try the strength of the current in the New Channel on the 28th April last, and what is the difference between the rate at which it runs, and that of the Old Channel?—The current in the New Channel is not so strong as the Old Channel.
14. Would you undertake to pilot a Vessel of the tonnage of the James Campbell, through the new Channel in tow of one of the strong tug boats, or would you undertake to sail through?—I would not undertake to do so upon my own responsibility.
15. When you pass the little bank, called the Traverse; near the lower Light-vessel, do you steer in a direct line for Pointe du Lac, and if so, is there as much water in this Channel as if you kept farther to the Southward, on a straight line with the New Channel?—After passing the Traverse, we steer direct for Pointe du Lac, and there is quite as much water as in keeping farther Southward in a straight line with the New Channel. Ships in tow and under canvas frequently take this direction, and we never go to the Southward for deeper water.

Capl. Rayside, called in; and examined:—

16. By the Report of the Chairman of the Board of Works laid before the House last Session, it appears

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that you on the 19th Nov. 1844, accompanied by Capt. Vaughan, proceeded to sound Lake St. Peter; by what authority did you do so, and which of the Pilots, branched for the Navigation of the St. Lawrence between Quebec and Montreal, accompanied you?—By the request of Capt. Vaughan, I proceeded to Lake St. Peter, and took the soundings. On that occasion no Branch Pilot accompanied us.

17. On that occasion you give the difference of water between the natural Channel and that now dredging as being 12 feet 7 inches in the former, and from 13 feet 6 inches to 14 feet 6 inches in the latter. Did you on that occasion, to arrive at the conclusion to which you came in the said Report to the Chairman of the Board of Works, sound the Old Channel?—We did not on that occasion sound the Old Channel; we only sounded the New Channel, and found the soundings as laid down in the Chart of the Board of Works.

18. Can you state what the depth of water is, at low water, from the Sorel Islands to the lower light at Rivière du Loup in the Old Channel, and what its breadth is, and what is the depth of water in the Channel now dredging from the Sorel Islands to a point opposite Rivière du Loup, at low water?—I cannot state.

19. Can you state what the depth of water is, at low water, from the lower light at Rivière du Loup to deep water in the Old Channel, and what is the depth of water in the line of the Channel now dredging from the point opposite to Rivière du Loup to deep water?—I cannot say.

20. Have you been Master of steamers on the St. Lawrence; if you have, will you inform the Committee if it be the case that you have frequently towed up three or four square-rigged vessels, and sometimes more at one time?—I was Master of a tug steamer for two years, and towed nearly all the ships coming to Montreal; I have towed seven vessels at one time.

21. Are not ships liable to sheer about when they come in shoal water, and do not accidents frequently arise from their so sheering; what breadth do you consider would be necessary for the safe passage of such vessels?—Ships do not steer so well in shoal water.

22. Does it not frequently happen that owing to storms, fogs, and gusts of wind, that a steamer is obliged to let go her tow, and come to an anchor, and even passage boats?—Yes, it frequently happens.

23. Do you think it possible that square-rigged vessels could in stress of weather, ride with safety in a Channel of 150 feet or even 300 feet wide, on each side of which there was not more than four feet water, and how could these vessels be got under way, once at an anchor?—I do not think so.

24. Would you think it safe for steamers coming from Quebec and Montreal respectively, each with vessels in tow to meet in a Channel of 150 feet wide?—Yes, I think steamers with vessels in tow could easily pass each other.

25. Are you aware that the breadth of the general-ity of rafts going to Quebec is from 700 to 1200 feet?—I cannot say.

26. From your experience are you not aware that rafts generally range towards the Southern Shore where the Channel is now dredging?—It depends altogether on the wind.

27. Would it be possible for the Master of a steamer or ship entering the New Channel to see whether a

raft was at the other extremity of it, and in the event of meeting a raft, how would the steamer or ship get out of the New Channel.

28. Is the Old Channel correctly drawn in the Chart of Lake St. Peter, published in the Report of the Board of Works, laid before the House last Session?—I cannot say.

29. What is the nature of the soil at the upper extremity of the New Channel, and what is the depth of water on its banks when there is 11 feet in the shallow part of the Lake?—The upper part of the channel is clay; I cannot say anything about the depth of water.

30. Do you conceive that the line now pointed out to you, on the Map of the Board of Works, which leads from the small traverse opposite to Rivière du Loup into the line of the New Channel now dredging, or otherwise called the New Channel, is correct, and that ships must follow that course to have the deepest water down to Point du Lac?—I conceive that the line referred to indicates the proper channel for ships, and in fact that is the course that ships do, and must follow.

Captain Vaughan, called in; and examined:—

31. Are you Superintendent of the works going on in Lake St. Peter, and how long have you been in that employ?—I am, and have been since January, 1844.

32. Did you not, accompanied with Captain Rayside, take soundings in Lake St. Peter, in what is called the New Channel, or the Channel now dredging?—I did.

33. Did you not furnish the Board of Works with those soundings, and have they compiled the Map found in their Report of 1845, upon your Report?—These soundings were furnished by me; I cannot state positively whether the Map found in their Report was compiled from the Report sent in by Captain Rayside and myself, but I believe it was.

34. Were you accompanied with a Branch Pilot when you took the soundings?—I was not, as the Pilots were unacquainted with this Channel, it being the straight one marked out by Captain Bayfield and Mr. Killaly.

35. When you got the Pilots to sign a Petition in favor of a straight Channel, did they or any of them make no observations as regards the merits of the Old and New Channel, or rather the dredging of a New Channel?—The Pilots whose signatures I obtained to the Petition, would, at that time, prefer the straight Channel when made as marked out by Captain Bayfield and Mr. Killaly; the Chart was one traced from Captain Bayfield's. I beg to state, however, that the Pilots, apprehensive that the straight Channel would tend to reduce their rates of Pilotage, have since endeavoured to oppose the New Channel, as they state that it resembles a road balised.

36. What is the distance from where you are now dredging in a parallel line, to the Light-house opposite Rivière du Loup?—About $1\frac{1}{2}$ or 2 miles.

37. Can you state the number of days lost in 1844, from derangement of Machinery?—Not without referring to the Log-book of that year.

38. From evidence before the Committee it appears that you victual the men—does not this take up a good

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deal of your time?—It does not, as provisions are served out to them every Saturday night after work, but I may state as a reason for victualling the men, that on my return from Prince Edward's Island with Captain Bayfield's Report to Mr. Killaly, I found several accounts were sent to him by Mr. McNee of Soreland others, who had given provisions to the parties who victualled the men employed on the different vessels; these parties received the amount of their claims from the Board of Works, and to this day have not settled with Messrs. McNee and others. Mr. Killaly thus finding that the persons who victualled the men did not pay up their accounts, stated to me that he would hold me responsible for all accounts in future. I may also state that the board of the officers at that time was from £3 to £4 per month. I stated to Mr. Killaly that Engineers, Captains, and Officers should fare alike, and that £2 10s. per month was sufficient, which is the amount they have received since that period. The men's board amounts to £2 per month.

39. Do you conceive that the line now pointed out to you on the Map of the Board of Works, which leads from the small traverse opposite to Riviere du Loup into the line of the Channel now dredging, or otherwise called the New Channel, is correct, and that ships must follow that course to have the deepest water down to Point du Lac?—The line is not correct, as it is not at all necessary for ships to steer for the New Channel, and so far as my experience has gone (and I have had a good deal) I have never witnessed ships taking such a course, and I must suppose the line in question has been the result of an error on the part of the person or persons who drew up the Map referred to, and now before me.

Robert McKim, Master of the Steamer *St. Peter*, belonging to the Board of Works, employed in Lake St. Peter, called in; and examined:

40. Are you aware that a raft got aground early in the spring of 1845, on the piles laid down by the Board of Works in one of the Channels?—Yes, I am aware that rafts have grounded on the piles as laid down in the map, on the South side.

41. Can you inform the Committee why the dams and groins, as proposed to be made in the Report of the Chairman of the Board of Works, laid before the House of Assembly last session, have not been made?—I cannot say.

42. Have you reason to believe that when Captain Millar, of the *James Campbell*, passed through the New Channel early in October last, that there was 4 inches more water in it than in the old, as stated by him?—I have reason to believe that there was 4 inches more water.

43. When did you cease working last autumn, and when and where did you begin this spring?—We left off working at the South Buoy, last autumn, and we commenced at the third Buoy.

44. Have you, this spring, dredged where you left off last fall?—We have, but it was to deepen still more and to widen the Channel.

William Hunter, Engineer, called in and examined:—

45. Were you in the employ of the Board of Works, in Lake St. Peter, in the year 1843, and in what capacity?—Yes, I was.

46. Were you in the same employ in the year 1844?—Yes, I was.

47. Do you consider that the dredging can be done faster in the Old than in the New Channel, and would the wear and tear of the machinery be more or less?—I consider that excavation could be done much easier in the Old than in the New Channel, and much less wear and tear would take place in the Old than in the New Channel, on account of the soil.

48. What amount of time was lost in the year 1844 from bad weather, and from repairs to be done to the machinery?—Three and at most four weeks from May to close of navigation.

49. To what cause do you ascribe the fact that the machinery got out of order?—From the fact that sand grinds down machinery more than any other clay substance.

50. Are you of opinion, from the nature of the soil where you dredged, that the Channel will not fill?—Cannot give an opinion founded on experience.

51. How long will it take to make the New Channel 600 feet wide and 14 feet deep at low water, from the Sorel Islands to Riviere du Loup.—Cannot say; but my opinion is, if as much stuff had been taken from the Old Channel, as what had been dredged from the New, we would now have as perfect a Channel in Lake St. Peter as is required to meet the difficulties found in other parts of the River, and I believe that this would not have cost as much, as the soil is more favorable for dredging in the Old than in the New Channel.

William Hunter, again called in; and examined:—

52. Were you employed for any length of time by the Board of Works, and will you state how long and at what time?—I was employed from the 15th February, 1843, to December, 1844, in the Board of Works and left of my own accord.

53. Do you remember what dredging was done in 1843, and where it was done?—We dredged about three days work at different times and periods, in the Old Channel, not however with a view, as I understood, to commence a regular line, as the season was too much advanced, but as all our guiding Buoys were laid down in the Old Channel, we fully expected to commence early in the spring; at least so I understood from Mr. Atherton.

John Young, Esquire, called in and examined.

54. Were you appointed by the Board of Trade to visit the works on Lake St. Peter?—Yes.

55. Did you proceed to these works, and when, and what persons accompanied you; and by what authority did they so accompany you?—On the 28th ult., I proceeded to the works going on in Lake St. Peter, in company with Captain Boxer, R. N., and Captain C. L. Armstrong, of the Steamer *Lord Sydenham*, and the Branch Pilots Côté and Hamelin. All these parties went at my request, except Captain Boxer, who refused to go, unless by command or permission of His Excellency the Governor General, and that I

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obtained. Messrs. Redpath and Hayes, Commissioners of Enquiry into the Management of the Board of Works, Mr. Ferrer, their Secretary, and Mr. Killaly, President of the Board of Works, were also present.

56. Did you draw out a Report of your proceedings?—Yes.

57. Was the Report concurred in by all the persons who accompanied you; if not by all state by whom?—Captain Boxer and Captain Armstrong concurred in my Report, so also did the Pilots Côté and Hamelin, in so far as it related to the soundings.

58. Can you furnish a copy of the Report in question to the Committee?—The Report was given to the Board of Trade, and is now subject to their orders.

59. Were copies of that Report transmitted by you or any other person to the Board of Works and to the Board of Trade?—A copy of my Report was asked for by the Commissioners of Enquiry and refused, on the ground that the Board of Trade did not wish to interfere with any Report which the Commissioners might deem it their duty to make.

60. As a Member of the Board of Trade, can you state what action was taken upon your Report?—The Report was received and entered upon the Minutes of the Board, and is now open to the inspection of all Members.

61. Can you state whether any observations were made as to the rate the current runs in the Channel now dredging?—A log was taken on purpose to ascertain the current, and upon trial by Captains Boxer and Armstrong it was found to be about $1\frac{1}{4}$ knots.

62. Can you state whether you made any enquiries from the Superintendent of the Works, whether he had dredged this spring in that part of the Channel where he had dredged last season?—Enquiry was made, and the reply was that there had not been any dredging this spring in the place referred to.

63. Are you of opinion from your observation that it would be better even now to deepen the natural Channel?—Previous to my visiting the works referred to, I was under the impression both by the Reports of the Superintendent, as well as from a Chart of the Lake published by the Board of Works, that there was now at least one foot more water in the New than in the Old Channel; observation has satisfied me that this is not the case, and that for about 6 miles below the lowermost point where dredging has been done, there is in both Channels as near as possible an equal depth of water. I believe the Agricultural interest of Upper Canada is deeply involved in having the communication between Quebec and Montreal made navigable for ships of large burthen, and it is of vast moment to the trade that this should be done in the most permanent way. Scientific men, who understand the laws regulating currents and deposits, may see in this opening up of a New Channel, results that I cannot. A large sum of money has been expended in making a Channel through banks of clay, $3\frac{1}{2}$ miles long by 150 feet wide and of 14 feet deep in low water, which it will require some three months to finish, and as by the Report of the Board of Works to the Legislature, it will require to be made 300 wide, I am of opinion that it would be better to lose all that has been done in the New Channel and deepen the Old one, for on a parallel line with the $3\frac{1}{2}$ miles referred to the Old Channel is 1500 feet wide and from 18 to 20 feet deep, (with the exception of a bar of about 150 feet) was the work to begin on the Old Channel, I have no doubt from calculations which Mr. Redpath

made, that it could be made available to the trade for 14 feet in low water by *eight months work*.

64. Can you give any further information to the Committee?—If there is any other question which the Committee might wish to ask me upon this subject, I shall be happy to answer it.

Captain Boxer, R. N., called in; and examined:—

65. Have you at any time been engaged in sounding Lake St. Peter, previous to the operations of the Board of Works in dredging out the New Channel; if so, state when, by what authority, and the result of such examination?—I was never engaged sounding Lake St. Peter previous to the operation of dredging out the New Channel, but I had several conversations with Mr. Atherton on the subject, and I approved of the plans proposed by him, although I always had had my doubts as to the practicability of keeping the Channel open, without a considerable after expense for raking and dredging; and having subsequently been to England, I brought out with me a model of a Rake (which was used in cleaning out the New Channel in Liverpool Harbor) given to me by that able Surveyor, Lieutenant Lord, R. N. This model I gave to Mr. Atherton.

66. Have you at any subsequent period been engaged in the examination of the Old and New Channel; if so, by whom were you accompanied, and what was the nature of the Report of such examination; and to whom did you Report such examination?—In 1844 I was employed with Colonel Holloway on an important survey of the River and Waters of the St. Lawrence, by direction of the Home Government and sanction of the Governor General, and in the course of our proceedings, we sounded very particularly both the New and Old Channels in Lake St. Peter, and finding a very great difference between my soundings and those on the plan furnished us by the Board of Works, I felt it my duty to call the attention of His Excellency to the subject, which was acknowledged by the Civil Secretary, who informed me His Excellency had forwarded my letter to the Board of Works for their information. I herewith enclose, with two plans of my soundings, an extract of my letter to him. In that survey I was accompanied by two very intelligent Officers, Lieutenant Moody, R. E. and Mr. Taylor, late Master Attendant at Kingston Dockyard, by whom, as well as by myself, every possible care was taken to be correct. In our remarks, by taking a sufficient number of angles at the different points where we sounded, to ensure accuracy, I beg to observe, that from the time we sounded the New Channel, a week elapsed before we sounded the Old, and I found the waters of the Lake had in that time risen a foot, which must of course, be added to the soundings on the plan of the work of the preceding week; on the first day of our survey, the "Great Britain" passed down the Old Channel, drawing 11 feet 5 inches, without touching the ground; at the same time we found not more than 12 feet throughout the Lake, thus corroborating my view that there is not more than a few inches less in depth than in the Lake, and that only in the small traverse.

67. Have you seen the Report of John Young, Esq., on the deepening of Lake St. Peter, and do you coincide as to the facts stated therein; or if you differ from that gentleman will you inform the Committee upon what points?—I have seen Mr. Young's Report, and I fully agree with the general view he takes of the subject, except in some of the minor detail, as I think he has underrated the time and expense which would be required to complete the New Channel to 150 feet width and 14 feet depth. It is necessary your Committee should be informed, that at the request of Mr. Young, by the direction of the Board of Trade of Montreal and the sanction of the Governor General, and also at the request of the Commissioners of Enquiry, I accompanied the party, but took no

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active part in the examination, which was taken by the Commissioners, Mr. Young, Captains Vaughan and Armstrong and two Pilots. I merely tendered my advice as to the best mode to effect a complete and satisfactory examination; I have no doubt the survey taken by these gentlemen will be found very correct, as the greatest pains were taken to attain the desired object, and the weather was extremely favourable for that purpose.

68. Is it not essential to the navigation, for sailing vessels, that the new channel must be made at least six times its present breadth, to enable them to STAY, or RIDE, at anchor without danger?—Most certainly.

69. If the New Channel were completed throughout, to its present breadth, would you prefer it to the old one?—As this is a question which none but sailors can decide, it will be proper to examine Pilots and Masters of Vessels on that particular point. I am decidedly of opinion, that it would be dangerous in the extreme for vessels to pass through a channel of about 3 miles in length and no greater breadth than 150 feet, under almost any circumstances; indeed it would be madness to attempt it, taking into consideration the variable winds and sudden squalls prevalent on the Lake, during the period when this channel would be required.

70. Do you know the strength of the current in the Old and New Channel on the 28th April last?—It could not be ascertained very exactly by the Log at the time mentioned, but it certainly did not exceed $1\frac{1}{2}$ miles per hour, both channels being as nearly as possible of the same force.

71. State your principal objections to the public expenditure on the New Channel?—The answer to this question requires serious consideration, for the expense of making a New Channel of sufficient width and depth of water to answer the general purposes of the Trade, would, in my opinion, be so great as to justify its immediate abandonment, taking into consideration that the old one could be made with but little expense, a safer and better Channel, its breadth being 1500 feet, and deep water to the little Traverse, except a small bank above the first Light-house, which would require very little expense in dredging; the expenses, therefore, of clearing a Channel from that point, from which the water is of the same depth throughout, until you arrive at the deep water in the lower part of the Lake, would be of no material difference in either Channel; I beg also to refer the Committee to my letter before alluded to, wherein I have stated, that I consider a Channel in a straight line with the river above, would be more dangerous as a Ship Channel than the old one, and I am still decidedly of that opinion, for the rafts and river craft of every description would then be compelled to use it from the increase of current that must naturally take place, when that Channel is made navigable for large vessels, whereas at present, the Old Channel is generally clear of them, and it would be absurd to suppose any law made to prevent it, could be put in force, which the Commissioners of Enquiry consider, could be done. I beg also to observe that a curve Channel has an advantage over a straight one at night, from the facility it affords of ascertaining whether vessels are approaching or going from you, which is difficult to ascertain in a straight one, and collisions would be likely to take place in consequence. It is also of importance that no time should be lost in completing a Channel through the Lake, not only for the Commercial interests, but for the general defence of the Province; this also is another strong argument, why the Old Channel should be preferred to the New; as it can be completed in a much shorter of time.

72. Are you aware that Messrs. Redpath and Hayes the Commissioners on the Board of Works who proceeded to Lake St. Peter, pronounced any opinion as to the merits or demerits of the Old or New Channel previous to their entering upon his Survey?—I am not aware of any such opinion having been expressed by either of these gentlemen, although they appeared decidedly in favor of the New Channel.

73. Was every assistance given you by the Commissioners to enable you and others to ascertain the facts necessary to be known, to come to a correct conclusion?—Every assistance was afforded.

74. Are you acquainted with one William Hunter, an Engineer, lately in the employ of the Board of Works, and now in that of the Commissariat Department; if so, will you state how long you have known him and in what capacity, and if you think him a credible, witness?—I have only known Mr. Hunter since his engagement as Engineer of the Union; I have found him a very steady, trustworthy man, and an attentive clever Engineer.

75. Did you hold any further correspondence with the Home or Provincial Government in consequence of the letter of the Chairman of the Board of Works to the Governor General on your representation of the different works carried on in the Province?—Yes, and I herewith enclose an extract of my letter to the Governor General in reply to one received from the Civil Secretary, dated the 15th May, 1845, enclosing a letter from Mr. Killaly, and a letter from the Secretary of the Colonies, calling upon me for explanation upon some remarks I had made on the general works of the Province, but more particularly that of Lake St. Peter to which I received no reply.

—
Stephen Yarwood, Esquire, called in; and examined:—

76. Have you been engaged in the works now going on in Lake St. Peter; and where and by whom are you now employed?—Early in the year 1843, the works on the Gosford Road, where I had been employed the preceding year as Paymaster, being near completion, I received an appointment to the Lake St. Peter Establishment, by a letter from the Secretary of the Board of Works, dated 22d April, 1843; and I am now employed under the said Board, as Paymaster of the Arthabaska and other roads on the south side of the St. Lawrence.

77. What cause was assigned for dismissing you from the employment in Lake St. Peter; by whom were you succeeded?—In the month of September, 1844, I most unexpectedly received a letter from the Secretary of the Board of Works, acquainting me that my services would no longer be required; a copy of said letter I furnish herewith, as the most proper reply I can afford to the first part of this question. Shortly after I had closed my accounts, I learned that Mr. R. J. Begly had succeeded to the duties which had formerly been entrusted to me, as Paymaster of the Lake St. Peter Establishment.

78. Have you any knowledge who was the Contractor for the feeding of the men employed by the Board of Works in Lake St. Peter, in the year 1844?—In the year 1844, Captain Vaughan had the entire management of the victualling the people employed in the Lake St. Peter service.

79. Is the David Vaughan you mention, the same who is the Superintendent of the Works?—Captain Vaughan was at that time, and is, I believe, now, the Superintendent of the Works.

80. Do you think it proper that the Superintendent should be the Contractor; or do you not think these offices incompatible?—With every deference to the authority which decided otherwise, I am of opinion, that the duties of Superintendent and of Contractor for Victualling should not be confided to the same person; my long service in the Civil and Military Departments and of the Navy may perhaps have induced this opinion, as in the Naval Departments every care is taken to keep separate command from inferior responsibilities.

81. Did you ever mention the subject to Captain Vaughan, and to the Chairman or Secretary of the Board

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of Works?—The former Superintendent, Mr. Atherton, having been much dissatisfied with the modes of victualling which had obtained during the season of 1843, and prior to his supercession, consulted me on the subject; and I suggested that it would be well that the management of the victualling and charge of the stores should be imposed on the Paymaster; this was approved of by Mr. Atherton. After I found he had been relieved from his duties, I considered it a duty, (not being aware that any other satisfactory mode had been proposed), to submit my views on the subject, which I did in a letter to the Secretary, dated 9th February, 1844.

82. Which, in your opinion, would be the best plan to feed the men employed in the Lake?—I am of the same opinion now that I entertained at the time I wrote my said letter of the 9th February, that the Paymaster should furnish the provisions, and all other stores, under properly authorized requisitions; that he should cause the provisions to be carefully and timely issued, through the medium of the Storekeeper and a trustworthy Steward afloat; and a strict accountability should be required from every one to whom any description of stores may be issued, by which the Paymaster's Return of Supply and Expenditure would clearly show how and for what purpose every article had been consumed or converted: all of which appears to me might be done under proper regulations, at no greater cost than at present incurred for the same service, and thus leave the Superintendent free to administer the executive duties of his office unembarrassed with the detail of distribution of provisions, and even to satisfy the people under his orders.

83. Can you furnish any information to the Committee respecting the works going on in Lake St. Peter?—I have no further information to furnish the Committee respecting the works going on in Lake St. Peter.

(Copy.)

BOARD OF WORKS,
Montreal, 16th September, 1844.

Sir,

As the works in your section of the Province, which require the services of a Paymaster, are now completed, or rapidly drawing to a close, I am instructed to inform you that after the 1st November next the Board consider it will not be necessary to retain any person in that capacity, and will not from that date require your services.

In notifying you of your discontinuance, I am directed to express the satisfaction of the Board at the manner in which you have discharged the duties of your office, and the zeal and attention you have at all times evinced in forwarding the public interest.

I am further desired to state, that the Board will feel happy should a future opportunity offer in rendering your services available.

I have the honor to be,

Sir,

Your very obedient servant,

THOMAS A. BEGLY,
Secretary.

To S. Yarwood, Esq.,
Paymaster, Lake St. Peter Service.

Olivier Raymond, Branch Pilot, called in, and examined:—

84. When you pass the little bank called the Traverse, opposite Rivière du Loup, near the Light vessel, do you steer in a direct line for Pointe du Lac, and if so is there

as much water in the Channel as if you kept further to the southward in a line with what is styled the New Channel?—Quite as much water as any where to the southward, and in piloting ships I have never thought of seeking more water to the southward of a straight line to Point du Lac from the south of the Little Traverse. I seldom have been so far south in coming up or going down as to be in a line with the line of the New Channel.

85. Did you not along with many other Branch Pilots sign a Petition in favour of what is styled the New Channel?—In the winter of 1844, Mr. Vaughan called upon me with a Petition, which he represented as bearing a desire to have a straight Channel in Lake St. Peter; I said I had no objection to sign the Petition for a straight Channel from the Little Traverse, opposite Rivière du Loup down to Point du Lac, and if that part of the Channel in the Lake was dredged more ships would go to Montreal, inasmuch as above the Rivière du Loup Light, there was from 16 to 20 feet water to the Sorel Islands, with the exception of a Bar of about 150 feet, which could be dredged in ten days—as it is but a Hog's Back. I never would have signed for the Channel as now dredging, as I had expressed my opinion of the absurdity of the scheme, and I know that all the Pilots, who signed the Petition, were under the same impression that I was—and are further convinced that the New Channel will be the means ultimately, if persisted in, to prevent that alone which is required to make the Channel good from Montreal to Quebec, and analogous to other parts of the River, by the deepening the channel from Rivière du Loup to deep water in a line with Point du Lac.

Joseph Boyer, Pilot, called in, and examined:—

After hearing the evidence of Raymond, he concurred in all he said; he further states that it would be impossible for any ship, from his knowledge of the ground, to find its way in a line as drawn in a Chart by the Board of Works, which leads from the Old Channel below the light at Rivière du Loup to the New Channel, because there are several small sand banks.

86. Did you not, with several other Pilots sign a Petition in favor of the New Channel, at the requisition of Capt. Vaughan?—I did, but previously remarked that if a straight Channel were cut it would cost a great deal of money—he answered that money was no object—all he wished to know was whether I did not prefer a broad and straight Channel. If I had known that this money was to come out of the Provincial Chest I would never have signed the Petition, as I consider that it will never be equal to the Old Channel, and I further believe that the best line of work would be to abandon this New Channel and start from the Light-house opposite Rivière du Loup in a line to Point du Lac. I have frequently seen rafts ashore there.

David Boyer, Pilot, called in; and examined:—

87. Were you engaged in surveying Lake St. Peter with Mr. Thompson, and how long?—I was—and for 6 or 7 weeks.

Answer to Ques. 84.—Yes—and there is more water.

Answer to Ques. 85.—Same as Raymond—that a Schooner was lost on those banks—and that the sand covered her over.

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Laurent Justinien, Master of the Queen, called in ; and examined :—

88. Are you a Pilot branched for the navigation of the St. Lawrence between Quebec and Montreal, and what is your present employment ?—I am a branched Pilot, and am now Master of the Steamer Queen.

89. Did you at any time sign a Petition in favor of the Channel now dredging in Lake St. Peter ; what were your reasons for so doing, and at whose instance did you so sign it ; and are you aware if the said Petition was signed by others, and at whose instance, and for what reasons ?—Same answer as given by *Joseph Boyer*.

First Question put to *Raymond*, read ; the same answer given.

90. What difference is there in the depth of water in Lake St. Peter in the month of May or thereabouts, and in the month of September or thereabouts ?—It varies in different years from 8 to 10 feet.

Mr. Joseph Ross, called in ; and examined :—

91. Have you not for many years employed men to unload rafts of timber and staves, and can you state the depth of water rafts of timber and staves generally draw ?—I have been in that trade for many years, and from experience I have found rafts to vary from two to five feet, but most generally from $3\frac{1}{2}$ to 4 feet.

Captain Swinburn, called in ; and examined :—

92. Are you aware that the Old Channel in Lake St. Peter is 1500 feet wide, and that the New Channel down is 150 feet ?—I cannot say.

93. Would you prefer to have your ship sailed or towed down to Rivière du Loup or the Lower Light-vessel in the Old Channel or by the New Channel now dredging, of the small ?—I would prefer a straight Channel if it is broad enough.

94. Would you consider a Channel of 150 feet a safe passage for several ships in tow of a steamer ?—I cannot say.

95. Are you sufficiently acquainted with the depth of water in Lake St. Peter to state the soundings in different parts, and especially the depth in the New and Old Channel ?—I cannot say.

96. Do not ships steer wild when near the ground ?—Yes, ships do steer wild when in shallow water.

97. What breadth of Channel do you suppose would be necessary for steamers to meet, with each several ships in tow ?—A Channel of 600 feet.

Captain Morton, being called in ; and the six immediately preceding questions put to him, gave the same answers as *Captain Swinburn*.

Daniel M'Carthy, called in ; and examined :—

98. Were you ever engaged in sounding Lake St. Peter ; and if you were, with whom ?—I was, previous to the spring the dredging commenced, in the month of March ; I accompanied *Captain Vaughan* and took soundings through the ice at distances from 250 to 500 feet, in the New Channel only.

99. Did you sound the Old and New Channels ; if not, will you state why ?—I only sounded the New Channel.

100. Were these soundings correctly reported by you to *Captain Vaughan*, and were they transmitted to the Board of Works as given by you ; or were they in any way altered by you or by any other person to your knowledge ?—I cannot state whether my soundings were correctly reported ; but I can now produce the soundings as then taken.

101. Do you know if the Board of Works have a yard opposite Sorel, what is the value of the yearly rent thereof, or of a yard which would be as suitable ?—I cannot state.

102. Is the repairing of the dredging machines, or the building of new ones done by contract ; if not, do you think it advisable that it should ?—I cannot state.

28th May, 1846.

The Hon. H. H. Killaly, President of the Board of Works, called in ; and examined :—

103. Will you favor the Committee with the perusal of copies of all correspondence had by you with *Captains Bayfield* and *Beaufort*, of the Royal Navy, and also with *James Rendall*, Esquire, Civil Engineer, in relation to the deepening of the Channel of Lake St. Peter ?—I have already laid before the Committee, in compliance with their request, all the communications between me and these gentlemen ; and those letters, together with my previous Reports, contain all the correspondence that passed between us.

104. Did you submit to the gentlemen mentioned in the last question, an estimate of the improvements you suggested on Lake St. Peter, distinguishing the amount required to complete the present Ship Channel to 14 feet depth, and the amount required to complete the Channel subsequently adopted by you ?—No, I never furnished any estimate of either of those Channels ; the amount set down in the appropriations was not in any manner suggested by me, but had been, as I believe, embraced in the estimates by the request of the mercantile interest of this City.

105. Has any portion of the second 150 feet in the New Channel been excavated ?—Yes.

106. What number of cubic yards has been excavated on the second 150 feet of the New Channel ?—I had a measurement made of the amount excavated in the 2nd breadth of 150 feet. The amount I do not correctly recollect, but I will furnish the Committee with it.

107. Look at the plan of the section now under the operation of the Dredges, furnished by you to the Commissioners appointed to report on the Works of Lake St. Peter, (Exhibit 1,) and inform the Committee if that be correct ?—It is perfectly correct, to the best of my knowledge.

108. Will you inform the Committee who is the author of the Chart of the New Cut on Lake St. Peter, furnished by you to this Committee, and in which the

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soundings of Capt. Boxer, R.N., are in red ink, (Exhibit No. 2.)?—The Chart referred to in this question, was furnished to the Board of Works by Captain Vaughan, and the soundings marked in black ink are his. Those in red ink, I understand to have been marked by Capt. Boxer, R. N.

109. Do you believe the soundings thereon marked, in black or in red ink, to be the most correct?—Not knowing the relative periods at which these soundings were taken, I cannot give a decided answer to this question; but, judging from the depth of water I see marked on the shoal, I would think that the water must have been very high in the Lake when the soundings which the black figures indicate were taken. And from the red figures, I consider that the Lake must have been at or near its lowest period, when the soundings marked in red were taken. The difference in the levels of the Lake would account for the discrepancy.

110. Have you seen the evidence of Capt. Bayfield, R.N., given before a Committee of the House of Assembly of Lower Canada, on the 16th January, 1836, on the subject of improving the Navigation of Lake St. Peter?—Yes, I read it about 2 years ago.

111. Do you coincide in the views expressed by Capt. Bayfield, in his examination before the said Committee?—There are some parts in his evidence in which I agree with him, and in others I dissent.

112. Are you of opinion that it would require eleven millions of cubic feet of excavation to improve the present Ship Channel in Lake St. Peter, as contemplated by Capt. Bayfield, or do you think that that Officer's estimate is overrated?—I think it very much overrated.

113. Have the goodness to refer to that part of your Report to the Legislative Assembly for the year 1844, which relates to Lake St. Peter, where you state that by a moderate calculation the quantity of soil carried off by the current is equal to that lifted up, and state to the Committee, whether you now affirm that assertion?—The opinion referred to in this question was based upon the comparison between the amount of excavation done, as ascertained from the measurements furnished me, compared with that of the aggregate amount of scow-loads discharged would appear to give, and as the latter did not at all equal the former, I concluded that the surplus quantity must have been carried off by the stream. I do not now think that the proportion is by any means as great as is therein stated, but I believe a large per centage is carried off, which per centage I calculate will increase according as the Cut is carried clear through.

114. Refer also to that part of your Report where in you state that it requires stiff pulling to get across the cut of the New Channel without drifting much, in consequence of the obvious and serious increase of the current,—Do you now give your affirmation to that assertion?—I do.

115. What depth of water do you expect to have in the summer season, when the waters of Lake St. Peter are at their lowest level on the North line of your New Cut at section 14, when the Channel is completed?—The plans submitted to the Committee will show four feet two inches, which I believe to be true.

116. And what depth of water, at the same season of the year, when the New Channel is completed, will you have on the South line of section 16?—The Chart will show.

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117. And what depth of water, at the same season of the year, when the New Channel is completed, will you have in the North line of section 21, to section 24, and on the South line from 25 to 30?—From section 21 to 24 would vary from 6 feet 2 inches to 6 feet 9 inches, and from 25 to 30, 7 feet 6 inches.

118. And what depth of water at the same season of the year, when the New Channel is completed, will you have on the South line of section 14?—5 feet 6 inches.

119. And what depth of water, at the same season of the year, when the New Channel is completed, will you have in the North line of section 16?—4 feet 11 inches.

120. And on the South line of section 17?—4 feet 2 inches.

121. And on the North line of sections 18, 19 and 20?—5 feet 2 inches, 5 feet 2 inches, and 5 feet 4 inches.

122. And what water on the South line of section 18?—4 feet 8 inches. With reference to the shallow depths immediately on the sides of the cut stated in answer to the foregoing questions, I am of opinion that the navigation of the Channel will be rendered very much more facilitated thereby, as I conceive that did the water shoal away gradually from the Channel, that vessels would be much more likely to get out of it and run aground.

123. What is the greatest depth of soil through which you have excavated in the New Channel?—I believe the greatest depth to be between nine and ten feet, on the highest point of the St. Francis Shoal.

124. What is the nature of the soil so excavated?—Generally I would pronounce it to be a bluish clay, with a small portion of very fine sand.

125. Are you apprehensive that it will continue to maintain the depth of the excavation?—I am persuaded that the Channel will be annually improving; when once opened clear through, the current will be permitted to pass through it.

126. Do you conceive the blue clay to be the natural bed of the Lake or is it of recent deposit?—I am of opinion that the soil, such as I have described it, is a deposit of a very old date, and I have not been able to discover any traces of recent deposit.

127. How remote a period do you attribute to this deposit?—I cannot say.

128. Refer to that part of your Report which states that the Buoys on the New Channel, which mark the locality, are now kept under water from the strength of the current?—The Buoys that marked the Channel at this period of the Report were solid, (of timber,) and several of them were kept down by the strength of the current.

129. Are the present Buoys in that Channel so affected by the influence of the current?—The present Buoys are 14 feet in length, formed of Boiler Plate; they are immersed in about 6 feet, and have very heavy weights attached to make them stand.

130. Is the ice in the winter season, in the general surface of the Lake, frozen on the shoals down to the bottom?—I have been informed that it is, and I believe it is so.

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131. Was dredging ever commenced in the Old Channel, and can you state why it was discontinued in the year 1843?—One of the steam vessels was reported to me, by the then Superintendent, to be ready to make trial very late in the fall. He received instructions to test the perfection of the machinery, and, having found all fit for use, immediately to lay the boats up at Sorel. I am not aware in what part of the Lake the trial took place. I know of no dredging having been done except in the New Channel; but, in compliance with the directions referred to in the foregoing, the Superintendent reported having tried the vessel, but whether this trial was made in the line of the Old Channel or New I cannot say.

132. Was it not then decided by the Board of Works what line of operation in Lake St. Peter was to be dredged; and was Mr. Atherton instructed to dredge in any particular part when his machinery would be completed?—The line was not decided; on the contrary, Mr. Atherton was informed that the Board were by no means satisfied with the course he proposed to take, but that as the time had arrived for the laying up of the boats, every means to procure information during the winter would be taken, and full consideration given to the line to be adopted prior to the commencement of operations in the spring.

133. What depth of water did you find on the flats referred to in the answer to the third question, and what depth will there be in what is considered low water?—From five to seven feet of water, which I consider to be the lowest found on that bank.

134. Who was the person employed to take soundings in Lake St. Peter, by the authority of the Board of Works?—Captain Vaughan and Captain Rayside, on one occasion, to verify the soundings taken.

135. Has any portion of the groins, as laid down in the Map furnished by the Board of Works, been completed, and is it the intention of the Board of Works to stop the different channels and outlets leading North, from the North and South Shores of the River St. Lawrence?—A portion of the groin is completed so far as the timber materials is concerned; it is intended to discharge more of the dredge stuff in the front of them; it is not now intended to stop any other channels but the two main ones, which are now piled.

136. What depth of water at the driest season of the summer do you believe to be on the little bank in the Old Ship Channel, a short distance this side the first Light-vessel?—I believe it is about 11 feet 4 inches.

29th May, 1846.

Hon. Mr. Killaly's examination continued:

137. Are you of opinion after the experience of two years operations on Lake St. Peter, that you were correct in selecting the New Cut in preference to improving the Old Ship Channel?—Every hour's experience convinces me more and more in the propriety of the present.

138. What is the greatest depth of soil that would require removal by dredging in the present Ship Channel, to attain 14 feet of water in the dry season?—The greatest depth is 3 feet 2 inches.

139. What is the greatest depth of soil excavated or to be excavated in the New Channel?—The greatest depth that has been excavated is, I believe, between

9 and 10 feet; speaking of the Channel, the Committee inform me that by the Channel they mean a breadth of 300 feet; I find on the extreme verge of the Channel, in section 16, about 3 feet 8 inches, consequently on that particular point there would be 10 feet 4 inches to be excavated; but at that same section, the water ranges from 15 to 19 feet.

140. Have you made an estimate of the expense of completing the present Ship Channel to 14 feet deep, at the lowest water mark, and if so, what is the amount of such estimate?—No, I have made no estimate, but from my knowledge of the shoals and depths in the Lake, I am of opinion that a Channel of 14 feet depth could be made through the present Ship Channel at about the same cost as the completion of the straight Channel; but I can see considerable difficulties in carrying on the operations in the present Ship Channel, arising from these operations being necessarily carried on in the immediate line of the trade, nor do I think this Channel, if completed, so likely to be kept clear by natural and artificial means as the straight one.

141. Will you have the goodness to inform the Committee, of the nature of the difficulties you now allude to?—The difficulties would be created from the circumstance of the Works being necessarily proceeded with on the line that vessels are hourly passing, thereby interfering with our moorings, &c.

142. Have you made an estimate of the expense of completing the new Channel throughout, as contemplated by you, and will you favor the Committee with such estimate?—I have an estimate of completing the New Channel throughout upon two principles, one, confining its breadth to 150 feet, the cost of which would be (as stated in my Report) about £8,500 in addition to what has already been laid out. I also estimated the cost of making the Channel three or four feet wide, which would amount to £20,000 beyond the cost of completing the 150 feet Channel.

143. How many cubic yards of excavation would it take to make the present Ship Channel 150 yards broad, and 14 feet deep at low water?—I would require a detailed measurement of the whole Channel, to answer this question.

144. And what number of cubic yards would require to be excavated from the commencement of the operations on the New Channel, to its completion, to make it of equal dimensions with that specified in the preceding question?—It would require also in this case a detailed measurement to answer this question. This measurement has never been made, inasmuch as it was not contemplated by the Board to increase the Channel beyond the breadth of three hundred feet by means of dredging.

145. And what quantity of excavation would it require to make it 300 feet wide, and 14 feet deep?—This quantity has been measured and stated in my Report to the Commissioners; with regard to this information practically, it may be gathered from my statement that the operations for two years after this season would effect it, the remainder of the season being necessary to complete the 150 feet Channel.

146. If it has been stated by you to the Commissioners, then state it to the Committee?—I would require to look at the Report to answer this question.

147. What Report do you allude to, and of what date?—I allude to my Report to the Commissioners already stated, of a recent date, a copy of which I can furnish to the Committee, if not before them.

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148. When can you furnish the Committee with such Report?—To-morrow.

149. Previous to commencing the Work in the New Channel did you lay before the Legislature your plans and estimates of costs for the New Channel, and did you state the reasons why you differed with Mr. Atherton in his Report in favour of the Old Channel?—I stated in reply to the question yesterday, that the appropriation for Lake St. Peter did not proceed from any Report of mine, nor was it based on any estimate of mine; but it originated with representations from the mercantile interest of the City. With respect to either Channel, I had no communication with the Legislature. The amount having been granted (as I conceive) towards the effecting of a deep and navigable Channel through the Lake, and upon receiving Mr. Atherton's Report in preference of the crooked Channel, I immediately expressed my dissent, and it being at the very close of the season, instructions were given him merely to test the machinery, and to lay up the boats, and that during the winter, prior to the season for the commencement of operations, the Board would collect the best information they could as to the Channel to be taken.

150. Did you then collect information on the subject, and from whom?—I sent a special messenger to Prince Edward's Islands, in order to have the benefit of Captain Bayfield's opinion upon the subject; I also had the opinion of Captain Douglas and of some of the most intelligent Pilots and Ship-masters, all of which confirmed me in the propriety of making the straight Channel.

151. The dredging being evidently of a description not difficult to be removed, what is the worth per cubic yard for dredging?—Last year it cost about 1s. 5d., but this year I think it could be done now for 1s. or 1s. 2d.

152. Why was the work on Lake St. Peter not done by contract, as all other public work has been done, and thereby saved the great expense of £38,000 for the outfit?—I was of opinion that whether it was done by contract or otherwise, that the cost of the outfit must in reality have been borne by the Province, inasmuch as the work is so situated as no suitable dredge or other vessels could be brought to it, and must therefore have been built expressly for it; any person coming forward to contract for the work would of course have covered the cost of his necessary outfit by his prices. Moreover, no man would enter upon the cost of such outfit without having ensured to him a certain amount of work by which the country would be tied to the undertaking, however it might be found likely to turn out. By the course adopted, the power is had of stopping at any moment, and the whole of the outfit could be transferred to the dredging and improvement of the harbours upon the Lake, almost every one of which stands in great need of it.

153. By what authority was the work on Lake St. Peter undertaken on the present system of days' work—was it upon the authority of the Board without the authority of the Executive Government, or had the matter been first submitted to the Government, and its sanction obtained?—There were several discussions upon the matter at the time by the Board of Works, the Members of which were also Members of the Executive Government. I know of no written authority from the Executive Government.

154. As there are many other parts of the navigable Channel of the River not straight why was it necessary to dredge a straight line in this particular place?—I

have already given at large in my Report the reason that induced the Board to adopt the straight Channel, the principal of which are, 1st, The power of working unobstructed by the passing trade. 2nd, The much greater probability of the stream of the river acting with beneficial and increased effect.

155. As it is admitted a wide, though somewhat crooked Channel is to be found, running nearly parallel, and with an equal depth of water with the straight one now making, why did you not therefore commence dredging at the Point where the two Channels meet at the lower end, and dredge downwards through the shallow water, which must be deepened in any case—leaving the part now making until it was clearly ascertained the Old or crooked Channel would not answer?—A considerable portion of the work was calculated upon to be effected by diverting as large a body of water in the line of the proposed Channel as possible, to effect which the Channel was commenced with considerable increased width, and the groins undertaken as recommended by Captains Bayfield and Beaufort.

156. Was Mr. Atherton acting as Engineer of the Works on Lake St. Peter, from the 18th September, 1841, to the 31st August, 1843, at the sum of £300 per annum, and also from the 1st of September, 1843, to the 29th of February, 1844, at £400 per annum?—He was.

157. Was Mr. Atherton during any of the period included in the preceding query employed in any other capacity under the Board of Works, and if so, in what capacity, and at what salary or other remuneration?—He was, as Engineer to the Lachine Canal, at the same period, at a salary of £400 per annum. His united salary was, I think, either £750 or £800 per annum.

158. It is stated in your Return to the Commissioners, that the services of G. Meldrum, as Dredge Master, have been dispensed with by Captain Vaughan, while it appears that John Cass and William Fleming have succeeded to similar appointments. Can you state the cause why you return "this Officer (Dredge Master,) dispensed with by Captain Vaughan," when in fact the Officer has not been dispensed with, but changed?—The office has been dispensed with; when employed, was not attached to either boat, but was appointed as a description of general Dredge Master, which office was considered supernumerary, and therefore dispensed with.

159. David Vaughan is returned as Superintendent of the Works on Lake St. Peter at a Salary of £500 per annum. Will you inform the Committee, if Mr. Vaughan is a Civil Engineer or a scientific man, or why he was chosen in lieu of Mr. Atherton, and at an increased salary of £100 per annum, exclusive of perquisites?—David Vaughan was appointed at the express request of Sir Richard Jackson; he was considered the most eligible man for the situation, from his knowledge of the Lake, his having long acted as steamboat captain; had the confidence of Government for being a man of great energy of character. The salary was increased by my authority without reference to the Executive Government. It was considered just to do so, in consequence of rates paid to men who had much less duty to perform.

160. Stephen Yarwood is returned as "Paymaster" to the Works on Lake St. Peter, in 1843 and in 1844. Can you inform the Committee why a Paymaster was required for this particular Work, and if required, why his salary was increased from £50 per annum in 1843, to £200 per annum in 1844?—The salary was in-

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creased in consequence of increased duty on other works.

161. Denis O'Brien and James State are returned as "Store-keepers" to the Works on Lake St. Peter. Can you inform the Committee, what are the particular duties they have to perform as such Store-keepers?—There is but one Store-keeper; the former was dismissed, the latter replaced him. He has in his charge the yearly supply of coals and firewood, iron, steel, oil, and all ship stores.

162. Wm. Hunter is returned as "Superintendent of Machinery," from February, 1843, to 30th November, 1844, and as having his services afterwards dispensed with. Can you inform the Committee why his services were so dispensed with, while the services of Asa Martin, of David Hood, and of John Tuck, were subsequently, (to wit in August and September, 1843,) taken on as Engineers?—Hunter was in much the same position as Meldrum, and was considered as a supernumerary Officer.

Mr. Begly, Secretary to the Board of Works called in; and examined:—

163. Are all communications made to the Board of Works, whether regarding works under contract or performed by the Board of Works, and all letters whether of complaints against or to the Board of Works, regarding any Officer or Officers of that Board, and applications for employment in the Board of Works, in your custody, or are they, or any part of said documents, left with the Provincial Secretary?—All letters previous to the latter part of December, 1845, were received by me and kept in my custody; since that period the letters have been received and opened by the Chairman of the Board of Works, and I believe that they do not all come into my hands. Relative to letters referred from the Office of the Board of Works to the Secretary of the Province, they are sometimes returned and sometimes retained by that Officer, as the interests of the public service may require.

164. Have you any knowledge of any communications made by the Chairman of the Board of Works to Captain Bayfield or to Captain S. Beaufort, or to James M. Kendal, Esq., Civil Engineer, in relation to the improvement of the navigation of Lake St. Peter, previous to or subsequent to the adoption of the line of the New Channel, portions of which communications appear in the Report of the Chairman of the Board of Works for the year 1844, page 8?—I am not aware of ever having seen the original letters, but I have seen extracts from them in the Report of the Chairman of Board of Works.

165. Was an estimate made of the expense of completing the New Channel on Lake St. Peter previous to the commencement of the work?—I don't remember having seen any estimate.

166. Then you cannot say that the Chairman of the Board of Works furnished the Commissioners of Enquiry with any such estimate?—I cannot say, as I have never seen it, but can ascertain.

167. Have you any book in your office in which such documents are entered, and if so, will you fur-

nish the Committee with such estimate?—There is such a book, and, if there is an entry of such a document, I will furnish the Committee with a copy of it, with all convenient speed.

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Mr. Begly re-examined:

168. Have you examined the Books and Documents in the Office of the Board of Works, and have you found the estimate mentioned to you in the examination of yesterday?—I have examined the Books, and don't find any such estimate.

169. Have you examined the Records in your Office, and have you found copies of the letters from the Chairman of the Board of Works to Captain Bayfield, Captain Beaufort or James N. Kendal, Esquire, Civil Engineer, on the subject of the improvement of Lake St. Peter?—I have made the examination, and do not find any such record.

James Moir Ferres, Esquire, called in; and examined:—

170. Are you Secretary to the Commissioners of Enquiry into the Management of the Board of Works?—I am.

171. Has any preliminary estimate of the expense for completing either the Old or New Channel in Lake St. Peter, been furnished by the Chairman of the Board of Works to the said Commissioners, during any period of the sittings of the said Commission?—No. In addition, I beg to say that Mr. Killaly in his letter transmitting his papers relative to Lake St. Peter, explained that from the nature of the work, it was considered impracticable to make out estimates of the nature mentioned in the question, until they should have some experience of the work.

Questions to J. D. Armstrong, Esquire, Master of the Steamer Montreal.

172. From the experience you have of towingships to and from Montreal to Quebec, will you state to the Committee the relative advantages of the proposed New Channel now dredging in Lake St. Peter, allowing the New Channel to be fourteen feet in depth, and one hundred and fifty yards, (450 feet) in breadth, as compared to the Old Channel, allowing the Old Channel also to be deepened in such places as it may require to fourteen feet, and be widened to one hundred and fifty yards also where required.

Captain Armstrong's Reply.

MONTREAL, 30th May, 1846.

SIR,—In reference to certain question put to me by Your Committee as to the relative advantages of the

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New and Old Channels in Lake St. Peter, I beg leave to give the following answers:

1. As regards the New Channel: That ships when near the ground, sheer about a good deal, and would be in danger of running aground or foul of each other in a Channel of one hundred and fifty yards wide,—that such danger would be very much increased when two tow steamers would meet with several ships in tow, each,—that in consequence of the shallowness of the water on the banks of certain portions of the New Channel, passage steamers and small craft could not give sufficient room to tow steamers with ships, to insure safety to both;—that a ship at anchor riding athwart the current with a strong easterly wind, would so far block up the Channel as to render it dangerous for other vessels to pass her,—that rafts when passing through the said New Channel, which I would consider at times to be inevitable, would completely block it up.

2. In reference to the Old Channel: That if the small bar (which I understand can be dredged in six days) above the first Light-house were removed, a Channel of fifteen hundred feet in breadth would be obtained, and of seventeen feet in depth down to the lower Light-house, thus affording for about four and a half miles, a Channel of one thousand and fifty feet more in breadth, and fully three feet more depth than is contemplated to be dredged in the New Channel. As to the circuit or bend as I would style it, it has its inconvenience in distance only; the New Channel would

be a saving in that particular, of three-fourths of a mile. In other respects, and especially in running at night, vessels could be seen with more accuracy in the Old than in the New Channel, as in the latter they would necessarily be in a straight line.

I am therefore decidedly of opinion, laying aside considerations of cost, that the Old Channel from its having throughout at all seasons of the year, not less than eleven feet water, and in breadth no place less than fifteen hundred feet should be improved from the lower Light-house down to deep water. I have come to this conclusion, from the first part of my answer, and because there would then be a Channel of fourteen or fifteen feet, for four miles and a half of one hundred and fifty yards in breadth, on each side of which would be found eleven feet water, sufficient for steamers, rafts, (and even ships except in the months when the water is low,) and for five miles above the lower Light-house there would always be sufficient water for ships to ride to their anchors, and to get under way, and from my experience in taking ships in tow, this wide and deep Channel I consider indispensable, and should not therefore in my opinion be condemned.

I am, Sir,

Your obedient servant,

J. D. ARMSTRONG.

To the Chairman

Committee of Inquiry

On Lake St. Peter.

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APPENDIX

TO

REPORT RELATING TO IMPROVEMENT IN LAKE ST. PETER.

REPORT ON PROPOSED PROCEEDINGS IN LAKE ST. PETER, BY CHAS. ATHERTON, ESQ. ENGINEER, &c.

August, 1843.

T. A. BEGLY, Esquire,
Secy. Board of Works.

SIR,

I have the honor respectfully to submit my further Report on the Lake St. Peter Works, now about to be practically entered upon. I also beg to submit Bayfield's Chart of Lake St. Peter with the proposed line of operations delineated thereon. The Board are in possession of other Surveys, but it is necessary to fix upon some one Survey as the Map of Reference, and it is my duty to recommend that Bayfield's be taken for that purpose. This Chart from *all the points* that have come under my observation, *I believe to be admirably correct*, and it sets forth the Hydrography of the Lake more *fully and satisfactorily than any other document* which I have met with.

On the general subject my previous correspondence has already apprised the Board that, in my opinion, the only means of attaining the object in view, a passage for deep draft vessels, is by selecting the existing channel, *tortuous as it is*, as the line of operations, limiting our works to the dredging out a *narrow cut*,—I may call it a sunk Canal,—and the erection of Beacons and Lights, whereby the improved Channel may be indicated by day and night; *each season's operations* to be in a degree beneficial throughout the whole line, and affording a test whereby the propriety of further expenditure may be determined. But on the present occasion of final decision the Board may be desirous of having before them the various views which have been promulgated, and I may briefly adduce the reasons which have led me to recommend a strict adherence to the improvement of the Old Channel, in preference to adopting other Plans which have been brought forward into public notice.

1st.—It has been proposed to form a straight Channel through the Lake, shown by a red line (A B) taking advantage of the stretch of a pool of 13 feet water which extends from off the mouths of the River St. Francis into deep water at Pointe du Lac.

I cannot concur in this project, because it involves the necessity of cutting through the *main body* (not clipping off the extremity) of the St. Francis Bank, which bank extends out into the middle of the Lake opposite Rivière du Loup, thereby causing the present detour round the upper Light. The width of the Bank to be cut through would be about $2\frac{1}{2}$ miles. The greatest extent of dredging that can reasonably be contemplated is comparatively too insignificant to divert the flow of the waters of the St. Lawrence, consequently nature might again in all probability gradually restore the Bank to its present condition; and, after all, the channel thus proposed to be attained by cutting through the St. Francis Bank, gives only from 12 to 13 feet water, and would therefore require dredging over a further extent of about $8\frac{1}{2}$ miles, before it meets the 15 feet water opposite Machiche.

2nd.—It has also been proposed to close several of the minor channels between the Islands at the head of the Lake, thereby throwing the whole waters of the St. Lawrence into one body, in expectation that a channel would be formed and preserved by the action of the water

I cannot concur in this view, for although it be granted that the main body of the St. Lawrence might be confined to one of the main channels, still the scouring effect thus produced would be lost as soon as the water would have liberty to spread, and a shoal would undoubtedly be formed where the scouring effect ceases.

3rd.—Another Plan has been the constructing of a Dam across the outlet of the Lake near Pointe du Lac, whereby the surface of the Lake may be raised to such height as may appear necessary for the purposes of the navigation.

Even admitting that all this were effected, the Lake would be converted into a sort of Cesspool, having a gradual tendency to equalisation throughout.

These divers opinions being thus disposed of, it becomes my more immediate duty to submit more particularly in detail the course of operations intended to be pursued. Referring to the Chart (Bayfield's) I have shown therein the ordinary course of deep draft vessels by a black dotted Line..... Following this course it will be observed that the navigation is *very intricate at the Buoy (F)* about a mile above the upper Light; the difficulties here, are occasioned by mere protrusions, the bank of which will be easily removed by dredging.

From the upper to the lower light, a distance of nearly 3 miles, there is a good channel; this channel appears to constitute the natural confluence of the waters of the St. Lawrence after being dispersed amongst the Islands at the head of the Lake.

After taking a turn at the lower Light, called the Little Traverse, the long flat commences, giving only 11 feet water (six inches less occasionally, according to the season,) for a distance of *about 2 miles*, and subsequently 12 to 13 feet for a space of about 5 miles, then suddenly deepening into 15 feet water opposite River Machiche. This shoal ground, extending *about $4\frac{1}{2}$ miles* from the lower Light to a point (D) nearly south of Machiche Church, which we may call Machiche Point, may be said to comprise the main labor to be encountered. It is proposed that operations be first commenced on the 11 feet flat by dredging through it a channel down to 12 feet. This locality being in the very middle of the Lake, in which a channel 100 yards wide is comparatively a mere line on the Plan, it is evident that the operation of dredging would be interminable unless arrangements be made by means of leading lights whereby the line operated upon may be accurately indicated. To effect this it is proposed to moor the present Lake Lights at A and B and establish a third light at (C,) the location of C being such that the light C and A when kept in line shall indicate the course of the improved channel, over the long flat from A to D. It is also apparent that C may be so located in the line D A (projected) that the light C ranging with the upper light B may also indicate the line of operations on the channel B F. It moreover fortunately occurs that the line of the lights A, C, projected towards the Berthier Channel will clear the shoal point X at the entrance thereof, thereby subserving the useful purpose of facilitating the entrance to the Berthier Channel, independent of its essential utility as a Lake light.

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After the dredging operations on the lines A D and B F shall be completed, the deepened cut will be available only in proportion to the accuracy with which the lights A, B, C, shall be stationed; it will therefore be highly desirable that piers be established at these points as well as at the point D. For the present, however, whilst the Lake dredging is confined to the line A D, a signal station is proposed to be erected on shore at E, by which the line of operations will be regulated. It may be advisable that the success of the Lake works be established by experience on the line, A D, before the expense of permanent Piers at A, B, C, be incurred.

By the Plan of Operations thus proposed the extent of work required to produce a given result will be as follows:

At present the ordinary summer level, limits the draft of vessels to 11 feet.

An improvement to the extent of one foot, giving a channel 12 feet deep, would be obtained by dredging one foot over a space of about 2 miles in length, and supposing the required width of channel to be 100 yards, the quantity of soil to be dredged would be about 120,000 cubic yards.

A further improvement to the extent of one foot, giving a channel 13 feet deep, would be obtained by the *additional* dredging out of one foot over a space 5 miles long, amounting to 200,000 yards.

Total quantity of dredging, 120,000+200,000=320,000 yards.

A further improvement to 14 feet water, would be obtained by the additional dredging of one foot over a space of about 6½ miles, amounting to about 280,000 yards.

Total quantity of dredging, 320,000+280,000=600,000 yards.

The channel in all cases being presumed to be 100 yards wide.

It is also necessary to remark that almost simultaneously with the Lake work, a small extent of dredging will be required at Lavaltrie—the River improvements, however, will be more conveniently embraced in a separate Report.

I have the honor to be,

Sir,

Your very obdt. servt.,

CHAS. ATHERTON,

Supp. Engr. of the Lake St. Peter Improvements.

Extract of a letter from Captain Boxer, R. N., to Captain Higginson, C. S. for the information of His Excellency the Governor General.

“Since we had the honor of forwarding the Memorial above alluded to, I have examined and sounded the intended New Channel in Lake St. Peter, having been furnished by the Board of Works with their Survey, which I understand was taken in the winter, on the ice, but it differs so much with my soundings, (and as this is a question purely naval and commercial) and of so much importance for those purposes, that I also consider it my duty to forward to His Excellency my Survey, which shews clearly (and I was very particular in sounding) that there will not be more than a few inches water gained by the New over the Old Channel, and even then it is a question whether it will not fill in again, or be materially altered by the spring freshets of the Yamaska and St. Francis Rivers. I am of opinion it will: at the same time, the gain will be so trifling that it cannot be worth the immense outlay (at least £150,000) in dredging through the shoal water, (it being surrounded with difficulties) for when a ship is unloading or loading to 12 feet, it is of little consequence whether they do so a few inches lower, and that only in their second voyage, there being

“sufficient water in the spring; and it appears to me it would be a dangerous experiment to attempt to deepen it to 17 feet, for if successful, it would in my opinion lower the water at Montreal, for it now acts as a dam for the river above in the dry season, and there are shoals in that harbor with no more water than in the Lake. It must be observed also, a Channel in a straight line from the River, would be more dangerous as a Ship Channel, as the whole of the rafts and river craft of every description would then use it, and might be blocked up occasionally, if not of sufficient width, whereas, at present, the Old Channel is quite clear of them.”

“Under all these considerations, it appears to me of great importance that before any further outlay takes place, the New Channel should be regularly sounded, buoyed and examined by professional and competent navigators, to ascertain the extent of the difficulties to be contended against, and the superiority of the New over the Old Channel, and whether the gain, when achieved, would be sufficient to justify this great expenditure; and should such Survey be thought advisable, it should be taken at the lowest water in the dry season, and the two Channels sounded at the same time, as on my examination, a rise of water took place very suddenly, being affected by strong easterly gales and the spring tides, which I understand affect the waters on the Lake at all times, and if Captain Bayfield could be spared from his professional duties in the Lower Province, to attend this examination, the question might at once be set at rest, for there is no Officer in Her Majesty's Service so well acquainted with the localities of the Lakes, Rivers and Gulf of the St. Lawrence as that Officer, from his laborious and important Surveys in this country.

(True copy.)

“EDWARD BOXER,

“Captain, R. N.

June 4th, 1845.

Extract of a letter addressed to the Civil Secretary in reply to a letter received from the Governor General, dated 15th May, 1845, enclosing a letter from Mr. Killaly, and one from the Secretary of the Colonies.

“I have the honor to acknowledge the receipt of your letter of the 15th ultimo, enclosing a copy of Mr. Killaly's observations, on some particular extracts, selected from my Official Reports to the Admiralty, on the subject of the Water Communications and Defences of this country.

“Waiving notice of the extraordinary language, applied to these extracts from my Reports, I beg leave to say that I am at a loss to understand how these extracts can justly be deemed strictures on the proceedings of the Board of Works: it is true, I have made, in some cases, very strong remarks on the Public Works of the Province, in reference to its defences, which I have been specially called upon to do, in the performance of a most important duty.

“I have no hesitation in repeating and maintaining all I have written, or done thereon, confident in the propriety and correctness of my intentions, and having no other view than that of performing my duty as I ever have done, and ever shall do, strictly and impartially.

“It has been with no ill feeling towards the Board of Works, that these remarks have been made; but I have, under a sense of duty, written as I feel, that the very costly Public Works which I have noticed, could not have been constructed with so little apparent regard to the safety and welfare of the Province, had the Plans been first submitted for the examination and consideration of competent Military and Naval Authorities: it would have been well for the Province, and for the Chairman of the Board of Works, had some talented Engineer Officer, been associated with him, from the commencement of the new system of carrying on the Public Works in Canada: and more especially with reference to the ex-

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"penditure of the loan by the British Government: an Engineer Officer from England would have been perfectly independent, and entirely free from the trammels of local associations and interests, would have assisted the Chairman with his able counsel, and would have shared the responsibility, the weight and importance of which, he would most sensibly have felt, with regard to his character in the Public Service of his Country: and, I here beg to advert (for the propriety of these remarks) to the composition of the several Commissions of the highest importance in England, for enquiry on the defences, and for Refuge Harbors, &c., where Military and Sea Officers, of the highest ranks, and the most eminent Civil Engineers have been associated, for the purpose of forming and submitting Plans, for the great proposed national improvements.

"With these observations, I beg leave to submit a brief sketch of the proceedings of the Commissioners of Enquiry, appointed by direction of the Home Government, and sanctioned by the Governor General for the Survey of the River and Waters of the St. Lawrence, and for the Military and Naval defences of the Province; in which Commission I was included with Colonel Holloway, C. R. E. Canada.

"Early in June we commenced our survey, and having examined the Richelieu, we proceeded through the Lachine Canal, to St Anne, and from thence to Kingston, through the Ottawa and Rideau Canals; most carefully ascertaining all the obstructions by actual sounding and examinations: seeking for, and receiving all possible information on the subject of our enquiry, from Pilots and other persons interested in the carrying trade of this part of the Province: especially as to the difficulties they have to encounter on this route, and of which so much complaint had been made, and having ascertained there was too much truth in the information given us, on our arrival at Kingston, the Commissioners applied to Mr. Macpherson for such further information, or corroboration of that which we had already received, as he could furnish us with; his reply was similar in most points to all we had previously learned, but especially on one, namely, that they, (the Forwarding Agents) had so very frequently and unsuccessfully made representations of the difficulties they laboured under, and loss of property they had sustained between Montreal and Kingston; that they were tired of doing so, and despaired of ever obtaining any relief: we then stated to the aggrieved parties, that if they would put in writing the representations they had made on the subject, we should give it our best consideration, and if found correct, by our own examination, we would strongly recommend attention to their case; their Memorial, with our marginal notes, was sent to the Governor General, and most of the difficulties complained of have since been, or are in the course of being remedied; by the adoption of our suggestions, the Board of Ordnance, having promptly given attention to our united representations, and the Chairman of the Board of Works, having in his Report duly noticed all the Lights, Buoys, and other necessary improvements in the Lakes St. Louis and St. Francis, which we recommended in our Report.

"When at Kingston, Colonel Holloway and Mr. Moody left me to proceed on an Ordnance inspection, and on their return, my attention was first called to the difference in size of the upper and lower Locks on the Welland Canal, which I learned were, with the exception of the first three from Lake Ontario, all to be of a small size, and of course incapable of admitting the same class of Steamers, as would pass through the Beauharnois and Cornwall Canals: on my return to Montreal, I considered this subject one of so great importance that I mentioned it to the Governor General, and I called at the Board of Works to see the Chairman, but I found he was absent upon duty at the opening of the Suspension Bridge at Hull. I learned at the Office, that my information was correct as to the small size of the upper Locks; I then brought the subject under the notice of the Commander of the Forces, and he having been under the same impression as myself, with regard to the ex-

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"pected enlargement of the Locks, and their being made of one uniform size, was indeed greatly surprised. The proper size of the Locks being in my opinion, of so great consequence to the defence of Upper Canada, and being altogether a Naval question, I considered it a duty to make the Admiralty acquainted with the facts, that, if possible, measures might be adopted for remedying the defect without delay, and which appeared to me should be done, regardless of expense.

"On our inspection of the Beauharnois Canal, with a view to its defence, Mr. Killaly met us on the spot, and in the course of conversation, he informed me that they were succeeding very well on Lake St. Peter; that they had already gained 12 feet in the New Channel; that the current had increased 2 miles an hour through it; and that when finished, it would shorten the distance, through the Lake seven miles; previously to this conversation I had not given this part of the navigation much consideration: I had spoken with Mr. Atherton on the subject, and had given him the model of a rake, which had been very successfully used at Liverpool, which had been sent to me by the Surveyor of that Port: I expressed to him a doubt if he would succeed in deepening even the Old Channel, to the depth contemplated; and that if he did succeed, it would fill up again.

"On our Survey down the River, from Montreal to the Pillous, we examined Lake St. Peter, and I was very particular in doing so, as I felt satisfied from much that I heard as well as from documents then in our possession, which had been furnished to us by the Board of Works, that Mr. Killaly had been deceived by the Reports which had been made to him; and which was proved so, by sounding, when I found only 12 feet where 17 was laid down, and only 6 or 7 inches difference in depth, between the two Channels; whereas the survey we had received from the Board of Works shewed a difference of 2 feet; and in Plans, in the Appendix to the Board of Works' General Report, dated December, 1844, from a survey taken November last, about 18 months subsequently to the commencement of the works, 11 inches difference, only, is laid down. These discrepancies shew the incorrectness of their Plans.

"I again felt it my duty to report to the Governor General, accompanying my Report, with Plans, having my soundings marked on them, signed by myself, and certified by Lieut. Moody, R. E.

"With reference to my remarks as to the cost of deepening Lake St. Peter and the other Shoals adjacent, it was of course prospectively, and under the impression that the work was intended to be, as originally proposed, of a width and depth, for a practicable Channel for loaded ships to pass through, at the driest season of the year, and I am still of opinion that such a Channel cannot be completed under any less sum than I have named; in the general statement of the Board of Works' Report, the sum of £32,893 19s. 3d is set down, as the total amount expended to the 1st July, 1844: in the body of the Report itself the sum of £5,534, only, is named as the amount actually chargeable to this work; credit having been unfairly taken for £27,291, for the value of vessels and materials applicable to other works: whereas, all these may be worn out, and useless, long before the present work is completed, and from the great draught of water of most of the vessels, they can be of little or no service in the shoal parts of the Lakes St. Louis and St. Francis; the statement thus made, of £5,534 as the amount of expenditure actually chargeable to this work up to the 1st July, 1844, is singularly at variance with Mr. Killaly's observations dated 21st February, 1845, wherein I find the following statement: "In addition to what is there stated, I have only to say, that an actual expenditure upon the work, to the present, is about £5000", notwithstanding a period of seven months has passed, during which very considerable expense has been incurred.

"The site of the Beauharnois Canal has my most unmitigated condemnation, and which I have repeatedly stated in my Official Reports; there never was, in my opinion,

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“ so great a mistake committed ; and which is not my opinion only, but that of every military and naval man who has given the subject any consideration, and I will add, also, the same of every intelligent person whom I have heard speak of it in this country; indeed, I have never heard of any one individual, not directly interested in its locality, who does not consider that even, at a very considerably greater expense, it should have been placed on the North side of the St. Lawrence; and I feel convicted, that its having been made on the South side, will be more and more condemned, the more the subject is examined; and there are circumstances of so much importance, (which has been reported to the Government by the Commission) which makes it a serious question, if it would not be well, *even now*, and irrespectively of expense, that the whole of the materials should be removed from the South side and the Canal made on the North side. Mr. Killaly states that he does not pretend to be skilled in military affairs; the high and important Office he holds is, however, one where a certain degree of such knowledge, so far as relates to Canals, &c., might reasonably be expected: and if he felt a diffidence on these points, I am of opinion it was his bounden duty to have applied to those who were better informed thereon, who could easily have been found in this country: and it must be admitted, by every thinking man, that the defences of a country should keep pace with its Commercial prosperity.”

“ On the incorrectness of the surveys of Lake St. Louis and Lake St. Francis, which were furnished to us by the Board of Works, and of their not being any Survey of the Ottawa, I have only to observe, that it was merely so stated, as matter of fact; the Commissioners have in their first Report thanked Mr. Killaly for the ready assistance and information he afforded them: and I may add, that except those named, and that of Lake St. Peter, the charts and plans furnished us were generally correct and useful: Mr. Killaly intimated to us, that we should find the one of Lake St. Francis very inaccurate.”

“ There is much detail in Mr. Killaly's observations, explanatory of his views and of circumstances too indirectly connected with the main purport of my remarks, which pertain to each point, almost solely with reference to the defences of the Country, to need any comment from me; and now, having shewn the grounds on which I have considered it my duty to forward these confidential Reports, from which the extracts have been selected, to the Admiralty; and having explained the circumstances which have induced the opinions I have expressed, I think I have substantiated all such parts as are capable of being substantiated, without further investigation, which, I am satisfied, will not only prove the correctness of the opinions I have expressed; but will likewise shew that I should have neglected my duty, if I had not reported the facts as they came under my observation, with my opinion thereon: and I here beg leave to refer to my letter to the Governor General of the 20th November last, with reference to Lake St. Peter—that the Captains of the steamers, some of the most experienced Pilots, and other persons conversant with the subject, should be examined.

“ I have but little to add, but I must not permit to pass unnoticed Mr. Killaly's observations in respect of the difference of my proceedings to that of Col. Holloway's; and I here beg particularly to remark that the principal points of my Reports will be found embodied in the general Report of the Commission, on which we have been perfectly unanimous,

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“ The personal allusions Mr. Killaly has been pleased to make of my want of information upon the different parts of the country, might very properly be passed over, as I cannot find my statement much at variance with the admitted facts, except a difference of three Locks of large size in the Welland Canal as stated by me, and it appears there are to be four, is to be considered an important error in my information.

“ I beg leave to observe that few officers have given the subject of the defences of Canada more consideration, or have used greater endeavours to improve its commercial advantages: all of which, I am proud to say, have been duly appreciated.

“ In 1829, I commanded Her Majesty Ship Hussar, and was employed in surveying the Gulf of the St. Lawrence, a Report of which is in one of the Government Offices here: in Her Majesty's Ship *Pique* during the unfortunate disturbances in Canada; I received the thanks of Sir John Colborne, Sir Colin Campbell, as well as the expressions of the high approbation of the Lords Commissioners of the Admiralty for my services during that period; since which, my correspondence with His Excellency the Governor General, the Commander of the Forces and the Home Government, as well as on the commercial improvements and defences of the country sufficiently attest my constant anxiety for its welfare and my zeal for the service of the Country.

“ EDWARD BOXER,
“ *Captain, R. N.*”

Extract of a Letter from Mr. Begly, to Mr. Atherton, dated Kingston, 20th October, 1843.

“ I am instructed to acknowledge the receipt of your letter, received here on the 6th instant, and to make the following observations thereon upon points as they arose in the mind of the Board in the course of perusal.

“ The Board conceive from the very late period of the year to which unfortunately your commencement was protracted, that the work this season should be extended to very few days more, so that the entire of the vessels may be laid up on or about the 1st November, at Sorel, and the establishment got rid of. The Board upon receiving your former letter fixing on the line of dredging as considered most advisable by you, were of opinion that from the reason already stated (*viz.* the lateness of the season,) it was impossible with advantage to do more this year than test the several boats, machinery, &c. &c., and also ascertain partially by a few days dredging, the nature of the bottom and the effect of machinery upon it as to power and quantity in 2 or 3 places; this they are most anxious should be done yet, taking care however to have the vessels laid up by the time stated, but as to the line of future operations they are by no means yet informed sufficiently to decide so very important a point, especially as the South Channel appears to them not yet to have received that consideration which the direction of its course and general depth of its water appear to entitle it to.

“ With this feeling the Board propose during the interval between the present and the opening of the working season next spring to collect from all quarters where knowledge of the Lake and other requisites may appear to them to exist, the fullest advice and information, by the general result of which they will be guided in their decision as to the Channel to be adopted.”

Montreal:

PRINTED BY LOVELL AND GIBSON,

ST. NICHOLAS STREET.

RETURN to an Address from the Legislative Assembly to His Excellency the Governor General, dated the 22nd instant, praying that His Excellency would be pleased to lay before them, "the Chart of the Road leading from L'Original into Bytown, referred to in the Report of the Board of Works, together with the Reports of Survey by Messrs. West & Keefer, and accompanying documents."

By Command.

D. DALY,

Secretary.

Provincial Secretary's Office,
Montreal, 30th May, 1846.

REPORT ON L'ORIGINAL AND BYTOWN ROAD.

L'Original and Bytown Road,
Encampment near Calcedonia Springs,
22nd August, 1845.

Sir,

I have the honor to inform the Board that I have completed the survey of this Road to within about three miles of L'Original, and have all things prepared to proceed with the specifications, estimates, &c.

As soon as I had finished the plans, estimate, &c. for the Bridge over the west Branch of the Rideau, on the Road from the Gatineau Ferry to Bytown, and transmitted them to the Board, I procured a guide, and proceeded from Bytown down to examine the route and obtain a general knowledge of the country through which it passes. I made a general reconnaissance of the whole on foot, and arrived in about five days at L'Original, where I expected to have hired my party, get provisions, &c. for my instrumental survey back to Bytown.

Having gone through the route, I found I must have a tent, cooking utensils, blankets, &c. for my party, as the few settlers on the route were generally residing off the road near the Ottawa, and much inconvenience and loss of time must result if I depended on boarding and sleeping with them, besides much discomfort in other respects. On enquiry at L'Original, I found that I could not there obtain pork, biscuit, or much else that I wanted, and that it would be necessary for me to return to Bytown to obtain a party, provisions, &c.—this I did.

I found a good deal of difficulty and delay in hiring hands, as hay harvest had commenced, and all were busy at it.

Having completed my party and arrangements, I proceeded on my survey, commencing at the Courthouse door in Bytown, and numbering and planting a good substantial mile post at the end of every mile.

At the post marking the end of the sixth mile and beginning of the seventh, I commenced to number the sections, considering these six miles would do for the present without any outlay; the seventh mile therefore, is, the first section, and begins at Green's Creek.

The soil from here to Hatville is, with one or two exceptions, blue clay intermixed with reddish, this being the constituent of the whole country from the Ottawa back, resting at a good depth generally, on a limestone formation. The Road is located on a table of this, standing at different points, at a height varying from twenty to eighty feet, or more, above the surface of the Ottawa River; and is in the greater part of the route, at the base of an ascent, the top of which is the table forming the general surface of the country back.

All the creeks and rivers coming from the interior cuts into this clay, and form deep ravines, and gulleys for their beds, making the bridging expensive, and requiring a good deal of care to locate the bridges, and the road in its descent and ascent to and from the bridges, in such a manner as to make the descent and ascent the most gentle possible. As the bridges are now located, the road comes straight down upon them on the one side, and straight up on the other; without any care to avoid the precipitancy on either side. I have had to alter this in almost every instance, and I think I will be able, without any very great expense, to make the Road at these points in such a manner as will reduce ascents and descents, which are now from 1 in 1, to from 1 in 2, to a grade that will not be more than from 1 in 12, to 1 in 16, as the ground will answer. The examinations for this purpose delayed me a good deal, but the subject is one of great importance in making a Road on either side of the Ottawa River.

Having arrived at Fox's Creek, in compliance with my instructions, I took a direct course for Hatville, to examine the route suggested in Mr. Walton's report. I continued the survey and exploration for a distance of six miles; this was through a dense forest mostly of pine, with a thick growth of underwood. Lumbering has been carried on all through here for thirty or more years, filling the woods with fallen timber, and of itself rendering it very expensive to open a road through it,—but this would be the least difficulty; the ground is nearly one succession of ridges, knolls, swamps and gulleys, and a much larger proportion of wet swamp than on the front. Having gone the distance I mention, I was convinced that the route was suggested without any knowledge of the ground, that it would be at least twice as expensive as the front, and very little show if any kind of

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shapely ground should be selected. On these and other accounts which will be mentioned in the more detailed report, I abandoned the route, knowing it would be only losing time, and creating useless expense to pursue the survey any further.

I resumed my survey on the front where I had stopped, and continued on to what is called Jessup's Falls, or New Inverness, on the Nation River, within about four miles of Hatville; to here the Road has been located, and partly opened; but from here for some distance it was neither located nor opened, so that I had nearly two miles of cutting to do through very thick woods.

Having arrived near Shannon Cottage, I called on Colonel Kearnes, who used me in the most kind and hospitable manner; and gave me a great deal of information about roads and bridges, which I received with all due deference.

At Hatville I made a thorough examination of the Nation River, and have fixed upon a site for the Bridge, one that I think will, in nearly all respects, be more suitable than the one used heretofore.

I have in only two or three instances of any note, deviated from the old location, and that where the road is shortened, and evidently bettered. I shall prepare a detailed report, with plans, estimate, &c., with the least possible delay.

I have the honor to be,

Sir,

Your most obedient humble servant,

JAS. WEST.

Thomas A. Begly, Esquire,
Secretary, Board of Works,
Montreal.

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ESTIMATE of the Work to be performed in the construction of the Road on the south side of the Ottawa River, from Bytown to L'Original.

For the first two miles I have made no Estimate, although the Bridge over the Rideau requires considerable repairs.

	£	s.	d.	£	s.	d.
Estimate Section No. 1, Mile 3rd.						
Whole length of Section 1 mile or 320 rods.						
This Section commences $\frac{3}{4}$ of a mile beyond Rideau River in clear land, soil sandy and gravelly.						
Clearing and removing stumps and logs from 20 rods, at 2s.	2	0	0			
Fascining 18 rods in length, at 3s. 6d.	3	3	0			
Covering with earth and gravel on an average 12 inches deep, 20 rods, at 6s. 6d.	6	10	0			
				11	13	0
Estimate Section No. 2, Mile 4th.						
Length of Section, 1 mile or 320 rods.						
Removing stone and forming road with water tables, 50 rods, at 7s. 6d.	18	15	0			
				18	15	0
Estimate Section No. 3, Mile 5th.						
This Section is partly opened, the remainder unopened passing through fields beyond Mr. Stephenson's.						
Removing logs, stumps, and stones, and forming road with water tables, near Mr. Stephenson's, 20 rods, at 3s. 6d.	3	10	0			
Forming Road with water tables, near east end of Section, 200 rods, at 4s	40	0	0			
Culverts, small ones, 3 at 25s.	3	15	0			
				47	5	0
Estimate Section No. 4, Mile 6th.						
At the beginning of Section the line leaves the old road, and goes directly to the house at the turn to the Gloucester Springs, passing through wet pine swamp for 120 rods, a creek at beginning of Section.						
Chopping and clearing 66 feet wide for 120 rods, at 1s. 3d.	7	10	0			
Grubbing and clearing off 28 feet wide, 120 rods, at 3s. 6d.	21	0	0			
Cutting side drains and forming, 200 rods, at 4s.	40	0	0			
Two small Bridges, 6 feet waterway each, 100s.	10	0	0			
Cutting into side of hill and grading road on west side of Green's Creek and to the Creek, 50 rods, at 10s.	25	0	0			
Cribbing and filling up approach on west side	15	0	0			
Bridge over Green's Creek, 20 feet waterway, height of abutments from bottom of Creek 14 feet, the abutments to be made of Crib-work well filled in with rained earth (clay), the rest as in general specification for Bridges	80	0	0			
Culverts, small ones, 3 at 25s.	3	15	0			
Formation of approach to Bridge on east side, 10 rods, at 16s.	8	0	0			
				160	5	0
Carried forward				£237	8	0

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(V. V.)

ESTIMATE of the Work to be performed, &c.—(Continued.)

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	£	s.	d.	£	s.	d.
<i>Brought forward</i>	237	8	0
Estimate Section No. 5, Mile 7th.						
This is No. 1 of the old Sections as marked on the ground, and I shall note the number of the old Section as I pass along with this estimate, marking it O.S.						
Commencing near end of Bridge over Green's Creek, excavation and formation of road as it winds up the hill 30 rods in length. The hill slopes about 3 to 1, and the base of the excavation being about 11 feet, will give with the double slope about 30 cubic yards to the rod in length, which at 3d. will be 7s. 6d. per rod for excavation and formation. The retaining wall will generally require to be from 4 to 4½ feet high, and, built as per general specification, will be worth 4s. 6d. per rod, and the parapet or guard wall will be worth 4s. per rod.						
Chopping and clearing off 54 feet wide, 154 rods, at 1s.	7	14	0			
Grubbing and taking out old logs, 28 feet wide, 154 rods, at 3s. 6d.	26	19	0			
Excavation and formation up bank and at brow of hill, 30 rods, at 7s. 6d.	11	5	0			
Retaining wall, 20 rods, at 4s. 6d.	4	10	0			
Parapet or guard, 22 rods, at 4s.	4	8	0			
Cutting side drains and forming road at beginning of Section, 84 rods, at 7s. 6d.	31	10	0			
Cutting water tables and forming the remainder of the Section, 236 rods, at 4s.	47	4	0			
Culverts, 1 large, 35s., and 4 small, 25s.	6	15	0			
				140	5	0
Estimate Section No. 6, Mile 8th. O.S. No. 2.						
This Section is heavy timbered, pine and hemlock, and is in part very wet and springy; road opened in part about 12 feet wide, only a little grubbed in the clearing, Forbes'.						
Chopping and clearing to 66 feet wide, 255 rods, at 1s.	12	15	0			
Grubbing and clearing 28 feet wide, 255 rods, at 3s.	38	5	0			
Cutting side drains and forming road at beginning of Section, 100 rods, at 4s.	20	0	0			
Clearing and cutting lateral drain through woods 3 feet deep, 2 feet wide at bottom, 15 rods, at 2s. 6d.	1	17	6			
Forming with water tables near Forbes' clearing, 24 rods, at 2s. 6d.	3	0	0			
Forming with deep side drains at east end of Section, 68 rods, at 5s.	17	0	0			
Fascining, 14 rods, at 3s.	2	2	0			
A Bridge in Forbes' clearing over Gully and Creek, 10 feet waterway, 8 feet high, 100s.	5	0	0			
A small Bridge near old Gocquies clearing, 6 feet waterway, 6 feet high, 80s.	4	0	0			
Culverts, (small) 4 at 30s.	6	0	0			
				109	19	6
Estimate Section No. 7, Mile 9th. O.S. No. 3.						
This whole Section is through woods, wet land, pine, hemlock, cedar, ash, alder, &c. the road is opened only, heavy clearing and grubbing.						
Chopping and clearing 56 feet wide, 320 rods, at 1s. 3d.	20	0	0			
Grubbing and clearing off old logs, &c., 28 feet wide, 320 rods, at 3s. 6d.	56	0	0			
Cutting side drains and forming road for 280 rods, at 5s.	70	0	0			
Fascining, 10 rods, at 3s.	1	10	0			
Culverts, 3 at 30s.	4	10	0			
Clearing, grubbing and cutting lateral drain, 2 feet bottom, 3 feet deep, 26 rods, at 3s.	3	18	0			
Forming remainder of Section with water tables, 40 rods, at 2s. 6d.	5	0	0			
A Bridge 8 feet waterway, abutment to be 6 feet high at face, with approaches 40 feet long, to be filled with earth	10	0	0			
Small Bridges, two, 5 feet waterway each, 50s.	5	0	0			
Repairing two small Bridges	3	0	0			
A Bridge near east end of Section, 8 feet waterway, and abutments 8 feet high at face.	10	0	0			
				188	18	0
Estimate Section No. 8, Mile 10th. O.S. No. 4.						
The whole section is through woods, wet land, pine, hemlock, cedar, ash, alder, &c. timber; the road has been opened in part, but nearly all grown over with brush, heavy clearing and grubbing.						
Chopping and clearing 56 feet wide, 320 rods, at 1s. 3d.	20	0	0			
Grubbing and clearing out logs, 28 feet wide, 320 rods, at 3s. 6d.	56	0	0			
Cutting side drains and forming road at beginning of Section, 112 rods, at 5s.	28	0	0			
Culverts, three, at 30s.	4	10	0			
Clearing and cutting lateral drain 2 feet bottom, 3 feet deep, 20 rods, at 3s.	3	0	0			
Forming road down side of Ravine at Bilberry Creek, retaining wall and parapet	4	0	0			
Excavation and forming, 10 rods, at 7s. 6d.	3	15	0			
Fascining, 10 rods, at 3s.	1	10	0			
A Bridge here over Bilberry Creek of 15 feet waterway, with abutments 10 feet high from bottom, well made and extended back 40 feet each side and filled, forming approaches	15	0	0			
Excavating the hill and forming the road across flat on east side, 410 cubic yds. at 5d.	8	10	10			
Cutting side drains and forming road on east end of Section, 196 rods, at 5s.	49	0	0			
Culverts, four, at 30s.	6	0	0			
Lateral drain, clearing, grubbing and cutting, 30 rods, at 3s.	4	10	0			
				208	15	10
<i>Carried over</i>	£880	6	4

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(V. V.)

ESTIMATE of the Work to be performed, &c.—(Continued.)

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(V. V.)

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	£	s.	d.	£	s.	d.
<i>Brought over</i>	880	6	4
Estimate Section No. 9, Mile 11th. O.S. No. 5.						
This Section is all through woods, part of the road has been cleared off, and partly formed by a shallow ditch on south side. The timber on it is Pine, Hemlock, Ash, &c.; the part opened is about 16 feet wide on an average.						
Chopping and clearing off 50 feet wide, 320 rods, at 10d....	13	6	8			
Grubbing and clearing out 28 feet wide, 320 rods, at 2s. 6d	40	0	0			
Cutting side drains and forming road at beginning of Section, 92 rods, at 3s... ..	13	16	0			
From end of last 92 rods to foot of rocky hill, being 100 rods, digging side drains and forming road, 100 rods, at 2s. 6d.	12	10	0			
At top of hill to be cleared of stone and formed with water tables, 24 rods, at 5s.	6	0	0			
Forming road down side of rocky hill, building retaining wall and parapet of dry stone-work, 18 rods, at 16s.	14	8	0			
Cutting side drains and forming road at east end of Section, and to the end, 110 rods, at 3s.	16	10	0			
Culverts, three, at 30s.	4	10	0			
Lateral drain clearing, grubbing, and digging, 2 feet bottom, 2½ deep, 20 rods, at 2s. 6d.	2	10	0			
				123	10	8
Estimate Section No. 10, Mile 12th. O.S. No. 6.						
One half of this Section is through LaFlamme's clearing, having woods only on one side; the remainder is through woods.						
Chopping and clearing off 46 feet wide, 160 rods, at 10d.	6	13	4			
Chopping and clearing off 33 feet wide, 100 rods, at 8d.	3	6	8			
Grubbing and clearing out 28 feet wide for 320 rods, at 2s. 3d... ..	36	0	0			
Forming with side drains at beginning of Section, 80 rods, at 3s. 6d.	14	0	0			
Forming with water tables the remaining 240 rods, at 2s. 6d.	30	0	0			
Culverts, three, at 30s.	4	10	0			
Lateral drain clearing and digging, 20 rods, at 2s.	2	0	0			
Bridge at LaFlamme's Creek and Ravine, 20 feet waterway, faces of abutments 25 feet high, Crib-work to be filled in with stone	30	0	0			
One small Bridge 10 feet waterway, 8 feet high	7	10	0			
				134	0	0
Estimate Section No. 11, Mile 13th. O.S. No. 7.						
The whole of this Section is through woods, and of the heaviest kind, being mostly Pine and Hemlock: heavy grubbing and clearing.						
Chopping and clearing 50 feet wide, 320 rods, at 1s. 3d.	20	0	0			
Grubbing and clearing off old logs in heavy pine lands, the whole width of 28 feet, 320 rods, at 4s.	64	0	0			
Cutting side ditches and forming road at beginning of Section, for 106 rods, at 5s.	26	10	0			
Cutting down hog's back or ridge on west side of Leonard's Creek, an average depth of 3 feet, 19 rods, at 3s. 6d.	2	5	6			
Cutting down brow and filling in hollow	1	0	0			
Forming road up face of hill on east side of Leonard's Creek, rise being about 65 feet, 50 feet of which will be overcome in the first 26 rods, and the rest by a gradual winding up the hill... ..	20	0	0			
Parapet or guard, 20 rods, at 4s.	4	0	0			
Forming the next piece with heavy side drains, 144 rods at 5s... ..	36	0	0			
Culverts, four, at 30s.	6	0	0			
Lateral drain, 30 rods, at 2s. 6d.	3	15	0			
Forming at east end of Section with water tables, 25 rods, at 2s. 6d.	3	2	6			
				186	13	0
On Leonard's Creek there is a good Bridge built on framed bents and string pieces, the covering of flatted Pine, it is 100 feet in length, and only 10 or 12 feet high. There is a small Bridge over a gully at east end of Section in Captain Petrie's clearing; it is good.						
Estimate Section No. 12, Mile 14th. O.S. No. 8.						
The whole of this Section is through woods, but they are generally hard wood timber, in which the chopping and grubbing are not very heavy. The road has been opened on an average 14 feet wide, but will have to be opened anew to straighten it.						
Chopping and clearing 52 feet wide, 320 rods, at 10d....	13	6	8			
Grubbing and clearing out old logs, 20 feet wide in part and 28 feet in part cut anew, 320 rods, at 2s. 4d.	37	6	8			
Clearing part of the distance of stone, and forming the whole length of Section with side drains, 320 rods, at 4s. 6d.	72	0	0			
Culverts, four, at 25s.	5	0	0			
Lateral drain, 28 rods, at 2s. 6d.	3	10	0			
				131	3	4
Estimate Section No. 13, Mile 15th. O.S. No. 9.						
Whole length of Section through woods, timber, mixed hard wood, Pine, Hemlock,—and Road opened about 14 feet wide.						
Chopping and clearing off 52 feet wide, 320 rods, at 10d....	13	6	8			
Grubbing and removing old logs 28 feet wide, 320 rods, at 2s. 6d.	40	0	0			
Forming road and clearing off some stony places through whole Section, 320 rods, at 3s.	48	0	0			
Culverts, five, at 30s.	7	10	0			
				108	16	8
<i>Carried forward</i>	£1564	10	0

Appendix
(V. V.)

ESTIMATE of the Work to be performed, &c.—(Continued.)

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(V. V.)

30th May.

30th May.

	£	s.	d.	£	s.	d.
<i>Brought forward</i>				156	10	0
Estimate Section No. 14, Mile 16th. O.S. No. 10.						
Part only of this Section has woods upon it, the remainder being through clearing; the woods are mixed timber, hardwood, Pine and Hemlock.						
Chopping and clearing off 52 foot wide, 238 rods, at 10d....	9	18	4			
Grubbing and removing old logs 28 feet wide, 238 rods, at 2s. 4d.	27	15	4			
At beginning of Section, ditching and forming 88 rods in length, at 4s.	17	12	0			
Culverts, three, at 30s.	4	10	0			
Levelling ground, forming road with water tables on high land, 30 rods, at 2s. 6d.	3	15	0			
Forming road sloping down side of bank to level ground, 50 rods, at 6s. 3d.	15	12	6			
Forming road at east end of Section, 167 rods, of which 30 rods are to be at 3s.	4	10	0			
The remaining 137 rods at 6s. 3d....	42	16	8			
Estimate Section No. 15, Mile 17th. O.S. No. 11.						
The whole of this Section is in cleared land, soil sandy, good for road.						
Clearing off some brush, and grubbing a few stumps	2	0	0			
Forming road with water tables, 320 rods, at 2s. 6d.	40	0	0			
One small bridge 5 feet waterway, 6 feet high	4	0	0			
Culverts, three, at 30s.	4	10	0			
Lateral drain, 40 rods, at 2s. 6d.	5	0	0			
				55	10	0
Estimate Section No. 16, Mile 18th. O.S. No. 12.						
This Section at beginning in clear land, the remainder of the Section in woods, heavy clearing, Pine, Hemlock, Birch, Ash, &c., hilly uneven land.						
Chopping and clearing off 60 feet wide, 220 rods, at 1s.	11	0	0			
Grubbing and removing old logs, 28 feet wide, 220, at 2s. 6d.	27	10	0			
Forming road to brow of ravine with water tables, 30 rods, at 2s. 6d.	3	15	0			
Forming road down slope of ravine or brow of hill, 10 rods, at 6s. 3d.	3	2	6			
Levelling sand knoll and forming road from toe of hill, 30 rods, at 6s. 3d.	9	7	6			
Removing logs of old crossway, fascining, forming road, &c., 49 rods						
Making and laying fascines on 21 rods, at 3s.	3	3	0			
Drain on South side 2½ feet bottom, 3½ feet deep, 49 rods, at 4s.	9	16	0			
Drain on North side 2½ feet bottom, 3 feet deep, 24 rods, at 3s... ..	3	12	0			
Continuation of drain on North side over the higher land into the Creek, 1½ feet bottom, 1½ feet deep, 25 rods, at 1s... ..	1	5	0			
Forming road with heavy side drains from Creek eastward to foot of another sand hill, 151 rods, at 3s... ..	37	15	0			
Making and laying fascines in part of the above distance, low wet land, 41 rods, at 3s... ..	6	3	0			
Excavating and forming road up side of sand hill, 20 rods, at 10s.	10	0	0			
Levelling and forming road at east end of Section, 37 rods, at 3s.	8	11	0			
One small Bridge 10 feet waterway, 8 feet high	6	0	0			
Culverts, five, at 30s.	7	10	0			
				148	10	0
Estimate Section No. 17, Mile 19th. O.S. No. 13.						
Part of this Section through woods, timber, Pine, Hemlock, Birch, Ash, &c.; some part of it very wet. Beckwith's Creek and another large Creek passes through it, heavy clearing and grubbing through all the wood land.						
Chopping and clearing off 32 feet wide, 260 rods, at 10d.	10	16	8			
Grubbing and clearing out old logs, 28 feet wide, 320 rods, at 2s. 6d.	40	0	0			
Formation of road from beginning of Section to first large Creek, 86 rods, at 2s. 6d.	10	15	0			
Culverts, two, at 30s... ..	3	0	0			
Lateral drain, clearing and digging, 20 rods, at 2s.	2	0	0			
Here a Ravine 50 feet deep, a large Creek in the bottom of it with a Bridge on bents, the covering 134 feet long, is all very much decayed except part of the covering.						
A new Bridge required, should have 20 feet waterway, and cribbed abutments of at least 20 feet height on the face from bottom of water, and the approaches formed by cutting down the hill on the side and filling in the abutments, for this whole work						
Formation of road down side of ravine on West side, and up on East side, 24 rods in all, at 7s. 6d.	60	0	0			
Retaining wall for both sides, 20 rods, at 4s. 6d....	9	0	0			
Parapet or guard wall for both sides, 24 rods, at 4s.	4	10	0			
Formation of road with deep side drains from this Creek to Beckwith's Creek, 50 rods, at 4s.	4	16	0			
Culverts, one, at 30s... ..	10	0	0			
Beckwith's Creek here in a Ravine 70 feet deep, with an old bridge over it of 130 feet in length, will require a new bridge of 20 feet waterway, cribbed abutments 20 feet high on face from bottom of Creek, the hill side to be cut down to form the approaches	1	10	0			
Formation of road down and up side of Ravine:—	60	0	0			
Excavation and forming on West side, 20 rods, at 7s. 6d... ..	7	10	0			
Retaining wall	3	7	6			
Parapet or guard, 20 rods, at 4s.	4	0	0			
Amount for East side of same, including the excavation of the brow	14	17	6			
Extra grubbing, and forming the road from Beckwith's Creek to end of Section, 127 rods, at 5s.	31	15	0			
				277	17	8
<i>Carried over</i>				£2046	7	8

Appendix
(V. V.)

ESTIMATE of the Work to be performed, &c.—(Continued.)

Appendix
(V. V.)

30th May.

30th May.

	£	s.	d.	£	s.	d.
<i>Brought over</i> ... ..	...	...	...	2046	7	8
Estimate Section No. 18, Mile 20th. O.S. No. 14.						
The greater part of this Section passes through woods, timber, Pine, Hemlock, Ash, Spruce, &c., heavy clearing and grubbing; through part of the Section the road is partly formed by a shallow drain on one side, the low wet spots are crosswayed in a slight manner.						
Chopping and clearing off 50 feet wide, 270 rods, at 10d.	11	5	0			
Grubbing and clearing out old logs to 28 feet wide through the whole Section, 320 rods, at 2s. 6d.	40	0	0			
Formation of road with side drains, including the laying fascines on 40 rods, 32 rods, at 4s. Culverts, five, at 30s.	64	0	0			
Lateral drain, 40 rods, at 2s. 6d.	7	10	0			
	5	0	0			
				127	15	0
Estimate Section No. 19, Mile 21st. O.S. No. 15.						
Two-thirds of this Section is through woods, but they are rather lighter than those last past through; the road is opened from 16 to 20 feet wide and is very level; soil, clay, near the bank of the Ottawa River.						
Chopping and clearing out the road to its full width—being about 48 feet more, 220 rods, at 10d.	9	3	4			
Grubbing and clearing off to 28 feet wide, 270 rods, at 2s.	22	0	0			
Forming road with side drains, 320 rods, at 3s.	48	0	0			
Culverts, four, at 30s.	6	0	0			
Lateral drain into Ottawa, 40 rods, at 2s. 6d.	5	0	0			
				90	3	4
There are two Creeks crossing this Section near the beginning of it, over which there are good bridges.						
Estimate Section No. 20, Mile 22d. O.S. No. 16.						
Only about half of this Section has woods upon it, they are Pine, Hemlock, Ash, &c.						
Chopping and clearing off 50 feet wide, 160 rods, at 10d.	6	13	4			
Grubbing and clearing out to 28 feet wide, 160 rods, at 2s. 6d.	20	0	0			
Forming with side drains, 320 rods, at 5s.	48	0	0			
One Bridge 19 feet waterway, face of abutment 12 feet high	10	0	0			
Three large Culverts at 50s.	7	10	0			
Six small Culverts at 30s.	9	0	0			
Lateral drain, 40 rods, at 2s. 6d.	5	0	0			
Way's bridge over Way's Creek is 155 feet long, on framed beams, 16 feet high at centre; this will require to be rebuilt	55	0	0			
				161	3	4
Estimate Section No. 21, Mile 23rd. O.S. No. 17.						
The road through the greater part of this Section has woods upon it on one or both sides, they are pine, hemlock, ash, cedar, &c., heavy clearing. This Section is partly in James M'Call's clearing.						
Chopping and clearing off 50 feet wider than the present opening, 300 rods, at 1s.	15	0	0			
Grubbing and clearing off stone and stumps, 320 rods, at 2s. 6d.	40	0	0			
Forming road with side-drains, 320 rods, at 3s. 6d.	56	0	0			
Three large culverts, three at 50s.	7	10	0			
Three small culverts, three at 30s.	4	10	0			
				123	0	0
Estimate Section No. 22, Mile 24th. O.S. No. 18.						
Of this Section 230 rods goes through woods, which are very heavy, pine and hemlock; soil sand and sandy loam.						
Chopping and clearing off 50 feet wide, 230 rods, at 1s.	11	10	0			
Grubbing and clearing out stones, logs, stumps, &c., 320 rods, at 3s.	48	0	0			
Forming road with side drains, 320 rods, at 2s. 6d.	40	0	0			
Three culverts, at 30s.	4	10	0			
				104	0	0
Estimate Section No. 23, Mile 25th. O.S. No. 19.						
This Section is all through woods, mostly heavy pine and hemlock timber; heavy chopping and grubbing; the soil is in some parts clay, in other sand, some low wet places with poor crossways in them. Fox's Creek crosses it at the east end.						
Chopping and clearing off 52 feet wide, 320 rods, at 1s.	16	0	0			
Grubbing and clearing to 28 feet wide, 320 rods, at 3s.	48	0	0			
Forming road with heavy side drains, 320 rods, at 3s.	48	0	0			
Cutting down bank at east branch of Fox's Creek and forming road on it	10	0	0			
A creek bridge 10 feet waterway, and 10 feet high	10	0	0			
Bridge over Fox's Creek 15 feet waterway, 12 feet high	11	0	0			
Bridge over east branch Fox's Creek 12 feet waterway, 9 feet high	10	0	0			
Lateral drain, 30 rods, at 2s. 6d., £3 15; and culverts, four, at 30s.	9	15	0			
				162	15	0
If there is not money enough these bridges will do by being repaired.						
<i>Carried forward</i> ... ..	...	...	...	£2815	4	4

Appendix
(V. V.)

ESTIMATE of the Work to be performed, &c.—(Continued.)

Appendix
(V. V.)

30th May.

30th May.

	£	s.	d.	£	s.	d.
<i>Brought forward</i> ... ..	...	...	...	2815	4	4
Estimate Section No. 24, Mile 26th. O.S. No. 20.						
The beginning of this Section is in woods, the remainder in clearing in what is called the New England Settlement; the part through clearing is fully open.						
Chopping and clearing off at beginning of Section the full width of 66 feet, 42 rods, at 1s. 3d.	2	12	6			
Grubbing, clearing off rocks, stones, old logs, &c., levelling knolls, 42 rods at 6s. 3d.	13	2	6			
Clearing stone off the knoll beyond the woods and levelling it, 10 rods at 7s. 6d.	3	15	0			
Forming road with side drains at beginning of Section, 82 rods, at 4s.	16	8	0			
Bridge over Woodley's Creek, 10 feet waterway, 8 feet high	5	0	0			
Forming road over flat near bridge, 10 rods, at 10s.	5	0	0			
Removing stones and forming road with water tables on last part of Section, 260 rods, at 2s. 6d.	30	0	0			
				75	18	0
Estimate Section No. 25, Mile 27th. O.S. No. 21.						
This Section goes only part way in woods, which are to be chopped and cleared off to the full width of 66 feet.						
Chopping and clearing off 186 rods, at 10d.	7	15	0			
Grubbing and clearing off old logs, 186 rods, at 2s. 6d.	23	5	0			
Forming road by water tables, 320 rods, at 2s. 6d.	40	0	0			
Culverts, three at 30s.	4	10	0			
				75	10	0
Estimate Section No. 26, Mile 28th. O.S. No. 22.						
This Section is part in clearing and part in woods; is situated back of Fox's Point; soil is clay, and clay and sand mixed; timber, heavy pine and hemlock; part goes through low alder swamp.						
Chopping and clearing off, 250 rods, at 1s.	12	10	0			
Grubbing and clearing off stumps, &c., 320 rods, at 2s.	32	0	0			
Making and laying Fascines in 40 rods, at 3s.	6	0	0			
Forming with side drains, 320 rods, at 2s. 6d.	40	0	0			
Culverts, large ones, two, at 50s.	5	0	0			
Culverts, small ones, two, at 30s.	3	0	0			
Lateral drain, 30 rods, at 2s. 6d.	3	15	0			
				102	5	0
Estimate Section No. 27, Mile 29th. O.S. No. 23.						
Part of this Section is cleared and part in woods, heavy pine land from beginning to end.						
Chopping and clearing off to full width, 240 rods, at 1s.	12	0	0			
Grubbing and clearing off old logs, 320 rods, at 3s.	49	0	0			
Excavating and forming road down and up Ravine at Anderson's Creek	33	0	0			
Culverts, three, at 30s.	4	10	0			
Forming road with deep side drains for 300 rods, at 3s.	45	0	0			
Lateral drain, 20 rods, at 2s. 6d.	2	10	0			
				145	0	0
There is a bridge over Anderson's Creek that is in pretty good condition, covering 120 long; it may want some repairs.						
Estimate Section No. 28, Mile 30th. O.S. No. 24.						
This Section begins at Gifford's and is nearly all through woods, which are heavy pine timber, mixed with hemlock, balsam, ash, &c.; it is likewise low and wet land.						
Chopping and clearing off, 290 rods, at 1s.	14	10	0			
Grubbing and clearing off old logs, &c., 320 rods, at 3s. 6d.	56	0	0			
Forming road with deep side drains, 320 rods, at 3s. 6d.	56	0	0			
Fascines on 40 rods, at 3s.	6	0	0			
Lateral drain, 30 rods, at 2s. 6d.	3	15	0			
Two small bridges 6 feet waterway each and 6 feet high, 80 feet	8	0	0			
A bridge here, 40 feet long, over a gully and creek, will do with some repairs	6	0	0			
Culverts, six, at 30s.	9	0	0			
				159	5	0
Estimate Section No. 29, Mile 31st. O.S. No. 25.						
This Section begins at the end of the bridge over creek in a deep ravine, and is nearly all through woods—pine, hemlock, cedar, ash, &c., low wet land; east end of Section in Roe's clearing, and near line between Clarence and Plantagenet.						
Chopping and clearing off 52 feet wide, 300 rods, at 1s.	15	0	0			
Grubbing and clearing off old logs to 28 feet wide, 300 rods, at 2s. 6d.	37	10	0			
Forming road up side of ravine from bridge to top of bank, excavation, parapet, and retaining wall for all, 12 rods, at 14s.	8	8	0			
Forming road with heavy side drains, 320 rods, at 4s. 6d.	72	0	0			
A deep ravine and bridge 100 feet long near east end of Section.						
Forming road down the west side and up the east side of ravine, in all	26	0	0			
New bridge 15 feet waterway, face of abutments 20 feet high	30	0	0			
Culverts, large ones, three, at 50s.	7	10	0			
Culverts, small ones, four, at 30s.	6	0	0			
Lateral drain, 60 rods, at 2s. 6d.	7	10	0			
				209	0	0
<i>Carried over</i> ... ..	...	...	...	£3582	2	4

Appendix
(V. V.)

ESTIMATE of the Work to be performed, &c.—(Continued.)

Appendix
(V. V.)

30th May.

30th May.

	£	s.	d.	£	s.	d.
<i>Brought over</i> ... ..	...	...	...	3582	2	4
Estimate Section No. 30, Mile 32nd. O.S. No. 26.						
Nearly the whole of this Section in woods, pine, ash, hemlock and spruce, &c., nearly all very wet land.						
Chopping and clearing off 50 feet wide, 300 rods, at 1s.	15	0	0			
Grubbing and clearing out 22 feet wide, 300 rods, at 2s. 6d.	37	10	0			
At 90 rods from beginning of Section, a bridge of 68 feet in length in a ravine,—this will do with some repairs, say	6	0	0			
Cutting down brow of hill and forming road down and up sides of Ravine	20	0	0			
Forming road with heavy side drains all through Section, 320 rods, at 4s.	64	0	0			
A bridge beyond Alexander Cunningham's of 12 feet waterway and 12 feet high	12	10	0			
Culverts, large ones, three, at 50s.	7	10	0			
Culverts, small ones, four, at 30s.	6	0	0			
Lateral drain, 60 rods, at 2s. 6d.	7	10	0			
				176	0	0
Estimate Section No. 31, Mile 33rd. O.S. No. 27.						
Part of this Section is through clearing, and part in woods which are heavy timbered,—pine, hemlock, ash, balsam, and spruce.						
Chopping and clearing off 50 feet wide, 200 rods, at 1s.	10	0	0			
Grubbing and clearing out to 28 feet wide, 200 rods, at 3s.	30	0	0			
Cutting down hills, and forming road with heavy side drains, 320 rods, at 4s.	64	0	0			
Near M'Geough's a bridge 30 feet long, repairs to it... ..	5	0	0			
Another bridge beyond M'Geough's, 40 feet long, repairs... ..	5	0	0			
Culverts, large ones, four, at 50s.	10	0	0			
Culverts, small ones, four, at 30s.	6	0	0			
Lateral drain, 50 rods, at 2s. 6d.	6	5	0			
				136	5	0
Estimate Section No. 32, Mile 34th. O.S. No. 28.						
Part of this Section is in clearing, and part in woods; not very heavy clearing, but heavy pine grubbing.						
Chopping and clearing off 50 feet wide, 156 rods, at 1s.	7	16	0			
Grubbing and clearing out logs to 28 feet, 320 rods, at 2s. 6d.	40	0	0			
Forming road with deep side drains, and levelling hills on whole, 320 rods, at 3s.	48	0	0			
Two small bridges 10 feet waterway, 10 feet high, 100s.	10	0	0			
Culverts, large ones, two, at 50s.	5	0	0			
Culverts, small ones, four, at 30s.	6	0	0			
Lateral drains, 70 rods, at 2s. 6d.	8	15	0			
				125	11	0
Estimate Section No. 33, Mile 35th. O.S. No. 29.						
This whole Section is through woods, but not very heavy to clear or grub.						
Chopping and clearing off 52 feet wide, 320 rods, at 10d.	13	6	8			
Grubbing and clearing out old logs, 28 feet wide, 320 rods, at 2s.	32	0	0			
Forming road with heavy side drains, and levelling banks of gullies, &c., 320 rods, at 3s.	48	0	0			
Culverts, large ones, two, at 50s.	5	0	0			
Culverts, small ones, four, at 30s.	6	0	0			
Lateral drain, 60 rods, at 2s. 6d.	7	10	0			
				111	16	8
Estimate Section No. 34, Mile 36th. O.S. No. 30.						
Whole Section through woods, rather light clearing.						
Chopping and clearing off 52 feet wide, 320 rods, at 10d.	13	6	8			
Grubbing and clearing out 28 feet wide, 320 rods, at 2s.	32	0	0			
Forming road with side drains, 320 rods, at 3s.	48	0	0			
Culverts, large ones, two, at 50s.	5	0	0			
Culverts, small ones, three, at 30s.	4	10	0			
Lateral drain, 50 rods, at 2s. 6d.	6	5	0			
				109	1	8
Estimate Section No. 35, Mile 37th. O.S. No. 31.						
This Section is opposite Jessup's Falls, and extends above them, and has to be entirely cleared and grubbed, being all in woods.						
Chopping and clearing off 66 feet wide, 320 rods, at 1s.-3d.	20	0	0			
Grubbing and removing old trees, &c., 28 feet wide, 320 rods, at 2s. 6d.	40	0	0			
Near beginning of Section a deep gully and creek will require a bridge of 20 feet waterway and 14 feet high, the abutments well filled in from the cutting down of the bank of the gully	25	0	0			
Cutting down brows of gully... ..	5	0	0			
Forming road with heavy side drains, 320 rods, at 3s.	48	0	0			
Culverts, large ones, two, at 50s.	5	0	0			
Culverts, small ones, four, at 30s.	6	0	0			
Fascining, 30 rods, at 3s.	4	10	0			
Lateral drain, 60 rods, at 2s. 6d.	7	10	0			
<i>Carried forward</i>	£161	0	0	4240	16	8

Appendix
(V. V.)

ESTIMATE of the Work to be performed, &c.—(Continued.)

Appendix
(V. V.)

30th May.

30th May.

	£	s.	d.	£	s.	d.
<i>Brought forward</i>						
Near east end of Section a very wide and deep ravine occurs, with a Creek called John Baptiste's Creek in it; on each side of Creek a flat of 60 feet width extends to the bold bank; Bridge for this Creek, 20 feet waterway, 12 feet high	161	0	0	42	10	8
Formation of road across flat on each side of Creek, roadway 5 feet above flat, 120 feet long	35	0	0			
A small bridge over another lesser gully just at end of Section; 5 feet waterway and 6 feet high	14	0	0			
	4	0	0	214	0	0
Estimate Section No. 36, Mile 38th. O.S. No. 32.						
This whole Section in woods, but not heavy clearing.						
Chopping and clearing 52 feet wide, 320 rods, at 10d.	13	6	8			
Grubbing and removing old logs to 28 feet wide, 320 rods, at 2s.	32	0	0			
Forming road with side drains, 320 rods, at 3s.	48	0	0			
Culverts, small ones, four, at 30s.	6	0	0			
Lateral drain, 40 rods, at 2s. 6d.	5	0	0	104	6	8
Estimate Section No. 37, Mile 39th. O.S. No. 33.						
Nearly the whole Section in woods; opposite Shannon Cottage, the residence of Colonel Kearnes, the woods not very heavy to clear or grub.						
Chopping and clearing off 52 feet wide, 280 rods, at 10d.	11	13	4			
Grubbing, removing old logs, &c., 300 rods, at 2s.	30	0	0			
Forming road with side drains, 320 rods, at 2s. 6d.	40	0	0			
A bridge 10 feet waterway, 10 feet high	8	0	0			
Raising road over flat near bridge, 6 rods, at 20s.	6	0	0			
Culverts, small ones, four, at 30s.	6	0	0			
Lateral drain, 40 rods, at 2s. 6d.	5	0	0	106	18	4
Estimate Section No. 38, Mile 40th. O.S. No. 34.						
The greater part of this Section in woods, not heavy clearing.						
Chopping and clearing off 52 feet wide, 250 rods, at 10d.	10	8	4			
Grubbing, clearing old logs, &c., 250 rods, at 2s.	25	0	0			
Forming road with side drains and raising it in parts, 320 rods, at 2s. 6d.	40	0	0			
A Bridge 15 feet waterway, 10 feet high, with approaches across the flats near bridge...	35	0	0			
Two small bridges, 10 feet waterway each, and 10 feet high each, 120s....	12	0	0			
Culverts, large ones, three, at 50s.	7	10	0			
Culverts, small ones, five, at 30s.	6	5	0			
Lateral drain, 70 rods, at 2s. 6d.	8	15	0	144	18	4
Estimate Section No. 39, Mile 41st. O.S. No. 35.						
This Section embraces the village of Hattville, and then passing the Nation River at the place where the bridge is to cross, the road takes a direct course to the sand hill called Pocquette's Hill.						
Chopping and clearing 66 feet wide, 180 rods, at 10d.	6	10	0			
Grubbing and clearing out old logs, 28 feet wide, 180 rods, at 2s.	18	0	0			
Forming road with side drains and levelling hills, 300 rods, at 3s.	45	0	0			
Forming road up side of Pocquette's Hill, 30 rods, at 10s.	15	0	0			
Bridge over the River Petite Nation at Hattville, 356 feet long, 20 feet roadway, 22 feet from out to out on trusses-framed—average height of truss 15 feet, dry stone abutments at each end	£375	15	0			
The same on pins of Crib-work, filled with stone, as in the sketch herewith	412	10	0			
Culverts, large ones, three, at 50s. each	7	10	0			
Culverts, small ones, four, at 30s....	6	0	0			
Lateral drain, 50 rods, at 2s. 6d.	6	5	0	516	15	0
Estimate Section No. 40, Mile 42nd. O.S. No. 36.						
Nearly all this Section in woods, but not heavy clearing; soil, sand and sandy loam.						
Chopping and clearing off 52 feet wide, 300 rods, at 10d.	12	10	0			
Grubbing and clearing out old logs, 300 rods, at 2s.	30	0	0			
Forming road with side drains, 320 rods, at 2s.	32	0	0			
Culverts, small ones, four, at 30s.	6	0	0			
Lateral drain, 50 rods, at 2s. 6d.	6	5	0	86	15	0
Estimate Section No. 41, Mile 43rd. O.S. No. 37.						
All this Section in woods, not very heavy clearing.						
Chopping and clearing off 52 feet wide, 320 rods, at 10d....	13	6	8			
Grubbing and clearing off old logs, 320 rods, at 2s.	32	0	0			
Forming road with side drains, levelling hills and knolls, 320 rods, at 2s.	32	0	0			
Making and laying fascines on 50 rods, at 3s.	7	10	0			
A small bridge 6 feet waterway 6 feet high	4	0	0			
Culverts, small ones, four, at 30s.	6	0	0	94	16	8
<i>Carried over</i>						
				£5509	1	8

Appendix
(V. V.)

ESTIMATE of the Work to be performed, &c.—(Continued.)

Appendix
(V. V.)

30th May.

30th May.

	£	s.	d.	£	s.	s.
<i>Brought over</i> ... ..	...	...	...	5509	1	8
Estimate Section No. 42, Mile 44th. O.S. No. 38.						
Part of this Section in Mr. Y. Lyttle's clearing, the remainder through woods.						
Chopping and clearing off 52 feet wide, 225 rods, at 10d.	9	7	6			
Grubbing and clearing out old logs, 300 rods, at 2s.	30	0	0			
Forming road and levelling hills, &c., 320 rods, at 2s.	32	0	0			
A small bridge 6 feet waterway 6 feet high	4	0	0			
Culverts, small ones, three, at 30s.	4	10	0			
				79	17	6
Estimate Section No. 43, Mile 45th. O.S. No. 39.						
This whole Section in woods, but generally not heavy clearing.						
Chopping and clearing 52 feet wide, 320 rods, at 10d.	13	6	8			
Grubbing, clearing out old logs, &c., 320 rods at 2s. 6d.	40	0	0			
Making and laying fascines on 56 rods, at 3s.	8	8	0			
Levelling hills and knolls, and forming road with side drains, 320 rods, at 2s.	32	0	0			
Culverts, small ones, four at 30s.	6	0	0			
Lateral drain, 50 rods, at 2s. 6d.	6	5	0			
				105	19	8
Estimate Section No. 44, Mile 46th. O.S. No. 40.						
All this section in woods, road to be carried straight here, not on old road						
Chopping and clearing out 66 feet wide, 320 rods, at 1s.	16	0	0			
Grubbing and clearing off old logs 28 feet wide, 320 rods, at 2s. 6d.	40	0	0			
Forming road with heavy side drains, 320 rods, at 3s.	48	0	0			
Bridge six feet waterway, six feet high... ..	4	0	0			
Culvert, large, one at 50s.	2	10	0			
Culverts, small ones, three, at 30s.	4	10	0			
Making and laying fascines, forty, at 3s.	6	0	0			
Lateral drain, 40 rods, at 2s. 6d.	5	0	0			
				126	0	0
Estimate Section No. 45, Mile 47th. O.S. No. 41.						
The greater part of this Section is in clearing Holmes' and others.						
Chopping and clearing off 52 feet wide, 98 rods, at 10d.	4	1	8			
Grubbing and clearing out old logs, &c., 98 rods, at 2s. 6d.	12	5	0			
Levelling hills and forming road for 140 rods, at 4s.	28	0	0			
Culverts, large ones, three, at 50s., and two small ones, at 30s.	10	10	0			
Lateral drains, 60 rods, at 2s. 6d.	7	10	0			
				62	6	8
Estimate Section No. 46, Mile 48th. O.S. No. 42.						
This Section is in the large swamp, through which the road is pretty well opened, and requires opening and grubbing only at the beginning. The large side drain on the north side is partly filled, and a large lateral drain is required near east end.						
Chopping and clearing off 50 feet wide, 50 rods, at 10d.	2	1	8			
Grubbing and clearing out old logs, 50 rods, at 2s. 6d.	6	5	0			
Fascining and forming road for 68 rods, at 7s.	23	16	0			
Culverts, large ones, three, at 50s.	7	10	0			
Deepening side drain and mending road, 300 rods, at 2s.	50	0	0			
				69	12	8
Estimate Section No. 47, Mile 49th. O.S. No. 43.						
Whole Section in woods, only the east part requires to be chopped wider and grubbed.						
Chopping and clearing off 52 feet wide, 160 rods, at 10d.	6	13	4			
Grubbing and clearing out old logs, 160 rods, at 2s. 6d.	20	0	0			
Forming road with heavy side drains, 280 rods, at 4s.	56	0	0			
A bridge 90 feet long, repairs to it	15	0	0			
Culverts, large ones, three, at 50s.	7	10	0			
Heavy lateral drain, 40 rods, at 5s.	10	0	0			
Culverts, small ones, four, at 30s.	6	0	0			
				121	3	4
Estimate Section No. 48, Mile 50th. O.S. No. 44.						
This Section comes to near the turn to the Springs, nearly the whole length in woods.						
Chopping and clearing off 210 rods, at 10d.	8	15	0			
Grubbing and clearing out 200 rods, at 2s. 6d.	25	0	0			
Forming road with side drains, 320 rods, at 3s.	48	0	0			
Two Bridges that will require some repairs	12	10	0			
Bridge over ———— Creek, 60 feet long and 15 feet high	25	0	0			
				119	5	0
Total amount of Estimate ... ..	...	...	...	£6193	6	0

I have made no estimate for the distance, from the turn to the Caledonia Springs, to the village of L'Original, as I had no instructions so to do; yet I would recommend that the sum of £250 be expended upon it, to put it in a proper state of repair.

JAS. WEST.

Rear of Matilda, Eastern District,
14th April, 1846.

Appendix
(V. V.)

Appendix
(V. V.)

30th May.

30th May.

ESTIMATE of the Cost of the Work to be performed in the construction of the Road from Bytown to L'Orignal.

Estimate Section No. 1.		£ s. d.	£ s. d.
<p>Whole length of Section 1 mile and 10 rods, or 330 rods. Commencing on the east side of Green's Creek near end of bridge over creek, and 10 rods west of the 6 mile post, and ending at the 7 mile post. Excavation and formation of road as it winds up the hill 30 rods in length, the hill slopes about 1 in 3, and the base of the excavation being about 11 feet, will give with the double slope about 30 cubic yards to the rod in length, which at 3d. per yard will be 7s. 6d. per rod for excavation and formation. The retaining wall will generally require to be from 4 to 4½ feet high; and built as per general specification, will be worth 4s. 6d. per rod. The Parapet or guard wall will be worth 4s. per rod in length.</p>			
Chopping and clearing off on the whole Section, the part to be cleared to the full width of 66 feet, being 154 rods, at 1s. is ...	...	7 14 0	
Grubbing, clearing off old logs and the stumps, on whole Section, 154 rods, at 2s. 6d. ...	...	19 5 0	
Excavation and formation up bank and at brow of hill, which is about 70 feet perpendicular above the creek, 30 rods, at 7s. 6d. ...	...	11 5 0	
Retaining wall, 20 rods, at 4s. 6d. ...	...	4 10 0	
Parapet or guard, 22 rods, at 4s. ...	...	4 8 0	
Formation of road from brow of hill for 84 rods:—Drain on south side 2½ feet wide at bottom, 3 feet deep, 84 rods, at 2s. 6d. ...	...	10 10 0	
Drain on North side 2 feet wide at bottom, 2 feet deep, 84 rods, at 1s. 3d. ...	...	5 5 0	
Forming road at east end of Section for 40 rods:—Drain on each side 2 feet wide at bottom, and on an average 2½ feet deep, in all 80 rods, at 1s. 6d. ...	...	6 0 0	
Culverts, one, at 30s. ...	...	1 10 0	
Lateral drain, clearing, digging, &c., 2 feet wide at bottom, 2½ feet deep, 10 rods, at 2s. ...	...	1 0 0	
Estimate Section No 2.			71 7 0
<p>Whole length of Section 1 mile, or 320 rods. This Section is heavy timbered pine, hemlock, &c., and is in parts very wet and springy; is opened about 12 feet wide, no grubbing, only part in clearing Forbus's.</p>			
Chopping and clearing off 54 feet wide, 255 rods, at 1s. ...	...	12 15 0	
Grubbing and clearing out 28 feet wide, 255 rods, at 3s. ...	...	38 5 0	
Formation of 100 rods at beginning of Section:—Drain on South side 2 feet bottom 2½ feet deep, 100 rods, at 1s. 8d. ...	...	8 6 8	
Drain on North side 2 feet bottom 1½ feet deep, 100 rods, at 1s. ...	...	5 0 0	
Culverts, three, at 30s. ...	...	4 10 0	
Lateral drain, chopping, clearing, grubbing, and digging, 2 feet bottom 2½ feet deep, 15 rods, at 2s. ...	...	1 10 0	
Levelling and shaping with water tables near Forbus's, 24 rods in length; drains 1½ feet bottom 1 foot deep, 24 rods, at 1s. 6d. ...	...	1 16 0	
Forming at end of Section 68 rods:—Drain on South side 2 feet bottom 2½ feet deep, 68 rods, at 1s. 8d. ...	...	5 18 4	
Drain on North side 2 feet bottom 1½ feet deep, 68 rods, at 1s. ...	...	3 8 0	
Culverts, one, at 30s. ...	...	1 10 0	
Fascining, 14 rods, at 3s. ...	...	2 2 0	
Estimate Section No. 3.			84 16 0
<p>Whole length of Section 1 mile, or 320 rods. The whole Section is through woods, wet land, pine, hemlock, cedar, ash, and alder timber; the road is opened only about 10 feet wide, and will be very heavy to clear and grub.</p>			
Chopping and clearing off 56 feet wide, 320 rods, at 1s. 3d. ...	...	20 0 0	
Grubbing and clearing out old logs, 28 feet wide, 320 rods, at 3s. 6d. ...	...	56 0 0	
Cutting side drains and forming:—Drain on South side 2 feet bottom 2½ feet deep, 280 rods, at 1s. 8d. ...	...	23 6 8	
Drain on North side 2 feet bottom 1½ feet deep, 280 rods, at 1s. ...	...	14 0 0	
Fascining, 10 rods, at 3s. ...	...	1 10 0	
Culverts, three, at 30s. ...	...	4 10 0	
Clearing, grubbing, and cutting Lateral drain, 2 feet wide at bottom, 2½ feet deep, 26 rods, at 2s. ...	...	2 12 0	
Levelling and shaping the remaining 40 rods of Section, with water tables 1½ feet wide at bottom and 1 foot deep on each side, in all 40 rods, at 1s. 6d. ...	...	2 10 0	
Estimate Section No. 4.			124 8 8
<p>Whole length of Section 1 mile, or 320 rods. The whole Section is through woods, wet land, pine, hemlock, cedar, ash, alder, &c. timber; the road is opened only about 10 feet wide, and part of that grown over with brush, very heavy to clear and grub.</p>			
Chopping and clearing 56 feet wide, 320 rods, at 1s. 3d. ...	...	20 0 0	
Grubbing and clearing out 28 feet wide, 320 rods, at 3s. 6d. ...	...	56 0 0	
Cutting ditches and forming 112 rods in length at beginning of Section:—Ditch on South side 2 feet bottom 2½ feet deep, 112 rods, at 1s. 8d. ...	...	9 6 8	
Ditch on North side 2 feet bottom 1½ feet deep, 112 rods, at 1s. ...	...	5 12 0	
<i>Carried over</i>		£90 18 8	290 11 8

Appendix
(V. V.)

ESTIMATE of the Cost of the Work to be performed, &c.—(Continued.)

Appendix
(V. V.)

30th May.

30th May.

	£ s. d.	£ s. d.
<i>Brought over</i>	90 18 8	280 11 8
Culverts, three, at 30s.	4 10 0	
Clearing, grubbing, and cutting Lateral drain, 2 feet bottom 2½ feet deep, 20 rods, at 2s.	2 0 0	
Forming road down side of ravine at Bilberry Creek:—		
Building retaining wall, 8 rods, at 4s. 6d.	1 16 0	
Parapet or guard on wall, 10 rods, at 4s.	2 0 0	
Excavating the side of the hill and forming the road, as per specification, 10 rods, at 7s. 6d.	3-15 6	
Forming road on East side of Creek:—		
Excavating the hill and forming the road across the flat with the excavation, 410 cubic yards, at 5d.	8 11 0½	
Cutting ditches and forming East part of Section, being 196 rods in length:—Drain on South side, 2 feet bottom 2½ feet deep, 196 rods, at 1s. 8d.	11 6 8	
Drain on North side 1½ feet bottom 2 feet deep, 196 rods, at 1s. 1d.	10 12 4	
Culverts, four, at 30s.	6 0 0	
Clearing, cutting, and grubbing Lateral drain, 2 feet bottom 2½ feet deep, 26 rods, at 2s.	2 12 0	
		144 2 2½
Estimate Section No. 5.		
Length of Section, 1 mile or 320 rods.		
This Section is all through woods, part of which has been cleared, and the road partly formed by the excavation from a small ditch on South side. The timber on the Section is pine, hemlock, ash, &c.; the part opened is about 10 feet wide on an average.		
Chopping and clearing off 50 feet wide, 320 rods, at 10d.	13 6 8	
Grubbing and clearing out old logs, &c., 22 feet wide, 320 rods, at 2s. 4d.	37 6 8	
Forming the road 92 rods at beginning of Section:—Drain on south side, 2 feet bottom, 2½ feet deep, (is now partly made,) 92 rods, at 1s. 3d.	5 15 0	
Drain on north side, 1½ feet bottom, 1½ feet deep, 92 rods, at 1s.	4 12 0	
From end of last 92 rods to foot of Rocky Hill, being 100 rods, finishing ditch partly formed on the south side, and making it 1½ feet wide at bottom and 2 feet deep, 100 rods, at 1s. 3d.	6 5 0	
Drain on north side, 1½ feet bottom, 1 foot deep, 100 rods, at 10d.	4 3 4	
Twenty-four rods near top of hill to be cleared of stone and formed with water tables,—1½ feet wide at bottom 1 foot deep, 2½ rods, at 4s.	4 16 0	
Forming road down side of rocky hill and building retaining wall and parapet of stone found in the hill, 18 rods, at 16s.	14 8 0	
Forming 110 rods of road at East end of Section:—Ditch on South side, 1½ feet bottom 2 feet deep, 110 rods, at 1s. 6d.	8 5 0	
Ditch on North side, 1½ feet bottom 1 foot deep, 110 rods, at 10d.	4 11 8	
Culverts, three, at 30s.	4 10 0	
Lateral drain, clearing and digging, &c., 1½ feet wide at bottom, 2 feet deep, 18 rods, at 1s. 6d.	1 7 0	
		100 6 4
Estimate Section No. 6.		
Length of Section 1 mile, or 320 rods.		
One half of this Section is through LaFlamme's clearing, having woods only on one side,—the remainder is through woods altogether.		
Chopping and clearing off 46 feet wide which is all through woods, being 160 rods, at 10d.	6 1 0	
Chopping and clearing off 33 feet wide, 100 rods, at 8d.	8 6 8	
Grubbing and clearing out 20 feet wide, 320 rods, at 2s. 3d.	36 0 0	
Forming road at different places, 50 rods in all:—		
Drains 1½ feet wide at bottom and 2 feet deep, and forming 50 rods, at 2s. 6d.	6 5 0	
Culverts, three, at 30s.	4 10 0	
Lateral drain, clearing of grubbing, and digging 1½ feet wide at bottom, 2 feet deep, 20 rods, at 2s.	2 0 0	
		58 2 8
Estimate Section No. 7.		
Length of Section 1 mile, or 320 rods.		
The whole of this Section is through woods and of the heaviest kind, being mostly pine and hemlock; heavy grubbing and clearing.		
Chopping and clearing 50 feet wide, 320 rods, at 1s. 3d.	20 0 0	
Grubbing and clearing off in heavy pine and hemlock, 28 feet wide, 320 rods, at 4s.	64 0 0	
Forming road with side drains, 106 rods, at beginning of Section:—		
Drain on south side 2½ feet at bottom, and an average of 3 feet deep, 106 rods, at 2s. 6d.	18 5 0	
Drain on north side 1½ feet bottom, 1½ feet deep, 106 rods, at 10d.	4 8 4	
Culverts, three, at 30s.	4 10 0	
Levelling hog's back or ridge on west side of Leonard's Creek, cutting it to an average of three feet deep, 13 rods, at 3s. 6d.	2 5 6	
Cutting down brow and filling hollow	1 0 0	
Forming road up face of hill on east side of Leonard's Creek, rise being about 65 feet, 50 of which will be overcome in the first 26 rods, and the rest by a gradual winding up the hill:—		
Retaining wall of pine, 20 rods, at 4s. 6d.	4 10 0	
Excavation and forming on side of hill, 26 rods, at 7s. 6d.	9 15 0	
Parapet or guard, 20 rods, at 4s.	4 0 0	
Forming the next piece, being 144 rods long:—		
Drain on south side, 2 feet at bottom and 2½ feet deep on average, 144 rods, at 1s. 8d.	12 0 0	
Drain on north side the same, 144 rods, at 1s. 8d.	12 0 0	
Culverts, three, at 30s.	6 0 0	
Cutting out, grubbing, and digging Lateral drain, 1½ feet wide at bottom, 2½ feet deep, 30 rods, at 2s. 2d.	3 5 0	
<i>Carried forward</i>	£160 18 10	592 2 10½

Appendix
(V. V.)

ESTIMATE of the Cost of the Work to be performed, &c.—(Continued.)

Appendix
(V. V.)

30th May.

30th May.

	£	s.	d.	£	s.	d.
<i>Brought forward</i>	160	18	10	592	2	10½
Forming 25 rods at end of Section:—						
Drain on south side, 1½ feet bottom, 2 feet deep, 25 rods, at 1s.	1	5	0			
Drain on north side, 1½ feet bottom, 1 foot deep, 25 rods at 9d.	0	18	9	163	2	7
Estimate Section No. 8.						
Length of Section 1 mile.						
The whole of this Section is through woods, but they are generally hard wood timber in which the chopping and grubbing is not very heavy; the road has been opened on an average 14 feet wide, but must be cut out anew for a short distance to straighten it.						
Chopping and clearing 52 feet wide, 320 rods, at 10d.	13	6	8			
Grubbing and clearing out old logs, 20 feet wide in part, and 28 feet in part cut-out anew, 320 rods, at 2s. 4d.	37	6	8			
Clearing part of the distance of stone, and forming the whole length of Section, Drain on each side 2 feet wide at bottom, and on an average 1½ feet deep, and picking off stone and forming, 320 rods, at 3s.	48	0	0			
Culverts, four, small, at 25s.	5	0	0			
Clearing, grubbing, and cutting Lateral drain, 1½ feet bottom, 1½ feet deep, 28 rods, at 1s. 3d.	1	15	0	105	8	4
Estimate Section No. 9.						
Length of Section 1 mile.						
Whole length of Section through woods, timber—mixed hardwood, pine, hemlock, &c. Road opened to about 14 feet wide.						
Chopping and clearing off 52 feet wide, 320 rods, at 10d.	13	6	8			
Grubbing and clearing off old logs, &c., 20 feet wide, 320 rods, at 2s. 4d.	37	6	8			
Forming road and clearing off some stony places through whole Section:—						
Drain on south side, 2 feet wide at bottom, and average 2½ feet deep, 320 rods. at 1s. 8d.	26	13	4			
Drain on north side, 1½ feet bottom, 1 foot deep, 320 rods at 9d.	12	0	0			
Culverts, five, at 30s.	7	10	0	96	16	8
Estimate Section No. 10.						
Length of Section 1 mile.						
Part only of this Section has woods upon it, the remainder being through clearing; the woods are mixed timber, hardwood, pine and hemlock.						
Chopping and clearing off 52 feet wide, 238 rods, at 10d.	9	18	4			
Grubbing, &c., 28 feet wide, 238 rods, at 2s. 4d.	27	15	4			
At beginning of Section, ditching and forming 88 rods in length:—						
Ditch on south side, 2 feet bottom, 2½ feet deep, 88 rods, at 1s. 8d.	7	6	8			
Ditch on north side, 1½ feet bottom, 1 foot deep, 88 rods, at 9d.	3	6	0			
Culverts, three, at 30s.	4	10	0			
Levelling ground, digging water tables, and forming road; water tables to be 2 feet wide at bottom, and 1½ feet deep, for the whole, 30 rods, at 2s. 3d.	3	7	6			
Forming road, sloping down side of bank to the level ground, 50 rods, at 6s. 3d.	15	12	6			
Forming road at east end of Section, 167 rods, of which 30 rods are to have a—						
Drain on south side, 2 feet bottom, 2 feet deep, 30 rods, at 1s. 4d.	2	0	0			
Drain on north side, 2 feet bottom, 1½ feet deep, 30 rods, at 1s.	1	10	0			
The remaining 123 rods to have a—						
Drain on south side, 2½ feet bottom, and 3 feet deep, 123 rods, at 2s. 6d.	15	7	6			
Drain on north side, 2 feet bottom, and 1½ feet deep, 123 rods, at 1s.	6	3	0			
Culverts, three, at 30s.	6	0	0			
Lateral drain, clearing and digging, 2 feet bottom, 2½ feet deep, 60 rods, at 2s.	6	0	0	108	16	10
Estimate Section No. 11.						
Length of Section 1 mile.						
The whole of this Section is in cleared land, and has not much work on it for the present.						
Clearing off some brush and grubbing four or five stumps	2	0	0			
Forming 8 rods in length of road at beginning of Section:—						
Two drains 2 feet at bottom, 2½ feet deep, 16 rods, at 1s. 8d.	1	6	8			
Culvert, one, at 30s.	1	10	0	4	16	8
Estimate Section No. 12.						
Length of Section 1 mile.						
This Section at beginning through cleared land, the remainder of the Section heavy timber, pine, hemlock, and broken uneven land.						
Chopping and clearing off 60 feet wide, 220 rods at 1s.	11	0	0			
Grubbing, clearing, &c., 28 feet wide, 220 rods, at 2s. 6d.	27	10	0			
Forming road down slope of edge of ravine or hill to the level ground below, 10 rods, at 6s. 3d.	3	2	6			
Levelling sand knolls and forming road, 30 rods, at 6s. 3d.	9	7	6			
Removing logs, fascines, forming, and 49 rods in length from end of last work:—						
Making and laying fascines on 21 rods, at 3s.	3	3	0			
Drain on south side 2½ feet bottom 2½ feet deep, 49 rods, at 2s.	4	18	0			
Drain on north side 2 feet bottom 2 feet deep, 24 rods, at 1s. 8d.	2	0	0			
Continuation of drain on north side over higher land to creek, 25 rods, at 1s.	1	5	0			
<i>Carried over</i>	£62	6	0	1071	3	11½

Appendix
(V. V.)

ESTIMATE of the Cost of the Work to be performed, &c.—(Continued.)

Appendix
(V. V.)

30th May.

30th May.

	£	s.	d.	£	s.	d.
<i>Brought over</i>	62	6	0	1071	3	11½
Forming road from creek eastward 151 rods, to foot of another sand hill :—						
Drain on south side, 2 feet bottom, 2½ feet deep, 151 rods, at 1s. 8d.	12	11	8			
Drain on north side 1½ feet bottom 1½ feet deep, 151 rods, at 10d.	6	5	10			
Making and laying fascines on 41 rods, at 2s.	6	3	0			
Excavating and forming road up side of the sand hill, 20 rods at 10s.	10	0	0			
Levelling and forming road at east end of Section, 57 rods :—						
Drain on each side, 1½ feet bottom, 1½ feet deep, 114 rods, at 1s.	5	14	0	108	0	6
Estimate Section No. 12.						
Length of Section 1 mile.						
Part of this Section through woods, timber—pine, hemlock, birch, ash, &c., and some part of it very wet. Beckwith's creek and another large creek passes through it, very heavy clearing and grubbing all through it.						
Chopping and clearing out 50 feet wide, 200 rods, at 10d.	10	16	8			
Grubbing and clearing out 24 feet wide, 320 rods, at 2s. 6d.	40	0	0			
From beginning of Section to first large creek, 65 rods, forming road with side drains :—						
Drain on south side, 2 feet bottom, 1½ feet deep, 35 rods, at 1s.	4	6	0			
Drain on north side, 2 feet bottom, 1½ feet deep, 35 rods, at 1s.	4	6	0			
Cut-verts, two, at 20s.	3	0	0			
Lateral drain, chopping, clearing, and digging, 1½ feet bottom, 2 feet deep, 20 rods, at 1s. 3d.	1	5	0			
Formation of road down the side of ravine on west side, and up on east side of creek :—						
Excavating and forming 12 rods down on one side, the same up on the other, 24 rods, at 7s. 6d.	9	0	0			
Retaining wall on both sides, 20 rods, at 4s. 6d.	4	10	0			
Parapet or guard for both sides, 24 rods, at 4s.	4	16	0			
Formation of road from this creek to Beckwith's creek, 50 rods :—						
Ditch on south side, 2 feet bottom, 2½ feet deep, 50 rods, at 1s. 2d.	4	3	4			
Ditch on north side 2 feet bottom, 1½ feet deep, 50 rods, at 1s.	2	10	0			
Cut-verts, one, at 50s.	1	10	0			
Formation of road down and up the sides of the ravine in which Beckwith's creek is, the creek below the level of the land above, about 75 feet :—						
Excavation and forming on west side down the bank, 20 rods, at 7s. 6d.	7	10	0			
Retaining wall, 15 rods, at 4s. 6d.	3	7	6			
Parapet or guard, 20 rods, at 4s.	4	0	0			
Amount for east side the same, including the excavation of the brow	14	17	6	119	18	0
Estimate Section No. 14.						
Length of Section 1 mile.						
The greater part of this Section passes through woods, timber—pine, hemlock, ash, spruce, &c.; heavy clearing and grubbing. Through part of the Section the road is partly formed, by excavation from a shallow drain on south side; and the lower spots are crosswayed.						
Chopping and clearing out 50 feet wide, 270 rods, at 10d.	11	5	0			
Grubbing and clearing logs, &c., 20 feet wide, 270 rods, at 2s. 6d.	38	15	0	45	0	0
Estimate Section No. 15.						
Length of Section 1 mile.						
Two-thirds of this Section is through woods, but they are rather lighter than the last part; the road is opened from 15 to 20 feet wide, and is very level.						
Chopping and clearing out the road to its full width, being about 48 feet wider than it is at present, for 220 rods, at 10d.	9	3	4			
Grubbing 3 or 8 pine stumps	1	15	0	10	18	4
Estimate Section No. 16.						
Length of Section 1 mile.						
Only about half of this Section has woods upon it; they are pine, hemlock, ash, &c.						
Chopping and clearing out 50 feet wider than at present opened, for 160 rods, at 10d.	6	13	4			
Removing stump, &c.	1	10	0	8	3	4
Estimate Section No. 17.						
Length of Section 1 mile.						
The road through the greater part of this Section has woods on one or both sides of it, and are pine, hemlock, spruce, &c., heavy clearing.						
Chopping and clearing out 50 feet wider than the present opening, for 300 rods, at 1s.	15	0	0			
Clearing off some stones in James M'Call's clearing, and levelling roadway	2	10	0	17	10	0
Estimate Section No. 18.						
Length of Section 1 mile.						
Of this Section 230 rods goes through woods which are very heavy, being pine, hemlock, &c.						
Chopping and clearing out 50 feet wide for a distance of 230 rods, at 1s.	11	10	0			
Grubbing a few stumps that are in the road	2	10	0	14	0	0
<i>Carried forward</i>				£1389	14	1½

Appendix
(V. V.)

ESTIMATE of the Cost of the Work to be performed, &c. — (Continued.)

Appendix
(V. V.)

30th May.

30th May.

	£	s.	d.	£	s.	d.
<i>Brought forward</i> ... ..	...	...	...	1389	14	1½
Estimate Section No. 19.						
Length of Section 1 mile. This Section is all through pine woods, and is heavy chopping. Fox's creek crosses it at the east end nearly.						
Chopping and clearing out 52 feet wide for 399 rods, at 1s.	16	0	0			
Forming road sloping up the bank of the east branch of Fox's creek, and grubbing 5 pine stumps there, 10 rods, at 10s.	5	0	0			
Laying retaining wall, 8 rods, at 4s. 6d.	1	16	0			
Parapet or guard, 9 rods, at 4s.	1	16	0	24	12	0
Estimate Section No. 20.						
Length of Section 1 mile. The beginning of this Section is in woods, the greater part is fully opened, being in what is called the New England Settlement.						
Chopping and clearing off at beginning of Section to the full width of 66 feet, in heavy pine and hemlock timber, 42 rods at 1s.	2	2	0			
Grubbing, clearing off rock, stones and old logs, levelling knolls, forming, &c., 42 rods, at 6s. 3d.	13	2	6			
Widening the remaining 40 rods to the Creek at beginning of clearing, 40 rods, at 6d.	1	0	0			
Clearing stone off knoll and levelling, 10 rods, at 7s. 6d.	3	15	0	19	19	6
Estimate Section No. 21.						
Length of Section 1 mile. This Section goes only part way in woods, which are to be chopped and cleared off to the full width of 66 feet, 186 rods, at 10d.						
Grubbing and clearing off old logs, 186 rods, at 2s. 3d.	7	15	0			
	10	18	6	18	13	6
Estimate Section No. 22.						
Length of Section 1 mile. This Section is part in clearing and part in woods, is situated back of Fox's Point; heavy pine land.						
Chopping and clearing off in such places as woods occur, 250 rods, at 1s.	12	10	0	12	10	0
Estimate Section No. 23.						
Length of Section 1 mile. Part of this Section is cleared and part in woods; heavy pine land from beginning to end.						
Chopping and clearing out to the full width of 66 feet, 240 rods, at 1s.	12	0	0			
Grubbing and clearing off old logs, &c., 320 rods, at 3s.	48	0	0			
A deep ravine through which Anderson's Creek passes; formation of road down west side bank of ravine:—						
Excavation and forming, 20 rods, at 7s. 6d.	7	10	0			
Retaining wall, 18 rods, at 4s. 6d.	4	1	0			
Parapet or guard, 20 rods, at 4s.	4	0	0			
Formation of road up east side, the same	15	11	0	91	2	0
Estimate Section No. 24.						
Length of Section 1 mile. This Section begins at Gifford's, and is nearly all through woods which are heavy pine timber, mixed with hemlock, balsam, ash, &c.						
Chopping and clearing off 290 rods, at 1s.	14	10	0			
Grubbing and clearing off old logs, &c., 320 rods, at 3s.	48	0	0	62	10	0
Estimate Section No. 25.						
Length of Section 1 mile. This Section begins at the end of the bridge over creek in a deep ravine, and is nearly all through woods, pine, hemlock, cedar, ash, &c., lowish wet land. End of Section in Roe's clearing, and near line between Clarence and Plantagenet.						
Chopping and clearing off 52 feet wide, 300 rods, at 1s.	15	0	0			
Grubbing and clearing off old logs, 28 feet wide, 300 rods, at 2s. 6d.	37	10	0			
Formation of road from bridge at beginning of Section up the side of the ravine to top of bank or level land above:—						
Excavation and forming road on side, 12 rods, at 5s.	3	0	0			
Retaining wall, 10 rods, at 4s. 6d.	2	5	0			
Parapet or guard, 12 rods, at 4s.	2	8	0			
Forming 30 rods from the end of the above work:—						
Drain on south side, 2 feet bottom, 2½ feet deep, 30 rods, at 1s. 8d.	2	10	0			
<i>Carried over</i>	£62	13	0	1619	1	1½

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ESTIMATE of the Cost of the Work to be performed, &c.—(Continued.)

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	£	s.	d.	£	s.	d.
<i>Brought over</i>	62	13	0	1619	1	1½
Drain on north side, 2 feet bottom, 1½ feet deep, 30 rods, at 1s.	1	10	0			
Culverts, one, at 30s.	1	10	0			
The space from here to deep ravine near the east end of Section requires forming and draining very much, but must remain for the present.						
Formation of road at deep ravine near Roe's clearing:—						
Excavation and formation on west side of ravine down to end of bridge, 16 rods, at 7s. 6d.	6	0	0			
Retaining wall, 10 rods, at 4s. 6d.	2	5	0			
Parapet or guard, 12 rods, at 4s.	2	8	0			
Excavation and formation on east side up the bank, 20 rods, at 7s. 6d.	7	10	0			
Retaining wall, 12 rods, at 4s. 6d.	2	14	0			
Parapet or guard, 15 rods, at 4s.	3	0	0			
Formation of remainder of Section, 16 rods:—						
Drain on south side, 2½ feet bottom, 2½ feet deep, 16 rods, at 2s.	1	12	0			
Drain on north side, 2 feet bottom, 1½ feet deep, 16 rods, at 1s.	0	16	0			
Estimate Section No. 26.						
Length of Section 1 mile.						
Nearly the whole of this Section in woods, pine, ash, hemlock, spruce, &c., and nearly all very wet land.						
Chopping and clearing off 50 feet wide, 300 rods, at 1s.	15	0	0			
Grubbing and clearing off old logs, 22 feet wide, 300 rods, at 2s. 3d.	33	15	0			
Formation of road at beginning of Section, 80 rods:—						
Drain on south side, 2 feet wide at bottom, 2½ feet deep, 80 rods, at 1s. 8d.	6	13	4			
Drain on north side, 1½ feet bottom, 2 feet deep, 80 rods, at 1s.	4	0	0			
Culverts, two, at 30s.	3	0	0			
Lateral drain, 1½ feet bottom, 2½ feet deep, 20 rods, at 1s. 6d.	1	10	0			
Cutting down brow of ravine and forming road to end of bridge, being 370 cubic yds. at 4d.	6	3	4			
Excavation and formation on side of ravine, 20 rods, at 7s. 6d.	7	10	0			
Retaining wall, 10 rods, at 4s. 6d.	2	5	0			
Parapet or guard, 12 rods, at 4s.	2	8	0			
Forming road to Alexander Cunningham's clearing:—						
Drain on south side, 2 feet bottom and 2½ feet deep, 60 rods, at 1s. 8d.	5	0	0			
Drain on north side, 1½ feet bottom and 2 feet deep, 60 rods, at 1s.	3	0	0			
Culverts, two, at 30s.	3	0	0			
Chopping, clearing, and digging Lateral drain, 1½ feet bottom, 2½ feet deep, 20 rods, at 1s. 8d.	1	12	4			
From beginning of highland at Cunningham's clearing, to creek next east of his place, a distance of 34 rods, the road must do for the present by being grubbed and levelled.						
Forming road at bank of creek, cutting down the brow on each side, and levelling down excavation	6	15	0			
Forming road to end of Section, 56 rods in length:—						
Ditch on south side, 2½ feet bottom, 3 feet deep, 56 rods, at 2s. 6d.	7	0	0			
Ditch on north side, 2 feet bottom, 1½ feet deep, 56 rods, at 1s.	2	16	0			
Culverts, two, large, at 40s.	4	0	0			
Lateral drain, clearing and digging, 2 feet bottom, 2½ feet deep, 25 rods, at 2s.	2	10	0			
Estimate Section No. 27.						
Length of Section 1 mile.						
Part of this Section is through clearing and part in woods, which are heavy timbered, pine, hemlock, ash, balsam, and spruce.						
Chopping and clearing off 50 feet wide, 196 rods at 1s.	9	16	0			
Grubbing and clearing out 28 feet wide, 196 rods, at 2s. 6d.	24	10	0			
Forming road at large creek beyond McGeough's clearing:—						
Drain on south side, 2½ feet bottom, 3 feet deep, 20 rods, at 2s. 9d.	2	15	0			
Culvert, one, large, at 40s.	2	0	0			
Cutting down brow of hill and forming road near end of bridge	5	10	0			
Formation of road on east side of ravine up a gully which will require very little retaining wall or parapet, 16 rods, at 12s. 6d.	10	0	0			
Estimate Section No. 28.						
Length of Section 1 mile.						
Part of this Section is in clearing and part in woods; not very heavy clearing, but heavy pine grubbing.						
Chopping and clearing out 50 feet wide, 156 rods, at 1s.	7	16	0			
Grubbing and clearing out old logs, 20 feet wide, 320 rods, at 2s. 6d.	40	0	0			
Forming east half of Section, being 160 rods:—						
Drain on south side, 2 feet bottom, 2½ feet deep, 160 rods, at 1s. 8d.	13	6	8			
Drain on north side, 2 feet bottom, 1½ feet deep, 160 rods, at 1s.	8	0	0			
Culverts, three, at 30s.	4	10	0			
Estimate Section No. 29.						
Length of Section 1 mile.						
The whole Section is through woods, but not very heavy to clear or grub.						
Chopping and clearing off 52 feet wide, 320 rods, at 10d.	13	6	8			
Grubbing and clearing out 20 feet wide, 320 rods, at 2s.	32	0	0			
<i>Carried forward</i>						
	45	6	8	1957	1	9½

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ESTIMATE of the Cost of the Work to be performed, &c.—(Continued.)

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	£	s.	d.	£	s.	d.
<i>Brought forward</i>	45	6	8	1957	1	9½
Forming at beginning of Section 116 rods:—						
Drain on south side, 2 feet bottom, 2½ feet deep, 116 rods, at 1s. 8d.	9	13	4			
Drain on north side, 2 feet bottom, 1½ feet deep, 116 rods, at 1s.	5	16	0			
Culverts, three, at 30s.	4	10	0			
Estimate Section No. 30.				65	6	0
Length of Section 1 mile. Whole Section through woods rather light clearing and grubbing.						
Chopping and clearing off 52 feet wide, 320 rods, at 10d.	13	6	8			
Grubbing and clearing out 20 feet wide, 320 rods, at 2s.	32	0	0			
Estimate Section No. 31.				45	6	8
Length of Section 1 mile. This Section is opposite Jessup's Falls, and has to be entirely cleared and grubbed.						
Chopping and clearing off 66 feet wide, 320 rods, at 1s. 3d.	20	0	0			
Grubbing, removing old logs, and levelling, 28 feet wide, 320 rods, at 2s. 6d.	40	0	0			
See Estimate for Bridges, &c., on this Section.						
Estimate Section No. 32.				60	0	0
Length of Section 1 mile. Whole Section in woods, but not heavy clearing.						
Chopping and clearing 52 feet wide, 320 rods, at 10d.	13	6	8			
Grubbing, removing old logs, levelling road, &c., 20 feet wide, 320 rods, at 2s.	32	0	0			
Estimate Section No. 33.				45	6	8
Length of Section 1 mile. Nearly the whole Section in woods; is opposite Shannon Cottage, the residence of Colonel Kearnes; the woods not very heavy to clear or grub.						
Chopping and clearing off 52 feet wide, 280 rods, at 10d.	11	13	4			
Grubbing, removing old logs, and levelling, 20 feet wide, 300 rods at 2s.	30	0	0			
Estimate Section No. 34.				41	13	4
Length of Section 1 mile, The greater part of this Section in woods, not very heavy clearing.						
Chopping and clearing off 52 feet wide, 250 rods, at 10d.	10	8	4			
Grubbing, clearing, levelling &c., 20 feet wide, 230 rods, at 2s.	25	0	0			
One small bridge 10 feet waterway, 100s.	5	0	0			
Estimate Section, No. 35.				40	8	4
Length of Section 1 mile. This Section embraces the village of Hattville, and there crossing the Petit Nation River at the point where the bridge is to cross, the road takes a direct course to the sand hill called Pocquette's Hill.						
Chopping and clearing 66 feet wide, 180 rods, at 10d.	6	10	0			
Grubbing, clearing out old logs, levelling ground, &c., 180 rods, at 2s.	18	0	0			
Estimate Section No. 36.				24	10	0
Length of Section 1 mile. Nearly all this Section is in woods, but not very heavy clearing.						
Chopping and clearing off 52 feet wide, 300 rods, at 10d.	12	10	0			
Grubbing, clearing off and levelling about 20 feet wide, 300 rods, at 2s.	30	0	0			
Estimate Section No. 37.				42	10	0
Length of Section 1 mile. All this Section in woods, not heavy clearing.						
Chopping and clearing off 52 feet wide, 320 rods, at 10d.	13	6	8			
Grubbing and clearing off, &c., 20 feet wide, 320 rods, at 2s.	32	0	0			
Estimate Section No. 38.				45	6	8
Length of Section 1 mile. Part of this Section in Mr. Lyttel's clearing, the remainder in woods.						
Chopping and clearing off 52 feet wide, 225 rods, at 10d.	9	7	6			
Grubbing and clearing off 20 feet wide, 300 rods, at 2s.	30	0	0			
Carried over...				39	7	6
				£2406	16	11½

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ESTIMATE of the Cost of the Work to be performed, &c.—(Continued.)

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	£	s.	d.	£	s.	d.
<i>Brought over</i>	2406	16	11½
Estimate Section No. 39.						
Length of Section 1 mile. Whole Section in woods, pine, hemlock, &c.						
Chopping and clearing off 52 feet wide, 320 rods, at 10d.	13	6	8			
Grubbing, clearing off, levelling, &c. 20 feet wide, 320 rods, at 2s... ..	32	0	0			
				45	6	8
Estimate Section No. 40.						
Length of Section 1 mile, or 320 rods. All this Section in woods, the same kinds as last.						
Chopping and clearing off 52 feet wide, 320 rods, at 10d.	13	6	8			
Grubbing, clearing, and levelling 22 feet wide, 320 rods, at 2s.	32	0	0			
				45	6	8
Estimate Section No. 41.						
The whole length of Section 1 mile. The greater part of this Section in clearing Holmes's and others.						
Chopping and clearing off 52 feet wide, 98 rods, at 10d.	4	1	8			
Grubbing, clearing old logs, levelling, &c., 22 feet wide, 98 rods, at 2s.	9	16	0			
				13	17	8
Estimate Section No. 42.						
Length of Section 1 mile. This Section is in a large swamp, through which the road is pretty well opened and made, and requires opening and grubbing only at beginning.						
Chopping and clearing off 50 feet wide, for 50 rods, at 10d.	2	1	8			
Grubbing, clearing out old logs, levelling, &c., 20 feet wide, 50 rods, at 2s... ..	5	0	0			
				7	1	8
Estimate Section No. 43.						
Length of Section 1 mile. Whole Section in woods; on the east half requires to be chopped wider and grubbed.						
Chopping, clearing, &c., 52 feet wide, 160 rods, at 10d.	6	13	4			
Grubbing, clearing out old logs, levelling, &c., 20 feet wide, 160 rods, at 2s... ..	16	0	0			
				22	13	4
Estimate Section No. 44.						
Length of Section 1 mile. This Section comes to near the turn to the Springs at Langlois' Tavern, nearly the whole length in woods.						
Chopping and clearing off 52 feet wide, 210 rods, at 10d.	8	11	8			
Grubbing and clearing off old logs, levelling, &c., 22 feet wide, 190 rods, at 2s.	19	0	0			
				27	11	8
				£2568	14	7½

The whole distance to L'Original, 58 miles, is posted and divided into sections, but no further than here estimated.

SPECIFICATION OF THE WORK TO BE PERFORMED IN THE CONSTRUCTION OF THE ROAD FROM BYTOWN TO L'ORIGINAL.

GENERAL SPECIFICATION for the formation of the Road

The Road where timber or brush grows on it is to be chopped and cleared out to the full width of 66 feet; it is to be graded 20 feet wide within the water tables, this space, together with the width for the water tables or side drains,—which will generally be about 8 feet, in all about 28 feet,—to be cleared of all stumps, trees, and underbrush, with their roots, which are to be removed; as are also any old cross-way logs or other obstructions, the entire of which are to be burned or otherwise got rid of, or placed

outside of the Road allowance, at the option of the Contractor, and with the consent of the proprietors of the land; but no formation or filling over such portions as required grubbing shall be commenced until they are first inspected by the Engineer.

Where the Road may require fascines, they are to be made of long young brush without leaves, the stems not to exceed two inches in diameter, well tied in bundles 16 feet long, 9 inches thick at the centre, and 5 inches thick at each end, each bundle or fascine to be tied with three withes, one in the centre, and one about half way between the centre

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and each end: these to be carefully laid, as directed by the Engineer, and the entire to be covered 14 inches deep at least, with the excavation from the side drains.

The side and lateral drains to have slopes of $\frac{1}{2}$ horizontal to 1 perpendicular, and the side drains are to be 2 feet 6 inches wide at bottom, unless otherwise specified;—which shall be at such a level, and to be carried down to the respective off-take, or lateral drains; with such an inclination as will prevent the lodgment of water in any instance, at a level within 3 feet of the crown of the Road: the excavation from the side drains in all cases to be laid on to form the Roadway, unless otherwise mentioned.

The cross section of the Road to be neatly formed, inclining from the centre of the crown of the Road to the water tables, or side ditches, at the edge of which the formation is to stand 12 inches lower than the crown of the Road.

In cases where the Road is carried along the side long cuts, the cross section will incline wholly to the hill side, and the surface or other waters to be carried down the water tables at the foot of the slope to the culverts.

The excavation in the Roadway will be 18 feet wide between the water tables, when the Road cuts through the brows of ravines or gullies, the side slopes will then be 1 horizontal to 1 perpendicular.

In all cases where the Road is carried down and up the sides of ravines or gullies, and where it may be necessary to lay retaining walls of timber on the lower side, the land tie-pieces to be laid into the side of the hill at 6 feet apart, and cross pieces pinned to the end of them, where thought necessary, and the whole wall securely formed, before the excavation from the upper side is put in; in all these cases the Road formation will require to be 24 feet wide.

Culverts to be made of good sound cedar logs not less than 10 inches diameter at the smaller end. Three sleepers, five feet long each, to be laid lengthwise of the Road, and to be well bedded in the earth, level with the bottom of the side drains, so as to allow the free passage of the water.

Face timber to be 22 feet long; they are to be laid upon the sleepers three feet apart for waterway, a gin to be cut into each sleeper of 2 inches in depth, and the side pieces to be flatted and squared to fit into them, and then well pinned down with white oak treenails not less than 2 inches in diameter; the side pieces to be then flatted on the upper side, and a similar one flatted and laid upon it, and secured to the under one with treenails as above. The logs to be so thick as to leave a passage of at least 18 inches deep for water; across these side pieces are to be laid string pieces, or short pieces, lengthways of the Road close together, and let into the side pieces with a shoulder, and well secured with treenails; the whole to be covered at least six inches deep with earth, which is to be then level with the Road. The whole to be finished according to the plan here given.

Where large culverts may be required, they must have four sleepers, and the side pieces be 4 feet apart, and to have 2 feet depth of waterway.

The parapet or guard to be made at least 4 feet high, of round logs of sound pine timber of from 8 to 12 inches diameter at its smaller end, spotted and well pinned down on short pieces laid at right angles

to the length of the Road, being each 3 feet long, and laid from 12 to 16 feet apart, as the strength of the timber may be; or, if found more convenient and equally as good, to be framed and braced, should the Engineer so direct.

Culverts to be made of good sound cedar timber, not less than 10 inches diameter at the smaller end. Four sleepers, five feet long each, to be laid lengthways of the Road, and to be well bedded in the earth, level with the bottoms of the side drains, so as to allow the free passage of the water. Face timbers to be 22 feet long; these are to be laid upon the sleepers 3 feet apart for waterway, spotted, to lie firmly, and treenailed; three land ties on each side are then to be dovetailed into this, and pinned down; other pieces are to be laid upon these, and secured in like manner, making the sides of the culvert two logs high. Four string pieces are then to be laid across, and let into the top logs, and treenailed; on these the covering, spotted, to lie on the string pieces, and sided and flatted on the top, and laid firm and securely; the Road then made a few inches higher than the top or covering.

SPECIFICATION, SECTION No. 1.

Length of Section 1 Mile and 10 Rods, or 330 Rods.

Commencing on east side of Green's Creek, near end of Bridge, and extending to post marked 7 miles on west side, and section 2 on east side.

The part of the section having woods upon it to be chopped and cleared off to the width of 66 feet, and the centre or road part to be grubbed and cleared of old logs to the width of 28 feet, as per general specification.

The formation of the Road on this section to commence at beginning of section on east side of Bridge, and slope gradually in the direction of up the Creek, and likewise up the bank side for a distance of about 15 rods, then turning around, slope up the side of the bank for 15 rods more, and join on the south the present opened Road at the top of the bank, as marked out on the ground; the whole to be completed as per general specification, for formation of Road on hill or ravine sides.

From the termination of this work the Road to be formed as per general specification to the side line between Lots Nos. 13 and 14, being a distance of about 84 rods. Drain on south side to be 2 $\frac{1}{2}$ feet wide at bottom, and on an average 3 feet deep, sloping $\frac{1}{2}$ to 1. Drain on north side 2 feet at bottom, and 2 feet deep.

Forty rods at the east end of section to be formed as per general specification. Drain on south side 2 feet wide at bottom, and 2 $\frac{1}{2}$ feet deep, on north side the same. 1 Culvert and 10 rods of lateral drain; drain to be 2 feet wide at bottom, and 2 feet deep on an average.

SPECIFICATION, SECTION No. 2.

Length of Section 1 Mile, or 320 Rods.

Only a small part of this section in clearing. The part of the section having woods upon it to be chopped and cleared off to the full width of 66 feet, and to be grubbed to full width of 28 feet.

At beginning, or west end of section, the Road to be formed, as per general specification, with side drains, for the distance of 100 rods. Drain on south

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side to be 2 feet wide at bottom, and $2\frac{1}{2}$ feet deep on an average; and the one on the north side to be 2 feet wide at bottom, and $1\frac{1}{2}$ feet deep. Three culverts and 15 rods of lateral drain; lateral drain to be 2 feet wide at bottom, and $2\frac{1}{2}$ feet deep. The remainder, to the edge of Forbus' clearing, being about 24 rods, to be levelled and formed with water tables $1\frac{1}{2}$ feet wide at bottom, and 1 foot deep; the excavation from the water tables to be laid on to form the crown of the Road.

At east end of section, near Old Goquies' Shanty, 68 Rods of the Road to be formed, as per general specification, with side drains; that on the south side to be 2 feet wide at bottom, and on an average $2\frac{1}{2}$ feet deep; that on the north side to be 2 feet wide at bottom, and on an average $1\frac{1}{2}$ feet deep, to be carried from both ways into the Creek, near Goquies' Shanty, on west side of this Creek, 14 rods in length, to be laid with fascines in the low springy land. One culvert to carry water from north side into south drain.

SPECIFICATION, SECTION No. 3.

Length of Section 1 Mile, or 320 Rods.

Whole section in woods. The whole section to be chopped and cleared to the full width of 66 feet, and to be grubbed and cleared of old logs to the width of 28 feet; the pine stumps to be well taken out.

280 rods of this section to be formed, as per general specification, with side drains; that on the south side to be 2 feet wide at bottom, and on an average $2\frac{1}{2}$ feet deep; that on the north side to be 2 feet wide at bottom, and on an average $1\frac{1}{2}$ feet deep; this forming to be done in low wet parts, and where marked to be done.

Three culverts and 26 rods of lateral drain; drain to be 2 feet wide at bottom, and on an average $2\frac{1}{2}$ feet deep. The side drains to be cut likewise into the four creeks crossing this section. Ten rods in length of the Road near the east end of the section to be laid with fascines. The remainder of the section to be levelled and shaped with water tables, $1\frac{1}{2}$ feet wide at bottom, and 1 foot deep on an average; the excavation from the water tables to be laid on to form the crown of the Road.

SPECIFICATION, SECTION No. 4.

Length of Section 1 Mile, or 320 Rods.

The Road through whole section to be chopped and cleared of timber to the full width of 66 feet, and to be grubbed and cleared of old logs, &c. to the width of 28 feet.

From beginning of section to Billberry Creek, a distance of 112 rods, to be formed as per general specification; the ditch on south side to be 2 feet wide at bottom, and on an average $2\frac{1}{2}$ feet deep; and that on the north side to be 2 feet wide at bottom, and on an average $1\frac{1}{2}$ feet deep.

Three culverts and 20 rods of lateral drain; drain to be 2 feet wide at bottom, and $2\frac{1}{2}$ feet deep. The ditch on the south side of Road to be carried into Billberry Creek, if the ground near the Creek should not prove too high.

The Road, in coming from the west, on coming near the bank of the ravine in which Billberry Creek is, to curve about four rods to the north of the place

now opened, and slope down the bank of the ravine to the place of abutment of bridge ten rods; on the opposite bank of the ravine the Road to slope up in like manner; to be formed with retaining wall and parapet, as per general specification on the west side. The Road on east side of the creek, over the flat, to be formed with excavation from the east bank of the ravine, and to be raised 4 feet on average above the level of the flat, the distance about 6 rods.

From the brow of the east bank of the creek for 20 rods eastward, the Road to be opened the full 66 feet on the south of the present cut out place, and the 28 feet wide of grubbing to be done there.

From this east brow of the ravine to the east end of section, a distance of 196 rods, Road to be formed as per general specification; the ditch on the south side to be two feet wide at bottom, and on an average $2\frac{1}{2}$ feet deep, and to be cut into Billberry Creek; the ditch on north side to be $1\frac{1}{2}$ feet wide at bottom, and on an average 2 feet deep, to be carried likewise into Billberry Creek.

Four culverts and 26 rods of lateral drain; drain to be 2 feet wide at bottom, and on average $2\frac{1}{2}$ feet deep; culverts to be made at such spots as directed by the Engineer.

SPECIFICATION, SECTION No. 5.

Length of Section 1 Mile, or 320 Rods.

The Road on the whole section to be chopped and cleared out to the full width of 66 feet, and to be grubbed to the full width of 28 feet.

For 92 rods from the beginning of the section, the formation of the Road to be completed by cutting the present small drain to be 2 feet wide at bottom, and on an average $2\frac{1}{2}$ feet deep, and forming the Road, as per general specification; the ditch on the north side to be $1\frac{1}{2}$ feet wide at bottom, and on an average $1\frac{1}{2}$ feet deep.

From the end of the last 92 rods to the foot of the rocky hill, a distance of 100 rods, the Road is partly formed, as in the last part, requiring on the south side a ditch $1\frac{1}{2}$ feet wide at bottom, and on an average 2 feet deep, and on the north side $1\frac{1}{2}$ feet wide at bottom, and on an average 1 foot deep; the excavation to be laid to form the crown of the Road evenly, and as directed in the general specification. As there are parts of this 100 rods which are dry, and will require only a shallow water table on each side, and the excavation thrown up evenly to form the centre of the Road the lower spots will require a ditch something deeper and wider than the average.

From the foot of this rocky hill, the end of this 192 rods, for 24 rods to near top of hill, the Road to be cleared of stone 28 feet wide, and formed with water tables $1\frac{1}{2}$ feet wide at bottom, and on an average 1 foot deep, the excavation to form the crown of the Road.

Near the top of the hill the Road to turn gently 50 feet to the north, and slope down the side of the stony hill; the side next the hill to be excavated, and the excavation laid on the lower side to form the Roadway; a retaining wall, of the large stone of which the hill is partly formed, to be laid firmly to support the Road, which is to be 24 feet wide; a parapet wall of dry stone work to be laid on the outside, to be no less than 3 feet high above the Roadway; good stone for the whole arc abundant on the

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spot. The whole distance of the slope of the Road from top to level below is about 18 rods.

From the foot of this hill to the end of the section 110 rods, the Road is in spots partly formed; must be all formed where it is low, as per general specification, with ditch on south side $1\frac{1}{2}$ feet wide at bottom, and on an average 2 feet deep; and on the north side the ditch to be $1\frac{1}{2}$ feet wide at bottom, and on an average 1 foot deep; the whole Road to be levelled and formed neatly with the excavation, and the earth in the Road.

Three culverts and 18 rods of lateral drain to carry the water to the north; drain to be $1\frac{1}{2}$ feet wide at bottom, and on an average 2 feet deep.

SPECIFICATION, SECTION No. 6.

Length of Section 1 Mile, or 320 Rods.

The Road through the whole section to be chopped and cleared of timber 66 feet wide, and grubbed to 28 feet wide. The clearing and grubbing on this section is not heavy, as more than half of it is through Laflamme's clearing.

Through the whole section the land is high, and when cleared and grubbed will require only to be levelled and formed in a few spots, amounting to about 50 rods in length; this forming to be according to the general specification, and with side drains $1\frac{1}{2}$ feet wide at bottom, and 2 feet deep on an average, and to be in such places as the Engineer may point out.

Three culverts, and 20 rods of lateral drain; drain to be $1\frac{1}{2}$ feet wide at bottom, and on an average 2 feet deep.

SPECIFICATION, SECTION No. 7.

Length of Section 1 Mile, or 320 Rods.

The Road through the whole section to be chopped and cleared of timber 66 feet wide, and grubbed to 28 feet wide.

From beginning of section to the descent of the hill at Leonard's Creek, a distance of 106 rods, the Road is to be formed as per general specification; the ditch or drain on south side to be $2\frac{1}{2}$ feet wide at bottom, and on an average 3 feet deep, and to be carried into Leonard's Creek; the drain on the north side to be $1\frac{1}{2}$ feet wide at bottom, and on an average $1\frac{1}{2}$ feet deep, to be carried likewise into Leonard's Creek. Three small culverts in this distance to drain water from north side into the south side ditch.

The hog's back or ridge on west side of Leonard's Creek, down which the Road comes to the bridge, being 13 rods in length, to be levelled to both sides, and the brow or part next the bridge to be cut down to fill the hollow to the bridge; the whole to form a gradual slope down to the bridge. The cutting to be on an average 3 feet deep on the crown all through, commencing at the surface at the beginning of the ridge, and cutting slopingly down to the brow next the bridge.

The hill or bank of the ravine on east side of Leonard's Creek being very high and steep, will require particular care in making the Road up it; starting from the end of the bridge, the Road to turn to the right for four rods in length, or a little more if found necessary, then turning to the left, slope up

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the hill for four rods more; again, turning to the right, slope up the hill side for 8 rods, where the bank on edge of the present opened Road is to be cut into, and the excavation used to fill up the low hollow close by, the Road to continue to wind around and up the hill, as the whole is now marked on the ground,—the whole to be carefully made according to the general specification; the distance of Road winding up the hill to top of principal rise is about 26 rods.

From the end of this 26 rods to the small bridge at the entrance of Captain Petrie's clearing, a distance of 144 rods, the Road to be formed, as per general specification, in the drier part, with side drains 2 feet wide at bottom, and on an average $2\frac{1}{2}$ feet deep, to be the same dimensions on both sides.

Four culverts and 30 rods of lateral drain; drain to be $1\frac{1}{2}$ feet wide at bottom, and on an average $2\frac{1}{2}$ feet deep.

From the small bridge before mentioned, at beginning of clearing, to end of section, a distance of 25 rods, the Road to be formed with a side drain $1\frac{1}{2}$ feet wide at bottom, and on an average 2 feet deep, on south side; and on north side, drain to be $1\frac{1}{2}$ feet wide at bottom, and on an average 1 foot deep; the excavation from both sides to be laid on the centre to form the crown of the Road, sloping to the sides, as per general specification.

SPECIFICATION, SECTION No. 8.

Length of Section 1 Mile, or 320 Rods.

The Road through the whole section to be chopped and cleared off to the full width of 66 feet, and grubbed to the full width of 28 feet wide; in some places the whole width of the Road will require to be cleared off, and the full width of 28 feet to be grubbed.

On the whole of this section the land is dry, and part of it stony; when cleared and grubbed, and the stony part cleared of stone, the Road to be formed, as per general specification, with side drains or water tables; that on the south side to be 2 feet wide at bottom, and on an average $1\frac{1}{2}$ feet deep; that on the north side to be the same. The side drains to carry the water into a creek crossing the Road near the east end of section, where a large culvert will be required; four small culverts will be required in the distance, and 28 rods of lateral drain; drain to be $1\frac{1}{2}$ feet at bottom, by $1\frac{1}{2}$ feet deep.

SPECIFICATION, SECTION No. 9.

Length of Section 1 Mile, or 320 Rods.

The Road through the whole section to be chopped and cleared to the full width of 66 feet, and to be grubbed to the width of 28 feet. Part of this section is to be cut out anew, and will require to be fully cleared and grubbed, the remainder will require only partial clearing and grubbing.

The whole section is on rather dry land, and will require to be formed with water tables only; that on the south side 2 feet wide at bottom, and on average $2\frac{1}{2}$ feet deep, being on the hill side; the drain on the north side to be $1\frac{1}{2}$ feet wide at bottom, and on an average 1 foot deep; the whole to be formed, as per general specification for Roads. In a few spots where stones occur, they will require to be cleared off; at the east end of section, the land being lower, will require the drain on the north side deeper.

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Four small culverts and one large one will be required on the section.

SPECIFICATION, SECTION No. 10.

Length of Section 1 Mile, or 320 Rods.

The Road through the whole section to be chopped and cleared off to the full width of 66 feet, and to be grubbed to the width of 28 feet for the Roadway; part of the section is through clearing. The woods at the entrance of M. Millan's clearing, on the right hand, or south side, to be cut out and grubbed wholly on the south side, in order to straighten the Road.

To the creek, at the entrance of this clearing, being from beginning of section 88 rods, the Road to be formed, as per general specification, with side drains; that on the south side to be 2 feet wide at bottom, and on an average $2\frac{1}{2}$ feet deep, and that on the north side $1\frac{1}{2}$ feet wide at bottom, and on an average 1 foot deep; in this distance three small creeks cross the Road, over each of which a large culvert must be made, and to which the side drains must be cut.

The clearing begins at this creek, and with it higher and drier land, through the clearing for about 30 rods the Road will go as opened at present; this part will require to be levelled and formed with water tables, these to be 2 feet wide at bottom, and $1\frac{1}{2}$ feet deep, the excavation to form the crown of the Road; this formation comes to near the descent to the next table of land on which the Road is located, the descent being about 50 feet; at the end of the above formation the Road to turn a little to the north, and pass slopingly down the side of the hill, the Road sloping thus for a distance of about 50 rods; for this distance the Road to be formed by cutting into the hill on the south side, and forming on the north with the excavation; the hill side to be lower, as per general specification, and the water table to be carried along that side to the lower ground, which will be from beginning of section about 168 rods.

The remaining 152 rods to be formed as per general specification; the first 30 rods with the ditch on the south side 2 feet wide at bottom, and on an average 2 feet deep, and that on the north side 2 feet wide at bottom, and on an average $1\frac{1}{2}$ feet deep. The remaining 123 rods to be made with a ditch on south side $2\frac{1}{2}$ feet wide at bottom, and on an average 3 feet deep, and one on the north side 2 feet wide at bottom, and on an average $1\frac{1}{2}$ feet deep.

Four culverts will be required, and 60 rods of lateral drain; this drain to be 2 feet wide at bottom, and on an average $2\frac{1}{2}$ feet deep.

The Contractor for this section must state the sum he will do the section for, exclusive of the lateral drain and two culverts, as it may be that these can be dispensed with; and also state the lowest price per rod he can cut the lateral drain for.

SPECIFICATION SECTION, No. 11.

Length of Section 1 Mile, or 320 Rods.

A few brush only, and four or five stumps to be cleared off this section, the whole being through clear land.

One culvert to be built near the beginning of the section, and 8 rods in length of the Road to be formed

by side ditches 2 feet wide at bottom, and on an average $2\frac{1}{2}$ feet deep; the Road to be formed as per general specification.

SPECIFICATION, SECTION No. 12.

Length of Section 1 Mile, or 320 Rods.

This section is only at beginning through clear land. The part of the section having woods upon it to be cleared to the full width of 66 feet, and the part requiring grubbing to be grubbed to the full width of 28 feet.

At 28 rods from beginning of section is a sandy hill; before coming to this hill the Road must turn gently to the south, and slope down the edge of the brow of the hill, which will be a distance of about 10 rods, the hill side to be cut down to form the Roadway; part of the earth of the hill to be used to fill the low ground at its base.

From base of hill for 30 rods there are sand knolls, and small sand hills; these sand knolls and hills to be levelled down to an even surface to form the Road.

At 63 rods from beginning of section, an old crossway begins, which is 21 rods in length; and at 112 rods from beginning of section a creek crosses the Road. The distance from beginning of crossway to the creek being 49 rods, to be formed as per general specification. The Roadway, in order to straighten it, must pass immediately north of the crossway logs, which, when grubbed and cleared out, must be laid with fascines. The drain on south side for these 49 rods to be $2\frac{1}{2}$ feet wide at bottom, and $2\frac{1}{2}$ feet deep, and to be cut into the creek, and the one on the north side to be 2 feet wide at bottom, and 2 feet deep, for 24 rods through the low ground, then the water to pass by a culvert to south side, and so to the creek; the remainder of the 49 rods of drain on the north side to be $1\frac{1}{2}$ feet wide at bottom, and on an average $1\frac{1}{2}$ feet deep, to be cut likewise to the creek. Sand and earth from hill near end of crossway to be drawn on the fascined part, if the excavation from the side drains should not be sufficient, which it will not be.

The crossway logs to be removed where they may interfere with the fascining or side drain.

From creek eastward, to foot of another sand hill, being 151 rods, the Road to be formed as per general specification; in that distance the various low wet places, amounting to 41 rods in length, must be fascined. The drain on south side to be 2 feet wide at bottom, and on an average $2\frac{1}{2}$ feet deep, and that on north side $1\frac{1}{2}$ feet wide at bottom, and on an average $1\frac{1}{2}$ feet deep; the knolls on this part to be all levelled down, and all made even.

In passing up this sandy hill the road to wind a little to the north, and be formed by cutting into the hill, and forming the lower side with the excavation; a retaining wall and parapet to be laid as directed in the general specification.

The remainder of the section, 57 rods, to be formed as per general specification; the drain on each side to be $1\frac{1}{2}$ feet wide at bottom, and on an average $1\frac{1}{2}$ feet deep; the excavation to be laid on to form the crown of the Road.

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SPECIFICATION, SECTION No. 13.

Length of Section 1 Mile, or 320 Rods.

The parts of the section that has woods upon it to be chopped and cleared off to the full width of 66 feet, and to be grubbed to the full width of 28 feet.

From beginning of section to a large creek, a distance of 68 rods, the Road to be formed as per general specification, with side drains running into this creek; the drain on each side to be 2 feet wide at bottom, and $1\frac{1}{2}$ feet deep on an average.

Two small culverts and 20 rods of lateral drain will be required in this distance.

At the west side of this creek the Road must incline a little to the north in coming to the creek, and thence wind down the bank to the bridge; and on the east side from the bridge, the Road to slope up the side of the bank in a northerly direction to the top; in both cases the Road to be made by cutting into the side of the bank, and forming the lower side with the excavation; a retaining wall of sound pine trees to be laid, secured with tie-pieces into the hill, and a parapet or guard; the whole to be formed as in the general specification directed.

From this creek to the brow of the bank of the ravine at Beckwith's Creek, a distance of 50 rods, the Road to be formed as per general specification; the ditch on the south side to be 2 feet wide at bottom, and on an average $2\frac{1}{2}$ feet deep, and to be cut into Beckwith's Creek; the ditch on the north side to be 2 feet wide at bottom, and on an average $1\frac{1}{2}$ feet deep, and near Beckwith's Creek to cross the Road by a large culvert into the south side ditch.

At Beckwith's Creek,—the ravine in which this creek runs being very deep, great care will be required in forming the Road down and up its sides. On the west side, the Road before coming to brow of the ravine to incline to the north, and on striking the brow to slope down the side of the ravine to the end of the bridge; the Road to be made 24 feet wide down the slope, and secured with a retaining wall and parapet; the whole made and completed as per general specification.

On the east side of the creek the Road to slope up the bank for a distance of 14 rods at least, and at the brow to be cut to the depth of 5 feet, the excavation to be carried down to form the Road; the slope of the Roadway at the excavated part to be at least 1 foot in 10, the whole completed as per general specification.

The remainder of the section will only require for the present to be chopped and cleared to its full width of 66 feet.

SPECIFICATION, SECTION No. 14.

Whole length of Section 1 Mile, or 320 Rods.

The part of this section which passes through woods to be chopped and cleared to the full width of 66 feet, and the Roadway grubbed to 28 feet wide, which will be about 14 feet wider than the present opened part, with which it must do for the coming winter.

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SPECIFICATION, SECTION No. 15.

Whole length of Section 1 Mile, or 320 Rods.

The part of this section that has woods upon it to be cleared to the full width of 66 feet, and a few stumps removed to make it passable for this winter.

SPECIFICATION, SECTION No. 16.

Whole length of Section 1 Mile, or 320 Rods.

The part of this section that has woods on it to be cleared to the full width of 66 feet, and a few stumps removed to make it passable for this winter.

SPECIFICATION, SECTION No. 17.

Length of Section 1 Mile, or 320 Rods.

The part of this section that has woods upon it to be chopped and cleared out to the full width of 66 feet; opposite Mr. M'Call's clearing the Road to be cleared of stones, and a few stumps removed to make it passable for the coming winter.

SPECIFICATION, SECTION No. 18.

Whole length of Section 1 Mile, or 320 Rods.

The part of this section that has woods upon it to be chopped and cleared off to the full width of 66 feet, and a few pine stumps that interfere with the travelling this winter, to be removed; these stumps are in the woods immediately to east of Anderson's clearing, and between that and Fox's Creek.

SPECIFICATION, SECTION No. 19.

Whole length of Section 1 Mile, or 320 Rods.

The part of this section that has woods upon it to be cleared off to the full width of 66 feet. At the easterly or smaller branch of Fox's Creek, from the easterly end of the bridge over this creek, the Road must slope northerly up the side of the bank for 10 rods, and be cleared and grubbed of four or five pine trees that are on this slope; the Road to be then formed with retaining wall and parapet, as per general specification, for Road on hill sides.

SPECIFICATION, SECTION No. 20.

Length of Section 1 Mile, or 320 Rods.

At the beginning of this section the Road runs straight through the woods for a distance of 42 rods, to avoid the bend in the old location; this is to be chopped and cleared to the full width of 66 feet, and grubbed and cleared of stumps and stones 28 feet wide. The hollows to be filled up by the knolls being levelled into them, and the whole formed and levelled handsomely.

The remainder to the creek at the beginning of the New England settlement, to be cleared to the full width of 66 feet, and the stony knoll, 10 rods long, to be cleared of stone 24 feet wide, and levelled and formed with a proper slope.

The remainder of the section is opened and cleared, and will answer for the coming winter.

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SPECIFICATION, SECTION No. 21.

Whole length of Section 1 Mile, or 320 Rods.

From near the school-house at beginning of section to the end of the woods near Wm. Edwards', the Road to be chopped and cleared to the full width of 66 feet, and grubbed, cleared of old logs, and levelled to the width of 28 feet, which will be about 12 feet wider than the present opened part; this is all that will be required for the present winter.

SPECIFICATION, SECTION No. 22.

Whole length of Section 1 Mile, or 320 Rods.

This section will only require to be chopped and cleared out to the full width of 66 feet for the present winter.

SPECIFICATION, SECTION No. 23.

Whole length of Section 1 Mile, or 320 Rods.

The part of this section that has woods upon it to be chopped and cleared off to the full width of 66 feet, and grubbed to the width of 28 feet.

At the bridge over the creek in the deep ravine near Anderson's Farm, the Road to be taken 25 feet to the south, nearly opposite the bars across the Road, and sloped down the side of the hill to the end of the bridge; the whole distance 20 rods to be formed by cutting into the hill, laying retaining wall and parapet; and on the east side of the creek, the Road to slope up on the south side of the hill, to be cleared, grubbed, and formed, as per general specification, for a distance of 20 rods; the whole on both sides to be carefully and substantially formed, as directed in the general specification for formation of Road on hill side.

SPECIFICATION, SECTION No. 24.

Whole length of Section 1 Mile, or 320 Rods.

The part of this section that has woods upon it to be chopped and cleared to the full width of 66 feet, and the whole section grubbed to the width of 28 feet, being about 14 feet wider than the present opened part; when grubbed and levelled must answer for the coming winter.

SPECIFICATION, SECTION No. 25.

Whole length of Section 1 Mile, or 320 Rods.

The part of this section that has woods upon it to be chopped and cleared off to the full width of 66 feet, and to be grubbed to the full width of 28 feet.

At the beginning of the section at the east end of the creek bridge, the Road to pass up from the bridge and slope around on the south side 12 rods to the level ground above, and then continue straight for 30 rods, till it comes to the present opened part; the 12 rods up the side slope to be made with retaining wall and parapet, as per general specification for such formation. The 30 rods to be formed with side drains, having been first opened and grubbed well; the drain on the south side to be 2 feet wide at bottom, and on an average 2½ feet deep; that on the north side 2 feet at bottom, and on an average 1½ feet deep.

One culvert in the above.

On the west side of the deep ravine near east end of section, at 8 rods back from the brow of the bank of the ravine, the Road to turn 40 feet to the south, and then slope down the gully that is at that spot, and so around to the end of the bridge; the sides of the gully to be cut into, and the Roadway formed for 16 rods in length, as per general specification for Road on side hill, and as laid out on the ground.

On the east side of the ravine the Road to slope up the edge of the bank towards the north, and through a gully that is there, and out at a spot where a post is planted and marked to shew the place, being 20 rods from end of bridge; the whole to be carefully grubbed and formed with retaining wall and parapet, and fully completed, as per general specification for the formation of such Road.

The remainder of the section, 16 rods in length, to be formed as per general specification with side drains; that on the south side 2½ feet wide at bottom, and on an average 2½ feet deep, and that on the north side 2 feet wide at bottom, and on an average 1½ feet deep, both to be cut into the ravine.

SPECIFICATION, SECTION No. 26.

Whole length of Section 1 Mile, or 320 Rods.

The part of this section that has woods upon it to be chopped and cleared off to the full width of 66 feet, and to be grubbed to the full width of 28 feet.

From beginning of section to large creek, a distance of 80 rods, the Road to be formed as per general specification with side ditches; that on the south side to be 2 feet wide at bottom, and on an average 2½ feet deep, and to be cut into the creek; that on the north side to be 1½ feet wide at bottom, and on an average 2 feet deep, to be cut likewise into the creek. Two culverts in this distance.

The first brow of the ravine to be cut down and levelled into the hollow below; the next brow or knoll to be levelled to end of bridge, forming a regular slope down to the bridge all the way from brow of first knoll or edge of ravine.

On the east side of the bridge the Road from end of bridge to slope up the bank to the south for a distance of 20 rods, and to be formed with retaining wall and parapet, as per general specification for formation of Road on slopes.

From here to the higher land near Alexander Cunningham's clearing, a distance of 60 rods, the Road to be formed as per general specification with side drains; that on the south side 2 feet wide at bottom, and on an average 2½ feet deep; that on the north side 1½ feet wide at bottom, and on an average 2 feet deep, both to be carried into the creek last past.

Two culverts in the above distance, and 20 rods of lateral drain; drain to be 1½ feet wide at bottom, and 2½ feet deep.

From the beginning of the high land at Cunningham's, to the creek next east of his place, a distance of 84 rods, the Road being cleared off, grubbed and levelled, will for the present answer.

At this creek the brow of the bank on each side to be cut into 6 feet at the brow, and sloping in a uniform manner; the excavation to be thrown into the

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hollows from the banks to the ends of the bridge, so as to fill them up and make the ascent and descent more gentle.

A little to the east of this bridge the whole 66 feet in width to be chopped and cleared out on the south side, so as to straighten the Road. From here, which is 8 rods from brow of hill at bridge, and 56 rods to end of section, the Road is to be made as per general specification, with side drains to the end of the section; the drain on the south side to be 2½ feet wide at bottom, and on an average 3 feet deep; to cut off the springs and water coming from the south, two large culverts will be required, and 25 rods of lateral drain; drain to be 2 feet wide at bottom, and on an average 2½ feet deep; the drain on the north side of the Road to be 2 feet wide at bottom, and on an average 1½ feet deep; the whole excavation from both sides to be laid on to form the Roadway.

SPECIFICATION, SECTION No. 27.

Whole length of Section 1 Mile, or 320 Rods.

The part of the section that has woods upon it to be chopped and cleared off to the full width of 66 feet, and to be grubbed to the full width of 28 feet.

From beginning of section to bridge at M'Geough's house, the land is high, and through M'Geough's clearing; being grubbed, will require only to be levelled for the present.

At 14 rods from east end of bridge at M'Geough's the formation must now begin, from this to the west end of the bridge immediately east of the bridge at M'Geough's house, a distance of 20 rods; being well chopped, cleared off and grubbed, the Road is to be formed as per general specification; near the brow of the ravine, with a drain on south side 2½ feet wide at bottom, and on an average 3 feet deep, and the excavation used to form the Roadway; a large culvert or two to be constructed to carry the water into the ravine; the brow of the ravine next the end of the bridge on the west side to be cut down, and the Road formed on the north or left hand, sloping down to the bridge; the whole work to be done with care and attention, and according to the general specification. When the thick brush and timber with which the Road space is now overgrown, shall be cut away and cleared off, it may be found better and more convenient to form the Road by cutting into the bank on the higher side, and filling in on the lower, which will be the course taken if thought better.

From east end of bridge the Road to slope to the south up the side of the gully which is on that side, and to be 16 rods in length, until it comes in to the present opening; this length will require to be chopped, cleared and grubbed to the usual width, it being all woods; the remainder of the section must do for the present.

SPECIFICATION, SECTION No. 28.

Whole length of Section 1 Mile, or 320 Rods.

The part of this section that has woods upon it to be chopped and cleared to the full width of 66 feet, and the whole section to be grubbed to the width of 28 feet, and cleared of old logs.

Where the fence near the Frenchman's comes on the Road allowance, it must be removed to throw the Road open to the full width.

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The east half of the section being 160 rods long, to be formed as per general specification with side drains; the drain on the south side to be 2 feet wide at bottom, and on an average 2½ feet deep; the drain on the north side to be 2 feet wide at bottom, and on an average 1½ feet deep; at 17 rods from east end of section a gully crosses the Road, into which the drains both ways are to be cut. Three culverts will be required in this distance to carry the water from the north into the south side drain; this 160 rods must be well grubbed and carefully formed.

SPECIFICATION, SECTION No. 29.

Whole length of Section 1 Mile, or 320 Rods.

The part of this section that has woods upon it to be chopped and cleared off to the full width of 66 feet, and the whole section to be grubbed to the full width of 28 feet.

From the beginning of section to the small clearing made by Frenchman, a distance of 116 rods, the Road to be formed as per general specification with side drains; that on the south side to be 2 feet wide at bottom, and on an average 2½ feet deep; that on the north side to be 2 feet wide at bottom, and on an average 1½ feet deep, and both to be cut into the gully near the beginning of the section. Three small culverts to be made to carry the water to the south side. The remainder of the section will do by being opened and well grubbed.

SPECIFICATION, SECTION No. 30.

Whole length of Section 1 Mile, or 320 Rods.

The whole length of section to be chopped and cleared to the full width of 66 feet, and to be grubbed to the full width of 28 feet, which being levelled will answer for the present.

SPECIFICATION, SECTION No. 31.

Whole length of Section 1 Mile, or 320 Rods.

This section is opposite Jessup's Falls; the whole section will require to be chopped and cleared out to the full width of 66 feet, and to be grubbed to the full width of 28 feet.

When well cleared and grubbed, and the part grubbed well levelled, it will do for the coming winter by having two bridges built, one over the gully opposite Jessup's Falls, the other over John Baptiste's gully, and two culverts will be required at spots between these bridges. See specification for these bridges and the work near them.

SPECIFICATION, SECTION No. 32.

Whole length of Section 1 Mile, or 320 Rods.

The part of this section that has woods upon it to be chopped and cleared off to the full width of 66 feet, which will be the whole length of the section, and the whole length will require to be grubbed to the full width of 28 feet; the grubbed part being levelled it will answer for the present winter.

SPECIFICATION, SECTION No. 33.

Whole length of Section 1 Mile, or 320 Rods.

The part of this section that has woods upon it to be chopped and cleared to the full width of 66 feet, and nearly the length of the whole section to be grubbed to the width of 28 feet.

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The whole being well levelled will answer for the present winter. This section is opposite Colonel Kearns'.

SPECIFICATION, SECTION No. 34.

Whole length of Section 1 Mile, or 320 Rods.

The part of this section that has woods upon it to be chopped and cleared off to the full width of 66 feet; and all parts requiring grubbing to be grubbed to the full width of 28 feet, and levelled. One small bridge of 10 feet waterway to be built, which will make the section passable for the coming winter.

SPECIFICATION, SECTION No. 35.

Whole length of Section 1 Mile, or 320 Rods.

This section embraces Hattville, and there crossing the Nation River, at the point where the bridge is to cross, the Road takes a direct course to the sand hill, called Pocquette's Hill. The part of the section that has woods upon it, being a length of about 180 rods, is to be chopped and cleared off to the full width of 66 feet, and to be grubbed to the full width of 28 feet; this must answer for the coming winter.

SPECIFICATION, SECTION No. 36.

Whole length of Section 1 Mile, or 320 Rods.

The whole of this section is in woods, which are to be chopped and cleared to the full width of 66 feet, and to be grubbed and levelled to the full width of 28 feet.

SPECIFICATION, SECTION No. 37.

Whole length of Section 1 Mile, or 320 Rods.

This section ends at Mr. Thomas Lyttel's clearing, and is all in wood; the whole section is therefore to be chopped and cleared to the full width of 66 feet, and grubbed and levelled to the full width of 28 feet, which must answer for the present winter.

SPECIFICATION, SECTION No. 38.

Whole length of Section 1 Mile, or 320 Rods.

Part of this section is in Mr. Thomas Lyttel's clearing, and therefore the whole will not require chopping; the whole that is in woods to be chopped and cleared out to the full width of 66 feet; and the whole that has stumps or logs upon it, to be grubbed and cleared off to the full width of 28 feet, and to be well levelled, with which it must do for the coming winter.

SPECIFICATION, SECTION No. 39.

Whole length of Section 1 Mile, or 320 Rods.

The whole length of this section is in woods, and will all have to be chopped and cleared off to the full width of 66 feet, and grubbed and levelled to the full width of 28 feet.

SPECIFICATION, SECTION No. 40.

Whole length of Section 1 Mile, or 320 Rods.

The whole length of this section is in the woods, and will require to be chopped and cleared out to the full width of 66 feet, and grubbed, cleared out and levelled to the full width of 28 feet.

SPECIFICATION, SECTION No. 41.

Whole length of Section 1 Mile, or 320 Rods.

This section is partly in Holmes' clearing, and has only about 98 rods of wood land upon it. This 98 rods to be chopped and cleared off to the full width of 66 feet, and to be grubbed and levelled to the full width of 28 feet.

SPECIFICATION, SECTION No. 42.

Whole length of Section 1 Mile, or 320 Rods.

This section is in the large swamp, through which the Road is pretty well opened and made, and requires to be opened only at the beginning; then for a distance of 50 rods it must be chopped and cleared out to the full width of 66 feet, and grubbed, levelled and cleared of old logs to the width of 28 feet.

SPECIFICATION, SECTION No. 43.

Whole length of Section 1 Mile, or 320 Rods.

This whole section is in woods, but part of it being in the large swamp where the Road is opened wide enough for the present, only the east half will require to be chopped and cleared off to the full width of 66 feet; and this will require to be grubbed, cleared of old logs, and levelled to the full width of 28 feet.

SPECIFICATION, SECTION No. 44.

Whole length of Section 1 Mile, or 320 Rods.

The greater part of this section in woods, the east end in the clearing, where the turn to the Springs is, near Langlois' tavern.

The part in woods to be chopped to the full width of 66 feet, that is to the beginning of the clearing; that in the clearing to be widened only on one side. To the Dezeticon Bridge, to be grubbed to the full width of 28 feet.

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RETURN to an Address from the Legislative Assembly to His Excellency the Governor General, dated the 23d instant, praying that His Excellency would cause to be laid before them, "Copies of any Report or Reports from E. S. de Rottermund, heretofore Chemist to the Provincial Geological Department, or to the Provincial Government; and, also, of all correspondence between the said E. S. de Rottermund and the said Department, or between him and the Provincial Government."

By Command,

Provincial Secretary's Office,
Montreal, 29th May, 1846.

D. DALY,

Secretary.

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No. 1. Letter from the Provincial Geologist to Mr. Assistant Secretary Hopkirk, dated 26th March 1846.

No. 2. Letter from the Provincial Secretary to the Inspector General, and to the Receiver General, dated 27th March, 1846.

No. 3. Letter from Mr. Assistant Secretary Hopkirk to the Provincial Geologist, dated 16th April, 1846.

No. 4. Letter from the Provincial Geologist to Mr. Assistant Secretary Hopkirk, dated 17th April, 1846.

No. 5. Letter from Mr. E. S. de Rottermund to the Provincial Secretary, transmitting his Report as Chemical Assistant to the Geological Survey of the Province, dated 17th April, 1846.

No. 6. Letter from the Provincial Secretary to the Provincial Geologist, dated 22d April, 1846.

No. 7. Letter from the Provincial Geologist to the Provincial Secretary, dated 23d April, 1846.

No. 8. Letter from Mr. E. S. de Rottermund to the Provincial Secretary, dated 23d April, 1846.

No. 9. Statement of the Provincial Geologist, in reference to the late Chemical Assistant to the Geological Survey of the Province.

No. 1.—*Letter from the Provincial Geologist to Mr. Assistant Secretary Hopkirk.*

Montreal, 26th March, 1846.

Sir,

Mr. De Rottermund, the Chemical Assistant to the Geological Survey of the Province, having some time since intimated to me verbally his intention of relinquishing his connection with the Government, and having ever since ceased attendance in his Laboratory, I am not exactly aware how much of his salary may be due him. It will therefore be unnecessary to make out a Warrant in his favor until further notice.

A Warrant for my own quarter's salary, and that of my Geological Assistant, Mr. A. Murray, can be made out as usual.

I have the honor to be, Sir,
Your most obedient servant.

W. E. LOGAN,
Provincial Geologist.
James Hopkirk, Esquire,
Secretary's Office.

No. 2.—*Letter from the Provincial Secretary to the Inspector General, and to the Receiver General.*

SECRETARY'S OFFICE,
Montreal, 27th March, 1846.

Sir,

I have the honor, by command of the Administrator of the Government, to acquaint you that an intimation has been received from W. E. Logan, Esquire, Provincial Geologist, that E. S. de Rottermund, the Chemical Assistant in his Department, has for some time past ceased to attend to his duties, and requesting that, under these circumstances, His Excellency would be pleased to direct that no Warrant should be passed for his salary to the 31st, until further notice.

His Excellency has therefore been pleased to direct that his Warrant should not be passed or paid until further notice.

I have the honor to be,
&c. &c. &c.
(Signed,) D. DALY.

The Inspector General.
Similar Letter to
The Receiver General.

No. 3.—*Letter from Mr. Assistant Secretary Hopkirk to the Provincial Geologist.*

SECRETARY'S OFFICE,
Montreal, 16th April, 1846.

Sir,

With reference to your Letter of the 2nd instant, reporting the resignation by Mr. de Rottermund, of his situation as Chemical Assistant to the Geological Survey of the Province, I have the honor, by command of the Administrator of the Government, to request that you will acquaint me, for His Excellency's information, at what period Mr. de Rottermund's connection with the Geological Survey ceased, and up to what period therefore his salary should be paid to him.

I have the honor to be, &c.
(Signed,) JAMES HOPKIRK.

W. E. Logan, Esquire,
Provincial Geologist.

No. 4.—*Letter from the Provincial Geologist to Mr. Assistant Secretary Hopkirk.*

Montreal, 17th April, 1846.

Sir,

I have the honor to acknowledge the receipt of your communication of the 16th instant, requesting information

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in reference to the amount of salary due to Mr. de Rottermund, for services rendered as Chemical Assistant to the Geological Survey.

In reply I have to acquaint you, for the information of His Excellency the Administrator of the Government, that in the correspondence I have had with Mr. de Rottermund on the subject, he informed me that he claimed no part of his salary for the last quarter, which in reply to him I have qualified by saying I understand to mean no part beyond such an amount as might be considered justly due in proportion to the time which he had devoted to the duties of his Office. But Mr. de Rottermund has since afforded me no opportunity of ascertaining what the amount may be.

I have further to state, that on the 20th December last, about four weeks after my return from an exploration of the Ottawa, I, in writing, requested Mr. de Rottermund to furnish me with a simple list of the substances he had analysed and their constituents; that I have since several times verbally, and twice in writing, requested the same list, which could be merely a copy of the register which no doubt has been kept in his Office, and might be made out in a few hours. But though this is necessary for the purpose of enabling me to judge of the amount of work that has been performed in the Chemical Department of the Survey, it has not been furnished.

I have the honor to be, Sir,
Your most obedient servant,
W. E. LOGAN,
Provincial Geologist.

James Hopkirk, Esquire,
Secretary's Office.

No. 5.—*Letter from Mr. E. S. de Rottermund to the Provincial Secretary, transmitting his Report as Chemical Assistant to the Geological Survey of the Province.*

(Translation.)

Montreal, 17th April, 1846.

Sir,

I have the honor to present you my Report on the labors confided to me. If I have not been able to make it as complete as I could have wished, it is because various circumstances have prevented me from doing so, and at the same time placed me in the necessity of tendering my resignation. I refrain from the present from stating the motives which induced me to suspend my labors. I am far from refusing my services to contribute to the development of this branch of the work; but at the same time I take the liberty of stating that I will be happy to continue, if the Government will allow me a certain latitude which I find necessary.

1st. That I may receive orders from none but yourself.

2ndly. That I may have an Assistant in my Laboratory, as it is utterly impossible for me to work alone.

3rdly. That I may, for the future, receive no orders from Mr. Logan.

My Report will prove to you that the labors of Chemists must not be impeded, and are of the greatest advantage to the Country. The Chemist requires a certain latitude in his researches which are known to himself alone. In order that he may be really useful, he must not be treated as a Clerk,—in which light he has been considered by Mr. Logan in his Letter of December. I have had but Thirty pounds for my scientific tour; and offers have already been made to the Government of se-

veral thousand pounds, which are solely to be attributed to my chemical labors. I do not ask for an increase of salary, but I beg the Government to remark that my demands are not unjust. The Chemical Survey costs only £400, and the Geological Survey £700: it is not too much then, to ask for £100 to facilitate researches which will be of so great advantage to the Country. If it please the Government to order me to make an exploration, let the sum required be determined by the Government; for it is the interest of the Country that scientific researches should not be controlled by personal feeling. Besides, the Executive Council will know before every one else where the riches of the Country are, and their importance, which is not the case in the present state of things:—there is now no control,—no certainty whatever. The Chemist and the Geologist will then have each their own Department without encroaching upon the rights of each other, and each one will claim the honor due to himself as a man of science.

I have the honor to be,
Your most obedient servant,
E. S. DE ROTTERMUND.

Honble. D. Daly,
Provincial Secretary,
&c. &c. &c.

Mr. E. S. de Rottermund's Report.

After having analysed the waters of the St. Lawrence and of the Ottawa opposite the City of Montreal, I again proceeded up the River Ottawa as far as the "Graisse" River, and from thence continued to the Township of Hawkesbury to Caledonia and George's Lake. I came down to Lancaster and then went up the St. Lawrence again as far as Kingston. After visiting the mineral springs on Prince Edward's Island, I went in the direction of Toronto by Belleville and the River Trent. I visited Lake Simcoe as far as the Township of Georgiana. I went afterwards to Hamilton and examined its environs. I continued as far as Brantford and Woodstock, and then returned to Hamilton by St. Catharines and took the direction of Niagara, and finally returned to Montreal by the St. Lawrence. The mineral springs which exist in the different localities I have just mentioned are divided into magnesian, iodurated, saline, antimoniferruginous, sulphureous, and gaseous. The magnesian and iodurated springs are principally at Caledonia, on George's Lake, and the "Graisse" River. Those which I visited in the neighbourhood of Lake Simcoe and at Woodstock, are magnesian. The saline Springs are at Kingston and Prince Edward's Island. Near Hamilton and at St. Catharines the sulphureous springs are very weak, and so are the gas springs, and are always accompanied by magnesian. In fine, the antimoniferruginous springs are at Brantford. The name of "iodurated springs" does not mean that the iodine predominates over all the other substances held in solution, but that this substance being very scarce and of great medicinal value, I have given the waters which contain it, that denomination which is used by several men of science. For the same reason I have called the acid springs of Brantford antimoniferruginous, on account of the presence of that substance, only recently found in mineral waters, and heretofore unknown in their composition; and because it is one of the most remarkable substances as a remedy for several diseases. There are mineral springs called "acid springs," from the presence of carbonic acid, such as that of Vichy in France, where white-lead is manufactured. In order that the above mentioned spring be not taken to be similar to these, I have given it the name proper to its composition.

Having described the nature of the various springs and their respective positions, I will now give a description of each one in particular. On the River "Graisse," in the Township of Hawkesbury, Ottawa District, there are several mineral springs very close to each other. The first is on the left bank, at a distance of three miles from Mr.

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Jamieson's residence, and two miles from Mr. M'Nab's mill, on Mr. M'Kinnon's land, lot No. 3, of the Sixth Concession, and is situate at the foot of a tree a few paces distant from the river. This spring disengages in a very small quantity hydro-sulphuric and carbonic acid gases. The water is magnesian, and contains chloride of magnesium and sodium, sulphate of magnesia, and carbonate of lime. It deposits a very small quantity of sulphur on the surface of wooden vessels, which is owing to the decomposition of the hydro-sulphuric acid. This spring is very close to the river, and is covered by the high waters. Its temperature was 46° , that of the atmosphere being 74° (Réaumur). The soil is blue clay.

At a distance of a quarter of a mile from the first spring there are four others, which are almost in the river; one of them disengages carbonate hydrogen gas, and carbonic acid. These springs contain neither lime nor sulphuric acid combined, but chlorides and carbonates. Their temperature was 44° , that of the atmosphere 33° (Réaumur).

At a distance of fifty or sixty paces from the preceding ones, but further from the river, and in the depth of the wood, there is another spring which, with a slight exception, is similar to those already mentioned. It contains some traces of iodine and more salts in solution, which is probably owing to its being at a greater distance from the river, and consequently less affected by the high waters. Its temperature is the same, and the gases it evolves, of the same nature. The soil is also similar; clay, but not quite so blue. But these springs cannot be brought into use, on account of their being covered by the waters of the river in the spring and autumn.

THE CALEDONIA SPRINGS.

The mineral springs known under the name of Caledonia are three in number. The first, near the Hotel, is a gas spring; its specific gravity is 1.0038. The second is saline: its specific gravity is 1.0087. The third is sulphureous: its specific gravity is 1.0062. The temperature of all three is 44° , and they are situate in a ravine at a few paces distance from each other. The first disengages a great quantity of carbonated-hydrogen gas mixed with carbonic acid and oxide of carbon. The second disengages the same gases, but in a very small quantity. The third hydro-sulphuric acid also in a small quantity. These gases are disengaged in much greater quantity before a storm; they diminish with the heat, and are in still less quantity in very hot weather. I think this is owing to the atmosphere pressure which may condense the gas by its action on the surface of the water, while another cause may exist with relation to the springs which disengage hydro-sulphuric acid. It may be supposed that it arises from the sulphuret of iron or pyrites with which the country abounds, and which is found in the different beds of earth, being dissolved in much greater quantity by the water in the seasons in which they are most abundant, and in which the decomposition of the sulphuret is more facilitated than at a period when the spring is fed from one part of the bed only.

An analysis of the Caledonia waters had already been made by Mr. Chilton of New York. I am sorry to remark that they do not agree with his analysis, not as regards the quantity of matter, but principally as regards their composition and the existence of substances in them. According to him, these waters contain sulphate of lime, iron, and potassium. I have not even been able to detect any traces of these substances; consequently I think that Mr. Chilton has taken carbonate for sulphate, and has found the iron and potassium in the ashes which may have been blown by the wind into the springs, or in the bottles which contained the water, if they had not been well cleaned.

As magnesian, iodurated, and sulphureous springs, they are very useful, and on account of the temperature which is always regular, are excellent for rheumatism and gastric diseases; they are besides useful for diseases in the nature of *goîtres*, for which iodine is so efficacious a remedy. The soil is reddish clay; underneath, at a depth

of one foot, the soil is blue clay of the same nature as that of Hawkesbury. The Caledonia springs are in a plain, surrounded by marshes. The atmosphere, however, is always healthy, as it contains nothing of that heaviness generally produced by marshes. The soil is good for the purposes of agriculture, for, though argillaceous, it contains a very thick layer of vegetable earth; but the country people lose all its advantages by burning it, as by doing so they leave nothing but the clay. The vegetation is very rich before the fire has passed over it, which proves that agriculture would succeed very well in this country if the manner of clearing were different. The soil might easily be improved by lime which abounds at a distance of a few miles. Near Caledonia, in the direction of Vankleek Hill, there is a marsh twelve miles in circumference, which contains turf of the thickness of a foot. It might be made use of with great advantage as regards economy, especially when wood becomes scarce.

Besides the three springs above mentioned, there is another in the wood at a distance of two miles from the settlement. Professor Williams, of Kingston, analysed a spring at this place, which he styles intermittent. It must have been of great value; for, according to the analysis, it contained 1.7 gr. of bromium, and 0.3 of iodine. Unfortunately the spring answering to this description has disappeared. Two paces from its site another has formed itself, of a totally different nature. It is entirely of a gaseous nature. Its gas is carburetted hydrogen, and no traces can be discovered of the hydro-sulphuric gas which the former spring contained. This new spring disengages the gas in great abundance, and not at intervals. It is situate at a distance of about thirty paces from the marsh, near a ravine which is filled with water. The soil is blue clay, a little reddish at the surface. This spring is separated from the Caledonia springs by a marsh two miles in width, and which has no solid bottom, unless at a very great depth. This marsh is full of moss and plants in a state of decomposition, on which various trees grow, of the fir species, and the Labrador tea-plant. I think that formerly a Lake must have existed, the waters of which have partly run off, and the surface has been covered with vegetation of different sorts. This sponge-like substance formed of moss and marsh plants imbibes the water, which (with the plants in a state of decomposition,) serves as a nourishment for the trees, which form a complete forest. If report be credited, several mineral springs are to be found there. But on account of the great difficulty of making a passage through the wood and marsh, I resolved not to make expensive researches which might perhaps turn out of no use.

GEORGE'S SPRING.

From Caledonia I proceeded to George's Spring by land, so as to judge better of the changes in the soil. Three miles from Caledonia there is a marsh which extends north and south, and through which the road is cut. Before reaching the springs you descend three rocky ledges towards the north, and you then come to George's Lake, to the south of which there is a mountain. At the foot of this mountain is a mineral spring which flows into the Lake. Its components are the same as those of the Caledonia springs, besides a certain quantity of sulphate, and more iodine. This spring flows from under a rock of calcareous shale which contains a very great quantity of iron pyrites; the water contains no traces of iron nor of hydro-sulphuric gas, which would lead one to suppose that it proceeds from another bed. As the proprietor of this spring does not reside on the spot, and the horse which contains it being shut. I could not examine nor ascertain the nature and quantity of the gas which disengages itself, nor could I find out the correct temperature. The rust which deposits itself at the mouth of the spring is in consequence of the water discharging itself through an iron tube which is covered with rust. The water which I analysed, though it had passed through this pipe, contained no traces of iron. This spring is situated at a distance of from twelve to fourteen miles from the Caledonia Springs. It is at least two hundred feet lower, and flows to the north; those of Caledonia flow to the south.

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Proceeding from Caledonia to Alexandria, I passed by Vankleek Hill, where the streams are very clear and contain carbonate of lime in solution. Lime which contains fossils is found as far as Alexandria, and the soil is covered with hard wood of different species.

KINGSTON.

The Kingston mineral springs are of a saline nature, and contain salts of lime and magnesia. The spring belonging to Mr. Morton has been analysed by Mr. Williamson; he found hydro-sulphuric acid, but I could detect no traces of it, either by the salts of silver or by the salts of lead. Not that I doubt the correctness of Mr. Williamson's analysis; but, on seeing this difference, I could not understand how the nature of this spring could have changed; and after a more attentive examination I found out the cause. Mr. Morton caused the spring to be dug to the depth of one hundred and forty feet. By this means the orifice became much wider, and allowed the water flowing from the different beds to fill the well. This water being of a different nature from that of the spring, by mixing with the latter has caused the change. He had also inserted a leaden pipe and an iron pump; it is natural that if the spring contained hydro-sulphuric and carbonic acid, the lead and iron would be attacked and form sulphuret and insoluble carbonate of lead. It is difficult to form exact conclusions as to the gas, for, by the motion of the pump, it is separated from the water, the temperature of which is increased by the same cause. But in order to be certain that this supposition is correct, it would be necessary to know the temperature of the water in the spring; when it comes out of the pump its temperature is 49°.

PRINCE EDWARD'S ISLAND.

At Bloomfield the spring is situated in a garden at a distance of a hundred feet from Mr. Stewart Christie's house, on the eleventh lot of the second concession. The soil is blue marl, under which lies fossil lime. The water of this spring is very saline, and may be used with advantage for the manufacture of Salt. It contains lime in solution, which diminishes its value in a commercial point of view. Its depth is forty-five feet, and its specific gravity 1.00721. The level of the water in the driest season is five feet below the soil. This spring is in very bad order, filled with pieces of rotten wood and leaves of trees. It was difficult for me to ascertain the nature of the gases which it contains. It is certain, however, that it is not hydro-sulphuric acid. This spring might easily, without expense, be so improved as to serve for the manufacture of salt, inasmuch as there is another of the same nature at a distance of twenty feet further. At Picton there is a spring on the southern declivity of the mountain; the soil is the same as at Bloomfield, but it only contains water in the spring and autumn. There are several mineral springs on Prince Edward's Island, but they dry up in the very hot weather. If care were taken to prevent evaporation by the rays of the sun, they might possibly be made use of with advantage throughout the whole year.

Near Belleville, at a few acres distance from the landing place, there are several gas springs in the river. In two places the ebullition is more than two feet in diameter. This gas can be no other than marsh-gas or carburetted-hydrogen, caused by the decomposition of organic substances. At a short distance there is a marsh covered with water; the presence of fish in this marsh is a proof of the nature of the gas, for if it contained any signs of hydro-sulphuric acid gas, no fish could exist in it.

Four miles from Belleville on the road to Trent, there is a saline spring at the foot of a tree on Mr. Leman's property, on the border of Prince Edward's Island, Victoria District. The soil is calcareous. Not far from this spring, on G. Caly's property, there is lead ore. I visited several mineral springs at Trent, among others one on Mr. Ford's property, on the broken front of Lots 7 and 8, in the Township of Murray, two miles from Belleville. The inhabitants of the locality consider it as the most important one in the vicinity: I found it to contain magnesia; the gases are disengaged in very small quantity.

Mr. G. C. Bull, a merchant of the place, assured me that in spring and in autumn they are disengaged in much greater quantities. In my opinion these springs are of no importance, as their strength is not always the same.

TORONTO.

There is also a mineral spring here, on Lake Ontario, almost opposite the Wellington Hotel. It is magnesia, but too weak to be of much use as a medicine. It is more worthy of notice by its low temperature of 42° (that of the atmosphere being 76°) than by the quantity of salts in solution. This spring is of no use from the manner in which it is kept.

LAKE SIMCOE.

In the Township of Georgiana, near Lake Simcoe, there is a mineral spring known as Jefferson's Spring. It is near Thorah, on Lot No. 10, in the third concession, in a small ravine which intersects the Thorah road. There are two springs there very close to each other; one of them gives very good drinkable water, the other, notwithstanding the quantity of water it affords in a season so dry at this period, contains enough magnesia to give it a taste; there are hardly any traces of the presence of hydro-sulphuric gas. The proprietor states that at other seasons this spring disengages a very remarkable quantity of that gas. The soil is the same as that of Trent. It is therefore possible that the iron pyrites or other sulphurets contained in a certain portion of the layers of earth, are decomposed by the organic matter, and the hydro-sulphuric gas disengages itself. Ten miles from this place the inhabitants of the locality have discovered three other springs in the woods, also in the direction of the ravine; but these springs disappear with the clearing of the forests.

LAKE ONTARIO.

Between Wellington Square and Toronto, in the fourth concession of Dundas Street, Township of Nelson, on Henry Sovering's farm, two arpents from the road and three from Lake Ontario, there are two saline springs close to each other, and a few arpents further there are two others. These springs are in a soil of red shale, and contain a very considerable quantity of chloride of sodium or muriate of soda, without lime, in which they differ from those of Kingston and Bloomfield. The depth of these saline springs is fifty two feet; it is a great pity they are not made use of. The specific gravity of the water at the surface, is 1.0159.

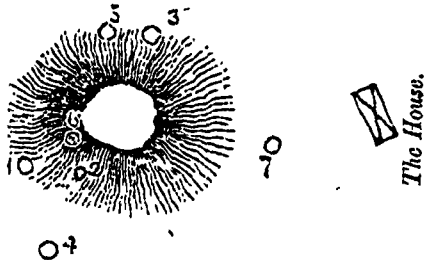
Four miles from Brantford, on the Grand River, in the third concession, Lot 26, of the Township of Tuscarora, there are springs known as "Sour Springs." I think it would be necessary to change that name for one more characteristic, according to their composition and nature. I will therefore call them antimoni-ferruginous. These springs are in the centre of a splendid forest of oak, beech, fir and maple trees, at a few miles distance from the river. They are rather on a table land of the mountain than in a plain. There are four springs constantly filled with water, even in the driest season, and seven in the three other seasons. They are all acid and disengage hydro-sulphuric and carbonic gas, bubbling up with great violence. These springs contain sulphate of protoxide of iron, sulphate of alumina and of potash, chloride of antimony, chloride of zinc, sulphate of magnesia and of lime, resinous substances, and vegetable albumen. The temperature of the water is 47°. These three springs are at the base of a small hillock seven feet in height, which was once covered with trees, which have since been cut down, leaving only the stumps. The earth is filled with sulphur crystallized in very fine grains. It appears to be in the state of decomposition of organic substances. The soil is clay, covered with several inches of vegetable earth. It is so acid that it changes blue paper into dark red, and finishes by destroying it as strong acids do. What is more remarkable is, that the earth which has this property is taken from the summit of the hillock. Notwithstanding the composition of all these springs is the same, they must be of different strengths as regards the quantity of salts in each—for the effect of each is different, and so is the taste. Their relative situation is shewn by the following figure:

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The numbers are in the order of the quantity of water which each spring furnishes. No. 1 furnishes more than twenty gallons per minute. The inhabitants make use of these waters in different diseases: Nos. 1 and 2, internally; No. 3, for inflammation of the eyes; No. 4, to wash scorbutic and venereal sores. No. 2, is considered very efficacious for gonorrhœas. As Nos. 5, 6 and 7 do not exist at all seasons, they are not made use of. I have taken these waters in tolerably large quantities. I have found that they act chiefly on the nervous system and the circulation of the blood, and cause at the same time diarrhœa. I did not at all feel that heaviness and fatigue generally felt after drinking other mineral waters. I know that several diseases have been cured by means of these springs. A woman of Brantford had a disease of the skin, and the epidermis was so attacked and the blood so corrupt, that the flesh under her nails was affected. By drinking No. 1, and washing with No. 4, she was cured, as several persons of the locality affirm. A mechanic who had wounded his hand with a piece of glass, more than a year before, was completely cured by washing with No. 4. Another cured a gonorrhœa by drinking No. 1. A third a venereal sore by washing with No. 4; and there are a great many other examples of various cures. It is to be remarked that the strength and quantity of these waters increase with the moon. It is my duty to call attention to the importance of these springs, so that Government, in the interests of humanity, may encourage any person who would provide convenient means for using them, so as to obtain the benefits and advantages which might result therefrom in a medical point of view. It may be useful to remark that if water containing zinc and potash, as well as alum combined with potash, is very scarce, water containing antimony is still more important on account of its still greater scarcity and medical power. The salts of antimony are of the greatest value, on account of the great difficulty of preparing them properly; for the chloride of antimony becomes decomposed in water, while here it is produced by the presence of the acid and of organic matter. The discovery of antimony in a mineral spring is undoubtedly an immense advantage for the science of medicine; for the same substance prepared artificially is never so efficacious as when found in water, and no one has succeeded in imitating mineral waters, such as those of Carlsbad, Baden, Aix-la-Chapelle, &c., &c. No imitation could have the same medicinal virtue. I will take the liberty of explaining the theory of the formation of this antimony-ferruginous spring, and of explaining the cause why the antimony is in solution without being decomposed or precipitated by the water. According to geological researches it is known that this place contains a great many marshes, iron pyrites, lead ore, zinc and antimony, as well as beds of gypsum. Water running through iron pyrites or gypsum, by some chemical or other phenomenon, becomes decomposed and charged with a quantity of sulphuric acid; (the waters of this spring prove its presence in a very decided manner); the water so acidulated, passing through turf or a marsh covered with vegetation, must contain vegetable albumen, (which I have found,) organic acids, resinous substances, &c. If the water thus charged passes afterwards through beds of ore of antimony, it is natural that it will dissolve the substance without precipitating it.

I will not enter into further details respecting this spring, for, as I consider it of the greatest importance in medicine, as well as to the scientific world, I will communicate to you a memorandum when I shall have been able to procure the several instruments which are most necessary for making the complete analysis of these wa-

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ters, and which I have not in my laboratory at present. I think it would not be useless for me to communicate here my observations on this place, with respect to its commercial and industrial importance. The geographical position of Tuscarora, with its fine navigable river uniting Brantford with Lake Erie, is most advantageous. Great benefits would arise if it were occupied by inhabitants having a legal right of possession, and not by persons who seek only to avail themselves of possession they have obtained without right. For this reason, the Indians ought to be allowed to make legal sales. Several settlers have already established themselves there under the simple protection of the forests, without having any right to acquire lands. Without improving the cultivation of the land, they destroy the forests which are of the greatest value, especially for this country, where wood is required for building and for navigation. If they continue, these forests will disappear without being of any advantage to any one. The soil as well as the climate of this Township are of the highest value for agriculture. I think that if Government allowed the Indians to sell the land, it would be of great use if it were in the hands of able and educated persons who would know how to turn it to as much advantage as possible, and thereby contribute to the commercial and industrial interests of the neighbouring Towns, such as Hamilton, Brantford and London.

WOODSTOCK.

The mineral waters near Woodstock are magnesian, and disengage hydro-sulphuric acid. These springs are of little value, being flooded by streams. If the course of these streams were turned, the springs might possibly be of some use in medicine, especially for the inhabitants of the locality. There is a spring in the Brock District, near Mr. Riddell's lands. As it was dried up, I was not able to ascertain its nature.

ANCASTER.

On the way from Brantford to Hamilton, in the Village of Ancaster, there is a road on the left at the corner of the hotel, which leads to a magnesian sulphurous mineral spring. It is in a deep ravine on the left of the road going up the stream, on Mr. Griffin's property. The nature of this spring is the same as those in the Townships on Lake Simcoe.

The spring, known as the "Burning Spring," is in the Township of Salt Fleet, 4th Concession, six miles from Hamilton and three from the road leading from Hamilton to St. Catharines. This spring is on the same stream as that of Ancaster, a hundred feet above that spot. Its gas is carbonated hydrogen, and not hydro-sulphuric. This spring contains a great quantity of lime; as there is also carbonic acid in this spring, it would be useful in the manufacture of white lead (*ceruse*).

On the left of the road leading from Hamilton to St. Catharines, there are saline springs which are used in the manufacture of salt. One of these springs is already abandoned, but that of Messrs. Dongall and Kent is in full work; its depth is three hundred and seventy-five feet. It proceeds from red shale, such as that of Wellington Square. This spring is near a ravine at a small distance from Lake Ontario, in Salt Fleet, 1st Concession.

ICE SPRING.

The famous spring known as the "Ice Spring," is nothing, or rather does not exist, unless it be as a chemical phenomenon. It is on the right of the road from Hamilton to St. Catharines, near the Red House. When I went to visit it I found neither ice nor water, but a great heap of large rocks which had fallen from the mountain and been stopped by a small ledge. These rocks are sandy, and would be very good for filters, such as are used in Paris by every person who wishes to have the Seine water pure for his table. At this place the rocks form a pretty deep cavern. From the month of July to the month of October it contains nothing but moisture. About the middle of October the water coming from the mountain gathers and fills a cavity which contains a half-litre, (a little more than a pint). This water remains

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there the whole winter. It is a known fact that in this season the temperature of caverns does not become lower. As the water remains then perfectly quiet, not even disturbed by the wind, and having no foreign substances suspended in it, it may remain without freezing even in a temperature of five degrees below the freezing point. In the months of March, April and May, the snow in melting absorbs a quantity of caloric, and thereby cools the neighbouring bodies; then the May and June sun causes a certain quantity of water to evaporate, which oozing out slowly through the rocks, diminishes or lowers the temperature, so that the second drop congeals, and this is the reason why, in the warm season, a small icicle may be seen and a little congealed water in the cavity below, and that there is only water in winter. It is on the same principle that the Egyptians cool water for their use by exposing their jars when filled to the rays of the sun. But about the months of August and September, the heat being very strong and the moisture of the rock being dried up, no water is left to ooze out; then nothing remains to be turned into ice, and there is only the moisture which exists in all caverns. If my explanation be erroneous, what then is the cause of the formation of the ice? Since ice is formed, there must first have been water, and it is well known that the falling of the temperature causes ice to be formed. If my explanation were contested, recourse must be had to some chemical process—what would this process be? It is known that the temperature may be made to fall 40° below freezing point by the great dissolving power of a salt, which abruptly diminishes the temperature and thereby produces ice. The spring must therefore first be in a liquid state, and the salt be at its surface; for if it is at the bottom, the ice being formed cannot ooze out through the rock, or run without being turned into water, and be converted into ice afterwards. Then I do not see by what process the ice is to be formed. I think that this name, given by persons who know nothing of science, ought not to be adopted, as it may be incompatible with scientific observations, and create a belief in the existence of something marvellous, where there is only a physical phenomenon. Travellers have found what they pretend to be an ice-spring in Siberia, but as they have not given sufficient explanations, I could not ascertain whether there exists any identity between them in a physical or chemical point of view.

ST. CATHERINES.

Six miles from St. Catherines to the south, on the left of the great Canal which unites Lake Erie with Lake Ontario, there is a mineral spring on the mountain from which the stones are taken for the construction of the locks. It is magnesian, but contains carbonate of lime, and disengages a very slight quantity of hydro-sulphuric gas; its specific gravity is 1.0304. The soil is calcareous and filled with fossil substances.

In the Village of St. Catherines, on the border of the Canal, there is a saline spring which contains lime in abundance; this takes away a great deal of its value for the manufacture of salt, especially as it contains also magnesia. This spring descends through forty feet depth of earth, and (according to information derived by the proprietor) 407 in the rock. The proprietor uses it for salting fish, and for baths. I think this salting cannot be very advantageous to the consumer. It might be turned to greater advantage still, by separating the salt of lime and of magnesia from the muriate of soda, by taking advantage of the salts being soluble at different degrees of temperature, and where fuel is expensive, by using the strength of the solar rays. But in the present state in which this spring exists, it would, in a commercial point of view, be very difficult for the proprietor to keep up with the price current with advantage. There is a ferruginous mineral spring in the lock at the entrance of Lake Ontario. This spring might have been very useful in medicine, as it is ferruginous and magnesian, but as it is in the centre of the lock it is almost certain that it can be made no use of.

There is now nothing left for me but to describe the Niagara Spring above the great Falls. It is called the "Burning Spring," on account of the carburetted hydrogen which it contains. This spring is of no greater value

than any other cold spring. The water is calcareous; it proceeds from calcareous rocks impregnated with hydrate of iron, which is not, however, in solution in the water. These gases can only proceed from the decomposition of the organic substances existing at different depths in the soil.

I will now give the description of a mineral spring containing bitumen and petroleum, and which Mr. Logan found in his first trip to Gaspé. According to the specimen he gave me, this spring is composed of creosote, naphtha, petroleum, bitumen and *paraffine* or *suif de montagne*. By means of a chemical process a substance can be formed having a strong smell of musk, and imitating that which comes from China. I think a description of this kind of spring which is found in foreign countries, will be interesting, as I am not acquainted with that of Gaspé; it is of the greatest importance to have more details on this spring, as it may conduce to other researches very useful for the country and for science. These springs of naphtha and petroleum exist in Persia, on the northern side of the Caspian Sea, at Baku near Derbent. The soil is argillaceous marl impregnated with naphtha. They may also be found in the Birmese Territory. The Town of Bainanghong is the centre of a small District which contains more than five hundred of these springs. The soil is sandy clay, which lies over alternate beds of sandstone and hardened clay. Underneath is a thick bed of argillaceous shale of a pale blue, which forms part of the pit-coal strata, and this argillaceous shale rests immediately on the pit-coal, which is impregnated with petroleum. At Coalbrookdale in England, there is a similar spring of petroleum which originates in a bed of pit-coal. Near the Cape Verd Islands large masses of petroleum have been seen floating on the surface of the sea. Petroleum has been found in the River Thames, near Lake Erie. It has also been found on Mount Osmund in Dalecarlia, in Sweden, but has since disappeared. The most remarkable feature in this appearance of petroleum, is that the country consists of transition limestone, surrounded by granite. It is then probable that the petroleum owes its origin to a bed of aluminous shale on which the limestone of the Osmund Mountain probably rests. These springs exist also in France, not far from coal-pits. As to the soil of that part of Gaspé where the above mentioned spring is found, having nothing to guide me but the specimen furnished by Mr. Logan, I can make no comparison with what is known in the other parts of the world, and thereby facilitate the theory of the formation of creosote. There are several circumstances to be considered, which are of the greatest importance. If the Gaspé spring comes from pit-coal, where is the bed of coal from which it originates? Can it be accidental like that of Sweden? This might be ascertained from the Indians of the place, and whether it is of old date, or of very recent existence; this would enable me better to explain the theory of the formation of creosote in this kind of spring. And if this spring resembles those of Asia and of Europe, would it not be a sign of the presence of coal. In many points of view this spring is remarkable and may be of great value to the country; for it may furnish naphtha in abundance (more than 60 per cent.) which is very useful for light varnish, mineral tar for ships, and creosote, which, if it can be obtained in any great quantity, will be of real advantage. Until now creosote had been obtained by treating substances derived from the distilling of wood with phosphoric acid. This is a very expensive process. Creosote is considered as an artificial substance; I will therefore refrain from giving the theory of its formation in this spring; as it requires more delicate experiments than my laboratory will permit me to make for the present. I had forgotten to say that the above mentioned spring, from the specimen furnished to me, contains creosote which might be procured with advantage, especially if the spring be abundant. As it is very reasonable to suppose that these springs must exist in various places, their value for industrial purposes, commerce, and the arts, may be very great. The scarcity of creosote, and its high price, prevent its being used in manufactures, especially for the preservation of wood. In England, where wood is so precious, it is found advantageous to use corrosive sublimate, notwithstanding its

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exorbitant price, on account of the value of the mercury. If therefore one knew how to turn to advantage these natural resources, and knew the real value of this spring, that is, in how many places it may be found, how much it can furnish per hour, what is its geological position, whether it proceeds from shale or from a bed of pit-coal, or since there is such a spring, whether it is not a sign of the existence of pit-coal, as in other countries; in fine, its relation to the carboniferous substances found in the shale clefts between Gaspé and Cape Chat. From my observations on the spot itself, I found it to contain all the characteristics of pit-coal.

It is possible, and very probable, that the science of Chemistry will gain something by these data; for there may be means for extracting or facilitating the preparation of creosote so useful for medical and industrial purposes. I have no doubt that the country contains more than one person who will not hesitate to dedicate his money and time to the general advantage.

I can say nothing of the oil spring in the River Thames near Lake Erie, as my instructions did not permit me to pass the limits assigned to me; but I consider it as indispensable to mention it here, for springs of that nature are really valuable to the country.

E. S. DE ROTTERMUND, Chemist.

No. 6.—Letter from the Provincial Secretary to the Provincial Geologist.

(Copy.)

SECRETARY'S OFFICE, Montreal, 22nd April, 1846.

Sir,

With reference to your letter of the 17th instant, in answer to mine of the 16th, on the subject of the Salary due to Mr. de Rottermund, late Chemical Assistant to the Geological Survey of this Province, I am commanded by the Administrator of the Government to request you will acquaint me for His Excellency's information, whether in your opinion there is any objection to paying that gentleman his salary up to the first of March last.

I have the honor, &c. (Signed)

D. DALY,

W. E. Logan, Esquire, Provincial Geologist.

P. S.—I have the honor to transmit to you herewith Mr. de Rottermund's Report alluded to in your communication which has just been received.

No. 7.—Letter from the Provincial Geologist to the Provincial Secretary.

Montreal, 23rd April, 1846.

Sir,

I have the honor to acknowledge the receipt of your communication of yesterday's date, requesting me to acquaint you for the information of His Excellency the Administrator of the Government, whether, in my opinion, there is any objection to paying Mr. de Rottermund, late Chemical Assistant to the Geological Survey of the Province, his salary to the 1st March last, and at the same time transmitting me a Report from Mr. de Rottermund

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I have to request you will do me the favor to represent to His Excellency, that Mr. de Rottermund's principal duty, as Chemical Assistant to the Survey, was to make quantitative analyses of such substances as were collected on behalf of the investigation, and came before him in his official capacity. Until a list of the substances analysed with their quantitative constituents shall have been received, I am wholly destitute of the means of knowing what work has been performed in the Laboratory, and to what amount of salary Mr. de Rottermund may be entitled.

The document you have done me the honor to transmit to me contains no analyses of the kind, and the list that is required would be merely a simple copy of the register which no doubt has been kept in the office, and in which the substances analysed have been noted, and their constituents entered as ascertained,—a list that could be made out in a few hours.

I have the honor to be, Sir, Your most obedient servant, W. E. LOGAN, Provincial Geologist.

Honble. D. Daly, Provincial Secretary, &c. &c. &c.

No. 8.—Letter from Mr. E. S. de Rottermund to the Provincial Secretary.

(Translation.)

Montreal, 23rd April, 1846.

Sir,

I take the liberty of addressing you my answer to the letter in which Mr. Logan thinks that my Report is not sufficient. If the Director of the Geological Survey were acquainted with the science of Chemistry, I would not have been obliged to make this explanation. For, in the first place, he would have tried to ascertain whether I had in my Laboratory the means of making correct experiments as regards quantitative researches. The confidence which the Government have placed in me by appointing me to this Office, has not allowed me to lead it into error by giving the results of any observations in figures:—let Mr. Logan be kind enough to look again at his Report of the two last years, and he will see that he has not been able to come to any correct conclusion for want of sufficient data, as he says himself. The science of Chemistry has also its difficulties. It must be remarked that Mr. Logan had every assistance he wished for,—while I was alone without any assistance whatever. My labors, imperfect as they are in Mr. Logan's opinion, offer already a great many advantages to the Country. I have discovered the presence of two substances of the greatest utility for humanity, as several persons have already been cured for commerce, as several speculators have made offers of considerable sums to Governments for science, as these substances were unknown to the scientific world. The Government will be pleased to remark that when I arrived here, several persons, and even Mr. Logan himself, thought that yellow hydrochloric acid was good for analyses: there were also several other circumstances which I need not mention here. The all-uded pretensions of Mr. Logan, who wanted to order me to keep a book in which I would have had to mark down when I began and when I finished an analyses, prove how much he is a stranger to this branch of the sciences; it is exactly the same thing as if a Chemist, who being Director of the Survey, would ask a Geologist when he began to clean a fossil and when he ascertained its name. I have never refused to assist Mr. Logan the Geologist, and I often gave him information which he required on several very important points. As to the analyses which he says I have not made, I will answer that having more

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important ones to make, I put off the others to a later period; for of what use is the Chemical analyses of the lithographic stone to Mr. Logan,—it is its mechanical state, or its molecular arrangement, which is necessary and essential; this may apply to other questions of the same nature.

I am ready to answer every objection Mr. Logan would like to make, to prove that he has done wrong in wishing to interfere with a branch of the sciences which he knows nothing about, and which was only given to him to assist him in researches which might be useful to the Country, and not to be subject to his whims.

I have the honor to be,
Your most obedient servant,
E. S. DE ROTTERMUND.

Honble. D. Daly,
Provincial Secretary.

No. 9.—*Statement of the Provincial Geologist.*

Statement in reference to the late Chemical Assistant to the Geological Survey of the Province.

Understanding that my late Chemical Assistant, Mr. E. S. de Rottermund, has applied to the Government to be reinstated in the Office which he recently resigned in connexion with the Geological Survey of the Province, I consider it right to place before the Government the following facts:—

Before the Government determined to permit me to appoint a Chemical Assistant, I was required to state for the information of His Excellency the Governor General (Lord Metcalfe) what his duties were to be; and on intimating to Mr. de Rottermund his nomination to the Office, informed him, as will be seen by a copy of my letter to him of the 2nd May, 1845, (No. 1.) what those duties were, in the same terms in which they had been detailed to the Government.

On my departure from Montreal in June last, on my exploration of the valley of the Ottawa, 46 Specimens were placed in charge of Mr. de Rottermund for quantitative analyses; and he was instructed in addition, to visit various mineral springs, for the purpose of collecting and analysing quantitatively specimens of them.

On my return from the Ottawa towards the end of November last, I found the whole 46 Specimens mentioned, exactly in the same position in which they had been left by me—not one of them analysed. I was informed by Mr. de Rottermund, that he had visited various mineral springs and analysed them. But I heard also from various quarters, that while Mr. de Rottermund had been in Montreal, he had very frequently been absent from the duties of his Office. I became, therefore, very anxious to know what work had been performed, and I intimated to him, on the 10th December, that I was desirous of seeing a list of his analyses, stating to him at the same time my intention to keep a regular register (nearly similar to one I had, before my departure, requested him to keep) of all the Specimens analysed with their constituents. He informed me he had kept such a register, but it was not produced.

About the 18th December, Mr. de Rottermund verbally asked me for permission to absent himself from his duties for 10 days. In reply, I verbally informed him to the effect, that I was fearful less time had been spent in the Laboratory than the interests of the Survey required. On the 20th, he made a written application (No. 2.) for leave of absence, on the plea of urgent private business; and on the same day I gave him a written permission requesting from him in the same letter, a list of the analyses made, as will be seen by the copy of my letter of that date. (No. 3.)

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Shortly after his return to Town, Mr. de Rottermund intimated to me that the pressure of his family affairs disabled him from attending to the duties of his Office; that he had made arrangements, or was making arrangements for entering into business connected with his family affairs, and that it was, therefore, his determination to resign his situation in connexion with the Government. Very shortly after this he wholly discontinued his attendance in the Laboratory.

I subsequently pressed him, both verbally and in writing, for a list of the analyses which he gave me to understand he had performed, as will be seen by my letters of the 2nd and 31st March. (Nos. 4 and 7.)

That Mr. de Rottermund knew perfectly well what was meant by this list, is evident from the fact, that on Wednesday the _____ he verbally promised to give me a copy of it, stating at the same time that he could not let me have it on Thursday, because he was to dine with His Excellency the Administrator of the Government, but that he would let me have it on Friday. He subsequently appeared to confound this list with what he calls his intended Report, as if it were a general Report I was so anxious to receive; whereas what I wished for, was a simple list of the substances analysed, with their constituents quantitatively stated, being a mere copy of the book it was his duty to keep, which could have been made in a few hours. The distinction is sufficiently indicated in my letter to Mr. de Rottermund of the 31st March. (No. 7.)

In this letter I drew Mr. de Rottermund's attention to the circumstance, that any Report on the labors of the Laboratory was to be communicated and addressed to me as Director of the Survey, as mentioned in my letter to him of the 2nd May, 1845, (No. 1.) in which his duties were pointed out. A document, however, has since been sent by Mr. de Rottermund, to the Provincial Secretary, who has done me the favor to transmit it to me. It is addressed to nobody, and though it is possible Mr. de Rottermund, in passing me by, may have intended a discourtesy, I should be inclined to smile at the matter, if I did not gather from the document the melancholy fact that it does not contain one single quantitative analysis; and without the performance of such, a Chemical Assistant is of little or no use.

By Mr. de Rottermund's letter to me of the 31st March, (No. 6.) it will be seen that he relinquished all claim to his salary for the quarter ending that day; but without any intimation to me, he subsequently applied to the Government for it. And on a reference from the Provincial Secretary's Office, on the 16th and 22nd April, in regard to the amount of salary Mr. de Rottermund was entitled to, I was under the necessity of intimating that I could not state what amount might be due to him without the list of analyses which I have so much desired to obtain. It has, however, since come to my knowledge, that Mr. de Rottermund has been paid up to the 26th February, without, however, any sanction emanating from me.

Mr. de Rottermund cannot state that the analyses have not been performed in consequence of defective apparatus. All the apparatus he required was ordered. The larger part of it has been paid out of my own private funds, and he has frequently stated to me it was sufficient for all ordinary qualitative and quantitative analyses.

Mr. de Rottermund's conduct in the whole of this matter has appeared to me very extraordinary, and I have been in doubt whether he has wholly neglected his work, and made no quantitative analyses; or whether he has deliberately retained in his own possession the results of his labors, which of course are the property of the Government.

If Mr. de Rottermund's connexion with the Survey as Chemical Assistant had been continued a little longer, his negligence in the performance of his duties, so soon as I should have had clear proofs of it before me, would im-

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mediately have become the subject of a formal complaint, with a view to his removal. But his resignation, at the moment it occurred, left me as my only course, to attempt to get from him how I could, a list of whatever analyses he might have performed. In this attempt I have not succeeded, and being deprived, by the payment of his salary up to the 26th February, of the pecuniary hold by means of which I had some hope of obtaining the list of his analyses, (for I am inclined to think there is one) the Survey will be injured to the extent of the time and expenditure necessary to perform the Chemical Assistant's work over again.

The present Statement is made in order that the Government, in whatever it may determine in the case, may not act without a full knowledge of the facts. But I consider it due to myself, under the circumstances which I have detailed, to say, that it is impossible for me to place any further confidence in Mr. de Rottermund's diligence or discretion, and that his re-appointment in any relation to the Office he has resigned, would be injurious to the Survey I have the honor to direct, and for the proper conduct of which I am responsible.

W. E. LOGAN,
Provincial Geologist.

Montreal, 20th May, 1846.

No. 1.

(Copy.)

(Mr. Logan to Mr. de Rottermund.)

Montreal, 2nd May, 1845.

Sir,

It gives me much satisfaction to inform you, that the Provincial Secretary has communicated to me His Excellency the Governor General's pleasure to direct your appointment to the Office of Chemical Assistant to the Geological Survey of the Province, at a salary of £300 per annum.

The duties assigned to your Office are to make qualitative and quantitative analyses of the various substances collected on the Survey, whether they be minerals, mineral waters, or soils, and you will have, as occasion serves, personally to inspect any mineral springs likely to be of medicinal importance, for the purpose of determining the quantity and kind of gases that may issue with the waters from their sources, it being next to impossible to forward specimens of these gases to a distance. An additional duty will be annually, so soon after the close of the autumn as circumstances will permit, and not later than the 1st of May, to frame a Report communicating to me, as Director of the Survey, the result of your researches, and pointing out as far as you can, the application of the substances you have examined to the useful arts and purposes of life.

In the performance of these duties confidence is entertained in your skill, and no doubt is felt that you will exert not only that reasonable diligence which is implied in accepting a task requiring constancy and attention, and whose results are of importance to the community; but that more elevated application by which men of liberal mind distinguish their occupation when they pursue science for her own sake, and feel that their successful efforts bring their own reward.

I am, my dear Sir,

Very truly yours,

(Signed) W. E. LOGAN.

E. S. de Rottermund, Esquire.

No. 2.

(Translation.)

(Mr. de Rottermund to Mr. Logan.)

20th December, 1845.

Sir,

I take the liberty of asking you to grant me leave of absence for ten days, for family matters.

I have the honor to be, Sir,

Your very obedient servant,

(Signed) E. S. DE ROTTERMUND.

Mr. W. E. Logan.

No. 3.

(Mr. Logan to Mr. de Rottermund.)

Montreal, 20th December, 1845.

My dear Sir,

You are at liberty to absent yourself from the duties of your Office for ten days, agreeably to the request in your letter of this morning. In acceding to your wish, I am persuaded it is the urgency of the affairs calling you away which induces you to apply for leave of absence, as I recollect with satisfaction the strong determination you verbally expressed to me before my departure on my exploration for the season, of letting no opportunity escape to make up for the very considerable loss of time which circumstances had occasioned previously.

I have to request attention to the enclosed memorandum. It is my wish to commence the book alluded to in it with a list of the substances already analysed; and I shall feel obliged by your furnishing me with one either before your departure, or immediately on your return, as most suitable with your convenience.

I am, my dear Sir,

Yours very truly,

(Signed) W. E. LOGAN.

E. S. de Rottermund, Esquire.

(Enclosure.)

MEMORANDUM.

It is my intention to keep a book in which is to be regularly entered a list of the various specimens and materials of whatsoever description that are in charge of the Survey, and of which intimation has been given to the Chemical Assistant that an analysis is to be made. The specimens are to be numbered in succession, and in the book in question are to be registered the number of the specimen; the date on which it is indicated for analysis; the person or persons from whom it is received; a succinct general description of its external appearance and character; its locality; the date at which an analysis of it is commenced; the date at which the said analysis is finished; and the constituents of the mineral or material.

If there is a sufficient quantity of the mineral or material, a duplicate specimen of it is to be retained and ticketed; and if a mineral a duplicate of the portion submitted to analysis after being reduced to powder, the last to be kept in a phial corked, sealed and ticketed.

(Signed)

W. E. L.

Montreal, 10th December, 1845.

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No. 4.

(Mr. Logan to Mr. de Rottermund.)

Montreal, 2nd March, 1846.

My dear Sir,

It has perhaps escaped your memory that on the 20th December I requested you to let me have a list of the Specimens which you analysed for the Geological Survey of the Province, from your first connexion with it. I am sorry to say I have been inconvenienced by the want of it, and I hope you will let me have it with as little delay as convenient.

You will oblige me by letting me know in writing, for the regulation of the pecuniary details and other arrangements of my department, from what time I am to consider that your connexion with the Government has ceased; and I will thank you also to let me have the key of the Laboratory, which by mistake you have taken with you.

I am, my dear Sir,
Very truly yours,
(Signed,) W. E. LOGAN.

E. S. de Rottermund, Esquire.

No. 5.

(Copy.)

(Mr. Logan to Mr. de Rottermund.)

Montreal, 30th March, 1846.

Sir,

The verbal intimation you gave me about the middle of January, that it was your intention to relinquish your connexion with the Government as Chemical Assistant to the Geological Survey of the Province, renders it necessary that I should, without further delay, place before His Excellency the Administrator of the Government the expediency of making such arrangements in regard to the Survey, as the circumstances may require: and not having received from you the communication you were informed it was my desire to possess, in respect to the time from which the relinquishment of your Office was to date, I shall, unless you favor me with an immediate reply, be compelled to act without it, and to consider that I am at liberty to represent that your connexion with the Government ceased from the time you discontinued attendance to your official duties in the Laboratory.

I have the honor to be, Sir,
Your most obedient servant,
(Signed,) W. E. LOGAN,
Provincial Geologist.

E. S. de Rottermund, Esquire.

No. 6.

(Translation.)

(Mr. de Rottermund to Mr. Logan.)

Sir,

In your letter of the 30th of March, you ask me to tell you until what period I consider myself to have been in the service of the Government. I have told you *vis à voce*, that family matters are so serious and of so much consequence, that I have not been able to give all my time to the service of the Government. The very little time which I could devote to that service within the last few days enables me to state that I have not the slightest idea of claiming my salary; and my Report, which I

wish to present to His Excellency through you, will prove to every one who wishes to take any interest in it, that my services are of real use to the Country, as well in a scientific and commercial, as in a mechanical point of view; and although the state of my affairs has lately obliged me to give them an almost absolute attention, I am perfectly confident that I have done much good to the Country by my labors, as you will be able to judge yourself on examining my Report on my expedition.

I have the honor to be,
Your most humble and obedient,
(Signed,) E. S. DE ROTTERMUND.

Mr. W. E. Logan.

No. 7.

(Copy.)

(Mr. Logan to Mr. de Rottermund.)

Sir,

Montreal, 31st March, 1846.

I have the honor to acknowledge the receipt of your communication of this date, by which I understand that in resigning your appointment as Chemical Assistant to the Geological Survey of the Province, you do not claim of your salary for the last quarter, beyond such an amount as may be considered just in proportion to the time you have devoted to the duties of your Office.

Any Report you may have to make on the labors connected with the Laboratory, you will be pleased to remark is to be communicated and addressed to me as Director of the Survey as mentioned in the letter I had the honor of addressing you on the 2nd May, 1845, in which your duties were pointed out. This I now state in order that no error may be made in the form of the Report. In framing it, you are at liberty to take full time to perfect it, but in the mean while I am desirous of receiving, with as little delay as possible, a list of the substances analysed, with their constituents, in order that, as Director of the Survey, I may avail myself of the information it may contain in arranging the details of my department.

I have the honor to be, Sir,
Your most obedient servant,
(Signed,) W. E. LOGAN,
Provincial Geologist.

E. S. de Rottermund, Esquire.

No. 8.

(Copy.)

(Mr. Logan to Mr. de Rottermund.)

Montreal, 3rd April, 1846.

My dear Sir,

It will be necessary for you as soon as you possibly can, to separate and remove such things in the Laboratory as belong to you from such as appertain to me, or the Government, as it is probable I shall very shortly require the room for the purposes of the Survey.

As I shall be soon preparing to leave Town for the season, you will oblige me by returning to me such books or maps as you may have borrowed from me, being desirous of putting my house in order before I start.

I am, my dear Sir,
Very truly yours,
(Signed,) W. E. LOGAN.

E. S. de Rottermund, Esquire.

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No. 9.

(Translation.)

(Mr. de Rottermund to Mr. Logan.)

Sir,

In answer to your letter of the 3rd of April, I have the honor to remark, that the room of which I have the key in my possession, contains nothing but my Library, and that cannot interfere with your labors; but if it be possible, will you be kind enough to leave them remain for a few days, as the crossing is very bad, and I will not be able to cross on the ice. I will be back again in a few days, and I will give you every thing you require.

I have the honor to be,
Your most obedient servant,
(Signed,) E. S. DE ROTTERMUND.

Mr. W. E. Logan.

Excuse the form of this letter, as I have no other paper, and am on the eve of my departure.

No. 10.

(Copy.)

(Mr. Logan to Mr. de Rottermund.)

10, Little St. James Street,
13th May, 1846.

Dear Sir,

I shall feel much obliged to you, if you will have the kindness to remove your books and papers from the room they occupy in the Laboratory, in order that no difficulty in regard to them may be experienced during my absence on my summer's exploration.

I will thank you also to return me such books of mine as you have borrowed from me, and particularly a map on which some portion of the Geology of Canada was represented.

I am, my dear Sir,
Very truly yours,
(Signed,) W. E. LOGAN.

E. S. de Rottermund, Esquire.

No. 11.

(Translation.)

(Mr. de Rottermund to Mr. Logan.)

Mr. Logan,

I have received your letter, in which you desire me to take my Library from the house. I have given orders to have a box made, and as soon as it will be ready, I will give up the room you seem so much to wish for. But if you think your prerogative to be affected, I will ask per-

mission of the Executive Council to retain the room for a short time.

I will not forget to return you your books which I have at home; I do not know if you are aware that all the Brantford water is mine, and belongs to me by right, and not to the Geological Survey, as I am ready to prove to you, and for that reason I alone have any right to give it away. You will oblige me by allowing the bearer of this to take away two large jars which I promised to give to sick persons to whom it has been recommended by their Physicians.

Receive the assurance of the profound consideration,
With which,
I am, Mr. Logan,
Your most humble servant.
(Signed,) E. S. DE ROTTERMUND

No. 12.

(Mr. Logan to Mr. de Rottermund.)

(Copy.)

10, Little St. James Street,
13th May, 1846.

Sir,

I have the honor to acknowledge the receipt of your note of this morning, and in reply I beg to say, I certainly was not aware that all the water of Brantford Spring on the premises of the Survey was your property, particularly as expenses on the water of this and other mineral springs have been paid out of the funds of the Survey, and no quantitative analysis that I know of have resulted.

I take your word, however, for the fact, and as you seem to consider the ownership of it of some consequence, which I do not, I am happy in having saved the chief part of it from destruction by the frost last winter during your absence, and I now send you not only the two jars you ask for, but all that I can find of it. At the request of * * * a part of it was sent by me to * * * , to whom, I somehow or other was given to understand you had promised it; but if it is your wish, I will take the earliest opportunity of replacing it by a fresh supply which there will be no difficulty in obtaining.

I should feel obliged if you will inform me whether there are any other samples of specimens on the premises that do not belong to the Survey, as it would prevent mistakes if they were removed also and at once. I shall be happy to supply you with cases to hold your books and papers.

I have the honor to be, Sir,
Your most obedient servant,
(Signed,) W. E. LOGAN,
Provincial Geologist.

E. S. de Rottermund, Esquire.

Appendix
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RETURN to an Address from the Legislative Assembly to His Excellency the Governor General, dated the 11th ultimo, praying that His Excellency would be pleased to cause to be laid before them, "Copies of any Petitions, Letters, and Addresses from James Coons of Matilda, or on his behalf, to the Executive Government and the Board of Works, relative to his claims for damages under the Canal Act, and the replies (if any) thereto; and all Correspondence on the same subject from William Freeland with Government or the Board of Works; and also that he will be pleased to cause to be laid before this House, Copies of all Letters and instructions from the Crown Officers, the Executive Government, or the Board of Works, or any of its Officers, to Mr. Freeland on this subject; and also information relative to the appointment of Mr. Freeland, its date, the exact nature of his duties, the amount of his Salary, how and from what fund paid."

By Command,

Provincial Secretary's Office,
Montreal, 1st June, 1846.

D. DALY,
Secretary.

Letter from the Secretary to the Board of Works to the Provincial Secretary.

562.

BOARD OF WORKS.
30th May, 1846.

Sir,

In accordance with the Address of the Legislative Assembly, relative to the case of James Coons of Matilda, referred by your Department, I am directed to transmit to you the following documents, viz:—

Original letters from James Coons, Nos. 8062, 8612, 7268, 7682, 8719, 8719, 8829 and 8945.

Original letters from Messrs. M'Donald and M'Donell, 9088, 9331 and 9717.

Original letter from J. Cook, No. 3246.

Original letters from Wm. Freeland, Nos. 7572, 8342, 8436, 8602, 8673, 9693 and 10256.

Copies of three letters to James Coons.

Copies of four letters to Wm. Freeland.

Copy of Instructions to Wm. Freeland.

Copies of two agreements with James Coons.

There are not in this Department any letters or instructions from the Crown Officers to Mr. Freeland, or from the Executive Government to Mr. Freeland.

Mr. Freeland was appointed in January 1844 to value the property taken for or injured by the Board of Works in the construction of the Williamsburg Canals, and to settle for the same with the owners thereof. He has received one hundred pounds on account of his services, but his salary or rate of pay has not yet been determined upon.

I have the honor to be, Sir,
Your very obedient servant,
THOMAS A. BEGLY,
Secretary.

The Honble. D. Daly,
Secretary of the Province,
&c. &c. &c.

No. 8026.

Matilda, September 4th, 1845.

Sir,

Having seen the Honorable Chairman of the Board of Works yesterday, he desired me to send a written Statement to the Board of Works, concerning my claims for damages done to my premises by the construction of the St. Lawrence Canal. I accordingly wish to state, that, in the winter of 1844, Messrs. Killaly and Freeland called on me for permission to go to work on my premises, and they both promised on their word, I should have the full amount of all the damages done to Wharf, River privilege and premises. I accordingly gave them possession, and the money was to be paid so soon as the snow was off in the spring of 1844; but, I being bitterly disappointed in not getting the money, I directed a letter to Mr. Freeland in rather harsh language; he then came, but appeared to be greatly offended, and threatened a prosecution, and I thought he used every means to coerce and take advantage of me, and stated that the Wharf was a nuisance on the River, and the River was Government property, therefore he would not pay me for the Wharf or River privilege, and the Board of Works would not allow him (Freeland) to give more than Thirty pounds, an acre, for land, although I had been offered Fifty pounds, an acre, years before the Canal was thought of. Under such representations he coerced me into a settlement of a part of my claims for about £180, being less than half the real value; he then did not pay according to that agreement; and my property having been seized for debt, I sold a piece of land lying between the Canal and the road for £200; the Engineers then took half of said piece of land sold. Mr. Freeland then agreed to pay £100 for the said piece of land taken, which would amount in all to £280, or about that; and a writing was then drawn by Freeland for £280, as I understood it.—Mr. Shaver and Mr. Corman being present and understood the same; the writing was signed, and Mr. Shaver signed as witness; but he did not pay according to that agreement,—and some time after, when he did come, he had included more land in the Deed than was agreed upon, which I refused to sign; he used every means to coerce me to sign the Deed as it then was; he after sent word by G. Brouse, Esquire, that his Attorney would strike out of the Deed the land included that was not settled for. I then went to see the Attorney, and was surprised to find that the writing was for £130 instead of £280, Fifty pounds being paid, and the whole amount or quantity of land was included in the Deed, but not allowed me in the writings he held against me. Freeland having left for Scotland, I had to rest or wait his return; he then admitted the error, admitted the Wharf, River privilege and lease was not settled for, but as the writing said all the damages, he would not settle without instructions from the Board of Works; therefore, I must

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either sacrifice the Steamboat wharf and River privilege, the lease, and the land included and not settled for, or lay out of the whole of the money. Therefore, I wish to lay this before the Board of Works, that they may know how it is, and instruct Freeland to settle the whole immediately by arbitration, as I think he will do nothing himself but throw every obstacle in the way of a settlement; and being thus disappointed, has been a very great damage to me I can assure you.

Yours in haste,

JAMES COONS.

T. A. Begly, Esquire,
Secretary to the Board of Works.

8612.

Matilda, October 23rd, 1845.

Sir,

I received your letter from the Board of Works of the 2nd instant, stating that Mr. Freeland was instructed to make a tender for the damages done by the Canal, and if not accepted to proceed to arbitration; but Mr. Freeland has never come near my place since, although he has passed up and down; and when I enquired for him on the boat, he was concealed, so I could not see him, therefore I wish to know what is to be done. Mr. Freeland wrote to me and stated in the letter that the Board of Works would not allow him (Freeland) to pay for the wharf; on removing the wharf therefore he could not settle until he got further instructions from the Board, or the Attorney General. Now the case is this: Mr. Freeland holds an agreement signed by me, and Peter Shaver as witness, for £180; now Peter Shaver, W. O. Buchanan, and Daniel Carman, will all testify that there is a mistake in that agreement, and it should be £280; then he has included more land in the Deed than was agreed on at the time, which he (Freeland) admitted before George Brouse, Esquire, the Post Master of Matilda, which he (Brouse) will testify; he tells me also Peter Shaver is aware of it; then there is a lease of the wharf and landing I hold against Daniel Carman for ten years, which Freeland frankly admitted is not put in the agreement, and admitted that I was entitled to pay for the lease, before Paul Glassford, Esquire, and Daniel Carman. Therefore, there is three great errors which Messrs. Mills, Killaly, and Buchanan admits should be settled for; and if Mr. Freeland had come and settled these important items, I would have sacrificed the wharf rather than not settle; but no, Mr. Freeland took shelter behind the wharf, and appears determined to hold on until my creditors get out of all patience and will push me over the awful precipice of ruin and despair; therefore, I do think the Board of Works should not allow an individual to be thus ground to powder to please another individual.

Now, the Board of Works have in their possession, a writing from George Brouse, John Ross, Philip Carman and Daniel Carman, certifying that my damages is at least four hundred and fifty pounds; and I can prove that all the land included in the Deed by Freeland, I could have sold for five hundred pounds before the Canal was surveyed; and Mr. Freeland and Mr. Killaly, the Civil Engineer, gave me their word and honor that I should have the full amount of all the damages in the spring of 1844, if I would give them possession to go to work in the winter of '44; and now to be ground down to one hundred and thirty pounds, after suffering that amount of damages by laying out of the money, it is unreasonable, unjust, and unmanly; therefore, I wish to know if I can get a fair settlement. I am willing to leave the whole to an arbitration, or the items which is not settled, for I do ask and entreat that it may be settled immediately; or if you do not credit my statements, let me know when the Board of Works sits again and I will bring down written

certificates from the witnesses above referred to, but think it is sufficient trouble for me to bring them before the arbitration.

Yours truly,

JAMES COONS.

Thomas A. Begly, Esqr.,
Secretary to the Board of Works.

To the Honorable Board of Works.

Gentlemen,

In the case of James Coons I can bear testimony that Mr. Freeland included in the writings the land sold to Mr. Wood, but omitted the price of the said land sold, which was one hundred pounds.

He also included in his bill of items four pounds for the River privilege, which was not agreed upon, but was left with the wharf for further application. These are errors of great importance to Mr. Coons, and should be rectified.

PETER SHAVER.

To the Honorable Board of Works.

Gentlemen,

In the case of James Coons I can bear testimony, that Mr. Freeland admitted to me that he had included more land in James Coons' Deed than he had settled with him, which error he admitted ought to be rectified.

And that very piece of land so included deprived James Coons of his whole River privilege, and was the most valuable piece of land on this whole section of Canal.

GEO. BROUSE.

8917.

To the Board of Works.

Montreal, November 6th, 1845.

Gentlemen,

Under a direct promise from Mr. Freeland, that I should be paid all the damages done to my premises by the Canal, I gave them possession; the money was to be paid in April, 1844, but Mr. Freeland not fulfilling his promise, I directed a letter to him in rather harsh language; he then came, but was greatly offended, and threatened a prosecution, and, I thought, used every means to coerce me to his terms, and stated that the wharf was a nuisance on Government property, and I was liable to a prosecution if I did not remove it when ordered, and that the Board of Works would not allow him to pay more than thirty pounds an acre for land if it was worth more; and I had been offered fifty pounds an acre years before for the same land. Under such representations he coerced me to a settlement of a part of my bill of damages for much less than half their real value, taking all in consideration, and on the promise of paying all the money in a few days; but he again disappointed me in the money, and the land being staked out, I was under the necessity of selling a piece of land, cut off between the Canal and Road, to Mr. Wood, my creditor, to whom I had promised and owed some of the money. Mr. Wood took a bond, and allowed me two hundred pounds for the said land; the Engineers then took half of the land sold to Wood. Mr. Freeland then agreed (in the presence of Messrs. Shaver, Buchanan and Carman) to pay me one hundred pounds for said piece of land sold the first, being £180, which made £280; the Wharf and River privilege was not included, and one

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item of the lease was forgotten and not included; Mr. Freeland then drew and read a writing for £280, as I understood him, according to agreement, and I signed it,—Peter Shaver, Mr. Buchanan, and others present, and understood it as I did; but when Mr. Freeland came to get the Deed executed I perceived that he had more land included in the Deed than settled for or agreed upon, and had also included the land sold, but had not included the price of the land sold in the writing, but had omitted the one hundred pounds, which left me only one hundred and eighty pounds for the whole front of my premises, and excluded me from the River altogether, and took a property from me worth (according to competent judges, Messrs. Brouse, Ross, P. and D. Carman) at least four hundred and fifty pounds; and I think I can prove it was worth £500 before the survey of the Canal, and Mr. Freeland refused at that time to correct these mistakes, but since has admitted errors, as omissions, but says he has no instructions to settle these errors and omissions, therefore I have been under the painful necessity of travelling 120 miles to lay the whole before your honorable Board, and ask your serious consideration of my cause; and should you want more evidence, I wish to refer you to Peter Shaver and George Brouse, Esquires, who are here in town, and are ready to testify to some of the principal errors above stated, enough to convince your honorable Board that I have just cause to complain sincerely and bitterly. I have other papers that are evidence, and am ready to give any explanation required, for all I want is a fair and just settlement by arbitration, and if you think there is any thing wrong on my part, I am ready and willing to reconsider every item, and leave the whole to be decided by an arbitration, honestly and fairly. It is all I ask, and hope in justice you will grant it.

Mr. Freeland also included four pounds for the River privilege, in order to deprive me of that claim, which I think was gross injustice. I refer to Mr. Shaver as witness to this, for I never agreed to it; also the price of land included by Mr. Freeland, which was not settled for, included the whole River privilege, and was the most valuable piece of ground in that whole section; for evidence I refer to George Brouse, Esquire; all of which I submit to your serious consideration, hoping that your honorable Board will grant speedy relief and justice to their humble servant.

JAMES COONS.

T. A. Begly, Esqr.
Secretary.

Please to excuse any informality in my writing, as I am not accustomed to such business.

Matilda, 5th November, 1845.

Sir,

I understood of Wm. Freeland, Esquire, and others, in the winter of 1844, that in the spring he was to effect a final settlement with you for all damages that you would necessarily sustain by the improvements of the St. Lawrence Canal, and to my knowledge such has not been done as yet.

I am,
Your very obedient servant,
JNO. S. ROSS.

Mr. Jas. Coons, Matilda.

8719.

To the Honorable Board of Works,

Gentlemen,

As proof of my statement handed to Mr. Begly yesterday, I beg to refer you to the within, given by Peter Shaver and George Brouse, Esquires. I was of

opinion that they would be called on personally to give evidence, but Mr. Begly informed me that they should give it in writing to lay before the Board, which is the reason that it was not given all at one time.

Yours truly,
JAMES COONS.

8829.

Matilda, November 18th, 1845.

Sir,

If I remember right you gave us to understand on Saturday the 5th, that on Wednesday the 12th I might expect an answer to my claim for damages done by the Canal; but not receiving an answer to this date, I think there is something radically wrong somewhere, for after waiting for my honest due nearly two years, and travelling 120 miles to bring evidence to prove the justness of my claim, and after all got no answer, it appears like adding insult to injury: and I would like to know if the Board of Works intend to settle and pay, or not, at once, and not be kept in suspense.

Yours truly,
JAMES COONS,

Thomas A. Begly, Esquire,
Secretary to the Board of Works.

8945.

Matilda, Novr. 26th, 1845.

Sir,

I received yours of the 22nd instant, concerning my claims for damages done by the Canal, in which I find this remarkable sentence, viz: I am directed to state, that the fact of its having already been arbitrated on was overlooked at the time, and consequently at a late meeting of the Board, it was decided that the matter cannot admit of a second arbitration.

Now, if I understand you right, you say it is a fact that my claims for damages done by the Canal has already been settled by arbitration; I deny it positively, it never was settled by arbitration,—and I call on you to prove it, name the arbitrators, the time, the place, the award; if it is a fact, it can be made appear. I requested an arbitration at different times, but never could get one; there was an agreement between Freeland and myself for part of my claims, but Freeland deceived me in not making and reading the writing correctly, which was in the presence of Peter Shaver, Esquire, and others, (whose statements are before the Board) but Freeland never lived up to that agreement, incorrect as it was. I am of opinion that Mr. Freeland has represented to the Board of Works that through the disappointments, losses and crosses, by not getting my money for the damages, together with damages done by Canalmen to fence and crop, that I am so reduced that I would not be able to commence a suit at law,—consequently I will take any amount that he or the Board will offer; but I believe in a Providence, and means will be provided. Although the Board may deny me the right of an arbitration, they cannot deprive me of the right of trial by Jury, nor laying the whole before the Public and the House of Assembly, and let the Country see if the House will admit or permit the Board to descend to such means, to wrong and oppress individuals, and deny them the common justice, and endeavour to ruin them forever, and that too at the expense of the public. It is gross injustice, and should be exposed before the world.

Yours respectfully,
JAMES COONS.

Thomas A. Begly, Esqr.
Secretary to the Board of Works.

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9088.

Cornwall, 13th December, 1845.

2nd June.

Sir,

We have to request that you will lay the accompanying representation before the Honorable the Chairman of the Board of Works.

We have the honor to be,

Sir,

Your obedient and humble servants,

MACDONALD & MACDONELL.

T. A. Begly, Esqr.
&c. &c. Montreal.

(Enclosure.)

To the Honorable Hamilton H. Killaly, Chairman of the Board of Works, &c., &c., &c.

Sir,

We have been employed professionally, by Mr. James Coons of Matilda, County of Dundas, to bring his case before you once more, with a view of procuring a settlement of his claims, without resorting to a suit at Law, which he feels loath to resort to, and which we feel confident from your sense of justice, you do not desire to involve the people of the Country in, unless unavoidably compelled. On reference to the last communication from the Secretary of your Board, we find that an arbitration is refused him, (after having previously intimated by the preceding letter from the Board to him that one would be gone into,) on the grounds that his case had already been arbitrated upon. Now, at the outset we take leave on his behalf, from a review of all the papers and copies on the subject, to deny that this has been the case; we apprehend that our client has never fully brought the merits of his case before you, else the matter would not now need our intervention. From our instructions we gather that he is the owner of part of Lot number twenty-three, in the front concession of Matilda; that some time in January, 1844, Mr. John S. Killaly, Civil Engineer, accompanied by Mr. William Freeland, "Government Valuator and Arbitrator," came on his premises, and stated to Coons, that it was the intention of the Board of Works at once to commence operations for the Canal, on his property, and as at that time it was almost impossible to appraise the value of the land required; and to assess the damages, the same should be done in the following spring, and wished him to acquiesce in this, which he did; the public works accordingly commenced there, and excavation made through part of his freehold; that in the ensuing spring and part of the summer, no disposition was evinced to settle his claims. On the 13th July, 1844, Mr. Freeland called upon him, and after some preliminaries, and under the impression formed from information obtained from the best source, as he conceived, that no more land would be taken from him, on the North side of the Canal, than sufficient for the embankment, tow path, room for the lock-house, and the exact quantity required for the new road—a strip of land 60 feet wide, he on that day signed a letter to the valuator, Mr. Freeland, agreeing to take £27 10s. per acre, for the land required, besides partially providing for compensation for other damages; this letter was signed in presence of respectable persons; he can prove by them, that he protested against being considered as assenting to allowing any more of his land, than for the mere purposes as aforesaid, go at that price; he desired also to be considered as not barred for claims arising from the interruption of a lease which he had given to certain parties, for being deprived of access to the River, for the Wharf which he had erected on his own premises, and the removal of certain buildings and tenements; he avers that Mr. Freeland said he had better sign the letter, as he and the power he represented could do what they liked; conceiving that he had guarded and

protected his interests, as mentioned he signed this letter. That in order to settle the question, as to the exact quantity of land required, and establishing at the same time the correctness of his impression in respect of the same, your honorable Board, by one of your Engineers, Mr. W. O. Buchanan, staked out from the North East angle of his lot a line up to the West corner of the same, giving our client notice, that the public claimed no more from him; and thereupon he immediately parcelled out the whole block on his front, north of the Canal, up to the new road, into village lots; that to shew your honorable Board, that affairs were by no means settled between your agent and our client, the former on the 25th October, 1844, gave him a paper writing as follows: "I acknowledge to have received from James Coons a certificate for £50, being for the money advanced in July, and *this does not interfere with any of his claims whatever.*"

That sometime in the month of September or October, 1844, J. B. Mills, Esquire, came on, and changed Mr. Buchanan's survey, and ran off more than half of the block, which he had laid out into village lots, on the South side of the road to the North bank of the Canal, comprising an acre of land or thereabouts, stating that this would be required for lock-house, hydraulic privileges and appurtenances. This was a new feature in the affair, and totally unexpected to our client, and he protested against it, stating that he had given a bond for a deed, for this extra portion of land, valued at and worth £100. Mr. Mills stated, that he must get it back and deed it to the Board. Matters stood thus, until our client and the valuator came together in November following, when the latter agreed to give £100 for this land, in presence of witnesses, (we submit that this would not have been done, had Coons and he agreed to the appropriation of this land, when the arrangement at the rate of £27 10s. per acre was entered into,) for other items £180, in all £280, excluding and agreeing to leave for further settlement his claims on the leased premises, consenting to lease out of the deed to be given to the Board of Works, a piece of land 80 feet in width running from the East corner of his lot Westerly, to the East corner of Mr. Mills' survey, for lock-house, &c., as aforesaid, in order to leave him access to the River, without trespassing upon others. A bond was then signed by our client, and read to him as guaranteeing the payment of £280, or so understood by him and Peter Shaver, besides other gentlemen; subsequently on calling at the Conveyancer of the Board's Office to execute the deed,—in that deed the consideration money was £100 less than agreed upon, the reserve on the River front included in it. As well might the consideration money have been only 5s.; as well might it have included other lands not previously mentioned, as to decrease the amount, and include that which was to have been left out.

From all this, it will appear that there remains a settlement to be effected with our client, which ought more properly to be the subject of an arbitration than a suit at Law; the former he is of course entitled to by the Statute, or rather was entitled to on the taking possession of his property; the time, however, has been sufficiently extended, by the same Statute, to admit of one, and we entreat your honorable Board to give directions for the same, and at the same time save our client the expenses and delays of a Law suit.

All which is respectfully submitted.

MACDONALD & MACDONELL,
Solicitors & Counsel.

Cornwall, 13th December, 1845.

8496.

JAMES COONS' CASE.

He owns the West $\frac{1}{2}$ of Lot No. 23 in the 1st concession of the Township of Matilda, bounded by the water's edge, where the Canal terminates, and where the Lock, Wharf and Mill Seat will be.

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The public road had to be removed back, crossing his land and leaving a portion of it between it and the River. At first, it was supposed by the Engineers, that most of that portion would be required for Canal purposes; consequently on the 13th of July 1844, I arranged, and got his written agreement, as follows:—

“ I hereby agree to give the Board of Works whatever land they may require of my Farm, for the use of the Canal and Road, &c.; and will give a clear legal title to the same. The Board of Works then paying me at the rate of twenty-seven pounds ten shillings per acre; meantime I allow the Contractors free permission to go on with the works. I also agree to take £5 for removing Stables and Logs, and 4s. per rod. 18 for fencing, say 40 rods; for 4 Apple trees, a group of Plum trees, and 12 Current bushes, £11 10s.; for removing Sand and Kiln, £8; for damage to Garden in crop, £4; for one Log house, £32; back Shed to same, £5; for removing half of Wharf £20; and these payments in full of all damages. Witness my hand, this 13th day of July, 1844.

(Signed,) JAMES COONS.”

(Signed,)

Peter Shaver, Witness.

It being understood that we would take all the land South of the line of new Road; afterwards, the Engineers considered that they could dispense with a good part of said land, and told Mr. Coons so. Shortly after this, however, they found they would require more than they had mentioned; Mr. Coons then pretended that he had made a sale of that which the Engineers said they would not want, to one of his workmen, for £400. The new arrangement regarding the land rendered a new agreement necessary and much more difficult; however, I got another agreement signed and sealed, as follows:

“ I agree and bind myself to give the Board of Works what land they require for Canal and Road as laid down on the map of the Canal at Point Iroquois, and for all damages whatever, in consequence of the construction of the Canal and Road as now contemplated by the Board of Works, and will give a clear and legal title to the land. The Board of Works then paying me for the whole one hundred and eighty pounds, fifty pounds of which I have received already as per receipts, leaving a balance due me of one hundred and thirty pounds, which, when paid, will be in full for all claims for damages in constructing works on the Canal, and for the change in the public highway as now contemplated.

Witness my hand, this second day of November, 1844.

(Signed,) JAMES COONS.”

(Signed,)

Peter Shaver, Witness.

I got the deed and certificate made out accordingly: he refused to sign them, and said there were more land taken than was pointed out, or he was aware of, and that Matthew Carman was paid for his lease to D. Carman, and he was not. The Engineers maintain that there is no encroachment, no change in the quantity of land taken, than what was shewn and agreed upon, and of course I do not feel warranted to make any more allowance for land. There were 10 years of the lease to Daniel Carman to run at £2 10s. per A., and by a clause in the lease, he (Coons) was entitled to half of the profits of any erection, by paying half of the cost. A Wharf was erected by Daniel Carman, and Coons says he paid Carman £50 as the one half of the expense, and of course was entitled to half of the profits.

I ought to mention, that previous to his signing the last agreement, he was shewn distinctly what land would be taken, and what would remain, and pointed out on the map. The different items of the £180 I jotted down on a slip of paper at the time, and afterwards entered them in my memorandum book, as follows:—

Former Certificate.

This consisted in removing Logs and		
Barns	... ..	£ 5 0 0
Do. removing Sand and Kiln	... ..	3 0 0
Damages to Garden	... ..	4 0 0
Removing half of Wharf	... ..	20 0 0
Other damages	... ..	18 0 0
		£ 50 0 0
To 2 $\frac{7}{10}$ acres Land taken @ £27 10s.		74 5 0
To 80 rods fencing @ 5s.		20 0 0
To 4 Appletrees, 4 Plum trees and 12		
Currant bushes	... ..	11 15 0
To damages from loss of Wharf, &c.	... ..	24 0 0
		£180 0 0

Having reported the agreement to the Board, I could not consistently make any other terms with him. It rests with the Board whether they would hold him strictly to his agreement, or allow him something additional for the loss of Carman's lease, and the Wharf. Might it not be advisable to allow him something in order to settle with him?

WM. FREELAND.

Brockville, 10th Sept., 1845.

8673.

Brockville, 1st November, 1845.

Sir,

I enclose a Certificate for £50, favor Thomas Casselman. The Engineers required an additional 10 feet across his lot, and through his front plot, and we had no alternative but make the best bargain we could.

I was down this week and find that Mr. Coons has had no communication from you to disannul the proposal made to him, if he refused the tender, to arbitrate his claim. This should have been done at once. He would wish no better than get an arbitration, then he would have all his own way. I have already stated that I would not consent to an arbitration, nor go into it on any account; having made a positive agreement with him, which he is not satisfied with, and refuses to sign the Deed. All I wanted to know from the Board was, whether they would be willing to allow him something additional, in order to settle and close, i. e. allow me to arrange with him, but by no means to throw it open to arbitration. The Board say that I have full power to settle all claims; no doubt, and if this were an open claim I would do my best with it, but having made the settlement and reported, I did not think myself warranted to add to it, without the consent of the Board,—that is my position.

Has the Attorney General taken up my reports and given his opinion? If not, I would beg leave again to request the attention of the Board, to consider these cases immediately: if twelve months elapses before a suit against the extravagant awards, wont they be confirmed? Expecting to hear from you specially.

I am, Sir,

Your most obedient servant,
WM. FREELAND.Thos. A. Begly, Esqr.,
Secretary, &c.

7268.

Matilda, June 11th, 1845.

Sir,

I have to acquaint you, that Mr. Freeland refuses to settle with me for the remaining damages, that is, for the Lease, Wharf, River privilege, and the land included in the

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Deed, which was not settled for: pleading as an excuse, that he has no orders or instructions from the Board of Works. Now, I am of opinion that Mr. Freeland is trying to keep it back as long as possible, and will throw every obstacle in the way of a just settlement, for two reasons: in order to keep under pay, and to gratify his spleen for an offence he has taken against me and others; therefore I wish to know if the Board of Works does approve of Mr. Freeland's conduct in taking possession of property and destroying it under a promise of immediate remuneration, and full satisfaction, and then turn round, and vex, harass, and annoy the proprietor to the utmost extent possible. If the Board of Works are satisfied with such proceedings, I want to know it; if not, I hope they will direct Mr. Freeland, or Mr. Mills, to proceed to settle as soon as possible by arbitration, for I want nothing but my right; and as we cannot agree, I ask and demand an arbitration, that it may be manifest who is in the wrong, and that justice may be done to all. I wait your answer as soon as possible.

I remain, yours respectfully,
JAMES COONS.

Thomas A. Begly, Esqr.

7572.

Report of William Freeland to the Board of Works, respecting some claims for damages on the St. Lawrence Canal, and concerning which advice is requested.

There are a few cases where some damage will be sustained, but not until the Canals are finished, by the water rising up a few feet on the bank, but not overflowing any land of value: some people at Point Iroquois will claim damages on account of the change of the Road, and the want of a Bridge at the West end of the swamp. Five individuals own, or rents, some Islands in the River, will not have such easy access to them on account of the Canal;—should such claims be settled now, or if unreasonable, could they not lie over until the damages will be sustained?

A portion of land at Marie Town was laid out in Town lots of about $\frac{1}{2}$ of an acre each, some 20 years ago; but none of those lots next the River have been built upon. The Canal touches nine of them, claimed by 5 or 6 individuals. There is much confusion in the titles, but that we must look into before payment. I believe I could settle for £25 per lot, but I think that too much; still the very arbitration gone, probably they would accord that sum. Would it be advisable to go that length in settling, rather than run the risk of the costs of several arbitrations, &c. as they would not likely agree and unite in one arbitration for the whole?

James Coons. On the 13th July, 1844, made an agreement with him for his damages, afterwards some alteration was made in the quantity of land required. On the 2nd November, I made another agreement, which I hand along with this,—made out the Deed accordingly, but he refused to sign it, then stating that the land taken was not as he supposed, and that no allowance was given for a lease he had given to Daniel Carman for ground at the River side, £2 10s. per annum, and the share of a wharf that he was to have along with said Daniel Carman. No allowance was made for the latter, no doubt, but the land taken is the same as was then stated, and as laid down on the plan. What is to be done in this case?

Daniel Carman, who appealed against the award of the arbitrators, proposes, if agreeable to the Board of Works, to take all the sums awarded except one, viz: the allowance for a lease from Mathew Carman. I would recommend this; it would simplify the appeal, and limit it to one thing.

In November last an arbitration sat on the claims for the Stage House property at Williamsburg; the award was £500 damages, from which I dissented. Would now recommend the payment of the award, as I believe we would gain nothing by an appeal, the property being so much depreciated, and now abandoned as a tavern.

Henry Weager. I made an agreement with him at £25 per acre, for what land would be taken,—for fencing and other damage £65 16s., for this last sum he has been paid: on coming to settle for the land, he was not satisfied as to the amount of damages. I said as I had allowed his neighbours something for their front plots, I would do so to him, and said £20 more; he said this was not enough. I then said, you have gotten £65 16s., the land comes to £21 5s. only $\frac{1}{10}$ acres; suppose I add a little more, and make it £100 altogether which would be £22 19s. He then said "I am satisfied," signed the Deed, signed a Certificate, signed a Receipt in a book in full for claims for all damages. I frequently took a little money with me to settle small claims, and saved the people the trouble of going to the Bank; I then counted out the balance, £21 5s. for the land, and the allowance £22 19s., in all £44 4s. "Oh no, says he, it was £100 additional, I meant," which would have been a great deal more than he had ever asked, which was only £150 for all his damages, and what I was allowing him was £110, (for I was a little out in my own calculation, supposing I was making up £100 in all, when it was 110) only £40 less than he had ever asked. I left the £44 4s. with Mr. M'Donald the Attorney, thinking he would accept of it after I was away, but it seems not. What is to be done in this case? he has got at this rate, as much for his damages as any of his neighbours; he had no front plot, and his house is a good way from the Canal.

Martin Carman has lodged claims for damages, with a letter of explanation, which I lay before the Board, not considering it a case I could take up, without special instructions. We take no land from him, nor touch any property; he took the place merely to do business, in consequence of the works going on.

James Holden. On the 7th inst., an arbitration sat on his claims, when the other two arbitrators, Wm. Matice and J. W. Rose, awarded him £330 in full for all claims. I dissented, considering it too much; and he is not satisfied. If he appeals, the Board can defend, &c., if not, perhaps it might be advisable to pay the amount.

Charles Farren, Farren's Point. Could never come to any arrangement with him, for reasons which it would be tedious to detail: About 14 acres, or near 15, of land will be taken. I hand an amount of his claims; some of them absurd, particularly what he calls the mill site, i. e., where the lock is to be. I presume I have no alternative, but let it go to arbitration. He is the largest owner of land; indeed he is the owner of all the land which the Canal takes there, except a small portion belonging to his son. He talks of making arrangement with the Government, for the water privilege, &c. &c.

An arbitration sat on Dr. Grant's claims, the award £200, much more than all his little property is worth. I dissented; his arbitrator, Dr. Rulling, of Cornwall, would not give up the award until he was paid for his attendance, &c., put it in his pocket, and would not even give me a copy of it.

In all arbitrations that we have had, I am always asked for payment by the arbitrators, for their trouble. I would like to be able to tell them at least, what is the usual allowance, &c.

WM. FREELAND.

Montreal, 15th July, 1845.

Matilda, Nov. 15th, 1843.

To the Honourable Member from the County of Dundas.

Dear Sir,

I beg leave to trouble you with a few lines, for I think that I have some small claim on you, for the Brouse party blame me altogether as the one that turned the Election in your favor, and I have suffered much from them upon that account since the Election, therefore I think that you

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should not altogether forget me, but when you have any parliamentary papers to distribute, I hope you will give me a share; especially, I wish you would send me all the Statutes passed since the Election, if you can conveniently.

Likewise, I wish that you would enquire and let me know how I must proceed to get a deed, title, or privilege, to build a wharf in front of my farm; I have a good wharf on the point in front of my farm, but the Canal takes it all away, therefore I will have to build another just below the point, in the bay, say forty rod along the bank in front of my land, on the south-east corner of the west half of lot No. 23, first concession of the Township of Matilda, which will be at the outlet of the Canal, and it is very necessary that there should be a wharf there; and they tell me that I will not be safe in building a wharf, without a deed from Government, for the water. Mr. Glasford says, in Brockville, Kingston and Prescott they all get deeds or a title from Government for the privilege of the water where they build a wharf there. I wish you would enquire and then write and let me know all about it,—how I shall proceed, and if you have time I would be glad to hear a little about the proceedings of the House, and what they are doing there, for I have not seen any paper that gave much of the proceedings of the House, as I do not feel able at present to take any paper but the Temperance Advocate, which gives but little news. I hope you will write as soon as you receive this, and you will much oblige,

Your most obedient humble servant,
JAMES COONS.

3246. Kingston, 21st November, 1843.

Dear Sir,

I have the honor to enclose a letter from James Coons, of Matilda, requesting me to enquire whether he would be permitted by the Government to build a wharf on the East side of his lands, and also East of where the intended Point Iroquois Canal will intersect the River. I applied to the Attorney General West, who has desired me to refer it to you; please direct your answer to the said individual. I have the honor to be and remain,

Yours, very truly,
JOHN COOK.

The Hon. H. Killaly.

7682.

Matilda, July 31st, 1845.

Sir,

I wish to know if Mr. Freeland has instructions to settle the damages done by the Canal, or not; he tells me he has no instructions to settle my claims, although he frankly admits that he has not settled all my just claims, and has not paid for what is settled for, although he gave his word, with Mr. Killaly, the Engineer, when I gave them possession, that I should have the full amount of all the damages in the Spring of 1844, but have not got it yet, nor a settlement for the Wharf, River privilege, nor the lease to Daniel Carman, a property worth fifty pounds a year to me, at the lowest rate; and to have it taken and utterly destroyed, after toiling for rising of forty years to make it valuable, to have it taken by the strong arm of the Government, and I left to sink under the weight of accumulating wrongs done me by the Government that my father fought for through two wars, and I have fought for, and now to be thus treated, is enough to drive a man down the awful precipice of despair, and cause him to end his existence. I do not wish to be unreasonable; I wish to leave it out to men, and get my just due and no more. Therefore I wish the Board of Works would direct Mr. Freeland, or some other person, to settle my claims as soon as possible, and I will remain,

Yours respectfully,
JAMES COONS.

THOMAS A. BEGLY, Esquire,
Secretary to the Board of Works,
Montreal.

8342.

Brockville, 26th September, 1845.

Dear Sir,

I beg leave to hand you a complaint from James Coons. If the Chairman reported as he states, and meant to convey that I had special instructions to settle with Coons, he must have been under a great mistake; as you very well know that I have long ago, and repeatedly, stated Coons' case to the Board and craved advice, and have never obtained a word concerning it.

When legal questions are involved, and doubtful claims are urged, what can I do but apply for advice? and it is surely the duty of the Board to give it; and if they have no advice to give, let them say so, and tell me to settle the best way I can,—then I would do so. Some time ago you requested me to report separately on all the doubtful cases, and they would be tried before the Attorney General for his opinion; I did so,—and I now refer the Board, and particularly the Chairman, to the Report on Coons' case, and they will at once see that I neither could, nor should, make any new agreements with him, without permission from the Board.

I am, dear Sir,
Yours respectfully,
WM. FREELAND.

THOMAS A. BEGLY, Esquire,
Secretary.

Matilda, September 22nd, 1845.

Sir,

I had an interview with the Chairman of the Board of Works when he was here, and he says that you had instructions to settle and pay every man his damages before the Canal was begun, and he has sent one dozen written instructions since, one at every complaint, and that he would call a Session of the Board of Works and instruct you to settle immediately, or he would have you dismissed, and appoint a man that would settle. He has since written that you have been written to again, and instructed to settle and pay immediately; therefore I wish to know if you intend to call and settle; if not, I must look elsewhere for justice, for I cannot have my property destroyed and taken away, and get nothing but abuse.

Yours in haste,
JAMES COONS.

WM. FREELAND, Esquire.

8602.

Brockville, 24th October, 1845.

Sir,

I saw Mr. Coons a few days ago, who told me he had no advice from you. I am sorry that it has been delayed, as the whole blame is thrown on me. You must give me an official notice to the same effect.

If my late reports have not been taken up by the Attorney General, and his opinion obtained, I beg respectfully to remind the Board that no time should be lost, particularly as to what measures they mean to adopt respecting the awards made last year. Twelve months are allowed by the law to appeal, and I presume, if the time is allowed to elapse, the awards would be confirmed. You have the original awards all with you; lay them and my report, &c. before the Board, and let them decide at once what they will contest, and what they will pay. Some of the parties actually told me that they expect that the time will elapse, and they will of course obtain the amount by default. The necessity of immediate attention to those cases is obvious.

I have already mentioned that there are several proprietors who have not sustained any damage as yet, but whose premises will suffer more or less when the Canal is finished and filled: some proprietors at Matilda, have tanneries, &c. (but whose grounds we do not touch;) but they will suffer some inconvenience when the Canal and Road is finished. All I have conversed with ask exorbitant damages. There is a Tannery on the bank of the Canal, at Maria Town, which will require to be raised a few feet; I think £40 or £50 would do the business; the

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proprietor asks £200, and says he thinks that too little. I would beg leave to suggest for the consideration of the Board, whether it would not be better to instruct me to let all such cases lie over, until the actual damages can be ascertained, and about to be incurred; by that time, in all probability you would have the new Bill passed, and the Commissioners would soon settle such claims; whereas if I am to close them just now, the most of them would have to go to arbitration; and we know the general consequences of such proceedings as the law now stands. The attention of the Board to what I have stated, and your speedy reply will greatly oblige,

Your most obedient
Humble servant,
WM. FREELAND.

THOMAS A. BEGLY, Esquire,
Secretary, &c. &c.

129. Board of Works,
Kingston, 8th January, 1846.

Sir,
With reference to your letter of the 30th ultimo, I am instructed to say, that from the representation made by Mr. Morris, the Board entertain no doubt of your competency to act as valuator on their part, of the several pieces of land required for the location of the works of the improvement of the navigation of the St. Lawrence below Prescott: With respect to the nature of the duty, the Board beg to refer you to Sections, 19 and 20, 4 and 5 Vic. chap. 38; from it you will perceive, that as we want the right of immediately entering on the several properties, the course provided for us by law, is either (Sec. 19.) to "agree" with the proprietors thereof, or, in case of not being able to come to such amicable arrangement, (by Sec. 20.) to make a legal tender of the reasonable and probable value of such property, with a notification that the Board will submit the value thereof to arbitration; upon such notice being served, we are authorized to enter upon the property, and are required to name one arbitrator within three days: Now the Board desire to avail themselves of your services and knowledge of the country, first, by immediately going over with the Engineer or his Assistant, who will point out the several properties, and making a schedule of the rates per acre, you consider the lands worth. Upon receiving such valuation, the Board will immediately make tenders founded thereon to the several parties, and if accepted, all further trouble is then over; if they are not, the Board will then make the legal tender, and notify them of having appointed you arbitrator on the part of the Board: the further steps are pointed out in the 20th Section of the Act referred to.

The Board find it must conduce to the public interest in every instance, where it is possible, to agree amicably with the parties; which course, therefore, they wish you to endeavor to adopt as generally as possible, even yielding reasonably, in preference to driving the matter to arbitration, when, in nine cases out of ten, a leaning is exhibited to the individuals at the expense of the public.

These instructions, especially the latter part of them, you will be so good as to consider strictly confidential; for, if made public, the chances of private agreements would be much lessened.

As there are a great number of men unemployed, the Board are most anxious to have the works commenced as soon as possible, and therefore request you will proceed to act in the matter at your earliest convenience.

I have the honor to be, &c. &c.
(Signed,) T. A. BEGLY,
Secretary.

W. FREELAND, Esquire,
Brockville.

Copy of agreement between William Freeland and James Coons.

I hereby agree to give the Board of Works whatever land they may require, of my farm, for the use of the Canal and Road, &c., and will give a clear legal title to the

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same; the Board of Works then paying me at the rate of twenty-seven pounds ten shillings, per acre; meantime I allow the Contractors free permission to go on with the works.

I also agree to take five pounds for removing stable and logs, &c., 4s. per rod for fencing, say 40 rods; for 4 apple trees, a group of plum trees, and twelve currant bushes, £11 10s.; for removing sand and kiln, £3; for damage to garden, in crop, £4; for 1 log house, £32; back shed to same, £5; for removing one half of the wharf, £20; and these payments in full of all damages.

Witness, my hand this 13th day of July, 1844.

(Signed,) JAMES COONS.
(Signed,) PETER SHAVER, Witness.

Matilda, 26th July, 1844.

Received from the Board of Works, per William Freeland, fifty pounds of the within agreement.

(Signed,) JAMES COONS.

Copy of Agreement of James Coons.

I hereby agree and bind myself to give the Board of Works what land they require for Canal and Road, as laid down on the Map of the Canal, at Point Iroquois, and for all damages whatever in consequence of the construction of the Canal and Road as now contemplated by the Board of Works, and will give a clear and legal title to the land; the Board of Works then paying me for the whole, one hundred and eighty pounds; fifty pounds of which, I have already received, as per receipt, leaving a balance due me of one hundred and thirty pounds, which, when paid, will be in full for all claims for damages in constructing the works on the Canal, and for the damage in the public highway as now contemplated.

Witness, my hand this second day of November, 1844.

(Signed,) JAMES COONS.
(Signed,) PETER SHAVER, Witness.

(Copy.)

5870. Board of Works, Montreal,
23rd April, 1845.

Sir,
In reply to your letter of the 10th inst., relative to the non-payment of your claim for land taken for the Williamsburg Canals, I am to inform you that Mr. Freeland, previous to leaving for Europe, gave the Board to understand that the matter had all been agreed to, and that nothing prevented your getting the money, so soon as the deed was signed. He likewise stated that he had left the deed with Mr. McDonald, of which circumstance you were aware. I am directed to state that the Board regret much that delay should take place in the payment for any land taken by them, but under the present circumstances, and particularly as money has been paid on account, they see no way in which the matter can be arranged satisfactorily, until the arrival of Mr. Freeland, who is expected here immediately. Upon his arrival, the Board will take care that no delay shall occur in the settlement of the matter.

I am, Sir,
Yours &c. &c.
(Signed,) T. A. BEGLY,
Secretary.

MR. JAMES COONS,
Matilda.

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6837.

Board of Works, Montreal,
2nd October, 1845.

Sir,

In further reference to your applications for a settlement of your claims against the Government for land &c., taken for the Williamsburg Canals, I have the honor to inform you that Mr. Freeland has this day been written to, to make a tender for the same, which, should you decline to accept of, he has been instructed to name an arbitrator and proceed at once to arbitration. Should you adopt the latter course, I am directed to acquaint you that the Board cannot acknowledge any claim which you may set up, to a right for a wharf, nor can they consent to any remuneration being allowed to you for the removal thereof, it being the opinion of the Crown Officer that no such right exists.

I am, Sir,
Your obedient servant,
(Signed,) THOMAS A. BEGLY,
Secretary.

MR. JAMES COONS,
Matilda.Extract of a Letter to Mr. Freeland, of 2nd October,
1845.

"I am directed to request that you will please make Mr. Coons a tender of the money, and inform him, in case of refusal, that the Board are ready to proceed to arbitration, if he does not accept of your offer; and request him to name his arbitrator. I enclose to you a copy of a letter written to him, from which you will perceive that in case of arbitration, the Board will contest any right to a Wharf which he may pretend to, nor will they allow any remuneration for its removal, unless such right is conveyed in the Patent from the Crown."

(Signed,) T. A. BEGLY,
Secretary.

(Copy.)

6870.

Board of Works, Montreal,
9th October, 1845.

Sir,

Your letter of the 8th inst., to the Hon. Mr. Morris, upon the subject of Mr. Coons' claim, having been referred to this Department, I am directed to draw your attention to the concluding portion of your report upon that gentleman's claim.

"Having reported the agreement to the Board, I could not consistently make any other terms with him. It rests with the Board whether they would hold him strictly to his agreement, or allow him something additional for the loss of Carman's lease and the Wharf. Might it not be advisable to allow him something in order to settle with him?"

From the foregoing it would appear that the case was still an open one, and the only course which the Board considered they could take, was that adopted, namely, to make a tender to Mr. Coons, and in case of refusing it, to go to arbitration. The Board will be glad to hear from you on the subject, and to be informed what course you consider should be taken. I am instructed to say that it is very desirable that any of the outstanding claims should be settled without delay, as the Board conceive that parties from whom the land has been taken, and who remain unpaid, have just cause of complaint.

I have the honor, &c. &c. &c.,
(Signed,) T. A. BEGLY,
Secretary.

W. FREELAND, Esquire,
Brockville.

(Copy.)

7024.

Board of Works, Montreal,
22nd November, 1845.

Sir,

With reference to a letter addressed to you on the 2nd ultimo, stating that Mr. Freeland had been instructed to arbitrate upon your claim against the Board, I am directed to state, that the fact of its having been arbitrated on already was at that time overlooked; and consequently at a late meeting of the Board it was decided that the matter cannot admit of a second arbitration.

Mr. Freeland has accordingly been written to, to settle your award, by granting the necessary certificate.

I am, &c.
(Signed,) T. A. BEGLY.

MR. JAMES COONS,
Matilda.

(Copy.)

7449.

Board of Works, Montreal,
29th January, 1846.

Sir,

With reference to your letter of the 19th instant, relative to the claim of Mr. Coons against the Williamsburgh Canals, I am directed to inform you that the Board consider you should tender the amount originally agreed upon, and to which, you say, Mr. Coons gave his consent.

Should it appear that any more property has been taken from him, or damage done to his premises subsequently to the agreement referred to, you are authorized to settle for it separately.

I am, Sir,
Your obedient servant,
(Signed,) T. A. BEGLY,
Secretary.

W. FREELAND, Esquire,
Brockville.

(Copy.)

7360.

Board of Works, Montreal,
15th February, 1846.

Sir,

The subject of Mr. J. Coons' claim for compensation for loss sustained by him in consequence of the construction of the Williamsburg Canals, was, on a letter from that gentleman's Solicitors, again brought under the consideration of the Board, who were surprized, and regretted that the case was still unsettled. I am now directed to urge upon you the absolute necessity of coming to an immediate settlement with Mr. Coons, if it can be done within what you consider reasonable compensation, as, if he is not settled with at once, the Board may be involved in a law-suit; and I am further to inform you, that if the Board do not hear in a day or two that the matter has been settled, they will be driven to adopt the course of arbitration, which they have heretofore, at your special recommendation, avoided.

I am, Sir,
(Signed,) T. A. BEGLY.

W. FREELAND, Esquire,
Brockville.

9331.

To the Honorable Hamilton H. Killaly, Chairman of the
Board of Works.

Sir,

We regret to state, that we have learned from our client, James Coons, of Matilda, that Mr. Freeland has not com-

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plied with your instructions, which we infer from the communication to us from your Board, in bringing his case to to a close; he has only offered to settle on the terms which induced Coons, through us, to appeal to you. From this we see no alternative but by suit or arbitration; the latter would be the best mode for all parties, and if Mr. Freeland can shew, to the satisfaction of the arbitrators, that Coons agreed to take a certain and stipulated sum, which he was ready to pay on the part of the Board, then of course the award must be for that sum and without costs; and we can't see why Mr. Freeland withholds this mode of deciding the matter. We therefore again appeal to you for further and final directions to Mr. Freeland or other Agent on this subject, as well as respecting the claim of Mr. Henry Wenger, of Williamsburg. All which is respectfully submitted.

MACDONALD & MACDONELL.

Cornwall, 9th January, 1846.

9699.

Brockville, 12th February, 1846.

Sir,

I wrote you on the 7th, handing you copies of two awards with evidence taken thereon, &c., &c. I now enclose a list of all that are not finally closed and settled, and shall add a few observations, which I hope will enable the Board to understand the true position of every case.

George Spottswood. Can add little to what is stated in the list; what is to be done with him?

James Jessup has hinted something about the Board having no right to take land but for Canal purposes; and I think has some idea of disputing the right to take land for Mill sites, &c.

James Coons. The Board are in possession of copies of the agreements made with him, both of which are in full, and when shewn to the Attorney General, he said the agreement would settle the matter at once, and no explanation would be allowed in Court. On receipt of your communication of the 15th ultimo, urging an immediate settlement in order to avoid a Law suit, or an arbitration, I tried to settle with him by proposing additional allowance, in order to close; he would listen to no terms, but insisted on an arbitration, which I have told the Board already I would never consent to,—throwing the whole matter open after positive agreements. However, in order to put an end to all cavils about misunderstanding, &c., I went to Peter Shaver, who was present at the agreement and signed it as a witness; I made him put down in writing his views of what he thought the agreement should have been, which came to £50 more. I then wrote a few lines to Coons quoting Mr. Shaver's words, (without admitting the construction). I made a final proposal to him, that I would add the £50 on his signing all the documents, if not accepted I would fall back on the written agreement. I gave him a week to say aye or no. On the last day of grace I got a long letter half agreeing, but pleading the consideration of this and that; I replied by refusing all farther discussion, accept or not accept,—I think he will; if not, let him seek his remedy, he can never make out a case against the Board. The amount agreed for I consider an ample remuneration. I question if there is an individual on the whole line whose remaining property will be more enhanced in value. Should he trouble the Board with any more complaints or proposals, just tell him he has made an agreement on full remunerating terms, and he must abide by it.

James Fraser, a poor old dissipated creature, mostly under the influence of liquor.

Philip Stata. Could his case not be kept in abeyance until the damage be sustained and seen? Mr. Mills thinks the Watering privilege will not be injured at all.

William Kyle's Tannery. Could not this lie over also, if we cannot settle on reasonable terms? Should the new Bill pass, Commissioners would soon settle such claims. The tenant is already suffering from the banking across the Bay, taking the water so far away; Mr. Mills is of opinion that they have no legal claim for damages in such

a case, the Government having a right to do with the River as they please. Is it so? Still I think the poor man should have a reasonable compensation for the loss he sustains. As to the Tannery, I think about £100 would put it in a better state and above the water of the Canal.

Henry Wenger. This case is also before the Board, fully, and I have no hesitation in saying, that I consider £110, although not extravagant, yet a fair and full compensation for his damages; and coming so near his first original asking, is presumptive proof at least, that I am not far wrong. I had his written agreement—so much for land, removing building, &c. I had added something to his neighbours, and said I would do the same to him, and put down £20; no, says he, that is too little; well, suppose I add a little more (£2 19s.) and make an even sum £100 altogether with what you have got; agreed, says he, and signed all the documents. When I produced the balance of £44 4s., Oh no, says he, it was £100 additional I was to get! This is evidently absurd; would I jump at once from £20 to £100, going a good way beyond what he had ever asked? I left the money with Mr. Macdonell, we both thinking he would accept. You have the deed and certificate, and all appears to be settled; but there it is, and what is to be done? If a few pounds more would settle it, it might be advisable; but no, he is wild now, far beyond what he asked at first; give him an arbitration, &c., &c.—we have got enough of arbitration; my opinion is, that if he troubles the Board, say to him that he has made a settlement, and must abide by it. Should you get a Board of Commissioners appointed, as I trust you will, let them rejudge the case and report.

Wm. Mattice of Cornwall, as I have already reported, purchased a place to do business during the progress of the works; the Canal takes a few feet of the ground, and of course we must settle for damages; but as he had to remove in consequence of the Road going behind, claims for loss of business, &c. He would not accept of my offer, and proposed arbitration, naming Dr. Rattery of Cornwall as his man—a fire brand as we have already experienced. However, I met Mr. Mattice the other day, and he said he would take £75, to which I agreed, considering of two evils to chose the least: Let it go to arbitration, and he would get all he claimed, more especially as he could shew that Mr. Mills gave it as his opinion, previous to the purchase, that the Road would likely continue in front.

Charles Farren's case is before the Board in the award,—exorbitant; had they allowed a moderate sum, say £200 or so, for the House, and nothing for supposed Mill privilege, I would have agreed in order to settle it, although the land, &c., are valued high. Mr. Farren owing all the land along the line, the value of which will no doubt be increased in consequence.

I have thus gone over all the cases that remain unsettled; I think the Board will easily understand them. I beg they will give them their consideration, and favor me with their opinion and advice. Arbitrations let us avoid if possible; I think we are done with them; the sooner you get that put out of the Statute the better; no matter whom we select, I find all go the same way.

Mr. Begly, your Paymaster, left with me £1, with some receipts for a Mr. Burrel (one of the arbitrators in Spottswood's case) to sign; calling at his place, I find he has gone back to Kemptville. I will endeavour to send it to him.

When you write me, please send me up the award in Spottswood's case, or a copy of it; I find I have no duplicate; and the blank deeds I left with you I wish you to send up with the Paymaster, or any opportunity; please remember this.

I am, Sir,

Yours respectfully,

WM. FREELAND.

Thomas A. Begly, Esquire,
Secretary, Board of Works.

P. S.—It was hinted also at our arbitration at Farren's Point, that the Board of Works had no right to take land for Mill sites, &c.; so you may look out for opposition on that point.

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2nd June.

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(X. X.)
2nd June.

LIST of CLAIMS for DAMAGES yet unsettled along the line of Canals at Gallops, Point Iroquois, Rapid Plat, and Farrer's Point.

Names of Claimants.	Nature of Claims.	Amount claimed.	Amount offered or proposed, &c.	Remarks.
AT GALLOPS :—				
George Spottswood ...	For land and damages ...	No amount claimed	£145 awarded by arbitration	Refuses to accept. Won't state what he wants. Have notified him that we were ready to pay him the amount when he would sign the deed and necessary documents. Said he would not give a deed.
James Jessup ...	For land and mill site, &c. ...	No amount claimed	Made a tender for the land	This claim I understand the Board is proposing to arrange.
AT POINT IROQUOIS :—				
James Coons ...	For land and damages ...	£485 claimed	Agreed for £180	The particulars of this case are fully before the Board in former reports.
James Fraser and Dr. Wylie ...	For land taken ...	No amount claimed	Agreed for £20 per acre	The fee simple for this land is in Dr. Wylie. Fraser is life rented. Deed made out in 1844, but Fraser would not sign over his right unless he was paid the whole amount. Wylie offers him the interest as long as he lives. Cannot settle this until they agree betwixt themselves.
AT RAPID PLAT :—				
Philip Stata ...	For loss of springs and mill site, &c. ...	£300 claimed	£107 10s. awarded	See copy of award furnished.
William Kyle and Wm. Bradbury ...	For two lots in Maria Town ...	...	Amount agreed upon	The title is disputed: whoever makes good their claim will be paid.
William Kyle ...	For damage to Tannery when the Canal will be filled ...	£104 0s. 4½d. claimed	Offered to pay for raising building, putting in new vats, and allow him one year's rent, £10	His Tannery is in the Bay at Maria Town, let to a tenant at £10 per annum. When the Canal is filled, will flow up on it a few feet. It is an old wooden building.
Henry Weeger ...	For land and damages ...	£150 claimed	Settled with him for £110	Signed all the deeds and documents, but refused to take the balance, alleging that he was mistaken, &c. See my former Reports.
William Matice, Cornwall ...	For land and loss of business ...	£125 claimed	Offered him £50	This is in the way of settlement.
FARRER'S POINT :—				
Charles C. Farrer ...	For land and damages ...	£1405 claimed for land and damages, and £300 for mill site, &c. ...	£1400 5s. awarded	See copy of award furnished.

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2nd June.

To the Honorable Hamilton H. Killaly, Chairman of the Board of Works, &c. &c. &c.
Sir,

We beg to bring under your notice that on the 9th ultimo, we addressed you further on the subject of the claim preferred by Mr. James Coons of Matilda (for Land appropriated for the St. Lawrence Canal, and respecting which he represented, through us, the conduct of Mr. Freeland) and in which we expressed our fear that Mr. Freeland would not bring the matter to a termination, and we at the same time submitted, for the reasons then stated, that Mr. Freeland might be directed to submit the matter to arbitration: In reply we were informed, under date of the 12th January, that this communication of ours would be brought before the Board at an early meeting.

We therefore take the liberty of stating that we have anxiously waited for this decision of the Board, as a contingency which will either lead to a final and amicable adjustment of Mr. Coons' claims, or a law Suit, which we again repeat Mr. Coons is desirous of avoiding, unless compelled. We trust we may be permitted to say, that seeing Mr. Freeland and Mr. Coons are not likely to agree, we do not see why the Board of Works will not at once direct an arbitration under the Statute. Again, Mr. Coons is further willing, in order to the arrangement of his affair, to arbitrate with the Board as a Corporation, and enter into a regular submission for that purpose; this certainly is not unreasonable, and ought to be met with in a corresponding spirit by your honorable Board,—nor does it appear objectionable, for Mr. Freeland ought not to be an arbitrator, (mixed up as he is with the transaction,) and which he would be, were an arbitration had under the Statute.

All of which is respectfully submitted.

MACDONALD & MACDONELL.

Dated the 16th February, 1846.

10256.

Remarks on Macdonald & Macdonell's Letter to the Chairman of the Board of Works, dated 13th December, 1845.

In general it is a tissue of falsehoods from beginning to end.

The first complaint about delay, what is it? He was suffering less than most others: I arranged with him as soon as I could overtake it,—on the 13th July, 1844. The original agreement I now enclose. What follows about reservations and future claims, &c. I deny: I considered it a final settlement for all damages, as the document itself expresses. The quantity of land not being ascertained, or the bounds fixed, was the occasion of the delay, and has been the cause of much of the trouble.

With regard to stipulating what quantity of land would be taken, I neither did nor could do any such thing; so far from stating that the mere quantity for embankment would be required, I recollect distinctly that both Mr. Shaver and I stated that we thought that all would be required south of the new line of road, and the agreement evidently implies that, for every thing on the surface of that portion of the ground was valued.

Being clamorous for money, on the 26th July, I advanced him £50, and took his receipt on the back of the agreement.

The inference drawn from the receipt I gave Coons on the 25th October, is equally false and without foundation. I wanted the £50 I had advanced him, and made out a certificate for a few of the items in the agreement; but before he would sign it, he must have an acknowledgment that it would not interfere with the remainder of his damages; but whatever construction could be put upon that,

it was undoubtedly set aside by the subsequent agreement in November, which I also enclose; this second agreement was rendered necessary by the alteration of the bounds,—first, so much would be required, then less,—and then more again. In the interim Coons pretended he had made a sale of that portion that the Engineers said they would not want,—he had given a bond for it, I believe; but it was to one of his own men,—a mere sham, in my opinion, in order to obtain more damages.

Regarding the second agreement,—statements equally false are set forth:—£100 no doubt was asked for that portion of the land that he pretended he had sold; but that I agreed to it, is any thing but true; I said I would not allow any more than £27 10s. per acre, which was the highest I had given on the whole lines,—but I would enlarge on some other items, and did so to the amount of £180 in all, which was assented to. I made out the agreement accordingly: read it distinctly aloud, handed it over, and they signed it. To say that the amount agreed upon was £280, is equally base as it is false; that I would agree with them for one thing, and cheat them by getting them to sign for £100 less,—absurd!

All those figments about reservations, further settlements, &c. are refuted by their own acts. Why repeatedly sign agreements in full for all damages? Besides, £280 is more than was ever asked: as I have already mentioned £100 was wanted for the land the Engineers said they would not require,—other items as per former agreement were to remain the same. It must be observed that about one half of the land that he pretended he had sold, remains in his own possession still, which includes the House and appendage, which was valued at £35. See copy of the map which I also enclose. But there is no end of refuting and answering such stuff: here is a written document signed, sealed and witnessed, agreeing for a certain amount in full of all damages whatever, deliberately executed, and I have no hesitation in saying that I consider it a full equivalent for all his damages. I question if there is an individual on the whole lines, whose property will be more benefitted by the public works than James Coons': witness his own statements about village lots, &c. I have heard disinterested people repeatedly say, that although he had not got a farthing of damages he would have been a gainer.

Shortly after this last agreement, we had several arbitrations, and finding how some of them went—Coons thought if he had got an arbitration he would have obtained a great deal more, and this has been his drift ever since, trying to muster up things not settled for, in order that he might get an arbitration, and obtain as much of the public money as he could.

The fact is, he has been too much indulged and tampered with: he should have been held to his agreement at once.

When I received the instructions of the Board, dated 15th January 1846, expressing surprise and regret that the case was still unsettled, and urging an immediate settlement if I could obtain it within reasonable bounds,—I immediately went to him, but not a proposal would he listen to,—nothing but an arbitration. I then called on Mr. Shaver (as he had been saying there was some mistake) and got his sense of it, and the utmost he could make of it was £50 more than the agreement, (although I could shew some of his views wrong also;) still I made him put it down in writing, which he did as follows:

(Copy)

"My opinion is that if Mr. Freeland pay James Coons, £230 will be about what was agreed upon at the arrangement in Mr. Carman's, as I understood the amount.

(Signed,) "PETER SHAVER.

"Matilda, 28th January, 1846."

I immediately wrote James Coons as follows:—

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" Brockville, 29th January, 1846.
" Sir,
" I have referred to Mr. Shaver what was his opinion
" the amount should have been, and the following is what
" he states."—Copied as above.

" Now, although I do not admit any such understand-
" ing on my part in the agreement which you signed, I
" shall make this proposal, allowing your own construc-
" tion as expressed by Mr. Shaver: When you execute
" the deed, and sign the necessary documents, I shall
" give you a certificate accordingly, that is, £50 more;
" the balance will then be £180, instead of £130, as ex-
" pressed in the agreement: I make this as a final pro-
" posal, and can have no further alteration on the sub-
" ject. If you do not accept, I shall fall back on the ori-
" ginal agreement. In order to satisfy yourself, you can
" call on Mr. Shaver, who will confirm his statement; and
" in order to satisfy yourself with regard to the deed, you
" can call upon Mr. Buchanan, he will give you a correct
" copy of the map, so far as concerns your property,—
" take that and the deed, and shew them to your Attor-
" ney, and if there is any thing not correct, it can be al-
" tered.

(Signed,) " WM. FREELAND."

" Mr. James Coons,
" Matilda."

On the envelope I wrote as follows:—

" Brockville, 2nd Feby., 1846.

" Sir,

" I enclose a proposal for a final settlement, and I give
" you until this day week to return an answer, aye, or no;
" longer than that period I will not hold myself bound.

(Signed,) " WM. FREELAND."

" Mr. James Coons."

I received an answer, of which I enclose a copy, dated
6th February, but mailed on the 10th, proposing, as will

be observed, to accept of my offer, and take the money,
but allowing other claims to be brought in and settled for;
to which I replied as follows:—

" Brockville, 11th Feby, 1846.

" Sir,

" I have received your letter of the 6th instant, but
" mailed on the 10th (yesterday.)

" I have but a short reply to make: I can have no fur-
" ther discussion on the subject, the amount I proposed
" must be at once—a full and final settlement for all
" claims for damages.

(Signed,) " WM. FREELAND."

" Mr. James Coons."

I have heard nothing from him since. The Attorney
General's opinion is, that it "is strictly a question of fact
" disputed." Messrs. Macdonald and Macdonell's letter
has been referred to me for a report: I have done so,—
and deny any understanding but the simple agreement.
All the facts to be ascertained from the other Officers
(Engineers) are, whether the land taken is agreeable to
the map shewn? And then if the deed is made out ac-
cordingly, (as I believe it is) then you have all the facts
clear and distinct.

All these documents will be laid before the Attorney
General of course, and he will advise accordingly.

If I may be allowed to give my opinion, I would say
that as he has refused all offers to compromise and settle,
he should be held strictly to the agreement, which, when
I shewed it to the Attorney General, (at the last Assizes
in Brockville) he said it would be valid in law to all in-
tents and purposes.

WM. FREELAND.

Brockville, 9th April, 1846.

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Appendix
(Y. Y.)

3rd June.

RETURN to an Address from the Legislative Assembly to His Excellency the Governor General,
dated the 11th ultimo, praying that His Excellency would be pleased to cause to be laid before them "the
" Names of all Officers employed in the Departments of the Inspector General, Receiver General, Com-
" missioner of Crown Lands, the Executive Council, the Provincial Registrar, the Board of Works, the
" Attornies General, and the Salaries of the said Officers respectively, and the dates of their appointments;
" and, also, to be pleased to cause to be shewn whether such Officers were employed permanently or
" temporarily; which of them are employed temporarily and which permanently; and how long they have
" been employed temporarily or permanently."

By Command.

D. DALY,

Secretary.

PROVINCIAL SECRETARY'S OFFICE,
Montreal, 3rd June, 1846.

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No. 1.—INSPECTOR GENERAL'S DEPARTMENT.

No. 2.—RECEIVER GENERAL'S DEPARTMENT.

No. 3.—CROWN LANDS DEPARTMENT.

No. 4.—EXECUTIVE COUNCIL OFFICE.

No. 5.—PROVINCIAL REGISTRAR'S DEPARTMENT.

No. 6.—BOARD OF WORKS DEPARTMENT.

No. 7.—OFFICE OF ATTORNEY GENERAL EAST.

No. 8.—OFFICE OF ATTORNEY GENERAL WEST.

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No. 1. STATEMENT shewing the Names of all the Officers employed in the Inspector General's Department, and the Salaries of the said Officers respectively, and the dates of their appointments; and showing also, whether such Officers are employed permanently or temporarily, which of them are employed temporarily and which permanently, and how long they have been employed temporarily or permanently.

Names of Officers.	Amount of Salary. Currency.	Date of Appointment.	Employed.		How long employed.		Remarks.
			Permanently.	Temporarily.	Permanently.	Temporarily.	
Hon. William Cayley... Inspector General	£ 1000 0 0	6th August, 1845	Permanently	...	Since 6th August, 1845	...	First entered the Department in 1807. Appointed Inspector General of Lower Canada in 1825, and Deputy Inspector General of the United Province in August, 1841.
Joseph Cary... Deputy Inspector General	666 13 4	1807	do	...	1807	...	
Philip Durnford... First Clerk	300 0 0	13th October, 1841	do	...	Since 19th Oct. 1841	...	First entered the Department in 1807. Appointed Inspector General of Lower Canada in 1825, and Deputy Inspector General of the United Province in August, 1841.
David A. Ross... First Clerk, Lower Canada	166 13 4	August, 1827	do	...	Since August, 1827	...	
William Dickinson... Second Clerk	250 0 0	10th February, 1841	do	...	Since August, 1827	...	
William Dickinson... Second Book-keeper	200 0 0	10th April, 1843	do	...	From 10th April, 1842, to 30th April, 1845	...	
C. E. Anderson... First do	222 4 4	1st May, 1845	do	...	Since 1st May, 1845	...	
C. E. Anderson... Second do	200 0 0	16th May, 1845	do	...	Since 16th May, 1845	...	
J. B. Stanton... Extra Clerk	7s. 6d. per diem	1st April, 1844	...	Temporarily	...	...
Norris Godard... Third Clerk	150 0 0	16th May, 1845	Permanently	...	Since 16th May, 1845	...	
Patrick Gaul... Extra Clerk	7s. 6d. per diem	25th May, 1845	...	Temporarily	...	...
Patrick Gaul... Messenger	55 11 1	1st July, 1842	Permanently	...	Since 1st July, 1842	...	
J. W. Dunscomb... Commissioner of Customs	666 13 4	1st January, 1844	From 6th April, 1845	...	Since 6th April, 1845	...	Salary from 1st January, 1844, to the 5th April, 1845, at £50 sterling per month; and from the 6th April, 1845, at £500 per annum, and £106 19s. 4d. for extra services.
A. S. Menzies... First Clerk	175 0 0	13th August, 1845	Permanently	...	Since 13th August, 1845	...	Temporary Clerk in the Inspector General's Department, from 23rd December, 1844, to 31st March, 1845, at 7s. 6d. per diem.
Matthew Jack... Second Clerk	150 0 0	28th October, 1845	do	...	Since 28th Oct. 1845	...	Permanent Clerk in the Inspector General's Office, from the year 1825 to 27th October, 1845, at £111 2s. 2d. per annum.
J. S. Lee... Extra Clerk	9s. 7d. per diem	21st November, 1845	...	Temporarily	...	Since 21st Nov. 1845	

JOS. CARY,
Dep. Insp. Gen.

INSPECTOR GENERAL'S OFFICE,
Montreal, 22nd May, 1846.

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(Y. Y.)

No. 2.—Names, dates of appointment, and detail of the duties of the Officers employed in the Receiver General's Department.

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Bernard Turquand, Senior Clerk; Receiver General, from January to September, 1844.	Appointed permanently as Senior Clerk in the Receiver General's Department in 1828.—First appointment under the Provincial Government in 1818. Receives and pays all public monies in the mode laid down by the Executive Government, and records the same; has the Correspondence,—the Registry of Government Debentures,—the Journals, Bank Books, and Bank Accounts Current,—the different Public Funds and Cash Accounts, which, with the Bank Books, are balanced daily; and otherwise attends to the general transactions of the Department usually appertaining to the duties of Senior Subordinate Officer under the Receiver General. Salary, £444 8s. 10d. currency, per annum.
Thomas A. Cary, Second Clerk.	Checking all payments made by the First Clerk; marking the number of the Warrants upon the Cheques; also to draw Cheques for the Receiver General during the absence of the First Clerk; keeping the Debenture List—calculating the Interest; examining Powers of Attorney, and entering all permanent ones into a book; entering all Warrants in full on the Consolidated Fund Schedules A and B; Account L; Board of Works; and War Loss Funds; making out the Consolidated Fund, Board of Works, and L (Lunatic Asylum) Accounts half yearly, in duplicate, and Schedules A and B quarterly, in duplicate, and annually in triplicate, which latter is a classified detail of all sums paid to each individual.—Salary, £200 currency, per annum.—Permanently employed, since 1841, in this Department.
George Hamilton, Third Clerk.	Accounts of Clergy Distribution Funds for Canada East and West respectively; do of do Investment do for do do; do of Grammar Schools do; do of Investment do; preparing and copying the same in duplicate, half yearly, for the Board of Audit; do and closing in duplicate the Debenture and Militia Pension Lists; taking and witnessing their acquittances in the same, and issuing certificates of such acquittance to the First Clerk before liquidation; also examining and filing all their Powers of Attorney and Life certificates,—keeping a record of those that are general; filing all Letters received in the Department, also certificates of Deposits of Money in the Banks by the Sub-Accountants. Entering all the Receipts and Payments in the office generally, and presenting the Receiver General with a daily check statement (at the close of business hours) of the Balances due to the Department by the Banks respectively, shewing the aggregate amount of the same. Assisting in copying and completing the accounts of the office generally; calling over, examining, and checking the same with the Second Clerk. Making out and completing a full Return of all Debentures issued in the Province, in duplicate, for the information of the Legislature in each Session of the same, detailing the Debentures redeemed and outstanding, and the aggregate debt of Canada.—Permanently employed in this Department since 1815.—Salary, £175 currency, per annum.
George Grundy, Fourth Clerk.	Acknowledges the receipt of all Deposits of Money made to the credit of the Receiver General; keeps the Sub-Accountants, Heads of Service, and Ferry and Bridge Ledgers; calculates the Interest on the accounts with the several Banks, transmitting a copy thereof, quarterly, to each; has charge of the Letter and Consolidated Fund Books, making a copy of the latter, half yearly, for the Honorable the Inspector General's Department.—Permanent.—First appointed 9th February, 1844.—Present appointment 1st January, 1845.—Salary, £175 currency, per annum.

WM. MORRIS, R. G.

RECEIVER GENERAL'S OFFICE,
Montreal, 18th May, 1846.

No. 3.—STATEMENT shewing the Names of all the Officers employed in the Crown Lands Department,—furnished in compliance with the Requisition of Mr. Assistant Secretary Hopkirk, of 15th May, 1846.

Name of Officer.	Name of Office.	Date of Appointment.	Amount of Salary.	Whether permanent or temporary.	Date of first Employment.
Hon. D. B. Papineau	Commissioner of Crown Lands	2nd September, 1844...	£ 888 17 9		
T. Bouthillier	Assistant do do	19th August, 1841 ...	666 13 4	Permanent ...	1st October, 1837
Jean Langevin	Clerk ...	18th March, 1843 ...	300 0 0	do ...	18th March, 1843
John Dean	Cashier and Accountant	31st March, 1836 ...	222 4 5	do ...	31st March, 1836
J. C. Tarbutt	Clerk ...	1st April, 1842 ...	170 0 0	do ...	— June, 1841
A. M'Nabb	do ...	1st January, 1842 ...	170 0 0	do ...	1st January, 1842
T. Hammond	Extra Clerk ...	24th January, 1842 ...	136 17 6	Temporary ...	1st July, 1841
D. H. Morphy	do ...	26th January, 1842 ...	136 17 6	do ...	1st July, 1841
John Ker	do ...	16th September, 1842 ...	136 17 6	do ...	16th September, 1842
Angus M'Donell	do ...	7th October, 1842 ...	136 17 6	do ...	7th October, 1842
James M'Donagh	do ...	12th January, 1843 ...	136 17 6	do ...	— September, 1837
John Drysdale	do ...	21st January, 1843 ...	136 17 6	do ...	21st January, 1843
James Dean	do ...	5th June, 1843 ...	68 8 9	do ...	5th June, 1843
W. F. Collins	do ...	7th August, 1843 ...	136 17 6	do ...	7th August, 1843
Geo. Fisher	Messenger ...	— August, 1844 ...	55 11 1	Permanent ...	— August, 1844
John M'Glashan	Extra Clerk ...	Temporary ...	91 5 0	Temporary ...	31st July, 1845
G. H. Cherrier	do ...	do ...	91 5 0	do ...	23rd December, 1844
J. Doure	do ...	do ...	91 5 0	do ...	16th July, 1845
M. Lanctot	do ...	do ...	91 5 0	do ...	17th February, 1846

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No. 3.—STATEMENT shewing the Names of all the Officers, &c.—(Continued.)

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Name of Officer.	Name of Office.	Date of Appointment.	Amount of Salary.	Whether permanent or temporary.	Date of first Employment.
(CANADA EAST.)	Branch of Crown Land	Department formerly	£ s. d.	constituting	the Surveyor-General's Office.
Jos. Bouchette	{ Senior Surveyor and Draughtsman ... }	12th November, 1839	300 0 0	Permanent	{ 12th May, 1827, as Dep. Sur. General
E. T. Fletcher	{ Draughtsman and Clerk ... }	21st December, 1841	136 17 6	Temporary	{ 21st December, 1841
(CANADA WEST.)					
Andrew Russell	Surveyor and Draughtsman	22nd November, 1839	300 0 0	Permanent	22nd November, 1839
William Spragge	Chief Clerk	1st January, 1829	300 0 0	do	1st January, 1829
Thomas Hector	Clerk	17th June, 1839	200 0 0	do	17th June, 1839
H. J. Jones	do	9th November, 1840	170 0 0	do	1st November, 1838
M. A. Higgins	do	10th May, 1841	170 0 0	do	27th August, 1839
Geo. Shaw	Extra Clerk	16th January, 1841	170 0 0	Temporary	16th January, 1841
W. Walker	Messenger	18th July, 1832	55 11 1	Permanent	18th July, 1832

T. BOUTHILLIER.

CROWN LANDS DEPARTMENT,
Montreal, 18th May, 1846.

No. 4.—RETURN shewing the Names of all the Officers employed in the Executive Council Office, the Salaries of the said Officers respectively, and the dates of their appointments.

Names.	Office.	Salary per Annum.	Date of Appointment.	Date of first Appointment.	Remarks.
Etienne Parent	Clerk, Executive Council	£ 600 0 0	14th October, 1842	14th October, 1842	} Permanently employed. N.B. There are no temporary Clerks employed.
William H. Lee	Confidential Clerk	400 0 0	10th February, 1841	28th May, 1821	
Samuel B. Smith	First Clerk	222 4 4	1st July, 1845	4th October, 1837	
Flavien Vallerand	Second Clerk	200 0 0	1st July, 1845	23rd March, 1843	
W. A. Himsworth	Third Clerk	200 0 0	1st July, 1845	18th December, 1843	
Olivier Coté	Fourth Clerk	175 0 0	20th July, 1845	20th July, 1845	

Certified,

E. PARENT.

No. 5.—RETURN shewing the Names of all the Officers employed in the Provincial Registrar's Department, the Salaries of the said Officers respectively, and the dates of their appointments.

Name.	Office or Appointment.	Date of present Appointment.	Salary.	Remarks.
William Kent	Junior Clerk, Upper Canada, 2d March, 1838; Clerk, United Canada, 10th February, 1841; First Clerk	9th May, 1842	£ 222 4 5	} The two persons named in this Return are the only Officers on the "Permanent" Establishment of the Department; and there are no temporary Clerks now employed in it. Upon the occurrence of a greater press of business than the Permanent Establishment is equal to, application is made to His Excellency the Governor General, for permission to employ an extra Clerk, who is discharged the moment the necessity for his services ceases. There has not been any so employed in the present year.
George H. Lane	Junior Clerk, Lower Canada, 16th April, 1838; Clerk, United Canada	1st April, 1841	194 8 10	

R. A. TUCKER,
Registrar.PROVINCIAL REGISTRAR'S OFFICE,
Montreal, 16th May, 1846.

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(Y. Y.)

3rd June.

No. 6.—RETURN shewing the Names of all the Officers employed in the Department of the Board of Works, the Salaries of the said Officers respectively, and the dates of their appointments; and shewing, also, whether such Officers are employed permanently or temporarily, which of them are employed temporarily and which permanently, and how long they have been employed temporarily or permanently.

Appendix
(Y. Y.)

3rd June.

Names.	Rank.	Salary.	Date of Appointment.	Whether Permanently or Temporarily.	Length of Service to 17th May, 1846.	Remarks.
Hamilton H. Killaly	Chairman	£800 sterling	17th Aug. 1841	Permanent	ys. mo. ds. 4 9 0	* The Board have recommended to Council to raise Mr. Conolly's salary to £175 from the 1st of January, 1845, but that gentleman subsequently memorialized to be put upon the same footing as other gentlemen in the same relative position, and that he might have £200 per annum, which is still pending. † These Officers I consider indispensable to the discharge of the duties of the Department.
Samuel Keefer	Engineer	£500 do	do do	do	4 9 0	
Thomas A. Begly	Secretary	£400 do	do do	do	4 9 0	
* John H. Conolly	Clerk	£135 do	1st Jan. 1842	do	4 4 17	
Michael Walsh	Messenger	£50 do	1st April, 1844	do	2 1 17	
† F. P. Rubidge	Draughtsman	£350 currency	15th Dec. 1841	Temporary	4 5 2	
Charles Shanly	Clerk	7s. 6d. per day	1st Jan. 1843	do	3 4 17	
Thomas Hewitt	Clerk	7s. 6d. per day	17th April, 1843	do	3 1 0	
G. F. Baillargé	Assistant Draughtsman	£90 currency	22nd Sept. 1844	do	1 7 24	
Edward Hamilton	Clerk	7s. 6d. per day	1st Nov. 1844	do	1 6 17	
† Struthers Strang	Bookkeeper	£200 currency	17th Dec. 1844	do	1 5 0	

HAMILTON H. KILLALY.

2nd June, 1846.

No. 7.—RETURN of OFFICERS employed in the Department of the Attorney General for Lower Canada.

Name.	Salary.	Office.	Date of Appointment.	Remarks.
John Monk	£300 currency	Clerk	27th January, 1833	{ This Office has hitherto been considered temporary, but provision is now made for placing the same upon a permanent footing on the Civil List at present under the consideration of the Provincial Legislature.

J. SMITH,
Attorney General.

MONTREAL, 17th May, 1846.

No. 8.

MONTREAL, 18th May, 1846.

SIR,

In reply to your letter of the 15th instant, I have the honor to inform you that there are no "Officers employed in my Department." The Solicitor General and myself are the two Crown Officers for Upper Canada, and are the only "Officers" belonging to that Department.

I have the honor to be, Sir,

Your obedient humble servant,

W. H. DRAPER.

The Honorable
The Provincial Secretary,
&c. &c. &c.

REPORT.

THE SELECT COMMITTEE to which was referred the Petition of Major John Richardson, late Superintendent of Police on the Welland Canal, complaining of the sudden dismissal of himself and the Force under his command, and praying compensation for losses sustained thereby, as also for the Clothing of the said Force,—have the honor to REPORT:—

That in regard to the first Claim which appears therein, namely, for the Expense of Clothing, your Committee are of opinion that it should be paid; they conceive that the Act of last Session, under which the Police Force was organized, fully warrants it, when it states that the men "shall be mounted, armed, and equipped;" and besides, it has been allowed to the Police Force at Lachine and Beauharnois; and your Committee can see no reason why it should be withheld from the Force employed under the Petitioner. Your Committee are also of opinion that injustice has been done to the Petitioner, in dismissing him from his situation on the reduction of the Police Establishment, and continuing the Chief Constable at the same rate as that previously paid to the Petitioner. There appears to have been no cause of complaint against the Superintendent, and from all that appears he has discharged his responsible duties in a satisfactory and creditable manner.

Your Committee find also, from the evidence, that the dismissal of the Police Force was extremely abrupt; they had but seven days notice, and were only paid up to the day of their dismissal; they were in consequence put to great loss and inconvenience, and some of them are now in great distress: militia men, when disbanded, usually receive a small gratuity to enable them to return to their homes, and your Committee would respectfully recommend that a similar allowance be made to the Petitioner and the men employed under him, in the shape of an additional month's pay.

Should the above recommendations meet with the approbation of Your Honourable House, your Committee would recommend that an humble Address be presented to His Excellency, praying him to direct the payments in question, for which means are already provided by the Act which provides for the establishment of the Police Force.

GEO. MACDONELL,
Chairman.

5th June, 1846.

MINUTES OF EVIDENCE.

GEORGE MACDONELL, Esquire, in the Chair.

Tuesday, 2nd June, 1846.

James Hopkirk, Esquire, Assistant Secretary, Canada West, called in; and examined:—

1. Have you the correspondence between Major Richardson, late Superintendent of the Police Force on the Welland Canal, and the Government, since he ceased to have any connexion with the Government?—I produce to the Committee, a copy of the letter from the Provincial Secretary to Major Richardson, informing him that his services are no

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longer required, dated 17th January, 1846; and of all correspondence since that time.

2. Did Major Richardson furnish his accounts when required?—He did so.

3. Has he yet received the payment of these accounts in full?—I believe the accounts are now before the Executive Government, but the Inspector General can better answer the question.

4. Has the account for clothing the Police Force been allowed by the Government?—It has not.

5. On what ground was the payment of that account refused?—I believe it was considered by the Government that their pay was to include all expenses of that nature.

6. Is there not a letter from Mr. Secretary Daly to Major Richardson, stating that the men would be allowed to retain their clothing, thereby inferring that it had been provided at the expense of the Government?—Yes, there is a letter of the 3rd February, respecting the case of Thompson, one of the men, in which, in answer to a query of Major Richardson, it was meant to be stated that the Government would not interfere in any way as to the clothing of the men; as, however, it appeared that Major Richardson had some personal claim over that clothing, a letter was written to him two days afterwards, on the 5th February, to say that they did not wish to interfere with Major Richardson's claim, and all they meant was that the clothing was the men's, and the Government could not interfere with it,—leaving his claim entire.

7. What notice did the Police Force receive of the intention to dispense with their services?—The letter containing the notice that they would be disbanded on the 31st January, was written in Montreal on the 17th of that month, and mailed on the 18th; that letter was received by Major Richardson, I believe, on the 23rd, and acknowledged by him on the 30th.

Thomas A. Begly, Esquire, Secretary to the Board of Works, called in; and examined:—

8. Do you know whether the rates of pay to the Mounted Police on the various Canals throughout the Province were uniform?—They were not; they varied according to the price of labor in the various parts of the Province.

Wednesday, 3rd June, 1846.

Thomas A. Begly, Esquire, again called in; and examined:—

9. What was the aggregate number of workmen employed on the several Canals, on 1st January,

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1846?—On the Welland Canal, the average number of men in January, was 521; on the Williamsburg Canals, on the 15th December, 1845, 371; on the Lachine Canal, on 31st December, 1845, 639.

10. Have the Beauharnois Canal Police had their clothing paid for by the Board of Works, or any other Public Department?—The Board of Works have paid for the clothing of the Beauharnois Canal Police.

11. Have the Lachine Canal Police had their clothing paid for by the Public, in that or any other way?—The clothing of the Lachine Canal Police was paid for by the Board of Works.

12. Did Major Richardson, as Superintendent of Police on the Welland Canal, address you on the subject of arms for his Force, and did you reply that all matters connected with the Police should come under the consideration of the Provincial Secretary, and not be submitted to the Board of Works?—On the 11th June last, a letter was received from Major Richardson dated the 6th of the same month, relative to arms for the Police Force on the Welland Canal; it was acknowledged on the 12th; sent to the Provincial Secretary on the 20th; and Major Richardson informed thereof, as stated above, on the 21st June.

13. Have any of the Superintendents of the Police Force elsewhere than on the Welland Canal, been reduced?—The Superintendent of Police on the Beauharnois Canal was reduced on the 31st October last; not any of the others were reduced.

14. What is the rate of pay of each?—The rate of pay of the Superintendents of the Lachine and the Williamsburg Canals is £200 currency, per annum. each; that of Beauharnois was the same.

15. What is the strength of the Force last returned to your Office as being employed on the Welland Canal, and are they subject to the direction of the Chief Engineer, (Power)?—A Chief Constable and three men; I cannot say whether or not they consider themselves under Mr. Power's directions.

16. Were the rates of pay to the men on the Welland Canal under Major Richardson, the same as those allowed to the Police previously employed on that work?—The rates of pay of the men were the same at both periods, viz.: 7s. 6d. currency, per day.

17. What was allowed to the men on the Lachine and other Canals for clothing?—£3 5s. per man, on the Lachine Canal, for clothing; in all, £71 10s.,—with £15 8s. 9d. for accoutrements. On the Beauharnois Canal the amount was £70 2s. 6d. for clothing, and £18 18s. 6d. for accoutrements. On the Williamsburg Canals there was no allowance for clothing.

18. What was the pay of the men on these Canals?—On the Lachine, Beauharnois, and Williamsburg Canals, the pay was, to Chief Constables, 6s.; Mounted men, 5s.; Foot, 3s.

Christopher Dunlin, Esquire, Assistant-Secretary, Canada East, called in; and examined:—

19. What length of notice was given to Colonel Brown commanding the Police Force on the Beauharnois Canal, that the said Force would be disbanded?—A letter was written to him on 14th Au-

gust, 1845, informing him that the Force would be disbanded on 31st August; but, in consequence of representations made to the Government, it was determined to continue them, or so many as might be necessary, through the month of September; they were reduced after that month to a smaller force, which, with the Superintendent, was kept up through the month of October.

Mr. *Frederick Wilkinson* called in; and examined:—

20. Were you connected with the Police Force on the Welland Canal under Major Richardson?—Yes, for the greater part of their term of service.

21. Were you with the Force when it was disbanded?—I was.

22. What length of notice was received by the Force of the intention to disband them?—A general notice was given about two or three days before the close of January, that at the end of the month they were to be disbanded.

23. Up to what period were the men paid?—Up to the day when they were dismissed.

24. Did you receive no gratuity beyond the amount of the pay?—None whatever.

25. Did any of the men reside out of the District?—Yes, some of them, when not in the Police Force, resided out of the District.

26. Were the men in uniform?—Yes; in less than two months after they were embodied, Major Richardson issued orders that a plain uniform be procured, which was done accordingly, by contract; it consisted of a fur cap, frock coat, and two or three pairs of strong riding pantaloons, as summer clothing,—the cost of which was £4 10s.

27. What was the strength of the Force when you joined it?—There were 17 in all, viz: the Superintendent, the Chief Constable, and 15 mounted men, some of which had the temporary rank of Sergeant, without any increased pay.

28. Did the men furnish themselves with winter clothing?—Yes; it consisted of a blue military great coat, a fur cap, and trooper's boots,—at an expense of £5 15s. each.

29. Was it such as could be worn by the men when they left the service?—No, it could not be worn with propriety by a civilian.

30. Did Major Richardson wear uniform also?—Yes, when on particular duty,—similar to the *roue*, but of finer texture.

31. Did the corps pay for the clothes themselves?—They were all paid for by Major Richardson, and deducted from the men's pay by instalments; but the men always expected that the amount would be refunded by the Government. When they were discharged, a large portion of the amount remained due, and several of the men refused to sign the pay list until Major Richardson pledged his word that the amount would be refunded to them; so that he stands in that respect responsible to the men for the amount of their clothing.

32. Do you wish to state any other matter in reference to the claim made by Major Richardson, in

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behalf of the men?—At the time of the disbanding, many of the men had purchased horses in the summer or spring, and had laid in a considerable quantity of fodder,—and the Force being disbanded in the winter, every thing was at that time enormously expensive, which deteriorated the value of their horses, so that they could get no price for them,—and some of the horses were seized for the cost of their keep; had the men received sufficient notice, they would have been enabled to make arrangements in proper time for disposing of their horses. Several of the men had their horses left on their hands at a time when they were of no use to them whatever, being unable to dispose of them.

APPENDIX

- No. 1. Letter from the Provincial Secretary to Major Richardson, dated 20th May, 1845.
- No. 2. Letter from the same to the same, dated 26th May, 1845.
- No. 3. Letter from the same to the same, dated 3rd February, 1846.
- No. 4. Letter from the same to the same, dated 5th February, 1846.
- No. 5. Letter from Major Richardson to the Provincial Secretary, with four enclosures, dated 5th February, 1846.
- No. 6. Report of the Deputy Inspector General, dated 23rd February, 1846.

No. 1. Letter from the Provincial Secretary to Major Richardson.

Secretary's Office,
Montreal, 20th May, 1845.

Sir,

I am commanded by the Governor General to inform you, that a vacancy has occurred in the Office of Superintendent of Police on the Welland Canal, under the late Act for the preservation of the Peace on the Public Works; and I am to request you will acquaint me, for His Excellency's information, at your earliest convenience, whether it will suit your views to accept of it.

With reference to the Salary attached to the office, I am to state, that it has been fixed at 10s. per day, in full of all allowances, while your services may be required; but you are to understand, that they may be dispensed with at any time when His Excellency may consider it expedient for the public interest.

I have the honor to be,
Sir,
Your most obedient servant,
D. DALY,
Secretary.

MAJOR RICHARDSON,
Montreal.

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No. 2. Letter from the Provincial Secretary, to Major Richardson.

Secretary's Office,
Montreal, 26th May, 1845.

Sir,

I am commanded by the Governor General to acquaint you, with reference to your appointment to the Office of Superintendent of Police on the Welland Canal, that His Excellency is desirous that you should proceed, with all convenient speed, to the scene of your duties, where you will receive over from Mr. Benson, the present Superintendent, the charge of the Police Establishment.

Mr. Benson will be able to give you such general information as you may require; and will point out to you any of the laborers who are supposed to be ringleaders, or mischievous characters.

You will also receive information as to the feeling among the workmen employed on the Canal from the Rev. Mr. M'Donagh, whose aid you will probably find valuable in your endeavours to preserve the peace.

Mr. Benson will explain to you the amount of the Force connected with the Police Establishment, and their rates of pay. The persons who have received appointments in the establishment have performed their duties satisfactorily, and are persons against whose efficiency or character there has been no cause of complaint.

Mr. Benson will also transfer to you the instructions which have been from time to time given to him, and any official correspondence, or other information in his possession.

You will, as soon as you have entered upon your duties, report your having done so to me, for His Excellency's information, with any remarks or observations upon any matters with which you consider it necessary that His Excellency should be made acquainted.

You will likewise make monthly Official Reports to this Office, for His Excellency's information, as to the state of the Police Force, and of the workmen along the line of the Canal; and on other occasions, when matters occur which you deem it necessary to bring under His Excellency's immediate notice. Where you require any information on subjects connected with the Works, you will apply to the Chairman of the Board of Works, who has been directed to afford you all such information as may be in his power.

I am only to add, that His Excellency trusts, that through your exertions, prudence, and discretion, you may eventually be able to preserve the public peace with even a less establishment than that now employed, which it may probably be possible to reduce as the Works approach completion, and the number of workmen are diminished.

I have the honor to be,
Sir,
Your obedient servant,
D. DALY,
Secretary.

MAJOR RICHARDSON,
&c. &c. &c.,
Montreal.

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No. 3. Letter from the Provincial Secretary, to Major Richardson.

Secretary's Office,
Montreal, 3rd February, 1846.

Sir,

I have the honor, by command of the Administrator of the Government, to acknowledge the receipt of your letter of the 22nd ultimo, reporting the state of perfect tranquillity which exists along the line of the Welland Canal, which corroborates the information His Excellency had already received from other quarters, and demonstrates the correctness of the conclusion at which he had already arrived, viz. to dispense with the Police Force from the 31st ultimo, notice of which conclusion was conveyed to you in my letter of the 17th ultimo.

With reference to your inquiry relative to the right of Thompson to retain his clothing, I am to state that the services of the men being no longer required, it is the intention of the Government to permit them to retain their clothing, and to demand the surrender of the arms, accoutrements, and ammunition only.

I have the honor to be, Sir,
Your most obedient servant,
D. DALY,
Secretary.

JOHN RICHARDSON, Esquire.

No. 4. Letter from the Provincial Secretary to Major Richardson.

Secretary's Office,
Montreal, 5th February, 1846.

Sir,

With reference to my letter of the 3rd instant, in reply to yours of the 22nd ultimo, and to prevent the possibility of any misunderstanding on the subject, I am to state that there is no intention whatever on the part of the Government, to interfere with any private arrangement which you, as an individual, may have made to become responsible for the clothing furnished to Thompson, or to any other individual of the Police Force, or with any claim over it which you may individually have on account of such arrangement; my letter of the 3rd instant being merely intended to acquaint you, that as the clothing of the Police Force was supplied by the men themselves, it was of course the intention of the Government to permit them to retain it, and not to make any arrangement for its being purchased by the Government, or delivered over by any of those leaving the Force to their successors,—any such arrangement being inexpedient, as the services of the Force are discontinued.

I have the honor to be, Sir,
Your most obedient servant,
D. DALY,
Secretary.

JOHN RICHARDSON, Esquire,
Allanburgh, C. W.

No. 5. Letter from Major Richardson to the Provincial Secretary, with 4 enclosures.

Allanburgh,
February 5th, 1845.

Sir,

I have the honor to enclose, as desired, for the information of His Excellency the Administrator of

the Province, the Accounts of the Police Force lately under my command.

Having understood from the late Chief Constable, Mr. Wheeler, that the men had come to a determination not to defray the amount of the balance due to the Contractors for articles obtained for the service, on their own written requisition, a copy of which I have the honor to enclose, and that Mr. Prescott, the Paymaster of the Force, intended to settle with them without making the usual deductions, I felt that I could not with honor to myself, or duty to the Government, be a party to a fraudulent transaction of this nature, by signing pay lists which should give authority to pay away money to one party which was strictly the property of another.

The pay lists therefore remain unsigned by me; and Mr. Prescott, against whose payment of the gross amounts due to the men, I strongly protested in a communication to that effect, has apparently felt the justice of my remonstrance, and delayed the payment until the pleasure of the Government be known.

I have the honor to be, Sir,
Your most obedient servant,
J. RICHARDSON, Major,
Late Superintendent of Police, W. C.

The Hon. D. DALY,
Provincial Secretary, Montreal.

(Endorsed.)

Secretary's Office,
19th February, 1846.

Referred to the Honorable Inspector General for Report.

By Command,
J. HOPKIRK.

(1st Enclosure.)

We, the undersigned, hereby authorize Major Richardson to procure uniform coats for the Police Force, from the following samples, and at the prices opposite our respective names, to be paid for in six equal monthly payments. Cloth to be well sponged.

Names.	Samples, \$16.	Samples, \$15.	Signed.	Signatures.
Ed. Wheeler, C.P.C....	do	
Joshua Thompson	do	Joshua Thompson.
Sergeant Allen ...	16	...	...	F. A. B. Allan.
Samuel Buchanan	do	Samuel Buchanan.
Sergeant Logan	do	George Logan.
Frederick Walsh	do	Frederick Walsh.
Ralfé Clench	do	Ralfé Clench.
John M'Donough	do	John M'Donough.
Joseph Campbell	do	Joseph Campbell.
George Wise	do	George Wise.
Sergeant Kyle	do	W. Kyle.
Dr. Wilkinson	do	Frederick Wilkinson.
George Croft	do	George Croft.
Sergeant Copland	do	Charles Copland.
Wm. L. Smith	do	Wm. L. Smith.
William Hollis	do	W. Hollis.

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Major Richardson leaves it to the option of the several parties as to which piece they choose, (both being of a colour,) but would suggest the economy of the 12 dollars coat.

J. RICHARDSON, Major,
Superintendent of Police,
Welland Canal.

Certified to be a true Copy of the original,

GEORGE CROFT,
Police Force.

Allansburgh,
28th January, 1846.

(2nd Enclosure.)

Estimate of Cost of Total Equipment furnished the Police Force up to January 31st, inclusive.

20 Summer Blue Frocks, @ £3 5s.	£65	0	0
20 Forge Caps, @ 5s.	5	0	0
15 Pairs of Boots, @ £1 10s.	22	10	0
17 Fur caps, @ £1.	17	0	0
17 Winter Coats; Furred and warmly lined, of Blue Pilot Cloth, @ £3 10s.	59	10	0
Total,	£168	0	0

Mem.—In refunding this amount to the Force, the several accounts of credit should be certified by myself, because these are claims on individuals which, as their head, I am bound in justice to see settled, although they do not appear on the public list of stoppages. Several had, under the knowledge that the extra price would come out of their own pockets, rather a better description of clothes for which the Contractor charged accordingly, and this a second reason.

J. RICHARDSON, Major,
Late Superintendent of Police, W. C.

February, 3rd, 1846.

(3rd Enclosure.)

DUPLICATE.

Amount of balance of Stoppages of Police Force on the Welland Canal, for articles of Equipment furnished them at their own choice, and on their own written requisition up to 31st January, 1846, inclusive.

Names.	Balance remaining on Caps.			Balance remaining on Boots.			Balance remaining on Coats.			Buttons supplied by Mr. Wheeler.	Balance due for Horse furnished for Public Service.			Total Amount.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.		£.	s.	d.	£.	s.	d.
Edward Wheeler	0	6	3	...	...	...	3	15	0	...	...	...	4	1	3
Joseph Campbell	0	6	3	0	11	8	2	15	0	...	...	...	3	12	11
Francis A. B. Allan	0	6	3	0	15	0	2	15	0	...	...	...	3	16	3
Samuel Buchanan	0	3	4½	0	14	1	2	15	0	...	...	...	3	14	5½
Frederick Walsh	0	6	3	0	11	8	2	15	0	...	...	...	3	12	11
Ralfe Clench	0	6	3	0	11	8	2	15	0	...	...	...	3	12	11
George Logan	0	6	3	0	11	8	2	15	0	0	5	7½	4	1	10	
John M'Donough	0	6	3	0	11	8	2	15	0	...	...	...	3	12	11
George Wise	0	6	3	0	11	8	...	...	...	...	...	...	0	17	11
Charles Copland	0	6	3	0	11	8	2	15	0	...	...	...	3	12	11
David Kyle	0	6	3	0	11	8	2	15	0	...	...	...	3	12	11
Frederick Wilkinson	0	6	3	0	11	8	2	15	0	0	5	7½	3	18	6½	
George Croft	0	6	3	0	11	8	2	15	0	0	5	7½	3	18	6½	
William L. Smith	0	6	3	0	11	8	2	15	0	...	...	...	3	12	11
William Hollis	0	6	3	0	11	8	2	15	0	0	5	7½	5	15	0	
Total	£4	12	10½	£8	12	5	39	10	0	1	2	6	5	15	0	

I certify the above to be correct,

J. RICHARDSON, Major,
Superintendent of Police,
Welland Canal.

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(4th Enclosure.)

NIAGARA, 24th November, 1845.

The Welland Canal Police Board,
Bought of Whan and M'Lean.

		£	s.	d.
June 27, 1845	18 yards drugget, at 4s.; 8 yards green baize, at 1s. 10½d. ...	4	7	0
July —, do	17 frock coats, and caps, at 70s. ...	59	10	0
Aug. —, do	Altering Hamilton's coat ...	0	3	0
Aug. —, do	1 coat (Major Richardson) ...	3	5	0
Sept. —, do	1 blue frock (Logan) ...	3	5	0
	1 cap and 2 pairs duck pantaloons ...	1	10	0
	1 coat and cap (Walsh) ...	3	10	0
		£	75	10 0
<i>Cr.</i>				
Aug. 27, do	By alterations on coat, ...	£0	3	0
	By order, G. Prescott ...	40	0	0
Sept. 6, do	By cash ...	4	7	0
	By one coat overcharged, ...	3	5	0
			47	15 0
		£	27	15 0

Received payment in full,
WHAN & M'LEAN.
October 13th, 1845.

Certified to be a true copy of the original,
C. COPLAND.

Countersigned,
J. RICHARDSON, Major,
Superintendent of Police,
Welland Canal.

No. 6. Report of the Deputy Inspector General.

The men of the Police Force on the Welland Canal entered into an agreement authorizing Major Richardson, the Superintendent, to procure for them Uniform Coats, to be paid for in six equal monthly instalments.

The date of this agreement is not given, but it appears the men are now in debt for nearly the whole cost of the Coats, as well as for some other articles with which they were furnished, and that they refuse to pay the balances due by them respectively on account thereof.

As the Deputy Inspector General is not informed on what conditions the Policemen were engaged, nor when they entered into the above mentioned agreement, he is unable to report on this matter in a definite manner.

JOS. CARY,
Deputy Inspector General.

Inspector General's Office,
Montreal, 23d February, 1846.

Appendix
(L. Z.)

5th June.

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(A. A. A.)

5th June.

RETURN to an Address from the Legislative Assembly to His Excellency the Governor General praying that His Excellency will be pleased to cause to be laid before the House all Correspondence which has taken place between His Excellency, his predecessor Lord Metcalfe, and the Members of the Provincial Administration, on the one hand, and Louis Edouard Pacaud, Esquire, Commissioner of Bankrupts for the District of Three Rivers, on the other, relative to Mr. Pacaud's claim for remuneration and salary for the services by him performed and to be performed under the Act 7 Victoria chapters 16 and 18.

By Command,

Secretary's Office,
5th June, 1846.

D. DALY,
Secretary.

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- No. 1.—Letter from Mr. Pacaud to the Provincial Secretary, dated 29th February, 1844.
- No. 2.—Memorial of Mr. Pacaud to the Governor General, dated 25th July, 1844.
- No. 3.—Letter from Mr. Pacaud to the Provincial Secretary, dated 28th December, 1844.
- No. 4.—Letter from the Provincial Secretary to Mr. Pacaud, dated 29th January, 1845.
- No. 5.—Letter from Mr. Pacaud to the Provincial Secretary, dated 5th April, 1845, with two Enclosures.
- No. 6.—Letter from Mr. Pacaud to the Governor General, dated 8th August, 1845.

- No. 7.—Letter from Mr. Pacaud to the Provincial Secretary, dated 13th November, 1845.
- No. 8.—Letter from the Provincial Secretary to Mr. Pacaud, dated 20th November, 1845.
- No. 9.—Memorial of Mr. Pacaud to the Administrator of the Government, dated 29th January, 1846.
- No. 10.—Letter from the Provincial Secretary to Mr. Pacaud, dated 3rd February, 1846.
- No. 11.—Memorial of Mr. Pacaud to the Administrator of the Government, dated 16th February, 1846.
- No. 12.—Letter from the Provincial Secretary to Mr. Pacaud, dated 21st February, 1846.

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No. 1.—Letter from Mr. Pacaud to the Provincial Secretary.
(Translation.)

Three Rivers, 29th February, 1844.

SIR,

I have to acknowledge, with many thanks, the reception of the appointment of Commissioner of Bankrupts for this District.

I beg of you to submit to the gracious consideration of His Excellency my Petition for a fixed Salary, as soon as the new Act for amending the law relative to the administration of Justice in Lower Canada shall be in force, that is to say, on the 21st of April next.

The fees to which I am entitled, as Commissioner of Bankrupts, fixed by the Bankrupt Act, are solely for those duties to be performed with reference to Bankrupt matters; whereas by the Judicature Act I shall find myself obliged to perform the duties of the Honorable the Resident Judge of this District, during his absence at Sherbrooke; and I am under the impression that I shall not be able to practise before the Courts of Justice, in which case I shall be under the necessity of abandoning my practice.

By the said Judicature Act I shall become *ex-officio* Justice of the Peace and Chairman of the Quarter Sessions of the Peace: I shall inevitably have full occupation every day, as being the only member of the legal profession willing to act.

If I comprehend the duties devolving upon me, they will be without doubt much more considerable than those of the Circuit Judges for the District of Quebec. They are obliged to hold Circuit Courts with the Judges of the Court of Queen's Bench, which will not give either of them more than one month's work. I shall be compelled to perform the duties of Resident Judge for about a month and a half. They will not be obliged to do the duties of Head of Police, there being a salaried Officer for this purpose, and I shall be inevitably obliged to fulfil them. They will preside at the Quarter Sessions of the Peace alternately; I shall preside alone.

To the presidency of the Quarter Sessions of the Peace, a Salary was for a length of time attached, in the person of the late Honorable Thomas Coffin, for this District.

The appointment of Commissioner of Bankrupts of this District, owing to the considerable change effected in the tariff and the remarkable improvement in commerce, will not produce more than £50 per annum.

It is with reluctance that I make this application to His Excellency, but the remuneration is so small that I venture to hope that His Excellency will receive my Petition favorably, in consideration of the multiplicity of duties which I shall have to fulfil, and the probable sacrifice of my practice.

With distinguished consideration,
I have, &c.

(Signed,) E. L. PACAUD.

The Honorable D. DALY,
Provincial Secretary,
&c. &c. &c.

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No. 2.—Memorial of Mr. Pacaud to the Governor General.
(Translation.)

To His Excellency the Right Honorable Sir Charles Theophilus Metcalfe, Governor General of the Province of Canada, &c. &c. &c.

The Memorial of Louis Edward Pacaud, Esquire, Commissioner of Bankrupts for this District, most humbly sheweth:—

That the fees and profits of the office of Commissioner of Bankrupts of this District cannot exceed £50, calculating from the business transacted, and from what it produced since the month of February last.

That by and under the authority of the Provincial Statute, 7 Victoria, c. 10, sec. 3, your Memorialist has to fulfil the duties of the Resident Judge of this District during each term of the Court of Queen's Bench at Sherbrooke, and during the three days preceding and the three days immediately following the said term: and the ninth Section of the same Statute fixes the terms of the said Court at Sherbrooke from the 7th to the 18th of January, and from the 19th to the 31st of August.

That by and under the authority of the Provincial Statute, 7 Victoria, c. 18, sect. 16, your Memorialist has to perform the duties of the Honorable Resident Judge during the terms of the Court of Appeals, and during the four days preceding and the four days immediately following the first and last days of the said terms; and by the 6th clause of the said Statute the terms of the said Court of Appeals will be from the first to the tenth day of the months of March, July, and November, forming in all three months or ninety days, during which your Memorialist will perform all the duties of the Honorable Resident Judge of this District.

That by the Provincial Statute of the 7 Victoria, c. 16, sec. 26, Your Memorialist is *ex officio* one of the Justices, and Chairman of the Quarter Sessions of the Peace of this District; for which last mentioned office the late Honorable Thomas Coffin received from the Government of this Province a salary of from £200 to £250 annually, if I am rightly informed.

That the duties, in addition to those of Commissioner of Bankrupts, which your Memorialist has to fulfil, are more considerable, and of greater responsibility than those of any Circuit Judge nominated in virtue of the Act 7 Vic. c. 16.

Wherefore your Memorialist prays that a salary may be granted him over and above what he receives as Commissioner of Bankrupts, to date from the 20th of April, 1844, the day on which the enactments of the Act 7-Vic. c. 16 and 18, came into force; and that so justice may be done to him.

(Signed) E. L. PACAUD.

Three Rivers, 25th July, 1844.

Memorandum.

The Honorable Resident Judge has given his opinion, that the Commissioner of Bankrupts could not practise any longer as Advocate and Attorney.

(Signed,) E. L. P.

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No. 3.—*Letter from Mr. Pacaud to the Provincial Secretary.*

(Translation.)

Three Rivers,
28th December, 1844.

Sir,

I have to request your pardon for taking the liberty of asking you to submit to His Excellency the Governor General, my claim for a salary, which I have already addressed to you. Pardon me if I am concise; convinced, as I am, that your occupations leave you no leisure.

I have been Commissioner of Bankruptcies since the 17th of February last, and from that date up to the present day my fees, salaries, remunerations, &c. &c. amount to the sum of £32 10s.; and the greater part has been paid me on matters commenced under the 2 Vict. (3.) c. 36; for since I have been in office, I have signed two Bankrupt Commissions, one of which was stayed and arranged before its publication in the "Canada Gazette."

From the 20th April last, the day on which the 7th Victoria c. 16, came into force, I have presided at the Quarter Sessions, and have acted since that period as Justice of the Peace: all the police matters have been my daily business, without assistance. For similar duties the late Mr. Coffin had a salary of £200 per annum; I am entitled to at least as much, business having much increased since that time.

From the 20th April last, the day on which the enactments of the 7th Victoria, c. 16 and 18 came into force, I have regularly fulfilled the duties of Resident Judge whenever required by law, and I have performed the duties of Judge during 89 days; the Judge for that space of time received £250,—to what am I entitled for this?

And furthermore, since the 20th April last, I have been unable to practise any longer as an Advocate, and have lost my clients and my practice,—my only means of supporting my family;—and it is not upon £40 per annum that I shall be able to live.

I pray, therefore, His Excellency to grant me a salary or a remuneration for my services from the 20th of April last, and for the future. I have more business than any Commissioner of Bankrupts of Quebec or of Montreal.

I have the honor, Sir,
To be, with the greatest consideration,
Your most obedient servant,
(Signed,) E. L. PACAUD.

The Honorable D. DALY,
&c. &c. &c.

No. 4.—*Letter from the Provincial Secretary to Mr. Pacaud.*

Secretary's Office,
Montreal, 29th January, 1845.

Sir,

The Governor General having had under consideration, in Council, your Memorial of the 25th July last, and your communication of the 28th ultimo, I have received His Excellency's commands to inform you in reply, that it is not in his power to accede to

the request which you therein prefer for the grant of a fixed salary as Commissioner of Bankrupts for the District of Three Rivers. I am, however, to add, that inasmuch as you represent that you are disqualified by law from practising as an Advocate, and that the emoluments arising from your office afford you but a very moderate income, His Excellency authorizes me to intimate to you, that no opposition on the part of the Government will be offered to an application to the Legislature for an Act to relieve you from that disability in consequence of the peculiar circumstances of the District of Three Rivers.

I have, &c.
(Signed,) D. DALY,
Secretary.

L. E. PACAUD, Esquire,
Three Rivers.

No. 5.—*Letter from Mr. Pacaud to the Provincial Secretary, with two Enclosures.*

(Translation.)

Three Rivers, 5th April, 1845.

Sir,

Will you have the goodness to lay the letter and document accompanying this before His Excellency the Governor General. You will thereby greatly oblige, one who is,

With the highest consideration,
Your obedient humble servant,
(Signed,) E. L. PACAUD.

The Hon. D. DALY,
&c. &c. &c.

(1st Enclosure.)

Petition to the Governor General.

His Excellency the Right Honorable Sir Charles Theophilus Metcalfe, Baron Metcalfe, Governor General of the Province of Canada, &c. &c. &c.

MY LORD,

I hasten to take advantage of the permission which Your Excellency has given me to submit, anew, my claims to an indemnity as Commissioner of Bankrupts of this District, for the duties imposed on me by the Acts of the 7 Vict. c. 16 and 18. I perform the duties of the Honorable Resident Judge during the three months of his absence from the District, and have been obliged to preside at the Quarter Sessions of the Peace and to act as Justice of the Peace, that is to say, to transact the daily Police business. I will not take the liberty of adding to these details what I have already mentioned to Your Excellency on the eighteenth of the month of December last, but I will add, that when I solicited of Your Excellency the Commission of Commissioner of Bankrupts, I was under the impression that there would be a Salary attached to the situation, and when I acknowledged to the Hon. D. Daly the receipt of the Commission, I addressed him as being under that impression, and repeated it on a late occasion to this gentleman, who did not in any way correct me in this erroneous idea.

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I have received in fees from the day of my nomination on the 31st December, 1844, the small sum of £32 9s.; I was aware that it could not be more. It is impossible to believe that the country should require any individual to perform such weighty and important duties without a reasonable remuneration; and I have been informed that when the Act 7 Vic. c. 16 was presented to the Legislature, it was with the understanding that there would be a Salary for the Commissioner of Bankrupts for the District of Three Rivers.

I have contracted debts, to maintain myself, from the 17th February, 1844, the day of my nomination, and if I am not indemnified the little that I have left may be compromised, for it is not possible to support myself, my wife and children, with £32 9s. per annum, while I cannot practise as an Advocate.

It is very true that Your Excellency has informed me, through the Honorable D. Daly, by his letter of the 29th January last, that if I made application to the Legislature for power to practise as an Advocate, the Government would not make any opposition. I could not make this application, for I believed this power incompatible with the duties which I had to fulfil; but I petitioned the Legislature to abrogate the duties which I was obliged to perform in virtue of the Acts 7 Vic., c. 16 and 18, (which was, so to say, to permit me to practise) with the alternative in my Petition to give me a Salary if the Legislature did not think it consistent with the public interests to make these changes. For the duties which I perform in virtue of these two Acts are either profitable to the public or they are not; if they are, the House must have made it known to your Excellency;—if they are not, the obligation of imposing these duties on me might have been dispensed with, and I might then have done something else besides acting as Commissioner of Bankrupts. I am quite alone in this absurd position.

The Member for the Town of Three Rivers presented my Petition to the Legislature: he was certain of having it referred to a Committee, and of obtaining a favorable report from the Committee for a salary, when the Honorable Mr. Smith requested him to postpone his motion, saying, that he would perhaps find some means of arranging this matter. I take the liberty of referring your Excellency to Mr. Greive's letter. Mr. Greive informed me, on the 22d of March last, that the Attorney General could do nothing, and thus the Session was lost to me.

I solicit of your Excellency an indemnity for the services which I have rendered to the public from the 20th of April, 1844, up to the close of the approaching Session of Parliament, for the Act 7 Victoria, c. 10, is to expire at the end of the Session next after 31st December, 1845. The expenses of my household are £300 per annum; these are the debts that I have contracted in the course of the year expired the 1st instant, and I believe that I live with an economy which has few imitators.

I have, &c.

(Signed) E. L. PACAUD.

Three Rivers, 6th April, 1845.

(2nd Enclosure.)

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Letter from Edward Greive, Esquire, to Mr. Pacaud.

Montreal, 1st March, 1845.

Dear Sir,

I received your letter some days ago, and I have delayed writing to you from day to day, expecting to have something satisfactory to communicate respecting your claim.

The Attorney General objected, or rather asked me not to press a motion to refer your Petition to a Committee, until he could see if some other mode of satisfying your claim would be adopted; and considering it would be more advantageous, and better serving your interest to take his advice, than that of flying in his face and making him your opponent, I consented to wait. I am daily expecting to get him to point out what is to be done, and you may expect to hear from me as soon as any thing is decided on; in the meantime,

I remain, dear Sir,

Your obedient servant,
(Signed) EDWARD GREIVE.

E. L. PACAUD, Esquire.

No. 6.—Letter from Mr. Pacaud to the Governor General.

(Translation.)

To His Excellency the Right Honorable Charles Theophilus, Baron Metcalfe, Governor General of British North America, &c. &c. &c.

My Lord,

I take the liberty of again troubling you with reference to my salary, to date from the 20th April, 1844, for the duties performed by me in this District, as Commissioner of Bankrupts, by and in virtue of the Acts 7 Vic. chapters 16 and 18.

It is with much reluctance that I return to this subject, and which I have already submitted at two different times to Your Excellency; but I hope to find favour with Your Excellency, if you will again grant my Petition a hearing.

When I solicited of Your Excellency the appointment of Commissioner of Bankrupts of this District, I made this request under the impression that there would be a salary for the extraordinary duties attached to the Commission, and when I received the Commission in the month of February, 1844, I wrote to the Honorable D. Daly, (transmitting him £3 10s. for the cost of the Commission,) that I had only asked it on condition of a fixed salary; this letter is still in the possession of this Honorable gentleman.

The Ministry being at that time composed of the Honorable Messrs. Vigor and Daly only, I had subsequently an interview with both these gentlemen; I mentioned to them the salary which I now claim, and I clearly understood from these gentlemen that I should receive such salary.

The duties which I perform as Commissioner of Bankrupts, and which are not mentioned in the Bankrupt Act, are to perform the duties of the Honorable Resident Judge during his absence from

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the District, which absence lasts three months, and to preside at the Quarter Sessions of the Peace of this District, and to act as Justice of the Peace. For three months salary the Honorable Resident Judge receives £250, and for presiding at the Quarter Sessions of the Peace, and acting as Magistrate, the late Honorable Mr. Coffin received, I believe, £200 per annum; and at the present time I receive, as Commissioner of Bankrupts, for performing the duties of the Honorable Resident Judge during the three months that he is absent, for presiding at the Quarter Sessions of the Peace, and for acting as Justice of the Peace, not more than £35 per annum, less than a domestic or valet gains, and am precluded from doing any thing else to get a living!!! Is it possible for me to provide a livelihood for my family consisting of nine persons, and can the country exact so much labor from an officer who is obliged to consecrate every moment to its service for so small a remuneration? I most respectfully submit this to the favorable consideration of Your Excellency.

I have addressed myself at different times to Your Excellency, to obtain a remuneration in proportion to the services which I rendered: in January last I received an intimation of your intentions with reference to myself, through the Honorable D. Daly, who informed me that Your Excellency could not allow me a salary, but that if I addressed myself to the Legislature, there would be no objection on the part of Government to the passing of a law authorizing me to practise as an Advocate. But this suggestion was impossible,—impracticable; I could not make such a demand. Could I act as Advocate before the very tribunal where I was acting as Judge?

It occurred to me afterwards, that the Ministry, contending with numerous difficulties, was not willing to incur any risk on my account. To meet this inconvenience, I addressed the Honorable House of Assembly to the end that the justice of my demand might be represented to Your Excellency, or that I might be freed from fulfilling the duties imposed on me by the Acts 7 Vic. c. 16 and 18. This petition was not carried through, because the Honorable Mr. Smith, Attorney General for Lower Canada, requested Mr. Grieve not to press the matter, as the affair might be arranged. I consented to Mr. Smith's request, and the Session was lost.

In the month of April last I explained to Your Excellency in person the above facts; and you not only permitted me, with your usual goodness, to address you a new Memorial, but even advised me so to do. And, at the beginning of the month of April last, I addressed Your Excellency a new Memorial, through the Honorable Provincial Secretary.

As the Bankrupt Law, if not renewed, will expire in the month of December next, it is of great importance to me to know whether I shall have a salary, with the arrears from the month of April 1844; and if the Bankrupt Law is continued, shall I be placed on a footing of equality with the District Judges of the Province of Lower Canada.

I have a family, and the want of a salary has forced me to contract debts, which will compromise me hereafter if I receive nothing; and the fact, that I must not wait till I am reduced to my last farthing before making my decision, must be my excuse with Your Excellency for my present proceedings.

I am anxious to receive an answer to the petition which I addressed you through the Honorable D. Daly in April last, and to this present petition.

I depend on Your Excellency's kindness to excuse my importunities: but the anxieties of a father,—of a husband, are too imperious to require a pardon.

I pray Your Excellency to believe in the sincerity of my devotion and respect.

(Signed,) E. L. PACAUD.

Three Rivers, 8th August, 1845.

No. 7. Letter from Mr. Pacaud to the Provincial Secretary.

(Translation.)

Three Rivers, 13th November, 1845.

Sir,

I take the liberty of requesting an answer to the two petitions which I have addressed to His Excellency the Governor General, for a salary and arrears for the public duties which I have performed as Commissioner of Bankrupts of this District, under the Acts 7 Vic. c. 16 and 18.

You will pardon this request, inasmuch as since the month of February, 1844, I have received only £50 at the utmost: how can I live with a family on so little? I have contracted debts; I should like to pay them.

I have the honor, &c.
(Signed,) E. L. PACAUD.

The Honorable D. DALY,
&c. &c. &c.

No. 8. Letter from the Provincial Secretary to Mr. Pacaud.

Secretary's Office,
Montreal, 20th November, 1845.

Sir,

In reply to your letter of the 13th instant, I have the honor, by command of the Governor General, to inform you, that the subject to which it relates still remains under the consideration of the Committee of the Executive Council.

I have, &c.,
(Signed,) D. DALY,
Secretary.

E. L. PACAUD, Esquire,
&c. &c. &c.,
Three Rivers.

No. 9. Memorial of Mr. Pacaud to the Administrator of the Government.

(Translation.)

Province of Canada,
District of Three Rivers.

To His Excellency the Right Honorable Charles Murray, Earl Cathcart, Administrator of the Province of Canada, &c. &c. &c.

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Louis Edward Pacaud, Esquire, Commissioner of Bankrupts for the District of Three Rivers, residing in the town of Three Rivers, most respectfully represents :

That he has been Commissioner of Bankrupts since the 17th February, 1844, in the terms of the Provincial Act, 7 Vic., cap. 10; and that the revenues, fees, emoluments, and profits of his Commission have not exceeded £35; from the 17th of February, 1844, to the 1st January, 1845; and from this last date up to the 31st December, 1845, your Petitioner has not received more than £22 14s. 9d. nett.

That your Petitioner was a practising Advocate for five years before being Commissioner of Bankrupts; that he was nominated, appointed and commissioned as Advocate and Attorney in May, 1836; and that he was necessitated to give up his profession and his clients to fulfil the duties of Commissioner of Bankrupts for these reasons ;—

Because by the Provincial Acts 7 Vic. c. 16 and 18, your Petitioner is held and obliged to perform all the duties of the Honorable Resident Judge during his absence at Sherbrooke, and at the Court of Appeals, and this absence lasts for three months in each year.

Because by the Act 7 Vic. c. 16, above cited, your Petitioner is required and obliged to preside at the Quarter Sessions of the Peace, and to act as Justice of the Peace or Chief of Police, which your Petitioner has done since the 20th of April, 1844, the day on which this Act came into force.

Because your Petitioner was under the impression, and was convinced, that he would receive a salary or indemnity, to date from the 20th of April, 1844, and to continue as long as his Commission might be in force, for the duties performed after the 20th of April, 1844, under the Acts above cited, 7 Vic. c. 16 and 18 : especially since he was obliged to give up his profession and his means of existence to fulfil these important duties.

Your Petitioner addressed His Excellency Lord Metcalfe, then Governor General, for an indemnity, and his petition still remains unanswered.

The absence of the Honorable Resident Judge at Sherbrooke, and at the Court of Appeals, lasts for three months in each year : this gentleman receives £1000 currency, yearly salary : Is your Petitioner entitled to no indemnity for performing his duties during his absence ?

The late Honorable Mr. Coffin, one of my predecessors, received, as Chief of Police, from £200 to £250 per annum : Is not your Petitioner, holding the same situation, and having more cases to judge and decide upon, entitled to an indemnity ?

A public officer cannot support a family on less than £400 to £500 per annum ; and what must become of your Petitioner if he has only £22 14s. 9d. to support himself and family ? To incur debts is not possible, when one has not the conviction of being able to pay them. To die of hunger is a cruel alternative, under which Your Excellency will not permit me and my family longer to exist.

Your Petitioner takes the liberty of submitting a Tabular view of matters which he has despatched under the authority of the Acts 7 Vic. c. 16 and 18, compared with that of the affairs of the Honorable Resident Judge. Your Petitioner has received, as Com-

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missioner of Bankrupts, since the 20th April, 1844, only £56 or thereabouts, while the Honorable Resident Judge has received £1750.

TABLE.—The Honorable Resident Judge.

	Causes.
In the Inferior Term of the Court of Queen's Bench, from the 1st April, 1844, he has judged.....	552
In the Superior Term of the Court of Queen's Bench he concurred in judgments of.....	145
He homologated of Actes of Tutelage, Curatorships and Inventories.....	149
As by detailed table hereto annexed, Total,	856

TABLE.—Louis Ed. Pacaud.

I homologated, during the absence of the Resident Judge, Actes of Tutelage, Curatorships, and Inventories.....	49
I presided at the Court of Quarter Sessions of the Peace from 20th April, 1844 to the 20th January, 1846 ; there were, trials by Jury.....	236
I judged, Summary Matters.....	102
" In Weekly Sessions.....	87
" In Special Sessions.....	7
I issued warrants in Criminal Matters.....	328
I judged petitions for keeping houses of public entertainment.....	48
I judged petitions for other licences, &c.....	50
A detailed statement is hereto annexed.	790

Your Petitioner submits this tabular exhibit to prove that his duties are more multifarious than those of the Honorable Resident Judge. The one receives £1000 per annum, and the other £25 ; which is repugnant to every principle of justice.

The Judges of the Circuit Courts in the Districts of Quebec and Montreal receive a fixed salary of £500 each per annum : none of them has as much to do as your Petitioner.

Your Petitioner prays Your Excellency to cause an indemnity to be granted to him for services rendered from the 20th April, 1844, up to the expiration of the laws in virtue of which he acts ; and to cause to be made known to him, as soon as convenient, Your Excellency's decision on the present petition, as well as on those which he has already addressed to His Excellency Lord Metcalfe.

And your Petitioner will ever pray.

(Signed,) E. L. PACAUD.

Three Rivers, 29th January, 1846.

(Detailed Statement referred to in the preceding Memorial.)

Province of Canada,
District of Three Rivers.

Table of matters judged and despatched by the the Honorable Resident Judge, from the 1st April, 1844, to this 29th January, 1846.

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Superior Term.	Causes.
Judged in June, 1844,.....	21
October, 1844,.....	20
February, 1845,.....	47
June, 1845,.....	31
October, 1845,.....	26
	145

Inferior Term.	Causes.
Judged in April, 1844,.....	12
June, 1844,.....	55
August, 1844,.....	70
October, 1844,.....	70
December, 1844,.....	23
February, 1845,.....	61
April, 1845,.....	60
June, 1845,.....	52
August, 1845,.....	57
October, 1845,.....	57
December, 1845,.....	45
	562

List of Actes of Curatorships and Tutelage.

April, 1844,.....	13	Brought up,.....	136
May, 1844,.....	10	June, 1845,.....	6
June, 1844,.....	11	July, 1845,.....	6
July, 1844,.....	19	August, 1845,.....	10
August, 1844,.....	9	September, 1845,.....	10
September, 1844,.....	4	October, 1845,.....	13
October, 1844,.....	10	November, 1845,.....	12
November, 1844,.....	9	December, 1845,.....	1
December, 1844,.....	6	January, 1846,.....	4
January, 1845,.....	10		
February, 1845,.....	5	Total,.....	198
March, 1845,.....	12	Deduct one-fourth for	
April, 1845,.....	9	those done by L. E.	
May, 1845,.....	9	Pacaud,.....	49
		Total,.....	149
Carried up,.....	136		

List of Cases presided over by Louis Edouard Pacaud, Esquire, Commissioner of Bankrupts for the District of Three Rivers, *ex-officio* Justice of the Peace and Chairman of the Court of General Quarter Sessions of the Peace for District of Three Rivers, from April, 1844, to 29th January, 1846.

Quarter Sessions.			
1844.	April Session.	Number of Cases,	18
	July do.	do.....	23
	October do.	do.....	25
1845.	January do.	do.....	31
	April do.	do.....	30
	July do.	do.....	33
	October do.	do.....	38
1846.	January do.	do.....	38
		Total,.....	236

Summary Sessions.			
1844.	Number of Cases,.....		58
1845.	do.....		43
1846.	do. up to the 29th instant,		1
		Total,.....	102

Weekly Sessions.			
1844.	Number of Cases,.....		33
1845.	do.....		42
1846.	do. up to the 29th instant,		12
		Total,.....	87

Special Sessions.			
1844.	Number of Cases,.....		3
1845.	do.....		2
1846.	do. up to the 29th instant,		2
		Total,.....	7

Warrants issued.			
1844.	Number,.....		142
1845.	do.....		146
1846.	do. up to the 29th instant,.....		40
		Total,.....	328

Tavern Licenses granted.			
1844.	Number,.....		16
1845.	do.....		15
1846.	do.....		17
		Total,.....	48

Ferry Licenses granted.			
1844.	Number,.....		25
1845.	do.....		25
		Total,.....	50
		Total,.....	850

I do hereby certify that the above number of Cases were heard, tried, and determined by Louis Edouard Pacaud, Esquire, as Justice of the Peace and Chairman of the Court of General Quarter Sessions of the Peace, from April, 1844, to the 29th January, 1846, and that he has acted solely as Police Magistrate from that date up to this.

(Signed,) H. B. HUGHES.
Clerk Peace.

Peace Office,
Three Rivers, 29th January, 1846.

No. 10. Letter from the Provincial Secretary to Mr. Pacaud.

Secretary's Office,
Montreal, 3rd February, 1846.

Sir,

I have the honor, by command of His Excellency the Administrator of the Government, to acknowledge the receipt of your Memorial of the 29th ultimo, and to inform you that your former applications for indemnity, as Commissioner of Bankrupts at Three Rivers, still remains under the consideration of the Committee of the Executive Council, and that your present application has been also referred to that body in connexion with them.

I beg to add, that I shall not fail to acquaint you with His Excellency's decision at as early a day as possible.

I have, &c.,

(Signed,) D. DALY,
Secretary.

LOUIS E. PACAUD, Esquire,
&c. &c. &c.
Three Rivers.

Appendix
(A. A. A.)
5th June.

Appendix
(A. A. A.)No. 11. *Memorial of Mr. Pacaud to the Administrator of the Government.*

5th June.

(Translation.)

Province of Canada,
District of Three Rivers.To His Excellency, the Right Honorable Charles
Murray, Earl Cathcart, Administrator of the Pro-
vince of Canada, &c. &c. &c.

My Lord,

I take the liberty of submitting to you, in support of the petition which I had the honor to address to you on the 29th of last month, that part of the presentation made by the Grand Jury at the Court of Queen's Bench on the 14th instant, which has reference to my judicial duties, and to the emoluments attached thereto.

"That the Grand Jurors have taken into consideration the duties performed by Louis Edouard Pacaud, Esquire, Commissioner of Bankrupts, Chairman of Quarter Sessions, and Assistant Judge for the District, and the emoluments arising from these offices, which are inadequate to the duties he has to perform.

"Wherefore the Grand Jurors most humbly and respectfully represent that it is, in their opinion, expedient for the security of the public, as well as justice to that officer, that some further allowance be made to him, beyond what he now receives."

I must be allowed, at the same time, to add to this document a word of explanation, so as to enable Your Excellency to judge on the justice of my claim. I accepted of the place which I now hold, solely on condition of a salary. Your Excellency will easily imagine that the condition of a salary could alone engage me, as a member of the bar, to abandon my practice to perform the duties of Commissioner of Bankrupts, Chairman of the Quarter Sessions of the Peace, Assistant Resident Judge, and Chief of Police; for it must naturally be supposed that it is not the small sum of £55 3s. 6d. which I have received since the 17th February, 1844, as my emoluments, which could have induced me to make so many sacrifices. I am forced to expose, with regret, to Your Excellency, the cruel disappointment under which I suffer by the non-execution of those conditions, particularly when the Ministry pressed the Legislature to vote at the last session, an indemnity to the Judges of the Court of Queen's Bench for their travelling expenses, when they were already in the receipt of £1000 per annum, and this indemnity was not so legitimately due as that which I now claim.

Appendix
(A. A. A.)

5th June.

My Lord, the Grand Jury of this District have recognized the justice of my claim: Your predecessor, Lord Metcalfe, has also recognized it; and the present Ministry cannot overlook it. I would fain believe that circumstances which are unknown to me, have perhaps prevented the Government from sooner performing the act of justice which I had a right to expect from them.

Nothing remains for me but to explain to Your Excellency, in whose justice I repose every confidence, that for more than two years, during which this state of things has lasted, I have been under the necessity of effecting loans; and I am compelled to avow to you, that if Government delays still farther to satisfy my just demands, I shall be exposed to lose that credit which I have so laboriously acquired.

Confiding, nevertheless, in the manner in which I have fulfilled my duties towards the Government and towards the public, and in the interest which Your Excellency manifested when I had the honor of an interview with you in Montreal, I must believe that my claims will not any longer be passed over in silence.

In the expectation of receiving justice at the hands of Your Excellency, I pray to be permitted to subscribe myself,

With the highest consideration and esteem,

Your Excellency's

Most obedient humble servant,
(Signed,) E. L. PACAUD.

Three Rivers, 16th February, 1846.

No. 12. *Letter from the Provincial Secretary to Mr. Pacaud.*

Secretary's Office,
Montreal, 21st February, 1846.

Sir,

I have the honor, by command of His Excellency the Administrator of the Government, to acknowledge the receipt of your Memorial of the 16th instant, and to inform you that it has been referred to the Committee of the Executive Council for report, in connection with your former applications already before them on the same subject.

I have, &c.
(Signed,) D. DALY.

E. L. PACAUD, Esquire,
Three Rivers.

Appendix
(B. B. B.)

5th June.

RETURN to an Address from the Legislative Assembly to His Excellency the Governor General, dated the 29th ultimo, praying that His Excellency would cause to be laid before them, "a Copy of all Correspondence between the Provincial Government, the Crown Land Department, and G. R. Burke, Esquire, of Bytown, in respect to the appointment or refusal of that gentleman to the office of Agent for the Sale of Clergy Reserves."

By Command

D. DALY,

Secretary.

Provincial Secretary's Office,
Montreal, 4th June, 1846.

Appendix
(B. B. B.)

5th June.

Letter from the Commissioner of Crown Lands to G. R. Burke, Esquire.

(Copy.)

CROWN LAND DEPARTMENT,
Montreal, 27th November, 1844.

Sir,

I have the honor to inform you, that His Excellency the Governor General has been pleased to appoint you Resident Agent to this Department for the Dalhousie District, under the provisions of the Act for the disposal of Public Lands.

In order to avoid any misunderstanding respecting remuneration, I am to inform you that it will be strictly confined to a per-centage or commission on monies received by you.

The Commission is fixed at 5 per cent on the first £2000, and 2½ per cent on all subsequent sums collected by you during each year.

No allowance will be made for contingent expenses.

You are however to understand that your nomination is made on the express condition, that should your services cease hereafter to be required, from any cause whatever, or the extent of your District be changed, or the emoluments of your Office diminished, you will have no claim whatever upon the Government for indemnity.

By Order in Council it is required that each Agent give security for the faithful discharge of his duties, himself in £2000, and sureties to the same amount.

I have therefore to request, if willing to accept the appointment, that you will have the goodness to submit for approval, the names of two or more sureties (being landed proprietors) for the purpose expressed above, stating what may be their occupation or profession, as also their residences, and you will be pleased to describe the situation of their property.

The Bond will have to be duly registered.

(Signed.) D. B. PAPINEAU.
C. C. L.

G. R. Burke, Esquire,
Bytown.

P. S. In the event of any free grants being made in your District under the 26th Section of the Land Act, you will be expected to attend to them without any extra remuneration.

(Signed.) D. B. P.

Letter from George R. Burke, Esquire, to the Commissioner of Crown Lands.

(Copy.)

Bytown, 2d December, 1844.

Sir,

I have the honor to acknowledge the receipt of your Letter of the 27th ultimo, informing me that His Excellency the Governor General in Council has been pleased to appoint me Resident Agent to your Department for the Dalhousie District.

In reply, I beg leave to state that I accept the Office, and with as little delay as possible I shall furnish you with the names of two persons who will be my sureties. The reason it is not in my power to do so forthwith is, that one of the Gentlemen I intend naming is now in Montreal, and I have to wait until I receive an answer to a letter which I wrote him on the subject yesterday.

I have the honor to be, &c.
(Signed,) GEO. R. BURKE.

The Honble. D. B. Papineau,
&c. &c. &c.
Montreal.

Letter from the Assistant Commissioner of Crown Lands to G. R. Burke, Esquire.

(Copy.)

CROWN LAND DEPARTMENT,
Montreal, 2d December, 1844.

Sir,

When the Governor General was pleased to approve of your nomination as Crown Land Agent for the Dalhousie District, as you were informed by the Honorable the Commissioner's letter of the 27th ultimo, it did not occur to His Excellency that you already held the appointment of Emigrant Agent at Bytown, and as it has been deemed inexpedient to confer more than one Government situation on the same individual, I have to acquaint you, that you will be permitted to hold only one of the above-mentioned Offices at your option.

I have therefore to request you will inform the Department on the receipt of this, which of the said Offices you intend to retain.

(Signed,) T. BOUTHILLIER.

G. R. Burke, Esquire,
Bytown.

Appendix
(B. B. B.)

5th June.

Letter from G. R. Burke, Esquire, to the Assistant Commissioner of Crown Lands.

(Copy.)

Bytown, 6th December, 1844.

Sir,

I had the honor this day to receive your letter of the 2nd instant: Having reference thereto, and for the information of His Excellency the Governor General, I would beg leave respectfully to state that the appointment of Emigrant Agent is only temporary, it being made every spring, and its duties and emoluments ceasing at the closing of the navigation, (sometimes earlier,) as will be seen by the annexed copy of a Letter from Mr. Chief Emigrant Agent Hawke;—a similar one to which I received every spring during the five seasons in which I have held the Office.

If I am to understand that the Emigrant Agency is to be continued, I have no hesitation in saying that I would wish, with His Excellency's permission, to retain it in preference to the Office to which His Excellency has been pleased lately to appoint me; but as the matter stands at present, the duties and pay of the Emigrant Agency having ceased since the 1st of November last, and not having an opportunity of knowing that it will be continued, I think that it can hardly be said that I now hold a Government situation.

I have the honor to be, &c.
(Signed,) GEO. R. BURKE.

T. Bouthillier, Esquire,
&c. &c. &c.

(Enclosure.)

Copy of an Extract from Mr. Chief Emigrant Agent Hawke's letter dated Kingston, 8th May 1844.

" Sir,

" I have the honor to inform you that the Governor General has been pleased to appoint you Emigrant Agent at Bytown for the current season.

" Your pay as Agent will be the same as last year, 10s. per day, and will commence on the 15th instant."

(Signed,) " A. B. HAWKE,
" Chief Emigrant Agent,
" Canada West."

Letter from the Assistant Commissioner of Crown Lands to G. R. Burke, Esquire.

(Copy.)

CROWN LAND DEPARTMENT,
13th December, 1844.

Sir,

Your letter of the 6th is received. You are of course to consult your own interest in making your selection between the Emigrant and Crown Land Agencies; but I must request your final decision in the matter on the receipt of this.

(Signed,) T. BOUTHILLIER.

G. R. Burke, Esquire,
Bytown.

Appendix
(B. B. B.)

5th June.

Letter from G. R. Burke, Esquire, to the Assistant Commissioner of Crown Lands.

(Copy.)

Bytown, 16th December, 1844.

Sir,

I have to acknowledge the receipt of your letter of December (the day of the month blank) 1844, which came to hand yesterday.

In reply I would refer you to mine of the 6th instant, and beg to state that as I must take it for granted that the appointment of Emigrant Agent is to be continued, and it being therefore deemed inexpedient to add to it the appointment of Land Agent, I would prefer retaining the situation of Emigrant Agent.

I am, &c.

(Signed,) GEO. R. BURKE.

T. Bouthillier, Esquire,
&c. &c. &c.
Montreal.

Letter from James Johnston, Esquire, to the Commissioner of Crown Lands.

(Copy.)

[Not dated; but received on
the 22d January, 1845.]

Sir,

I take the present opportunity of stating that George Burke, Esquire, of Bytown, has been requested by his friends to accept the Office of Land Agent for the District of Dalhousie, which he formerly declined accepting, and that I shall be one of his Bail, and George Patterson, Esquire, of Bytown, Merchant, the other.

(Signed,) JAMES JOHNSTON.

To the Honorable
The Commissioner for
Crown Lands.

Letter from the Assistant Commissioner of Crown Lands to G. R. Burke, Esquire.

(Copy.)

CROWN LAND DEPARTMENT,
Montreal, 22d January, 1845.

Sir,

Mr. Johnston, M. P. P. writes to this office that you are now desirous to accept the appointment of Crown Land Agent for the Dalhousie District, which you had previously declined. I have therefore to request you will express your willingness to do so on the receipt of this, that your application may again be laid before His Excellency the Governor General. I would also request you to name your sureties as requested by my letter of the 27th November 1844. Mr. Johnston offers himself as such with George Patterson, Esquire, of Bytown.

(Signed,) T. BOUTHILLIER.

G. R. Burke, Esquire,
Bytown.

Appendix
(B. B. B.)

5th June.

Letter from G. R. Burke, Esquire, to the Assistant Commissioner of Crown Lands.

(Copy.)

Bytown, 25th January, 1845.

Sir,

I have to acknowledge the receipt of your letter of the 22nd instant: In reply I beg leave to claim reference to mine of the 16th ultimo. I would however further state that I have no objection to be a candidate for the Land Agency, provided that it will not in any way interfere with my holding the Emigrant Agency, should it be deemed necessary to make such an appointment next spring. As I have already stated, if I am to chose between the two offices, I would prefer retaining the Emigrant Agency.

The persons named by Mr. Johnston will, if necessary, act as my sureties.

I am, &c.
(Signed,) GEO. R. BURKE.

T. Bouthillier, Esquire,
Montreal.

Letter from the Assistant Commissioner of Crown Lands to G. R. Burke, Esquire.

(Copy.)

CROWN LAND DEPARTMENT,
Montreal, 31st January, 1845.

Sir,

I regret to perceive by your letter of the 25th instant, that Mr. Johnston misunderstood your intentions in re-

gard to the Crown Land Agency of the Dalhousie District. His Excellency the Governor General will not confer two Government Offices on the same individual.

I am directed to inform you that the Dalhousie Crown Land Agency has been granted to another person.

(Signed,) T. BOUTHILLIER.

G. R. Burke, Esquire,
Bytown.

Letter from the Assistant Commissioner of Crown Lands to the Clerk of the Executive Council.

(Copy.)

CROWN LAND DEPARTMENT,
Montreal, 14th February, 1845.

Sir,

I have the honor to submit, by command of the Governor General, for the consideration of a Committee of the Honorable the Executive Council, the name of John Durie, Esquire, as Agent for the disposal of Public Lands in the District of Dalhousie, in the room of George R. Burke, Esquire, who declines the appointment [25th January] sanctioned by Order in Council of the 20th November last.

(Signed,) T. BOUTHILLIER.

The Clerk of the
Honble. Executive Council,
Montreal.

REPORT.

Appendix
(C. C. C.)

6th June.

THE SELECT COMMITTEE to which was referred the Petition of Hamnett Pinhey, Esquire, Warden of the Municipal District of Dalhousie, praying for the passing of an Act explanatory of certain provisions of the Ordnance Vesting Act, 7th Victoria, cap. 11, so as to enable the Municipal Council of the said District to be placed in quiet possession of a certain strip of land in Bytown, have the honor to

REPORT:—

That the Petitioner, Hamnett Pinhey, Esquire, communicated to Your Committee that the subject matter of his Petition is settled by the Principal Officers of Her Majesty's Ordnance, and that no further action of Your Honorable House is necessary thereon.

The whole nevertheless humbly submitted.

WILLIAM STEWART,
Chairman.

6th June, 1846.

MINUTES OF EVIDENCE.

WILLIAM STEWART, Esquire, in the Chair.

Hamnett Pinhey, Esquire, called in; and being interrogated, answered:—Mr. Commissioner Elliot having put in an explanatory letter for the Committee to deliberate upon, and having invited my admission to the truth thereof, I give it freely, under protest however that I was not Warden, neither was I Chairman of the Council, nor did I entertain any prospect of being either the one or the other at the time of the sale being made to

me of the strip of land alluded to. The Hon. Thomas M'Kay was the Warden, and as Councillor for March I had a seat at the table. On the 10th August 1843, (6 months before the passing of the "Vesting Act") it was moved by Captain Baker, and seconded by Mr. Pierce, "that the District Surveyor value the land applied for, and make a deed of conveyance to the Petitioner on payment of such valuation." I did not vote, neither did I speak on the question, and it was carried without one dissentient voice. Mr. Commissioner Elliot's charge of my being Warden at the time, if not rebutted, would give a colour to the transaction very discreditable to me, for it might be inferred that the Councillors were governed by my official influence, and that I was using that influence from motives of selfishness; a 25 years residence in the District of Dalhousie, will acquit me in the eye of the whole population of ever having ever done an act selfish or mercenary to the public or to any individual; it is true, I hold more appointments than any man in the District, not one of which was ever sought for by me, nor do I believe coveted by any other man, for not one of these appointments is accompanied with either pay or patronage; this is all irrelevant to the question before the Committee, but the memorial presented by Mr. Commissioner Elliot is no less so, and I find myself impelled much against my will to repel insidious charges by being my own eulogist; I say again, and the whole District will endorse the asser-

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tion, that I am neither selfish nor mercenary, nor factious nor litigious. When I came down to Montreal, it was with the view that from a dispassionate and impartial interposition of His Excellency the Civil Administrator and Commander in Chief of Her Majesty's Forces, would result a friendly adjustment of our differences, and that they would be negotiated in the spirit of equity and harmony, words that have been so tortuously applied by gentlemen of the Ordnance Department; such was my hope and expectation, notwithstanding the prediction of one of the Respective Officers: "That Pinhey would find no sympathy now that we had a Military Governor General." I did hope that notwithstanding that impolitic and vindictive chuckle, I should have been enabled to say at the approaching sessions of the Municipal Council, "all is settled," and every man of prudence and reflection, be he a member of the Board of Ordnance, or a member of the District Council, would reciprocate with me in that hope; those hopes were of short duration, for my memorial to His Excellency was no sooner transmitted by the order of Lord Cathcart to the Ordnance Department, and in the hands of Mr. Commissioner Elliot, who was himself familiar with every particular, than it was sent to the Ordnance Office in Bytown,—that cradle of acrimonious antagonism, to be reported upon: no sooner was this done, no sooner did I hear of its being referred to the Officers in Bytown, than all hope and expectation of an amicable arrangement fled, and the only place of refuge was the Legislature wherein to seek impartiality and "sympathy." Of my memorial to His Excellency the Administrator of the Government I hear nothing; so I may take it for granted, it met obstruction some where on the road; but with submission to you gentlemen of the Committee, I am sensible that these disclosures have no more to do with the question before you (nothing in reference to the spirit and letter of my memorial to the House) than is to be found in the rider to the testimony of my opponents. Have they controverted or defaced one single feature in my Petition to the Legislature?—Of their "rider" to their examination, for I am at a loss to know what other name to give it, be to be embodied in your report, is my rejoinder less deserving of such indulgence? I court notoriety,—on that is based my hope of justice to the people of our District, and I pray the Committee to propose to the House that I may be heard at their bar in defence of the people's rights against the wrongs of the Ordnance. Your Committee have courteously and patiently permitted Mr. Commissioner Elliott, through his Counsel Mr. Merideth, to plead as points of Law the force of the fee simple, so disingenuously withheld from us. What do I appeal to Your Honorable House for?—It is to disarm them of that weapon they think so fatal to us, the fee simple of the strip of land in question, which they were bound by their own "Vesting Act" to surrender to us. To their learned Counsel, as I told you at the last meeting, I yield all pretensions to superiority in legal science, but as to the art of discriminating between truth and falsehood, facts and fictions, I feel myself without any disparagement to that respectable gentlemen, quite his equal; and a five years, say a seven years apprenticeship to him assiduously served, might render me no contemptible student in the mysteries of his profession, and eventually qualify me for his sleeping, if not active partner. *Mais pour faire l'Avocat malgré moi.* In the "Principal Officers" is vested by Act 7 Vic. chap. 11, the Dalhousie purchase. Their title is a conditional one; it is a title *sui generis* unlike any ordinary title, being by the Legislature very wisely and considerably made subject to certain provisions as thus:—*Vide* Clause I. "Nothing in this Act shall extend or be construed to extend to vest in the said Principal Officers any lands which may before the passing this Act have been granted to Her Majesty, &c., nor to impair, diminish or affect any right, title or claim, vested in or possessed by any person or party at the time of the passing of this Act, to, in, or upon any lands or real property whatsoever." Observe—Six months before the passing of this Act, I was possessed of and held a right title or claim to, in and upon the land in question, and in presence of Mr. Donald Kennedy, the District Surveyor, I avowed as much to Mr. Thomas, one of the "Respective Officers," and pointed out to him in his office, on their own diagram, the land so held and claimed by me, and the District Surveyor put me in possession on or about the 30th August, 1843, six months

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(C. C. C.)

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previous to the passing of their Vesting Act, in virtue of a deed executed to me by the Municipal Council. I contend therefrom that the first clause in their own Vesting Act interdicts them from "impairing, diminishing or affecting" my title. Their title is subject to a further condition:—*Vide* Clause IV, "That any lease, or promise of any lease, or conveyance of any part of the lands or other property hereby vested in the said Principal Officers, or of any estate or interest therein made or entered into before the passing of this Act by any Officer or person under whose control such lands or property were placed, or in whom the same were vested in trust for the Crown, shall be held good and valid by the said Principal Officers, who shall be bound to ratify and confirm the same, and to execute all deeds and instruments which may be necessary for that purpose, on the terms and conditions on which such lease, conveyance or promise was made." It is clear from the evidence you have got from the gentlemen of the Ordnance, that they are of opinion, that having given no deed for this 30 feet, their title to it is still good, and that they can resume at any time their claim, and establish their right to any lands they may have given for public roads, provided they have not parted with the fee simple; the Ordnance have never given deeds of such gifts to the public, it has not been the practice (they say) for private individuals so to do, when they give up parts of their lands for public highways. No, it has not, yet I never heard of an instance of a private individual setting up a claim for land so ceded; but as the Ordnance have, on the plea of still retaining the fee simple, assumed that they can and will do so, the sooner that licentious notion is legislatively corrected, the better for the Town and Country, trusting nothing to their discretion, clemency or good faith, that have become proverbially questionable. But still, if private individuals can do it, and perhaps they can, the Ordnance cannot or ought not, for their title is not an ordinary title; their title which is given by a Parliamentary Act, is a conditional title, which by Clauses I and IV renders their retraction of promises nugatory, and makes it an imperative duty in them to ratify and confirm them. It was on the presumption that the Ordnance had no claim to the strip of land in question, that the Municipal Council dealt with a piece of it, as under the 39th clause of the Municipal Act, they were empowered to do, they being authorized by that Act "to make, maintain or improve any street or road; to stop up, alter or divert any street or road; to sell such part or parts as may have ceased to be useful," &c. Now the Council did "divert" the road, they curved it off, as appears by the sketch on your table, and sold to me the useless and condemned strip, because it would have remained betwixt me and the street, and have cut me off from the street; this was done six months before they carried their "Vesting Act," and then six months after carrying that Act, when applied to by Harvey and Lewis, Solicitors to the District Council, to execute a deed in favor of the District, the gentlemen of the Ordnance say "no, we will do no such thing." Now I conceive they were in honor bound to do so, by the 4th clause in their own "Vesting Act." By this dereliction of their obligation to the District, by violating their own "Vesting Act," they have excited great indignation in the District Council, which by inclination, no less than by duty, I have long and zealously been endeavouring to suppress. "But why," (asks every member of the District Council) why should Her Majesty's Ordnance interfere in the civil affairs of the District?—Why should they seek to get back again this strip of land so worthless to themselves, and so long ago given to us?—It cannot be for Canal purposes,—neither can it be for Military purposes; can it be from a malicious opposition to the progressive improvement of the Town, and to harass and worry the people into subordination and subjection to them?—Can it be that Mr. Pinhey has made himself obnoxious to them or to any gentleman of the Department; that they adopt this mode to take revenge? Such, and such like are the questions current from the Rideau River to the Fitzroy Harbour. One comment more to meet the hostile threat of the gentlemen of the Ordnance to level my house. They say a part of my house is on their land: You have seen the deed in my favor, executed by Mr. Commissioner Elliot; it was presented to me by Mr. Scott his Solicitor; I told that gentleman the deed was wrong; he insisted on its being correct, and would give me no other.

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(C. C. C.)

6th June.

You have the deed on your table. Mr. Commissioner Elliot conveys to me "Lot B. in Wellington street commencing on the S. W. corner of Lot A. on the N. side of "Wellington street," &c. You have the official diagram of that part of Wellington street before you; will any gentleman say that my house trespasses on the Ordnance property?—If the land did at the time of their conveyance to me, belong to them, they conveyed it to me, altho' I am not thankful for it, because I believe they did not intend to do so; nevertheless they did it; and "there is no principle of Law," says Sir Thomas Wilde in the House of Commons on writ of error, "more settled, more solemn, more important than that every record must speak for itself, and that no proof however clear, or however cogent, must be received to contradict a record, and the principle that that which they could not disprove, they were not allowed to presume." "To guess this and presume that," continues the honorable and learned member, "the effect would be to embarrass and jeopardize the estate of every man in the Empire." You would think the gentlemen of the Ordnance would be the last men in the Province to "guess" they did not mean to do, what in effect they did and have done, had you not at your last meeting heard Mr. Commissioner Elliot say he would get me into Chancery to correct the mistake; that would be well done certainly, before they make a breach in my house. You see that I am an obscure but independent subject of Her Majesty, am more provident of the Imperial purse than are the distinguished Officers of Her Majesty's Ordnance, who while they reject my advice which is safe and gratuitous, will eagerly take that which is speculative and costly.

Hamnett Pinhey, Esquire, again called in; and examined:—

1. How long have you known the respective Lots constituting Bytown, the Government Lots purchased by the Earl of Dalhousie, and the Lot purchased by Mr. Sparks?—For five years before my house was erected in Bytown.

2. What was the agreement on the part of Col. By, when Mr. Sparks gave up 66 feet of his land to the public?—Col. By gave 30 feet from the Dalhousie lot.

3. How came you by that knowledge?—From its universal notoriety,—from Mr. Hagerman, Solicitor to the Board of Ordnance,—from Col. By himself,—and always having access to their official plans and diagrams I found it therein set apart for a Street.

4. Was any application ever made to Mr. Commissioner Elliot to execute a deed in favor of the District for that 30 feet you speak of?—By Harvey and Lewis, Solicitors to the District Council, and by myself as Warden.

5. Did Mr. Elliot decline to execute a deed?—He did.

Major *Thompson*, Royal Engineers, called in; and examined:—

6. You are the successor of Major Bolton, who succeeded Col. By—and are at the head of the Ordnance Department at Bytown?—I believe so.

7. One of the Respective Officers?—I am.

8. Are you acquainted with the locality of Wellington Street, Bytown?—Yes.

9. You are familiar with the Official Diagram of the Dalhousie Lot that lies on the East side of Wellington Street?—Yes.

10. Do you know that your predecessor, Col. By, set apart and gave up to the District, 30 feet in depth of that Lot?—No.

11. Did you not find it so described on the Diagrams in your Office?—No.

12. Do you find then that it is and has been set apart as a Street?—Yes, part of it has been used as a Street.

13. Do you consider the Ordnance Department has power now to appropriate the 30 feet mentioned, to other purposes than a Street, should they deem it necessary to do so?—Not in my humble opinion, except in a case of emergency, and then no more than any other individual.

14. What is the reason assigned by the Ordnance Department in not complying with the 4th clause of the Vesting Act?—I am not aware that they have not complied with the 4th clause.

J. S. Elliot, Esquire, Ordnance Storekeeper, and Commissioner, called in; and examined:—

15. Are you acquainted with the locality of Wellington Street, Bytown?—Yes.

16. Are you aware that the late Lt. Col. By entered into an agreement with Mr. Sparks, that if he would give up 66 feet in depth of his lot, that 30 feet in depth should be given from the Dalhousie lot to constitute Wellington Street?—I have heard so, but it has never been proved to me.

17. Is it not found so recorded in Col. By's Official Diagram?—I have never seen any document proving a specific agreement on the part of Col. By, with respect to the Street, at least I have no memory of such a document. I know that 30 feet is appropriated for a Street in the plan.

18. Are you Attorney to the Principal Officers of Her Majesty's Ordnance?—I am.

19. You execute deeds of conveyance under the Vesting Act on their authority, and subscribe yourself their Attorney?—I do.

20. Do you recollect that about six months after the passing of the Vesting Act, you were applied to by Harvey and Lewis, Solicitors to the Municipal Council, to execute a deed of conveyance for the 30 feet alluded to?—I cannot say to the six months, but such an application was made.

21. Did the Warden of the District, Mr. Pinhey, ever make a similar application to you?—In the absence of any record, there were only two as I recollect; and they were from Harvey and Lewis, the Solicitors of the District Council.

22. Are you aware that many persons have been in possession of lots, and built houses on them, and the Ordnance refused to give a deed of the same?—If squatters, some have been refused, as I have been strictly guided by the 5th, 6th and 7th Sections of the Vesting Act.

23. Has it come to your knowledge that John Scott is a purchaser of several lots that the parties in possession of the same had been refused; is John Scott your Solicitor; have you signed any deed or deeds in his favor?—I have no recollection of having signed a deed in his favor. Should I upon looking over my papers find that I have signed any such deed, I will acquaint the chairman.

24. Are you of opinion, from any decision of Law which has come to your knowledge, that the fee simple of any portion of ground appropriated for a road is still vested in the Ordnance—having reference to Bytown?—I am not aware of any legal decision bearing upon the question, except in Mr. Pinhey's case, which I understand to have been decided that the Municipal Council had not the power to grant the fee simple of any part of the 30 feet in question to Mr. Pinhey; in my opinion the fee simple remains in the Ordnance in trust for the Crown. With reference to the foregoing questions, I wish to observe, that I was actuated in not entertaining the application from Messrs. Harvey and Lewis, because I considered the object to be merely to obtain a cover for the grant, which I was told had been illegally made by the Municipal Council, of part of the ground to Mr. Pinhey, parti-

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cularly as a similar application was not made for any of the other Streets.

James Johnston, Esquire, a Member of the Committee, examined:—

25. How long have you been acquainted with the Town of Bytown?—Since it was first established.

26. Are you aware that Lt. Col. By, for many years Chief Officer of the Ordnance Department in the Town, gave up to the District 30 feet in depth of the Government lot, on condition that Mr. Sparks should give 66 feet from his lot in a parallel line, for a Street?—I have seen his writing to that effect to Mr. Sparks.

William Stewart, Esquire, Chairman of the Committee, examined:—

27. Were you a resident of Bytown when Lt. Col. By was Commandant?—I was.

28. You can of your own knowledge inform the Committee what depth of frontage from the Government lot was ceded to the District by Col. By, parallel with the 66 feet ceded by Mr. Sparks?—I always understood it to be 30 feet.

The Honorable *Thomas McKay*, a Member of the Legislative Council, called in; and examined:—

29. How long have you been a resident in the vicinity of Bytown?—Since 1826 to the present time, excepting about three years residence in Montreal.

30. Have you any knowledge of the late Col. By having given up to the District, 30 feet in depth of what is called the Dalhousie lot?—When the late Lt. Col. By went up to commence the Rideau Canal, he requested me to go with him, which I did; this was in September 1826. Shortly after, say three or four weeks, Lt. Col. By ordered the late Mr. John M'Taggart and myself to measure off the depth of 30 feet from Mr. Sparks' line, upon the Dalhousie or Government lot of land, to form the Street from the River Rideau to the other extremity of said lot.

The Chairman laid before the Committee the following Letter received by him from Hamnett Pinhey, Esquire.

SWORD'S HOTEL,
Montreal, 15th April, 1846.

Sir,

The Principal Officers of Her Majesty's Ordnance having, by deed of conveyance, ratified and confirmed the sale of the Municipal Council, I beg leave to say, that the Committee on my Petition will be pleased to consider their further investigation unnecessary.

I have the honor to be, Sir,
Your obedient servant,
HAMNETT PINHEY.

To Wm. Stewart, Esquire,
Chairman, &c.

APPENDIX.

Appendix
(C. C. C.)

6th June.

Petition of Hamnett Pinhey, Esquire.

The Petition of Hamnett Pinhey, Warden of the District of Dalhousie, to the Honorable the Legislative Assembly of the Province of Canada, in Parliament assembled,

Humbly Sheweth:—

That Your Petitioner begs leave to draw the attention of Your Honorable House to the Act 7th Vic. chap. 11, commonly called the "Vesting Act," vesting in the Principal Officers of Her Majesty's Ordnance certain lands in this Province under certain conditions, restrictions and reservations, of which one is, "that any lease or conveyance or any promise of any lease or conveyance of any part of the lands or other real property hereby vested in the said Principal Officers, or of any estate or interest therein, made or entered into before the passing of this Act by any officer or person under whose control such lands or property were placed, or in whom the same were vested in trust for the Crown, shall be held good and valid by the said Principal Officers, who shall be bound to ratify and confirm the same; and to execute all deeds and instruments which may be necessary for that purpose, on the terms and conditions on which such lease, conveyance or promise was made."

And whereas Lt. Col. By did give to the District a certain strip of land of 30 feet in depth of the Government lot running parallel with the lot owned by Nicholas Sparks of Bytown, Esquire, constituting Wellington Street, in Upper Bytown; and whereas Mr. Commissioner Elliot acting for and in behalf of the said Principal Officers, hath and doth refuse to give a deed to the Municipal Council of the said District for the said certain strip of land, running parallel with the houses on the East side of Wellington Street; and which refusal is in violation of the Vesting Act aforesaid, and is thought to leave the fee simple of the same in the hands of the Principal Officers, whereby it is feared they may resume the right and occupation thereof, or devote the ground to purposes destructive to the buildings thereon, and thereby involve individuals and the District at large in endless litigation.

Your Petitioner, believing that such refusal originating in part from Mr. Commissioner Elliot's misconstruction of the Vesting Act, humbly prays that Your Honorable House will be pleased to pass an explanatory Act, whereby there may be left no excuse for not adhering to the provisions of the Law as enacted by the Vesting Act.

HAMNETT PINHEY,
Warden of the District of Dalhousie.

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REPORT.

THE SELECT COMMITTEE to which was referred the Return to an Address for the amount expended on the different Cuts of the St. Lawrence Canals, and the amount of Tolls received thereon, have agreed to the following REPORT:—

Your Committee refer to the Report of the Honorable Chairman of the Board of Works, marked A, by which the amount expended on the St. Lawrence Canal is exhibited in Table No. 1; the annual expenditure and report on the Beauharnois and Cornwall Canals, in Table No. 2.—Amount of annual expenditure and tolls received, in Table No. 3.

For the cost of conveying a barrel of Flour or a ton of Goods, from Kingston or Prescott to Montreal during the present year,—the prices heretofore and now paid on the Erie Canal and other points, reference is made to Letters and Evidence Nos. 4, 5, 6, 7 and 8.

Your Committee have carefully compared the prices of transportation on Canals where a continuous towing-path has been provided, as on the Welland Canal; (see Evidence of The Honorable W. B. Robinson, No. 8.) and on the Erie Canal, (see Evidence of William Wallace, Esquire, Civil Engineer, No. 6), with the prices paid on the Rideau, where no towing-path exists, and where the motive power was left to be provided by individuals.

On the first, a barrel of Flour is conveyed, from Lake Erie to Lake Ontario, a distance of forty miles, with three hundred and forty feet lockage, for one halfpenny; on the second, from Buffalo to Albany, three hundred and sixty six miles, previous to the 1st July 1845, for nine pence,—while scarcely a single barrel of Flour descends the Rideau Canal, because the St. Lawrence proves to be the cheapest route; notwithstanding the charges on the St. Lawrence, for a distance of one hundred and eighty miles, previous to July 1845, was one shilling and nine pence per barrel. During the present year, it has been increased to two shillings. If the rates of freight were reduced on this route to the same scale as those now paid on the Welland Canal, in proportion to distance, a barrel of Flour could be conveyed from Kingston to Montreal for two pence farthing; and at the same rate as on the Erie Canal, during the same period, it could be done for four pence halfpenny, which would leave a saving on the first, of one shilling and six pence three farthings per barrel, and on the second, of one shilling and four pence half penny. If, therefore, the St. Lawrence Canal, when made perfect, can be navigated with its increased dimensions, as cheaply as the Erie Canal, the Government may receive a toll of four pence half penny, per barrel, on all Flour descending the river, and leave a clear gain to the grower of one shilling per barrel.

The prices for freight for carrying a bushel of Wheat from Chicago to Oswego via Welland Canal, twelve hundred miles, 6½d. Freight, 1d. Toll, making 7½d. From Cleveland to Oswego, forty five miles, 2½d. Freight, 1d. Toll, making 3½d; and from Kingston to Montreal, one hundred and eighty miles, 7½d. Freight.

If a bushel of Wheat can be, and is actually conveyed, twelve hundred miles for 6½d, it should, at the same rate of freight, be conveyed one hundred and eighty miles, say from Kingston to Montreal, for rather more than 1d. freight; to which, add 1d. Toll, for the St. Lawrence, and the price would be reduced to 2d. leaving a gain to the grower of 4d to 5d. per bushel; and if a ton of goods can be conveyed four hundred and fifty miles as is now done between Oswego and Detroit, for 10s. including 5s. toll through the Welland, it should, at the same rate, be conveyed one hundred and eighty miles on the St.

Lawrence, for 4s. to which add toll, 5s. making 9s. per ton, which taken from 80s. the price now paid, will leave a gain to the consumer of 71s. per ton.

In addition to the rates of freight thus paid between given points, Your Committee have attentively examined the natural facilities and obstacles on the St. Lawrence navigation; also, the practical operation which its trade is most likely to assume, taking it for granted that a sufficient depth of water is found in descending the rapids, to pass the largest class of vessels which can return through the Locks to Lake Ontario. No similar distance on any other communication offers the like facilities. On returning, those advantages are counteracted by an intricate circuitous channel between those different cuts, and in short distances, by a strong current;—to connect them by a towing-path is impracticable. The only remedy is, to substitute steam power. Then vessels laden with five thousand barrels Flour may pass through the Welland Canal, and thence down to Montreal or Quebec, without transshipment. In returning for another cargo, they will take upward freight, at a price to cover costs and charges, and a moderate profit,—avoid transshipment, and save all extraneous charges; or produce may be re-shipped into the larger class of vessels at the head of Lake Ontario, whichever may prove most advantageous. The only question is, whether steam power can be provided by individuals as advantageously as by the Government.

Considering the magnitude of the interests involved,—the extent of commerce affected, and the importance of commanding the lowest rates of transportation as early as possible, Your Committee strongly recommend the latter, which will render this navigation as perfect as practicable, and make it the cheapest navigation for a similar distance on the continent.

Your Committee learn with regret, that the Lachine Canal will not be finished until the 1st September 1847. The most disastrous results may be apprehended from this delay.

The direct loss that the public must sustain by a single year, although exceeding Eight thousand pounds, without estimating the repairs, and toll to be received, and the continued heavy charges to which all productions are subject, warrant the most extraordinary exertions being made to complete the Canal during the present year.

Your Committee are strongly impressed with the belief that the entire line can be opened before the 1st day of May 1847, and, for the reasons assigned, recommend the immediate adoption of measures to secure that end; and most earnestly recommend the St. Lawrence to be opened throughout with a sufficient depth of water, before the commencement of the navigation of 1847; that tolls may be imposed on all freight descending, except timber in rafts, at the same or corresponding rates with the Welland Canal; and that Tug boats be supplied instead of a towing-path, where the same cannot be made to connect the entire line and make a perfect and continuous navigation from the River St. Lawrence at Prescott to Tide-Water.

All which is respectfully submitted.

WM. HAMILTON MERRITT.
Chairman.

6th June, 1846.

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(D. D. D.)

6th June.

A.

Report of the Chairman of the Board of Works.

BOARD OF WORKS,
Montreal, 15th April, 1846.

Sir,

I have the honor herewith to submit for the information of His Excellency the Administrator of the Government, the following Statement in reference to the expenditure and establishment upon the several portions of the St. Lawrence Canals, as requested to be furnished by the Address of the Legislative Assembly.

1st. "The amount expended on the different cuts or portions of the St. Lawrence Canals."

Beauharnois Canal,.....	£296,217	7	3
Cornwall do	*511,821	12	2
Williamsburg do	163,649	12	11

2nd "At what time the Cornwall and Beauharnois Canals were opened."

The Beauharnois Canal was opened on the 11th October last.

The Cornwall Canal was partially opened in the fall of 1842, but, in consequence of the several breaches which occurred shortly after the navigation of 1843, was very much interrupted.

Of the Williamsburg Canals,—the Galops will be opened on 1st September next; the Farren's Point,—the Rapide Plat,—the Point Iroquois, on 1st October next.

3rd. "The number of people employed and their salaries, and the expenses incurred on each since the opening of the Canal."

The establishment on the Beauharnois Canal consists of,

One Superintendent and Collector at £160 per annum.	
Nine Lock Tenders.....at	50 do
Sixteen Lock Laborers.....at	37 10s. do
One Bridge Keeper,.....at	30 do

The amount expended on this Canal since its opening (exclusive of the cost of portions of the work not fully finished when the Canal was opened) is £526 17s. 3d. Currency, being the amount of the pay of the Establishment.

The Establishment on the Cornwall Canal consists of,
One Superintendent and Collector at £160 per annum.
4 Lock Tenders.....at 76 2s. do
1 Bridge Keeper.....at 25 do
20 Lock Laborers,—Wages paid by the day during the season of navigation, may be assumed at £37 10s. per annum.

The amount expended on this Canal since its final opening, independent of the wages of the Establishment, has been £10,357 1s. 4d. Currency, being the outlay on repairs and strengthening of embankments, protecting face of banks, &c.

4th. "Amount of tolls received on up and down freight."

Until the several portions of the navigation were completed, it was not to be expected that the benefits anticipated from these Canals could be realized; until then, no advantage could comparatively be derived from the completion of one or two isolated portions; the trade must have continued to be carried on in the small class vessels which returned upwards by the Rideau route, and the same transshipping and other costs would have to have

* £440,077 11 0 by Commissioners, as per Statement from Insp. Gen. Office.

£71,724 1 2 by Board of Works.

been incurred, which will be abolished on the opening of the navigation throughout.

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Under such circumstances, so long as the Cornwall Canal was the only part opened, it was not deemed expedient to impose tolls; and the opening of the Beauharnois Canal took place so late last season, that the amount of tolls collected cannot be taken as any criterion by which to judge of the revenue therefrom.

The total amount of tolls received was,

For Beauharnois Canal.....	£64	8	3¼
For Cornwall do	51	12	5

5th. "Whether it is the intention of the Board of Works to finish this Canal, so as to admit the free passage of vessels from the Upper Lakes to Tide-Water and back without transshipment, and whether it is their intention to furnish a continuous tow-path or steam power to admit the free passage of each vessel between Prescott and Montreal, and if not, to report in what manner vessels are to be supplied with the means of returning when a towing-path is not provided."

On the close of this year when the works of the several Canals shall have been completed, the navigation of the St. Lawrence from the Upper Lakes to Tide-Water will be fully opened; but inasmuch as a large portion of the line is a river navigation, with a current varying in some parts from 2 to 3¼ miles an hour, and the generally prevailing wind being down stream, it is clear that to ensure despatch and certainty of delivery, sailing and all other craft not propelled by steam power must be assisted up stream in some manner.

Of the two modes suggested in the extract from the Address of the Legislative Assembly above quoted, I consider "a continuous tow-path" to be out of the question, not only from the enormous expense that would have to be incurred in its construction and maintenance, but even if constructed along the narrow waters, the object aimed at would not have been obtained, as the navigation of Lake St. Francis and Lake St. Louis would still continue to render the arrivals of all craft, not steam vessels, uncertain.

In the present pecuniary circumstances of the Province, there are many individuals, whose means, although sufficient to induce them to become the proprietors of one or two or more large barges well suited to the enlarged navigation, are not extensive enough to enable them to undertake the establishment of the steam-tug power requisite to ensure a steady and regular course of forwarding by means of barges;—without this power their barges could not return.

In my opinion, therefore, the forwarding trade will as heretofore continue wholly in the hands of men of large capital, at least for some years, until by degrees the high price of freight and large profits leading others into the trade would result in extensive competition, and thereby reduce the cost of freight to what it ought to be at present, if we are to compete successfully with our American neighbours.

The question is a most important one, whether this object could not be at once obtained upon the completion of the Canals by the establishing of a towing power between Montreal and Kingston at the cost of the Province, the use and aid of such power to be open to all, and to be laid aside when private enterprise renders its continuance no longer necessary.

The consideration of this question, and of the general principles of political economy involved in it, comes, I conceive, more properly within the province of the Inspector General's Department.

I have the honor to be, Sir,
Your very obedient servant,
HAMILTON H. KILLALY,
Chairman, Board of Works.

The Honorable
The Provincial Secretary,
&c &c. &c.

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TABLE No. 1.

Shewing the amount of the Expenditure incurred and probable Cost of connecting the River St. Lawrence.

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Name of Canal.	Amount expended to 1846.	Amount required.	Total.	When to be made navigable.
	£ s. d.	£ s. d.	£ s. d.	
Cornwall Canal	511821 12 2	... ..	511821 12 2	Finished.
Beauharnois Canal	296217 7 3	... ..	296217 7 3	Finished.
Point Iroquois	163649 12 11	80000 0 0	248649 12 11	1st October, 1846.
Rapide Plat				
Farren's Point	204000 0 0	130000 0 0	334000 0 0	1st September, 1847.
Lachine Canal				
Total	£1165688 12 4	210000 0 0	1385688 12 4	

TABLE No. 2.
BEAUHARNOIS CANAL.

	£ s. d.	£ s. d.
1 Superintendent	160 0 0	160 0 0
9 Lock Tenders, at £50 each	450 0 0	450 0 0
16 Laborers, at £37 10s. each	600 0 0	600 0 0
1 Bridge Tender	30 0 0	30 0 0
		£1240 0 0
Cornwall Cut.		
1 Superintendent and Collector	160 0 0	
4 Lock Tenders, at £76 2s. each	304 8 0	
20 Laborers, for repairs, at £37 10s. each	750 0 0	
		1214 8 0
Amount expended on the Beauharnois Canal since opened		10357 1 4
		£12811 9 4
Less:—The amount of Tolls received on the Beauharnois Canal since opened	64 8 3½	
“ “ “ Cornwall ditto	51 12 5	
		116 0 8½
		£12695 8 7½

TABLE No. 3.
AMOUNT OF ANNUAL EXPENDITURE.

	£ s. d.
Interest on the amount expended, £1165688, at 6 per cent.	69940 0 0
Proportion of interest on £210000, to be expended, at least one-half	5500 0 0
Annual expenses on Cornwall and Beauharnois Canals	2454 0 0
Supposed annual expenses on remainder	3106 0 0
Annual Expenditure	£80000 0 0

No. 4.

FORWARDING—1846.

The undersigned will, till further notice, charge the following Rates of Freight:—

UPWARDS: From Montreal to Prescott, Brockville and Kingston, and to places on the Rideau Canal above Bytown.

Pig Iron, Brick, Coal, salted Fish, Pitch, Tar and Rosin, 1s. per cwt.

Bar Iron, 1s. 3d. per cwt.

Heavy Hardware, Groceries, Crockery, Rod, Hoop and Sheet Iron, and Boiler Plate, 1s. 6d. per cwt.

Dry Goods, Glass and Powder, 2s. cwt.

Salt in bags or barrels, per bag or barrel, 1s. 6d. cwt.

DOWNWARDS: From Kingston, or places below Kingston, to Montreal.

Flour, 2s. per barrel.

Ashes, 5s. do.

Pork and Beef, 3s. per barrel.

Lard and Butter, 1s. per keg.

Wheat or other Grain, 7½d. per 60 lbs.

Bran, 22s. 6d. per ton.

Tobacco, 10s. per hogshead.

Insurance as usual on all property downwards, and charged in addition to the freight.

All other property in proportion regulated per barrel bulk.

The undersigned, previous to the 10th May, will only receive property consigned to them at Kingston, as Ware-

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housemen, for the storage of which the following charges will be made:—

Flour, 3d. per barrel.
Beef and Pork, 4½d. per barrel.
Tobacco, 1s. 3d. per hogshead.
Ashes, 6d. per barrel.
Lard or Butter, 2d. per keg.
Wheat and other Grain, 1d. per bushel.

And all property in proportion.

All Freight payable on delivery.

All Property while in Store, at risk of the owners against Fire.

MACPHERSON, CRANE & Co.
HOOKER, HOLTON & Co.
JAMES DEAN,
Chairman Quebec Forwarding Company.
SANDERSON & MURRAY.
H. JONES & Co.

April, 1846.

No. 5.

Letter from Mr. Oliver Phelps to the Chairman of the Committee.

Toronto, 10th April, 1846.

Dear Sir,

In reply to your inquiry as to the price paid for freights in the year 1835, I have to inform you that I paid for the transportation of Flour from Kingston and Prescott to Montreal, one shilling and three pence per barrel, and two shillings and sixpence per hundred weight of goods in return to the same places.

Yours truly,
(Signed,) OLIVER PHELPS.

W. H. Merritt, Esquire,

No. 6.

Letter from William Wallace, Esquire, to the Chairman of the Committee.

Buffalo, 20th February, 1846.

Sir,

Flour was transported from Buffalo to Albany by the Erie Canal, in June and July last, for fifty cents per barrel! Toll, 35 cents.

Truly yours,
(Signed,) WILLIAM WALLACE.

William Hamilton Merritt, Esquire,

No. 7.

Letter from Messrs. Bronson & Crooker, to the Chairman of the Committee.

Oswego, 6th April, 1846.

Dear Sir,

Your favor of 27th ultimo is received. The current and most usual price for transport of Wheat from Chicago to Oswego, *via* Welland Canal, last year, was 12½ cents per bushel, and from Lake Erie 6 to 7 cents, including Toll, one penny halfpenny.

Merchandise paid generally two dollars from Oswego to Lake Erie, of which one dollar was Toll to the Welland Canal, per ton.

And these will probably be the ruling prices for the present year; but we doubt not when your work is in all respects perfect, Wheat will be transported from Lake Michigan to Oswego for 10 cents, and from Lake Erie for 5 cents, per bushel.

Transport of Wheat from Oswego to New York is about 12½ cents per bushel; Flour 42 cents per barrel; Merchandise from New York to Oswego, from four to six dollars per ton net, according to toll.

Respectfully, Your obedient servants,
(Signed,) BRONSON & CROOKER.

W. H. Merritt, Esquire,
Montreal.

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No. 8.

MINUTES OF EVIDENCE.

Monday, 1st June, 1846.

Hamilton H. Killaly, Esquire, Chairman of the Board of Works, examined:—

1. What sum will be required to finish the Cuts above Cornwall, in addition to the £163,649 12s. 11d.?—About £80,000.

2. What has been the expenditure of the Lachine Canal to the close of this season?—There has been expended on the Works of the Lachine Canal up to 7th May last, and upon the acquisition of Land, on Law and Police expenses, &c., about £204,000.

3. What is required to finish it?—About £130,000.

4. When will it be finished throughout?—By the Contracts, the Canal should be finished by the 1st July, 1847; but the Works at the two terminations are being proceeded with very unsatisfactorily, especially at the Montreal terminus. The Department has used every means in its power to force on those works more rapidly,—hitherto without effect; and they are so circumstanced that to make any change in the Contractors or the mode of management at this period, would be unavoidably attended with greater delay than to leave the Works in the present hands. From the time that has been lost by the Contractors, I am of opinion that the Works will not be completed before the 1st September, 1847.

5. What part of the Work is the most backward from Prescott to below Montreal?—The Lachine Canal. The Cornwall and Beauharnois Canals are now in good working order; and the Williamsburg Canals can be finished this year.

6. Do you not think if Tug-boats are provided by the Board of Works, it would be most economical to place one on Lakes St. Louis and St. Francis; and will one be required above?—I am of opinion that in case of the establishment of Tug-vessels, whose services would be open to all traders, that one would be required on Lake St. Louis, one on Lake St. Francis, and one of a more powerful class above Cornwall; I say more powerful, because I consider this boat should take the barges in tow at the head of the Cornwall Canal, and bring them up against the stream to the foot of the next Canal, and while the barges are being passed through the Locks and Canal, the Tug-boat would herself go up the Rapid to the head of that Canal, and be ready to bring on the barges to the next, and so on; and then descend the natural course of the River to the head of the Cornwall Canal again.

Honorable William B. Robinson, a Member of the Committee, examined:—

7. Have you been in charge of the Welland Canal for some time past?—Yes, from 1836 to 1843.

8. What is the actual cost of conveying a barrel of Flour from Lake Erie to Lake Ontario, exclusive of Toll; and what is the distance between the two?—The distance from Lake Erie to Lake Ontario, by Port Colborne, is 27½ miles; by Port Maitland, 40 miles. The cost of towing a vessel laden with 1200 to 1600 barrels of Flour on the short route, varies from 50s. to 70s., rather less than one cent per barrel at the highest charge. I cannot state the charge for towing on the other route, as it was not in use while I was in charge of the Canal.

REPORT.

THE SELECT COMMITTEE to which was referred the Petition of Alexis Laframboise and others of the City of Montreal, praying for an enquiry into the manner in which the Municipal Elections for the City of Montreal have been latterly conducted, have the honor to REPORT:—

That Your Committee have been convinced by the Evidence adduced in support of this Petition, that the persons who were returned, on the 2nd day of March last, as Municipal Councillors to represent the St. Lawrence and the St. James' Wards in the Common Council of the City of Montreal, were not elected as such Councillors by the free suffrages of the persons entitled to vote at their Election,—but that they were, on the contrary, returned by violence, and in opposition to the wishes of a majority of the persons so entitled to vote.

Your Committee having ascertained in the course of their enquiry, that the Municipal Elections which took place in December, 1844, were, in several of the Wards of this City, carried in like manner by open and undisguised violence, seriously apprehend that although a law has been passed, in the present Session, with a view to prevent the occurrence of similar scenes of outrage, the peaceable citizens of Montreal will find no security in any Legislative enactment, unless the Executive adopt more stringent and impartial measures to prevent and punish infractions of the public peace, than those which have hitherto been resorted to on similar occasions.

The whole nevertheless humbly submitted.

LEWIS T. DRUMMOND,
Chairman.

8th June, 1846.

MINUTES OF EVIDENCE.

LEWIS T. DRUMMOND, Esquire, in the Chair.

Saturday, 2nd May, 1846.

J. H. Dorwin, Esquire, called in; and examined:—

1. Do you reside in the St. Lawrence Ward of the City of Montreal?—I do.

2. Are you entitled to vote at the Elections of Councillors to represent that Ward in the Common Council of the said City?—I am.

3. Were you present on the 2nd March last, when a poll was opened in the said St. Lawrence Ward for the purpose of recording the votes of the persons qualified to elect such Councillors for that Ward?—I was.

4. Who were the persons put forward on that occasion as Candidates?—J. Ferrier, Esquire, then Mayor of the City, and John Kelly, a mechanic, were the Candidates on one side, and Alfred Larocque, Esquire, and L. P. Comte on the other.

5. At what hour was the poll opened, and how was the Election conducted on that occasion; and state fully and particularly your knowledge of all the circumstances that occurred in and about the polling place during the said Election?—The poll was opened a few minutes past nine o'clock; the voting commenced and continued peaceably on both sides until about half past ten o'clock,—at that time there was a considerable number of people assembled, amongst whom I perceived a great many strange faces who I think did not belong to the Ward. Two or three shots were fired from a yard adjoining, when there immediately appeared from the right about

two hundred or more men armed with axe-handles, and at the same time the troops marched up from the left; thereupon Larocque and Comte's supporters, who were unarmed, immediately dispersed. Mr. Ferrier then immediately left the polling booth, and mounted his horse. A person said to be his servant was mounted on another horse, marshalling the rioters with an axe-handle in his hand. Mr. Ferrier himself was generally placed between the troops and the rioters: I cannot say that he commanded either the troops or the rioters, but it was generally observed that it appeared as if both bodies were under his control. The persons armed with axe-handles seemed to have been brought there for the purpose of preventing Larocque and Comte's voters from approaching the polling place: few, if any, of their voters dared to approach on the side occupied by the axe-handle men. The Returning Officer at that polling place was Henry Stuart, Esquire. I saw several of the rioters standing with their axe-handles quite near to the booth; and while I stood there I saw no attempt made either by the Returning Officer or by any other person to disarm or disperse them.

6. Was it generally considered that Messrs. Larocque and Comte had a majority of voters in the St. Lawrence Ward?—It was: they were believed by well informed persons to have, as their supporters, two-thirds of the persons qualified to vote, and those persons would have no doubt voted for them had they not been deterred from approaching the polling booth by the violence which occurred there in the approaches thereto, and by the continued pressure at the booth of the troops and the persons armed with axe-handles.

7. Are you aware that, on the eve of the Election, a large number of certificates of qualification belonging to Larocque and Comte's voters, were given out of the Office of the Treasurer of the Corporation to persons who were known to be Ferrier and Kelly's supporters?—I know that my own certificate was taken, and I was obliged to obtain a duplicate to enable me to vote. I heard that there were a great many others, which I think is the case; for while I was at the Treasurer's Office, a person entered who was similarly situated as myself.

8. Do you believe that any of Larocque and Comte's voters could have approached the polling booth, and openly recorded their votes in favor of the candidates of their choice, without exposing themselves to violence?—I do not think they could have done so from about half an hour after the arrival of the troops and axe-handle men. Several persons, supposed to be favorable to Larocque and Comte, were beaten in the adjoining streets before they came in sight of the poll.

9. Did you recognize any of the persons so armed with axe-handles, or any of those who appeared to be commanding or encouraging them, other than individuals you have already named?—The only person that I recognized amongst the axe-handle bearers was a man of the name of Williams, who was then in the employment of Hilton, a cabinet maker, whose establishment is in St. James' Street; this Williams appeared to take an active and leading part.

10. Have you any knowledge as to the manner in which the Election of Councillors to represent the St. James' Ward was conducted and carried, on the same day, 2nd March last?—I have no personal knowledge of what occurred there: all my knowledge in reference to this Election is founded upon hearsay.

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Tuesday, 5th May, 1846.

Mr. Nelson Davis called in; and examined:—

11. Do you reside in the St. Lawrence Ward of the City of Montreal?—I do.

12. Are you entitled to vote at the Elections of Councillors to represent that Ward in the Common Council of the said City?—I am.

13. Were you present on the 2d March last, when a poll was opened in the said St. Lawrence Ward for the purpose of recording the votes of the persons qualified to elect such Councillors for that Ward?—I was.

14. Who were the persons put forward on that occasion as Candidates?—Messrs. Ferrier and Kelly on one part, and Messrs. Larocque and Comte on the other.

15. At what hour was the poll opened?—The poll was opened a few minutes past nine o'clock.

16. Had you any, and what opportunity of observing what occurred in and about the polling booth for the said Ward on that occasion; state fully and particularly your knowledge concerning the manner in which the Election in that Ward was conducted and carried?—I represented Mr. Comte on that day, but did not enter the polling booth until the polling commenced. The persons present in the booth were Messrs. Ferrier, Kelly, and Larocque, as Candidates, the Returning Officer Mr. Stuart, his Clerk, Mr. Neilson, Mr. Collins, and Mr. J. L. Burns, a Clerk in the employ of Mr. Kelly—who was there for the purpose of scrutinizing the votes. The polling went on very quietly until half-past ten o'clock; then began a great deal of pushing, with a good deal of noise; upon which Mr. Ferrier disappeared through a door by the back of the polling booth, remarking previously that he was surprised the Troops had not arrived, as he had sent for them an hour before. About this time three or four shots were fired in the vicinity of the polling booth, and which I believe to have been fired from a new building near the booth. At this time a great many persons armed with axe-handles and bludgeons (being Messrs. Ferrier and Kelly's supporters) appeared: they were stated to have issued from the yard and buildings called Près-de-ville Place, driving Messrs. Larocque and Comte's supporters from the poll. I observed a Mr. Lewis armed with an axe-handle, who is in the employ of Messrs. Bryson and Ferrier, leading the rioters, and exclaiming, "keep them from the poll." The Troops arrived immediately after, and the Commanding Officer rode up to the polling booth, and asked if there was any Magistrate present to give him orders, or if the Returning Officer would do so. The Returning Officer replied that he had no authority beyond the booth. About this time Mr. Ferrier arrived, mounted on a horse, and took command of the Troops, and remained with them until a short time before the closing of the poll. Mr. Stuart, the Returning Officer, repeatedly ordered persons out of the polling booth who had axe-handles or sticks in their hands, stating that he would be obliged to fine them if they came within the booth. The Returning Officer made no attempt either to disperse or disarm the persons armed with axe-handles and bludgeons, although many of them approached and remained in the immediate neighbourhood of the poll. I saw a person, who I know to be Mr. Ferrier's coachman, mounted on a grey horse belonging to Mr. Ferrier; he was leading on the rioters, sometimes armed with an axe-handle, and at others with a heavy whip; this man did not come up, at least I did not see him, at the commencement of the disturbance; but a short time after I saw him ride up in front of the booth and exclaim, "keep them off, boys;" these words were addressed to the persons I mentioned before as having been armed with axe-handles and bludgeons, and as having driven Larocque and Comte's supporters from the poll. When the disturbance began at the poll, Larocque and Comte were in advance of the opposing candidates, but I cannot say by how many votes. After the arrival of the Troops there were but a few votes recorded in favor of Larocque and Comte; and one of the few that came forward to vote after this time, an old Canadian, was beaten by the mob directly as he turned from the booth. The troops, although but a short distance from where this man was beaten, did not interfere; in

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fact, the troops did not interfere during any part of the day; they were separated into three divisions on their arrival, and these divisions were from time to time marched from one place to another, apparently according to the suggestions given by Mr. Ferrier, who accompanied the Officer in command, and kept alongside of him whenever he moved a division under his control.

17. Which of the opposing candidates were supposed to have the greater number of supporters duly qualified to vote in that Ward?—Messrs. Larocque and Comte had, I believe, decidedly a majority, and I took a good deal of trouble to ascertain how they stood previous to the election.

18. Had no disturbance occurred at the election, and had many of the electors not been deterred by the violence which occurred there, and the presence of the troops, from approaching the poll, do you believe that Messrs. Larocque and Comte would have been elected?—I do. I had in my possession over sixty certificates of qualification which I had promised to deliver to the persons to whom they belonged, so soon as they appeared at the poll where they had promised to vote for Messrs. Larocque and Comte, and I have no doubt that these persons were deterred from coming forward by the violence which occurred there. I also know several other persons who kept their own certificates who were in like manner prevented from coming to the poll to vote for Larocque and Comte. I remained at the poll until within about half an hour of its closing. I then thought it prudent to withdraw, so that I was not present when Messrs. Ferrier and Kelly were proclaimed by the Returning Officer as having been duly elected. It is a well known fact, however, that they were so proclaimed, and have since sat in the Common Council as the representatives of the St. Lawrence Ward.

19. Was the person whom you have designated as Mr. Ferrier, James Ferrier, Esquire, then Mayor of the City, and the same person who was a candidate at the election, and commanded the troops which were stationed at the polling booth?—Yes, the same.

Mr. John Collins called in; and examined:—

20. Do you reside in the St. Lawrence Ward of the City of Montreal?—I do.

21. Are you entitled to vote at the elections of Councillors to represent that Ward in the Common Council of the said City?—I am.

22. Were you present on the 2d March last, when a poll was opened in the said St. Lawrence Ward for the purpose of recording the votes of the persons qualified to elect such Councillors for that Ward?—I was.

23. Who were the persons put forward on that occasion as candidates?—Messrs. Ferrier, Kelly, Larocque and Comte.

24. At what hour was the poll opened, and how was the election conducted on that occasion; and state fully and particularly your knowledge of all the circumstances that occurred in and about the polling place during the said election?—The poll was opened about nine o'clock, and the voting commenced as soon as the necessary formalities were gone through. The persons present were Messrs. Ferrier, Kelly, and Larocque as candidates, also Mr. Davis who represented Mr. Comte; the Returning Officer Mr. Stuart, his Clerk, Mr. Neilson, and James L. Burns—who was scrutinizing the votes for Mr. Kelly. The polling went on briskly until about ten o'clock; at that time Mr. Ferrier sent Robert Cook to Town Major M'Donald for the troops. There was no appearance of disturbance then, beyond a little loud talk. Before the arrival of the troops, I observed in front of the polling booth, Michael Kelly and William Kelly, brothers of the candidate, and D. O'Connor, a shoemaker, who I knew to be obnoxious to a number of the persons around him; and fearing that his presence might lead to some disturbance, I pointed him out to the Returning Officer, and stated that he was not an elector of that Ward, and advised him to have him sent off, which the Returning Officer declined. About this time some altercation was going on near the poll in a group, amongst whom were the Kelly's

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and O'Connor. I heard three or four shots fired near the polling place, and immediately a number of persons armed with axe-handles appeared in front of the booth who were the supporters of Ferrier and Kelly. The troops then made their appearance, and as they came nearer the polling place, the persons armed with axe-handles seemed to gain confidence. Mr. Ferrier then retired by a door in the rear of the polling booth. A short time afterwards I saw him mounted on a horse, and commanding the troops. A number of the axe-handle men then placed themselves in front of the booth, and a person who appeared to be leading them exclaimed, "smash them as they advance," meaning the supporters of Larocque and Comte.

25. Who do you believe to have had the majority of voters in the St. Lawrence Ward?—I believe Messrs. Larocque and Comte had a majority over Messrs. Ferrier and Kelly, although the latter were proclaimed duly elected. I am enabled to state with certainty that Larocque and Comte would have been supported at the poll by a majority of the electors of the St. Lawrence Ward, from having canvassed for them, and examined the books in which are to be found the names of all the qualified voters, and extracted therefrom a list of their supporters.

26. Were Larocque and Comte at the head of the poll at the time when their supporters were driven from it, and were there many of them around the poll at the time when the rioters came up?—I believe that Messrs. Larocque and Comte were at the head of the Poll: I cannot say by how many votes they were in advance; this may be ascertained however by reference to the polling book, as Mr. John Kelly recorded his vote about the time when the crowd of men armed with axe-handles and bludgeons came up, and before the arrival of the troops. This John Kelly now referred to was one of the candidates, and voted for himself and his colleague Mr. Ferrier. The supporters of Larocque and Comte were numerous around the poll at the time when the mob came up: they were so numerous that several of them complained of having been detained there from the time of the opening of the poll, and requested me to urge on the Returning Officer the necessity of proceeding with despatch.

27. Do you consider that persons desirous of recording their votes in favor of Larocque and Comte could have done so after the arrival of the armed mob, without exposing themselves to personal violence?—I consider they could not.

28. What effect do you believe to have been produced by the disturbance which occurred at the poll, on the minds of such persons who had not yet approached the poll, but who intended to come forward and record their votes in favor of Larocque and Comte?—I believe that the conduct of Messrs. Ferrier and Kelly, and of their supporters, and the presence of the axe-handle men and the troops at the poll, had the effect not only of dispersing such of the supporters of Larocque and Comte as had approached for the purpose of recording their votes, but also to deter all orderly persons from coming forward.

Saturday, 9th May, 1846.

Arthur Ross, Esquire, called in, and examined:—

29. Are you, and were you at the time of the last Election for the City of Montreal, Treasurer of the said City of Montreal?—I am, and then was.

30. Was it your duty to give out the certificates of qualification to such of the electors as went to demand them?—It was.

31. At the eve of the last Municipal Elections for the said City, did you give out the said certificates of qualification personally; if not, state by whom they were delivered, what instructions you gave as to their delivery, and under what circumstances they were delivered?—Being under the necessity of attending, in another room on that day,

the gentlemen who audit my accounts, I gave instructions to my Clerk and the temporary Assistant in the Office to give the certificates, which were all prepared, to the parties themselves applying for them in person, or upon a requisition signed by the candidate or candidates in the several Municipal Wards; and my authority for this, was based upon a Resolution of a Special Committee of the Council of Montreal enjoining upon me so to do, if so required; a certified copy of which order I now produce; and, I believe, that none of the certificates were delivered except to the parties personally, or upon orders purporting to have been signed by the parties entitled to them and endorsed by one of the candidates.

32. Are you not aware that complaints have been made that certificates were delivered to certain individuals without the knowledge, or against the desire of the persons who were entitled to receive them; if such is the case, state how you believe such complaints to have originated?—A Mr. Workman complained to me that such had been the case in two or three instances which he named. I had prepared beforehand a certificate for every voter in each Ward, and the bundles were classified under the head of Wards, in alphabetical bundles numbered to correspond to the revised lists. As I said before, I was obliged to attend the Auditors, having £85,000 of accounts to submit to them. The instructions given to my Assistant, Mr. Harding, and to the two extra Assistants employed on the day on which the rush for certificates was made, was based upon the Resolution of the Special Committee now produced. I heard of no complaints in any Ward but the St. Lawrence, and I account for the apparent confusion in certain cases in the St. Lawrence Ward, to the circumstance that the canvas commenced in favor of Ferrier and Larocque, and that afterwards that those gentlemen separated their interests. I have in my possession a list in which several certificates were issued purporting to be in favor of Ferrier and Larocque, and endorsed by Mr. Ferrier alone, and another on which the name of the joint candidate with Mr. Ferrier is torn off.

Town Major Macdonald called in; and examined:—

33. Who was the Officer in command of the Troops which were stationed at or in the neighbourhood of the polling booths for the St. Lawrence and St. James' Wards, at the last Election of Councillors to represent the City of Montreal in the Common Council?—Major Evans, of the Royal Artillery, was, I believe, the Officer who commanded the Troops that was called out that day; these Troops were a company of the 52nd Regiment, stationed at the St. Lawrence Ward, and a company of the 93rd Regiment, stationed at St. James' Ward.

34. At what hour were these Troops called out, and at whose requisition?—I think the company of the 52nd went to the St. Lawrence Ward a short time after ten o'clock in the morning,—not later than half-past ten; and the other company of the 93rd, for the St. James' Ward, went out at about eleven o'clock. These Troops were ordered out upon a requisition signed by James Ferrier, Esquire, then Mayor of the City. The requisition was received by me before ten o'clock. Immediately on receiving it, I went to the Garrison, and the Troops were sent out on the above mentioned requisition.

Mr. William Smith called in; and examined:—

35. Have you any knowledge of the disturbances which took place in Montreal during the late Municipal Election in the month of March last; if so, state what you observed in reference to the same?—I reside at Côte à Baron. In coming from my house through St. Urbain street on the day of the Election, which I believe was on the 2nd March last, I saw a crowd of people in Lagachetière street which crosses St. Urbain street; between me and the body of the crowd I saw Mr. Ferrier and either one or two Officers on horseback, and between them and the crowd were a number of soldiers. I remained some time looking on, when my attention was drawn to a mob entering St. Urbain street from Craig street; they came as far

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as the Montreal Medical School, when they stopped, and and in an instant the windows and doors were smashed. Mr. Ferrier, on perceiving the mob coming up the street, spoke to one of the Officers, and immediately the soldiers were ordered to be ready; a man mounted on a grey horse thereupon rode up to Mr. Ferrier, and said something to him which I did not hear; this man came from the mob who had attacked the Medical School, and who were still surrounding it: I understood him afterwards to be Mr. Ferrier's servant. So soon as he had communicated to Mr. Ferrier whatever he had to say, the latter waved his hand to the Officers, said something, and immediately afterwards the soldiers stood at ease, and remained where they were. I then proceeded down St. Urbain street, towards my counting house, and in passing opposite the Montreal Medical School at the foot of the street, I saw a number of people standing around it, many of them armed with axe-handles, and I saw the windows and doors of the building much broken. Amongst those people I did not recognize any one. I was astonished to see so many people congregated together whom I did not know, it appeared to me that I had never seen any of them before.

Monday, 11th May, 1846.

Mr. Boston called in: and being interrogated, answered:—I was near the polling booth in the St. Lawrence Ward, at the last Municipal Election on the 2nd March last. I saw the editor of the Times, who I believe to be Mr. Kingsford, beaten in Craig street, first by one man, and afterwards by several; this assault was committed after the disturbances had begun at the polling booth in the St. Lawrence Ward. Some time before noon I went up to the polling booth in the St. Lawrence Ward, and found the poll apparently in possession of Ferrier and Kelly's supporters. I considered it in their possession, because, whenever any person came up, they enquired for whom he intended to vote, and if discovered to be a supporter of Laroque and Comte, he was prevented from approaching. At the entrance of each street which led to the poll, there was a band of men armed with axe-handles, and they stopped and questioned every man who appeared to be advancing towards the poll: amongst other persons whom I saw them stop was a Mr. Radenhurst, who was afterwards allowed to pass, when they discovered that he had no vote in the Ward. I saw another man whom they struck and knocked against the fence. While I was there, I heard another person who stated that he was a supporter of Laroque and Comte, complain that his certificate of qualification had been taken out of the City Council Office without his consent; thereupon Mr. Ferrier, one of the candidates and the Mayor of the City, came up to him and said, "I'll take you up to the poll, and tell them you are qualified, and then you will have nothing to complain of." Instead of taking him up to the poll, Mr. Ferrier however led him to the crowd, left him there, and turned back to the place he came from alongside of the Officer in command of the Troops; the man he left near the crowd was driven back, and did not succeed in reaching the poll. The axe-handle-men appeared to guard all the approaches to the poll: I saw them on several occasions rush down the streets which led to the poll, and drive back persons who appeared to be coming towards the poll. I do not know any of the persons who were so armed with axe-handles.

Tuesday, 12th May, 1846.

Joseph Grenier, Esquire, of the City of Montreal, called in; and examined:—

36. Are you acquainted with the manner in which the Municipal Elections which took place in the St. James' Ward of Montreal, in March last, were conducted; and are you aware of the troubles which occurred there?—Yes, I was one of the Candidates at the Election of this Ward. At the opening of the poll the votes were given freely for a space of time, and about seven or eight votes polled. The electors who were then at the poll were not furnished with any sticks or weapons whatever. Then a

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great number of persons came up, commenced creating a disturbance, and appeared all at once armed with axe-handles; they struck several, and wounded some severely, which compelled the Electors who supported me to fly from the poll. The poll was then immediately surrounded with persons armed with axe-handles, and the voters of Messrs. Gorrie and Connolly came forward and voted: among them was an individual holding in his hand an axe-handle stained with blood. Mr. Footner, the Returning Officer, said to him, "keep down your stick," on my remarking his permitting a person thus armed to come and vote. I complained very frequently to the Returning Officer of people with arms being thus permitted to surround the poll, and thereby to hinder my voters from advancing and voting freely: he answered me, "I cannot help it." Immediately afterwards there was a general row, and blows were given on all sides; quiet was then restored, and some votes were given. At the same time, and while every thing was tranquil, the Returning Officer sent for the Troops; and as soon as they were drawn up on each side of the poll, the partizans of Messrs. Gorrie and Connolly took possession of the avenues to the poll, and gave some votes,—preventing my voters from giving their votes; whereupon I requested the Returning Officer to cause a passage to be opened so that my voters might be able to get to the poll and vote, and he answered me, "every thing is quiet." Seeing that the Returning Officer would do nothing, I addressed myself to Mr. Ermatinger, (the Police Magistrate, then present,) asking him if he could not cause a passage to be made to permit a number of my voters, who were closely holding their certificates in their hands, to vote; Mr. Ermatinger answered me, that he was ready to cause a passage to be made, if he received the order from the Officer, for he could do nothing without his order. I immediately got Mr. Ermatinger to ask the Returning Officer if he wished him to make a passage; his answer was, "all is quiet." Some of my electors then came forward, one by one, to vote, through the crowd up to the poll; then the Returning Officer taking the certificate presented to him by the voter, asked him for whom he voted,—and if he said it was for me, he handed over the certificate to the Clerk of the Poll, and immediately Mr. Gorrie called out, "we exact the oath;" and instantly thereupon the voter found himself carried off by bullies, and transported from the poll to a considerable distance, whence it was impossible for him to come forward again and vote, so that his certificate remained in the possession of the Returning Officer without being enregistered.

37. Is it not true that at the time of the Municipal Elections which preceded the last, the peace of the town was disturbed by great disorders; and is it not to be feared that we shall see similar scenes renewed in the elections to come, unless the Legislature adopt some decisive measures to prevent them?—Yes, in the Municipal Elections of December, 1844, which preceded the last, the peace of the City of Montreal was disturbed; and it is to be feared that this will again take place, the more so as the candidates who were the cause of these disorders have taken their seats in the Corporation, although it is notorious that they had not the majority of the suffrages of those who were entitled to vote. If they had an apparent majority, it is owing only to violence, as I explained in my last answer.

38. Do you not think that the vote by ballot would be the best remedy for this state of things?—Yes.

William Ermatinger, Esquire, called in; and examined:—

39. Were you present at the polling booth in St. James' Ward of the City of Montreal, at any and during what length of time, whilst the votes were being taken for the election of Municipal Councillors for that Ward, in the month of March last; if so, please state in what capacity you appeared there, and what occurred in and about the polling booth whilst you were there?—I was present from about half-past ten, to the best of my recollection, and went there as a Magistrate for the preservation of the peace. I had previously gone down to the St. Lawrence Ward, but seeing the then Mayor, Mr. Ferrier, present there, and hearing that there was a disturbance at the

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polling place above mentioned, I immediately rode down to that quarter of the City. On my way down, at the entrance of the Quebec Suburbs, I met an immense number of persons here and there in the street, apparently armed with sticks and axe-handles; when I arrived at the booth, I saw a crowd about the booth similarly armed; there were, I could see, but few policemen, to the best of my recollection not more than five, and totally inadequate for the purpose for which they were placed there, that is, for the preservation of the peace. I then enquired from one of them, I think it is Mr. Jeremie, what had taken place; he stated to me that there had been a fight between the supporters of the candidates, and that there was every likelihood of some more disturbance taking place. I then rode back to go down to the barracks with an intention of procuring a sufficient Military Force for the prevention of a similar disturbance. On the way down to the barracks I met a company commanded by Captain Gordon of the 93rd Highlanders, on their way down to that Ward, as I understood afterwards they had been already sent for the same purpose, but by whom I cannot say; however I took charge of them, and on arriving at the polling place, divided the company so as to place the mob between the two divisions of soldiers. I then, with the assistance of about half a dozen of policemen and the Chief of Police, Mr. Wiley, disarmed all those about there that had any weapons or bludgeons about them: we took between 60 and 70 axe-handles and bludgeons and other weapons, among which I may mention two or three life-preservers—alluding to an instrument loaded at each end with a couple of ounces of lead and consisting of whalebone tied together with twine. After that, every person engaged in a row I sent to the Police Station; about 17 or 18 were sent during the time I was there, that is, between half-past ten to the closing of the poll at five o'clock. About half-past one o'clock, Colonel Pritchard came down to me, and stated that he had orders for the removal of the Troops to their quarters. To the best of my recollection, I stated at the time, that if they were removed, there would be danger of some breach of the peace being committed; they however were removed, and the crowd remained quiet, with the exception of shouting and pushing around the poll-booth, as is usual upon all elections. The police was sent by me in different directions, to ascertain and report in case any supply of weapons should come to the place. I ascertained from one, that he had been told by a person in the crowd, that individuals had been seen carrying axe-handles into a house in a street in the vicinity of the poll; but upon a further enquiry, I could not ascertain that to be a positive fact. About half-past two o'clock the crowd became very great, and apparently with an inclination of committing a serious breach of the peace. Leaving the Chief of Police there, I rode again towards the barracks for the purpose of turning out the Troops, but I met them at the entrance of the Suburbs, as the previous orders for their removal from the place had been countermanded. In the meantime, during my absence, another disturbance had taken place, and galloping back to the polling place, I was received with a shower of stones, but I cannot say by what party they were thrown; and, on seeing the Troops coming up, peace was re-established immediately, and I again disarmed those persons found with weapons. From that time to the closing of the poll, no disturbance of any consequence took place. I should have mentioned that from the mass of persons around the poll, and from the jostling and shouting, few, but very determined, voters could get to the poll.

40. Did Mr. Grenier, one of the candidates, request you to cause an opening or avenue to be made by the Troops for the purpose of ensuring a free ingress and egress to and from the poll; and if so, what answer did you give, and what did you do to comply with his request?—To the best of my recollection, a gentleman whose name I did not know at the time, but since have ascertained to be Mr. Grenier, applied to me to that effect, and, to the best of my recollection, my answer was, that I was there for the maintenance of the peace, and that I could not make use of the Troops for the purpose which he required, and that if the Returning Officer (who had all the power vested in him by law) wished, that could be done. I attempted

several times to make an avenue with a few policemen that were then there, but that was impossible. I think, to the best of my recollection, I stated to the Returning Officer an exact state of the affairs, and how impossible it was for us to make an avenue with the Police; and, I think, to the best of my recollection, he replied, "as every thing is quiet, all is right," or words to that effect: I cannot precisely express the words he uttered.

41. Do you apprehend a renewal of similar scenes of violence at future Elections in this City?—I am convinced that similar scenes will be enacted at every contested election, unless some other mode is adopted for the election of Councillors, or unless, if the present system be continued, they make use of an armed force to keep the polls clear of the mob.

42. Do you consider that the presence of a military force is calculated to encourage voters to approach the poll, and does it not rather intimidate people of a peaceable character, and especially a large portion of the French Canadian inhabitants from coming forward to record their votes?—I consider that the presence of an armed force at the poll may prevent serious breaches of the peace at the poll, but will not prevent collisions taking place in the streets and avenues leading to the polling place. I think the citizens and the people of the Suburbs generally feel more confidence in having the Troops there under the present circumstances, than if they were left unprotected and at the mercy of the armed rabble generally congregated around the poll. I think that unless the partizans of candidates are separated by some temporary wall, at the polling place, the elective franchise cannot be exercised by any individual without danger, under the present system. I think, decidedly, the vote by ballot ought to be resorted to in these elections, as the only means of preserving peace in a mixed population like that of this City.

Saturday, 30th May, 1846.

Jean Casimir Alphonse Poitras, Esquire, of Montreal, Advocate, called in; and examined:—

43. Were you present at the election which took place on the 2nd March last, in St. James' Ward in the City of Montreal?—I was.

44. Are you of opinion that that election can be considered as the result of the free choice of the electors?—I am not.

45. What reason have you for such an opinion?—Because during three quarters of the time taken up in holding the election, the electors of Messrs. Grenier and Hogue were prevented by violence from approaching the poll.

46. As you were present at the election, will you tell us in what capacity you were acting, and every thing that happened thereat?—On the 2nd March last, I represented Messrs. Joseph Grenier and Joseph Hogue in the St. James' Ward. I remained at the poll from the beginning to the end. At the commencement of the poll no arms whatever were to be seen, every thing was peaceable, and the voters of Messrs. Grenier, Connolly, Hogue, and Gorrie, were at liberty to give their votes. About half-past nine o'clock a number of persons armed with sticks and axe-handles rushed upon the voters and drove them from the poll. The Returning Officer, a man named Footner, then showed himself as partial as possible. The persons composing the gang took possession of the poll, and it was not possible for any other voters than those in favor of Gorrie and Connolly to approach thereto, with the exception of a few who contrived to get in unperceived. I then requested the Returning Officer to disarm those men, but he told me that he would not be bothered: Having told him in a firm manner that I would bother him as long as he would not do his duty with impartiality,—from that moment he would answer nobody, and continued to act with as much partiality as when he opened the poll. He showed a

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great deal of activity when a voter presented himself in favor of Gorrie and Connolly; but when one of Messrs. Grenier and Hogue's voters presented themselves he was not as active. At a later part of the day another band of persons of Grenier and Hogue's party, also armed with sticks, took possession of the poll; the troops and police were then called upon. I must say that, to the best of my knowledge, the votes were then given more freely; but about twenty minutes afterwards Mr. Gorrie's bullies feeling stronger in the presence of the troops and the few policemen who were present, again took possession of the poll, and from that moment it became impossible to approach thereto, so far so that it was sufficient for one to have a Canadian or an Irish face to be pushed back and turned out of the poll. The voters of Messrs. Grenier and Hogue that could vote were very few in number, although I saw a great many voters who had their certificates in their hands, requesting me to try to get them to vote; but it was impossible for me to do so. I was myself insulted by the men who were in possession of the poll, and those voters told me and the Returning Officer, and also Mr. Ermatinger, Superintendent of Police, at my request, that it was impossible for them to vote; but I could not persuade the Returning Officer to cause a passage to be made for the electors of Grenier and Hogue, notwithstanding Mr. Ermatinger's offer to do so, for he stated he could do nothing without the order of the Returning Officer. I saw an elector of Gorrie and Connolly's party come to vote with a stick in his hand covered with blood: having remarked the fact to the Returning Officer, he said to that elector, "keep your stick down." I wanted to enter an objection against this vote in the poll book; he did so, but would not mention that the voter held his stick covered with blood while voting. The following course was followed with reference to at least two of Messrs. Grenier and Hogue's electors: after having given their names and their votes, these electors were required to take the oath; but while the Bible was sent for, Gorrie's bullies had them carried away from the poll, so that, in the opinion of the Returning Officer, the votes were null until they could return to the poll, which was impossible at that time. A gentleman, whom I think to be an Englishman, having approached the poll, and asked if his life was in danger, and the Returning Officer having said that it was not, voted in favor of Grenier and Hogue; as soon as Gorrie's bullies had heard this, they pushed him with violence and tore his coat in pieces, which they threw in the air as trophies of their victory. Many of the persons who kept the poll were drunk. From about three in the afternoon until five, only seven or eight votes were taken for Gorrie and Connolly; and behind the bullies I saw a great number of Grenier and Hogue's voters who could not approach the poll.

47. Is it not true that it is not the first time that the Municipal Elections have been carried by violence, and is it not to be feared that similar scenes may be renewed for the future, unless the Legislature makes some great change in the manner of holding the Elections; and what changes would you think best to enable the citizens to exercise their elective franchise?—It is not indeed the first time that the Municipal Elections have been carried by force and violence, and I think it will always be the case as long as no change is made in the manner of holding the Municipal Elections,—such as voting by ballot, or each elector giving his vote in the course of a week or two at the Office of the Corporation, where it would be received by some one appointed for that purpose, and when the electors would call for their certificates. I think that the Returning Officers ought, at least, to be chosen apart from the Members of the Corporation, as they would thereby be less partial.

Monday, 1st June, 1846.

Brevet Major *Mark Evans*, of the Royal Artillery, called in; and examined:—

48. Were you the Officer in command of the detachments of Infantry which were called out on the 2nd March last, during the Municipal Elections which were held on that day in this City?—Yes, I was in command of those detachments as Garrison Field Officer. The detachment of the St. Lawrence Suburbs was under my immediate command, and the detachment of the Quebec Suburbs was under the command of Captain Gordon, 93rd Highlanders; but I visited that detachment in my capacity of Field Officer at different times, after having heard officially that they had been called out.

49. Under the orders of whom, as Magistrate, was the detachment of the St. Lawrence Suburbs placed?—I received my orders from the Town Major to place myself under the Mayor.

50. Was not the individual who was then Mayor of the City of Montreal, at the same time a candidate seeking to be elected as one of the Municipal Councillors to represent the St. Lawrence Ward in the Municipality of this City?—I decidedly understood so.

51. Were the Troops moved and placed according to the orders given you by Mr. Ferrier?—The detachment at the St. Lawrence Suburbs was moved and placed pursuant to the directions given by Mr. Ferrier.

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RETURN to an Address from the Legislative Assembly to His Excellency the Governor General, dated the 29th April last, praying His Excellency to cause to be laid before them, "a Return of the amount collected for Harbour Dues at the Port of Toronto, for the year 1845; and also a detailed Statement shewing the balance (if any) still due to the Government on account of sums advanced by the authority of the Parliament of Upper Canada, for constructing and repairing the Queen's Wharf at the entrance of the said Harbour."

By Command,

D. DALY,
Secretary.

Provincial Secretary's Office,
Montreal, 6th June, 1846.

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(Letter from the Deputy Inspector General to the Provincial Secretary, with two Enclosures.)

Inspector General's Office,
Montreal, 4th June, 1846.

Sir,

I have the honor to transmit herewith, for the information of His Excellency the Governor General, a Return of the amount collected for Harbour Dues at the Port of Toronto, for the year 1845; also, a detailed Statement showing the balance due to the Government, on account of sums advanced by the authority of certain Acts of the Parliament of Upper Canada, for constructing and repairing the Queen's Wharf at the entrance of the Harbour; prayed for by an Address from the Honorable the Legislative Assembly, which is herewith returned.

I have the honor to be, Sir,

Your most obedient humble servant,

JOS. CARY,
Dep. Insp. Gen.

Honorable D. DALY,
Provincial Secretary.

(1st Enclosure.)

RETURN of the amount collected for Harbour Dues at the Port of Toronto, for the year 1845; furnished pursuant to an Address from the Honorable the Legislative Assembly.

	Currency.			Currency.		
	£	s.	d.	£	s.	d.
Gross amount collected	...	...	...	916	0	11
Deductions.						
Commission of Collector of Tolls	91	12	0			
Salaries and house rent to the Light-house Keepers	89	11	8			
Repairs to the Pier	5	12	3			
				186	15	11
Nett amount	£729	5	0

JOS. CARY,
Dep. Insp. Gen.

Inspector General's Office,
Montreal, 4th June, 1846.

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DETAILED STATEMENT shewing the Balance due the Government on account of sums advanced by the authority of certain Acts of the Parliament of Upper Canada, for constructing and repairing the Queen's Wharf at the entrance of the Harbour of Toronto; furnished pursuant to an Address from the Honorable the Legislative Assembly.

		£	s.	d.	£	s.	d.
Per Act 3 Will. IV. c. 32...	Interest on £500 currency, 26th June, 1833, to 31st December, 1840 ...	225	9	0			
	do 500 do 14th August, 1833, to do ...	221	8	5			
	do 500 do 18th October, 1833, to do ...	216	1	7			
	do 500 do 9th December, 1833, to do ...	211	16	2			
					874	15	2
Per Act 7 Will. IV. c. 64...	do 500 do 7th September, 1837, to do ...	99	9	0			
	do 500 do 21st October, 1837, to do ...	95	16	8			
	do 500 do 10th February, 1838, to do ...	86	12	7			
	do 1000 do 1st October, 1838, to do ...	134	19	2			
					416	17	5
	Total £4500 do Interest to 31st December, 1840 ...				£1291	12	7
<i>Cr.</i>							
By Nett amount of Tolls, 1837 ...		120	11	7			
By do do 1838 ...		329	1	5½			
By do do 1839 ...		349	2	8			
By do do 1840 ...		323	13	6½			
					1122	9	3½
Balance due Government in account, Interest, 31st December, 1840 ...					£169	3	3½
31st December, 1840 ...	Balance due Government brought down ...				£169	3	3½
do do 1841 ...	Interest on... ..	4500	0	0	270	0	0
					439	3	3½
do do do ...	By Nett Tolls				449	3	2
do do do ...	By balance of interest				9	19	10½
do do 1842 ...	Interest on	£4490	0	1½	269	8	0
do do do ...	By Nett Tolls				516	4	3
do do do ...	Balance of interest				246	16	3
do do 1843 ...	Interest on	£4243	3	10½	254	11	7
do do do ...	By Nett Tolls				477	1	7
do do do ...	Balance of interest				222	10	0
do do 1844 ...	Interest on	£4020	13	10½	241	5	2
do do do ...	By Nett Tolls				590	12	7
do do do ...	Balance of interest				349	7	7
do do 1845 ...	Interest on	£3671	6	3½	220	5	2
do do do ...	By Nett Tolls				729	5	0
do do do ...	Balance of interest				508	19	10
do do do ...	Balance due Government Currency.	£3162	6	5½			

JOS. CARY,
Dep. Insp. Gen.

Inspector General's Office,
Montreal, 4th June, 1846.

GEOLOGICAL SURVEY OF CANADA.

REPORT OF PROGRESS FOR THE YEAR 1844.

MONTREAL, 1st May, 1845.

SIR,

I have the honor to request that you will do me the favor to place before His Excellency the Governor General the accompanying Report of the progress made in the Geological Survey of the Province in the year 1844.

I have the honor to be,

Sir,

Your most obedient humble servant,

W. E. LOGAN,

Provincial Geologist.

To the Honorable D. DALY,
Provincial Secretary, &c. &c. &c.

To His Excellency the Right Honorable Charles Theophilus, Baron Metcalfe, of Fernhill, G. C. B., Governor General of British North America, and Governor in Chief in and over the Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same, &c. &c. &c.

Montreal, 1st May, 1845.

May it please Your Excellency,

In conformity with the terms of the Act passed in the last Session of the Provincial Legislature, making provision for the continuance of a Geological Survey of Canada, it is my duty to place before Your Excellency a Report setting forth generally the progress made in the investigation during the past season: and as the Act in question contemplates also a final, full, and scientific description of the rocks, soils, and minerals of the country, properly illustrated by maps, diagrams, and drawings, after the Survey shall have been completed, it will perhaps be sufficient, in reporting progress, that I should confine myself to a simple narration of the facts ascertained, without at present deducing from them any general conclusions of a purely scientific nature, or doing more than will be necessary to render intelligible such parts of the subject as may have an immediate bearing on matter of economic importance, whether of a positive or negative character.

With a view of prosecuting the examination of the Gaspé and Bonaventure Districts, in continuation of the previous season's operations, I left Montreal on the 27th May last, accompanied by my Assistant, Mr. Murray, and, embarking on board of the Unicorn steamer at Quebec, we reached Gaspé on the first June. Losing no time there beyond what was required to provide ourselves with Indians, canoes, and provisions, and to rate our chronometer.—for which purpose the place offered a good opportunity, being marked as one of his Observation Stations by Captain Bayfield in his admirable hydrographical charts of the St. Lawrence,—we commenced our investigation at Cape Rosier, and coasting upwards along the South Shore of the river as far as Cape Chat, a distance of about one hundred miles, every spot was examined where favorable sections promised to give us an opportunity of ascertaining the true nature of the rocks.

The Coast country between Cape Rosier and Cape Chat is of a mountainous character; the ridges in regular succession run in towards the interior at a very small

angle with the trend of the shore, and with the exception of nine miles between the first mentioned point and L'Ance à Griffon, the hills in general come close upon a rocky and precipitous margin, leaving very little space for settlement, beyond the narrow flats at the mouths of the principal streams that descend from the highlands to the St. Lawrence. These are in general occupied by fishing establishments of more or less importance, and among the principal are those of the Great and Little Fox Rivers, and those of the Magdalen, the Mont Louis, the Ste. Anne, and the Chat. On the chief part of these flats there is not much room for agricultural labor, and the inhabitants, wholly engaged in fishing, depend for their supplies on importations from Quebec, which appear to find their way by Gaspé and Cape Rosier; and provisions become dearer, the closer we approach Quebec up to Cape Chat.

Reaching the Ste. Anne River, the land immediately on the St. Lawrence assumes a less rugged aspect than lower down. There, as well as on the Chat, some few signs of cultivation make their appearance, and a small amount of arable land existing in the vicinity would permit its further extension.

The Magdalen, the Mont Louis, and the Ste. Anne present the only harbours along the coast. That of the Magdalen is the safest to lie in; and, if it were not for a sand bar in front, there would be water enough for larger vessels than the class of schooners frequenting it. That of Mont Louis gives good shelter to small coasters; while that of Ste. Anne, though possessed of deeper water than the others, is difficult of ingress and egress, there being a dangerous rock just at the entrance. Large vessels are occasionally built there, and one of 340 tons burden was on the stocks when we visited the place; but such a vessel could not be fully loaded in the harbour, there being only twelve feet of water on the bar in Spring-tides.

The Chat affords no shelter for vessels of any description. On the Cape there stands a conical hill 366 feet high, and about three miles lower down, the streams joins the St. Lawrence in the bight of a shallow bay bounded to the eastward by a low point, which is covered with sand above high-water mark, but juts out into a ledge of rocks laid bare for several hundred yards at the ebb of the tide. A current which comes obliquely across the St. Lawrence from the opposite side, at a constant rate of one to two knots an hour, and makes upon the shore, renders this point, and the whole vicinity, dangerous to the navigation;

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and the hull of a fine Transport called the Premier, cast away the previous autumn, on a homeward voyage with a large number of troops, and lying on the reef, after having been once raised in the spring and again stranded during a heavy gale which occurred while we were on the spot, afforded a melancholy proof of the perils of the coast, and the insecurity of the bay.

At the mouth of the Chat there is a small lagoon, dry at water low, which is separated from the Bay by a narrow barrier of clay, sand, and gravel, and from this, looking across the lagoon up the valley of the stream, we had a striking view of the majestic mountains of Notre Dame, which reared their lofty heads to the south, and which it was our intention to pass in a line of exploration to the Bay of Chaleur as near to a straight one across the strike of the stratification as circumstances would permit.

As the country on the line of our intended route had never before been mapped or in any way examined, and as at the same time correct geographical details were indispensable to the attainment of accurate geological results, and to the intelligible exhibition of them, it became requisite that our journey should be made as much available for a topographical survey as for the examination of the strata. With this in view we measured a base line on the shore, and determined by triangulation, using for the admeasurement of our angles one of Cary's excellent pocket sextants dividing to thirty seconds, the position of several well marked peaks in the barrier of hills before us; and having fixed the number we considered sufficient, we proceeded up the Chat river in our canoes, dialling our course as we went, and registering a description of the place, quality, and attitude of every rock we met with. In dialling the stream, we used a Smallcalders' prismatic compass to determine the bearings, and Rochon's micrometer to measure the distances; and as this latter instrument, while it is an admirable one for the exploration of rivers in a new country seems at the same time to be little known in Canada, I am induced to draw particular attention to it. Its construction is very simple. A moveable refracting lens attached to a vernier, which slides in a graduated slit along the tube of a telescope and must pass over a considerable space to produce a very small refraction, measures to the accuracy of one second the angle subtended by a known length between two bars or balls on a staff; and the distance of the staff from the observer is found by reference to a table which gives the distance for every angle within the range of the instrument, subtended by one foot. This multiplied by the number of feet between the bar on the staff used, will give the distance required. In the calculation it is of course necessary to take into account the index error, making allowance for it as in the case of a sextant, and this error must be determined by experiment in the first instance, before putting the instrument to use. A surveyor with two canoes and four Indians could, without difficulty, on a stream which presented no peculiar obstructions, accurately measure twenty miles a day, and perhaps more, if his object were to ascertain geographical features only. The rapidity of his progress would much depend upon the lengths of the sights, and therefore on the breadth and straightness of the river; for it takes very nearly the same time to observe for the measurement of one hundred yards as for that of a mile, and the chief difference on the whole work of the two cases is the difference of time in moving from one station to another. Mr. Murray and myself occasionally worked out twelve meandering miles in a day in fifty or sixty sights, registering, in addition to our bearings and angles, an exact account of the place, quality, contents, and attitude of every bed of rock, in every one of the reaches of the stream we were upon, stopping occasionally to make barometrical observations for the determination of heights, and giving time to our men to refresh themselves with a meal. Our mode was to keep one canoe in advance of the other as far as the bends of the river would permit. In one was the staff, in the other the micrometer, with a prismatic compass in each. The staff was furnished with three bars, the uppermost five feet from the lower-most, and the intermediate one dividing the five feet into spaces of four feet and one foot, the latter for the admeasurement of short distances. The micrometer angle determined, a forward and backward bearing was taken. Signals were made when the observations were concluded.

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and the first canoe might wait for the second if it were necessary to communicate any remark, or, proceeding forward, leave a token to indicate the spot which it had occupied, and was to be assumed by its follower for another observation.

The accuracy attainable by a careful use of these means is perceptible in the result of our admeasurements across from the St. Lawrence River to the Bay Chaleur, after having been mapped on the scale of an inch to a mile. We dialled the River Chat, and having by means of bearings fixed the peak of a mountain towering 2669 feet close over its left bank; from the summit of this, and the summit of one of the peaks fixed by means of our base line on the shore of the St. Lawrence, and visible from the other, we triangulated a conical peak seventeen miles forward, on a stream flowing into the Bay Chaleur. Walking across to this mountain, through the forest, we again took to water and dialled our way to the Bay. The whole distance, following the windings of our course, is upwards of one hundred and eleven miles; but in a straight line, according to our map, it is seventy-four miles and sixty chains. The same line as determined by the latitudes and longitudes of its extremes, taken from Bayfield's accurate charts, is seventy-four miles seventy-nine chains, and as shown by Deputy Surveyor General Bouchett's new map, about to be published, it is seventy-five miles ten chains. The bearing of the line so nearly coincides in all the three that the difference is scarcely perceptible.

The distance measured on the Chat, before it became necessary to abandon our canoes, was thirty-two miles and a half, following its curves; and twenty-five miles and three quarters, taking the general course of the valley. This carried us clear across the range of Notre Dame, which rises up at a distance of twelve miles in a direct line from the margin of the St. Lawrence, and occupies a breadth of six more. The stream cleaves these mountains to their very base, and at the point where we left it, the height of its bed above the level of the sea, we found to be 587 feet, after ascending two small falls in the mountain gorge, one of ten feet and the other of sixty, giving a slope of eighteen feet in a mile for the water, and twenty-three feet in a mile for the valley of the stream. The breadth of the Chat at our last station on it, was between fifty and sixty feet, while at the mouth it was about one hundred and fifty feet. Its course between these two points, without attending to minor curves, in a downward direction, is as follows, the bearings being magnetic, and the variation $22^{\circ} 30'$ west:—

	Miles.	Chains.
1 N. 10 W.—1	40	
2 N. 11 E.—0	56	
3 N. 12 E.—1	12	
4 N. 24 E.—0	70	
5 N. 7 W.—3	30	
6 N. 67 E.—5	56	
7 N. 11 E.—4	28	
8 N. 8 E.—2	25	
9 N. 62 E.—2	70	
10 N. 80 E.—1	7	
11 N. 18 E.—1	35	
12 N. 75 W.—0	66	
Total distance		25.68.

At every elbow made by these courses, with the exception of the last three which are through soft ground, a tributary of more or less consequence joins the stream; but the farthest sources of the river take rise in a flat ridge about three or four miles south of the Notre Dame Mountains, which is much lower land, and constitutes the water shed between the St. Lawrence and the Bay Chaleur, over an extent probably ranging, both to the east and to the west, far beyond the Chat, which does not embrace more than twelve to fourteen miles of it. The waters of these sources are brought to the mouth of the deep mountain gorge by three main streams, all meeting at a point just there; two of which running in exactly the same line, but in opposite directions, are in the strike of the stratification, and mark the boundary of the Notre Dame formation, while the third makes a partial section nearly at right angles to the others, across the strata which lie upon those rocks to the south.

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The whole area unwatered by the Chat may not exceed three hundred square miles. Nearly one half of this lies to the south of the great mountains, or among them. These send their tribute chiefly through two deep longitudinal valleys, immediately opposite to one another, in the strike of the range, which extend about six miles on each side of the gorge, and emptying into it, are terminated by two master summits at their extremities, thirteen miles in a straight line asunder, while several transverse valleys assist the others in carving the mountain mass into a considerable number of lower but important tops.

Both the principal summits we visited. In ascending the eastward one, which stands exactly opposite to the lower part of the valley of the Chat, and seems to terminate it, looking from the St. Lawrence, we clambered up the north side of the range, which presents a face whose slope cannot be much under 45° for 3000 feet; and we found that before the horizon was clear over the lower ridges between us and the great river, we had attained the elevation of 1753 feet above its surface. The highest spring of water we could discover, which was an abundant one of excellent drinkable quality, coming from the strata at the upper base of the peak, was 3544 feet up. The summit peak itself, a bare pointed rock, was 3768 feet, while the broad flat top of another mountain summit, two miles to the westward, which went among us by the name of Mattawees (the Micmac word for a porcupine)—from our having killed one of these animals as we scaled its side,—and on which we rested the first night of our ascent, having reached it by mistake, was 3365 feet. A deep ravine separated Mount Matawees from the main peak, and another one severed it from a dome-shaped top nearly its own height, about a mile and a half to the westward, between which and the gorge of the Chat stood another gigantic boss.

The main summit to the westward of the Chat, to which we gave the name of Bayfield Mountain, in honor of Captain Bayfield, who on one of his Charts has indicated its position, we ascertained to be 3471 feet, after having reached it by a very steep and fatiguing ascent from the gorge to a precipitous mountain knob, 2669 feet high,—which acquired the title of the Old Man, from the existence of an erect stone in a step at his edge, in the position of one watching what might be passing below—and a journey along the ridge of a triple-topped hill over 3000 feet high, separated from Mount Bayfield by two ravines, and an interposed mountain of more moderate elevation.

All these heights given between the two extreme summits, are the links of a chain standing on the north side of the longitudinal valleys which have been mentioned, and while they constitute the most elevated serrated ridge, none of them are much more than a mile from the northern base of the whole belt. The five miles which compose the remainder of its breadth, present summits of more moderate height, and one of the most elevated of these, which stands conspicuously protruded into the gorge on its east side, and was named the South Mountain, we found to be 2413 feet. The whole of these, as well as the northern crest, are abrupt on the north side, and in general more sloping on the south, in the probable direction of the dip of the strata; and these, as indicated by the ridges, have a strike which in this part of the range may be considered E. N. E. an W. S. W., magnetic.

From the highest summit we visited, the panorama displayed was of the grandest description. In the northern half of the circle, the waters of the St. Lawrence, dotted with its ships and fishing boats, spread out to the right and to the left as far as the eye could reach. On its northern shore, immediately in front, unaided vision could plainly distinguish the lighthouse of the Pointe des Monts, some fifty miles off, from which the granite hills rising immediately behind it in the interior, gradually sunk below the horizon as they receded from us, following them down the expanding gulph, to a point where we thought we could discern the Island of Anticosti, one hundred miles away in the mist of the distance, while at our feet were arranged in parallel lines the ridges and valleys of the lower land between us and the river. To the eastward a confusion of mountains and ravines belonging to Notre Dame

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Range, filled up several degrees of the circle, and one summit which exhibited a patch of snow, we supposed might be higher than the point we stood upon. Many of the peaks were bare, and as they retired one behind another, and occupied a smaller angle in the perspective, it became difficult to distinguish those of the Notre Dame from such as appertained to other ranges. Turning southward, a sea of parallel undulating ridges occupied the picture, the more distant of which we conceived might present a table land, with a few marked points rising in cones and domes; and through one gap, which probably was the valley of some south flowing river, we distinguished a faint blue horizontal line, which we fancied might be in New Brunswick. Prominent points became still fewer, veering westward, until the horizon was again interrupted in that direction by a well defined outline of a not very distant part of the range from which we looked.

The highest summits within our view were generally bare rocks. Those next in the scale were crowned with sturdy dwarf spruce trees, many of them not five feet high, but springing up so close together that their branches interlocking, rendered it very difficult to make way among them. On those still lower, spruce became mingled with white birch, and the size of the trees gradually augmented in proportion to the decrease of elevation. One feature in the vegetation high up in the hills, that struck us forcibly and gave us much satisfaction after confinement in the forest below, was the great extent of open glade that appeared on all sides but the north. Wide slopes on the east, the south, and the west, were carpeted with the most luxuriant growth and abundant specific diversity of ferns, from which clumps of spruce or of white birch, or of both mingled, started up here and there, giving the hills occasionally almost the character of park scenery, as if art had arranged the distribution with a view to ornament, and often producing, in combination with peaks, ravines, and a distant horizon, landscapes of a very pleasing description.

On the hills on the banks of the Chat and in the low grounds, the timber consists chiefly of spruce of good size, balsam fir, white cedar, and white birch, with occasional poplars in wet places, and a frequent fringe of alders on the margin. Maple is scarce: we saw only one grove of a size fit for sugar trees, and this was at the north base of the Mattawees Mountain, where we commenced our ascent. White pines were not wanting, though not over abundant, and it was evident to us that the lumberer's axe had never tried its edge upon them. Ascending the stream we saw trees enough close upon the water to furnish a good stout cargo without any haulage, and in the space of a mile back from it in one place were counted twelve good long stummed trees, measuring from nine to ten feet round at five feet from the ground, and thirteen trees of the same size in another.

The small number of rapids and cascades in the Chat would render it an excellent stream for *driving* lumber, and if there were a good port in its vicinity, what with pine for square timber, spruce for saw logs, and white cedar for shingles and lathwood, a few cargoes might be got out profitably.

The soil of the Chat above its mouth is of a light description, consisting of sand and gravel; but I greatly doubt whether there is much soil at all on the hill tops and sides. The low parts, such as the meadows on the brooks, might perhaps yield some fair grass land if cleared; but the valley is narrow, and the quantity of this can be but small.

Abandoning our canoes on the Chat, the general course of our pedestrian journey through the forest across the watershed between the St. Lawrence and the Bay Chaleur to the Conical Mountain fixed by triangulation from Notre Dame Range, was about S. 40 E. The distance in a straight line was about twelve miles and a half, but the deviations of our route increased it to thirteen miles and three quarters. The position of intermediate stations we determined by counting our paces, making allowance for minute zig-zags and disturbing obstructions as they occurred, and checking our calculation by bearings and angles on the

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peaks from which we were receding, taken from the summits of high trees wherever the slope of the ground favored us with an opportunity. These successive points were regularly mapped, and we were thus always prepared to indicate the direction to be taken, trusting to the sagacity of our Indians to keep a straight line after the course had been given them. By this means we came with precision upon our Conical Mountain, though we did not get a sight of it until within a couple of miles of its base, and we were rather surprised to find with how much accuracy our paces had measured the distance.

After rising in the space of a mile to the brow of the slope bounding the Chat, which we found to be 1204 feet above the level of the St. Lawrence, the surface over which we travelled up to the dividing line of the waters, had a very gentle ascent of about eighty feet in a mile in the direction taken which would produce about one hundred and twenty-five feet in a mile at right angles to the run of the ridge. The chief inequalities of the ground resulted from a few sudden narrow gullies of 100 to 150 feet deep, constituting water courses, of which those in the first half of the distance belonged to the St. Lawrence and those in the other to the Bay Chaleur. The barometrical heights determined as we proceeded were 1264 feet; 1194 feet on the edge of a water course; 1500 feet on the top of a sloping step, beyond which we saw no more of the northern streams; 1707 the summit level; 1630 feet on the margin of the first stream flowing southward; 1608 feet; and finally 1167 feet on a brook at the northern base of the Conical Mountain, after a sudden descent of about 200 feet. The height of the apex of this mountain, which consists of trap, we found to be 1910 feet, and from it we had an opportunity of verifying the angles upon it from the peaks of Notre Dame. It gave us also a sight of a considerable stream flowing from the westward, which we had been approaching, and now beheld at its western base, and which we rightly supposed to be the Great Cascapedia. Round the eastern base of the Conical Mountain, our descent to the banks of the Cascapedia, through a deep and narrow ravine, was rapid, and on attaining its margin, at a distance of two miles and three furlongs, in a general course of S. 20° W., from the summit, we found that we stood at the height of 651 feet over the waters of the St. Lawrence.

On the surface between the Chat and the Cascapedia, there appeared to us to be evidences of a very thin soil. We saw the solid strata indeed only in two places; but wherever we met with a tree blown over by the wind its upturn roots were almost certain to expose a mass of small angular fragments (often containing fossils) belonging to the rock which must have been close below; and it seemed to me probable that to this want of depth rather than to the chemical quality of the constituents that would have been derived from a more complete disintegration of the rock which was at the same time calcareous, silicious and aluminous, was to be attributed the presence of only those species of trees which are in general considered no great mark of aptitude for agricultural improvement. The ruins of this rock may yield a more promising growth of timber in other parts, but on our line we saw only white spruce, balsam fir, and a few white birch; and it was very perceptible that the two former species were frequently arranged in broad parallel belts, partaking of a north and south direction, nearly monopolized sometimes by the one and sometimes by the other. The fir gave us open woods and easy walking, while the spruce groves were very tangled and difficult to penetrate.

Arrived on the banks of the Cascapedia, our Indians in three days constructed three canoes of spruce bark, capable of holding two persons each, and dismissing two of our men who were desirous of returning to the St. Lawrence, supplying them at the same time with a suitable quantity of provisions, we floated down the stream, dialling its course to the mouth. The whole distance, following all the windings of the river, was sixty-five miles and a quarter: but pursuing only the main grand curves, we first made two miles and a half in a course a little to the east of south; then eleven miles in a curve rather to the south of east, passing three principal tributaries in a

valley of red sandstone; our course then became nearly south, and in this direction three grand sinuous sweeps carried us in about thirty eight miles to salt water. Where the river turned south we had again and for the last time an opportunity of obtaining bearings on the peaks of Notre Dame, from the naked top of a hill 1435 feet above the St. Lawrence, yielding so great an abundance of blue berries and "low-bush cranberries," that we were induced to give it the name of Berry Hill. The stream at its base was 440 feet high.

Down to this turn in the stream we did not observe much change in the character of the timber, which still continued to consist of white spruce, balsam fir, and white birch, with cedar in moist places; but further on, with these species of trees became mixed a predominating proportion of black birch and some pine; but the frequent *lumber landings*, as they are called, both old and new which met the eye, pointed out that the enterprise of commerce had thinned and was continuing to thin down the last very fast. Towards the mouth of the Cascapedia, maple exists in some abundance, and elm and ash are seen in a few places, particularly on a number of large fine alluvia, but still uncultivated islands, which there divide the river into several channels.

Having at the mouth of the river re-provided good birch bark canoes, at Indian Point, and committed to the care of Mr. Cuthbert, of New Richmond, to whom I feel indebted for the hospitality and attention extended to us, the specimens we had collected, to be forwarded to Montreal, we examined the coast to the eastward as far as Paspebiac, the point at which my investigation ceased last year, where we were most kindly received by Mr. Hardley, the representative of Messrs. Charles Robin & Co., whose enterprising and important fishing establishments on the Gulph coast, are so well known in Canada.

Here separating from Mr. Murray, who was directed to proceed upon an exploration up the Bonaventure River—his Report upon which I have now the honor to transmit to Your Excellency—after a visit to Port Daniel, where, with the kind assistance of Mr. Carter, the West and Middle Rivers were examined for several miles up, I returned to New Richmond. Hiring a canoe and two Indians, the investigation was continued thence westward: the Bay coast was narrowly examined to Dalhousie; and the River Ristigouche to Campbelltown, and thence to the mouth of the Matapedia, a distance exceeding altogether fifty miles.

Ascending the latter river, its rocks were examined as far as the lake of the same name, which is over sixty miles from the mouth, and my operations were greatly facilitated and much time saved to the Survey, by the kindness of Mr. William Macdonald, D. P. S., of New Carlisle, who, in the most obliging manner, lent me the field-book of his exploration and measurement of the river, in which all its turns were accurately laid down, partly on a scale of four, and partly on one of two inches to a mile. It was also on his excellent map of the Bay Chaleur coast, obtained from the Surveyor General's Office, that I depended for upwards of one hundred miles of its topographical details.

The road from Lake Matapedia to Metis, comprising twenty-five miles, was examined on foot, and the readiness of Mr. Russell, D. P. S., to whom is entrusted the superintendence of the Gaspé and Bonaventure roads, in furnishing me with a tracing of the numbers and distribution of the lots, and with other useful information, enabled me to fix various points with accuracy. On reaching the St. Lawrence, operations were interrupted by a severe fall of snow, and it became necessary that I should return to winter quarters in Montreal.

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SUCCESSION AND DISTRIBUTION OF
THE ROCKS OF THE DISTRICT.I. CONGLOMERATE LIMESTONE, PILLAR SANDSTONES, AND
GRAPTOLITIC SHALES.

The rocks displayed on the south side of the St. Lawrence, the whole way between Cape Chat and the northern base of the hills, standing on the bold finger-shaped promontory of Cape Gaspé, possess characteristics, rendering it expedient in my opinion, to class them for the present in one group. Black bituminous shales, with calcareous sandstones, are more or less associated with the whole; and graptolites, occurring chiefly in the black shales, are the only fossils yet observed, with the exception of a few broken shells met with in a more arenaceous member of the formation.

To separate the group into its component parts will be a task of very considerable difficulty. For the district through which these range is yet wholly covered with the moss and trees of the forest, which conceal the faces of their escarpments, and while it is thus next to impossible to bring them at once into place by a direct line of transverse section, it would demand a greater expenditure of time than circumstances justify, to follow them up to such a line on the strike, from the localities of their best display, by means of the parallel ridges and valleys resulting from the harder and softer qualities of their lithological composition.

The only direct line of section measured and examined across them all was in the valley of the Chat. But though on the banks of this stream there may be a sufficient amount of stratigraphical exposure to be of essential service in carrying on the range of the rocks, when their relations have been elsewhere ascertained, there is not enough to afford data for determining in the first instance the general character or thickness of the distinct masses, or their succession in the order of superposition. On the St. Lawrence, on the contrary, there is a great exhibition of the strata and they strike out upon it in succession; but they do so at so very small an angle to its trend, that from the lowest rocks in the neighbourhood of Cape Chat to the highest in that of Cape Rosier, there is interposed a distance of one hundred and forty miles, while the same series of deposits occupies but eighteen miles in a direct transverse line to the northern base of the Notre Dame Range of Mountains.

As the rocks come out upon the St. Lawrence they exhibit a very contorted condition. The flexures are numerous, and some of them so violent that serious inversions of the strata occasionally present themselves; and it is frequently very difficult to determine whether the mass under inspection be a new member of deposit, or the repetition of one previously noted. To arrive at accurate results it would be necessary to dial the whole coast, marking with great care the attitude of the strata in succession wherever they are visible, for there is yet no detailed map of it on so large a scale as to render measurements upon it available for geological purposes.

It is uncertain whether the whole of the rocks it would be convenient to class with this group are included in the District which has been examined; and there being indications that the south side of the St. Lawrence continues to present up to Quebec the same slightly oblique course to the run of the ridges, it is not improbable other divisions may crop out above Cape Chat, which have a lower geological position than the strata in its vicinity.

1. The lowest in the neighbourhood of the Chat are seen at a projecting point of land between it and the Ste. Anne river, where a considerable extent of strata are laid bare at the ebb of tide. The strata are highly tilted, and several dislocations occur; but it can be made out, that based upon a strong bed of gray oolitic limestone, ten to fifteen feet thick, with a thinner one a short distance above it, consisting of flat calcareous pebbles lying on one another as if carefully packed on their sides, there reposes

limestone, separated by thin bands of black bituminous shale, with occasional thicker beds of the shale holding large calcareo-arenaceous nodules or isolated masses, becoming very conspicuous in a considerable bed of bituminous-argillaceous shale at the top, where the nodules or patches sometimes resemble septaria, and are occasionally composed of a dull olive gray chert, weathering to a dingy red, in which the cracks or veins hold a mineral undistinguishable in its general appearance and combustible nature from good sea-coal. These beds may be altogether about 240 feet thick, and they are succeeded by a deposit of argillaceous shales or slates, green for about fifty feet at the bottom, red striped, and partially spotted with green for 230 feet in the middle, and green striped with red for 120 feet at the top; and wherever there is a green stripe or spot it is usually accompanied by a black line or speck along the middle or in the centre of it. Upon these shales rests an unequal gray oolitic conglomerate limestone bed, sometimes twenty feet thick, with large flat pebbles and small boulders of gray limestone and gray calcareous sandstone, and occasional crystallized nodules of pyrites, followed by alternating beds of black shale, and light and dark gray sandstones in some of which specks of blende appear; to which succeed green shales striped with black; then very pyritiferous black shales; and alternating with them at the top, thin calcareous sandstones and arenaceous limestones; terminated by another band of gray oolitic limestone conglomerate, and one of gray coarse-grained calcareous sandstone. Including the two limestone beds which would both yield material for burning, the thickness of this part of the deposit may be about five hundred feet.

The whole of the deposits given amount to about 1140 feet in thickness, and the distinguishing features they present are the bands of conglomerate limestone, and the bituminous mineral so much resembling coal. This is found not only in the septa of the cherty nodules which have been mentioned, but also in many small cracks across the strata, and in more parts than one of the vertical thickness. A similar mineral, in an analogous position, is found in the rocks at Point Levi and Quebec, and in the museum of the Quebec Natural History Society a block of it, procured in the neighbourhood, containing about a cubic foot, is preserved. Some have been inclined to suppose that it might indicate the proximity of workable coal, and indeed I have been asked whether a mine upon it, in a position which I have not yet seen, but where according to information received, a cart load of it has been obtained, would be likely to be successful. Now none of the material where it has come before me in situ, bears any analogy in the mode of its occurrence to workable coal. This is always found in extensively continuous beds conformable with the stratification; where as the mineral in question occurs in cracks cutting the strata across for greater or less distances. It is true that where faults or dislocations exist among coal seams, there is often met with running across the stratification what by Scotch miners is termed a *wise*, and by Welsh, a *leader* of coal, which in general is a thin, confused, irregular interrupted black more or less carbonaceous sheet, conducting up or down, as the case may be, in the plane of dislocation, from the termination of a coal-bed on one side to that on the other; and there is no doubt it is the result of the grinding of the terminal edges of the strata against one another, when the slip producing the dislocation occurred. Without a slip or displacement, therefore, no leader would be found, and none in any case would hold true coaly matter extending beyond the distance between the separated edges of the coal-bed. Now in the case of the bituminous mineral, the cracks in which it occurs are, in many instances, unaccompanied by any displacement of the strata, and in others, where the extent of the dislocation (that is the upthrow or downthrow, as it is called) is visible, no layer holding any of it occurs among the beds. Independent of all this, the formation in which the mineral is found, is an inferior member of a group of rocks, whose place is in all probability a very considerable distance below the position of the true workable coal-bearing measures, and we are, therefore, not warranted in expecting coal seams to exist in it. The rock is supposed to be the equivalent of a part of the Hudson River Group of the New-York geologists.

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The continuity of the conglomerate limestones which have been mentioned, is broken just to the eastward of the extremity of Little Ste. Anne Cape, where the shore turns southward towards the Bay of Ste. Anne River. A fault, visible on the face of the ledges at low water, occasions a probable upthrow to the north-eastward, on which side of it a considerable north-dipping mass of the limestone, tilted up to an angle of 70° , consisting of two beds, measuring twenty-two yards across, forms a knob of rock, which stands above water at floodtide, and two hundred and forty yards to the southward of which the strata, consisting of thin bedded limestones and calcareous sandstones, interstratified with black and green indurated argillaceous shales, terminated by red shales, first assuming a south dip, sweep round the western extremity of a trough, which is seen to open out to the width of two hundred and fifty yards before it becomes concealed beneath low water mark.

2. What interval there may be between the deposits mentioned and the next to be noticed in which a difference of character is observable, I am not able to say with precision, (though it cannot be great), not having any where found an exposure by which to trace up the connexion. But these consist of a considerable thickness of sandstones associated with some bands of red and a fewer number of black argillaceous slates. The arenaceous rocks are sometimes a little micaceous; they are in general moderately finegrained, but occasionally a little coarse, and sometimes approach the quality of a fine conglomerate with small pebbles of white quartz, a few of white calc-spar resembling worn crystals, and sometimes a larger number of small flat black ones of indurated bituminous shale, with a few opaque white flakes of a soft character. The rock frequently encloses arenaceous spheres of various sizes up to six inches in diameter, which are of harder quality and lighter colour than the mass. The general colour of the mass is of a greenish tinge in fresh fractures, but it weathers to a drab, and through atmospheric influences the rock becomes fretted and pitted by deep holes or cells of various sizes and shapes, with thin but well marked divisions between them. The stone is rather soft and appears to wear fast, and where the strata are vertical or nearly so, the action of the sea between high and low water mark cuts them out into pillars reaching thirty feet in height and four or five across, which are sometimes smaller at the base than at the summit, producing occasionally a very picturesque effect in the landscape. Two of these stand near a small fishing station below Ste. Anne, called from the circumstance Tourette, and the remains of many more are perceptible in the vicinity.

The red shales bear but a small proportion to the sandstones, and both together compose the coast from Cape Chat to the mouth of the river, a distance of three miles and a half; proceeding along the shore from Mount Chat which stands upon the Cape and is composed of the sandstone dipping south and tilted up to an angle of 40° , four belts of sandstone separated by three of red shale are obliquely crossed in the first two miles, and then two belts of sandstone and one of shale in the succeeding mile and a half. There is no doubt that the last division is a repetition of a portion of the first; but the first set of outcrops have all a southern dip, and pack in before one another with sufficient regularity (except that some of the bands are much more tilted than others) to induce the supposition that they constitute different members of deposit, though the thickness this would give the whole makes me hesitate to assert such to be the fact. If it were so the sandstones could not be much under 2000 feet in vertical amount. But should there be a flexure and overturn dip connected with the first set of belts, and the second only be taken as a criterion, we should then have just half that quantity. At the mouth of the Chat on the upper side, the sandstones are seen to make a sudden turn southward, running up the lagoon a short way; and it is not improbable that there may be connected with the bend some important fault running up the valley of the river and throwing the sandstones considerably forward on the east side. Rocks resembling them exist in a hill 320 feet high on the east side of the stream about a mile and a half up, the strike of which would bring them out about the mouth of the Ste.

Anne River; but probably affected by the disturbance which has been noticed as breaking the conglomerate limestone there, they do not make their appearance before reaching the vicinity of Tourette, where they form the coast to Cape Ste. Anne, continuing on to the Ruisseau Castor, and some distance beyond towards Ruisseau Vallée, which is about twenty-five miles below Cape Chat.

3. If some difficulty existed in uniting these sandstones with the inferior deposits, still more presents itself in combining them with those above. From the mouth of Ruisseau Vallée across the Rivière Martin, and as far as the Rivière Marsouin, a distance of about six miles, the strata are so disturbed that little information connected with the succession of the deposits can be gained from them. Between the two latter streams black indurated shales chiefly prevail, with a few bands of green and a thin one of red. The cliff exposing them is bold and lofty, but the strata are most violently twisted and broken; the greatest confusion prevails, and it is difficult to follow any individual bed for fifty yards. Numerous cracks result from the disturbances, some of which are filled by carbonate of lime, and others by quartz, and in one or two there is an uncrystallized silicious green mineral, very much resembling epidote in colour. No important beds of sandstone appear in the shales, but some occupy the shore on the lower side of the Marsouin, and stretch nearly to the Albour; but their general character seems to differ from those of Tourette.

The coast from the Albour to the Magdalen, about thirty miles below, exhibits numerous instances of contorted strata, and at the mouth of the chief valleys which terminate in deep bays upon the St. Lawrence, there are displayed several transverse sections in the sides of the mountains, which come close upon the water, and slope up to heights of 800 and 1000 feet. One of these instances is seen on the east side of the Rivière Pierre, (marked Rivière Claude on Bayfield's chart,) where the summit of the hill shews an overturn dip, and the strata in the whole section appear to be arranged in the form of a very flat S. There is one of less importance at Point Corbeau on the upper side Mont Louis Cove, and a third of a striking character on the mountain east of the Grand Matie River. Farther down the coast, about four miles, in the vicinity of a great bluff called Le Gros Mâle, there are evidences of an overturn dip, and at the mouth of a brook joining the St. Lawrence, in a recess named Marche Bay, a little under two leagues above Cape Magdalen, and about the same distance from Le Gros Mâle, the apex of the flexure connected with it comes out upon the shore. The direction of the anticlinal axis appears to be $N. 65^\circ W.$ magnetic; and proceeding from it upwards along the beach, the strata, presenting at first a north dip of 20° to 40° , gradually become vertical; further on they overhang; still further the overturn increases, and the beds becoming flat with the bottom upwards, in this inverted position roll farther over, and for a short distance slope slightly northward. From this, however, they recover after no great interval, but finally in Gros Mâle Bluff they exhibit a short twist occupying about twenty feet in the upper part of the cliff, in which, after returning to an uninverted north dip, they are again canted over to a nearly horizontal position, with the bottom upwards.

The inverted beds examined extend upwards of five miles along the shore, and though the twists on the north side of the anticlinal which roll them over to an upside-down north dip are short, and therefore do not produce so important a result, as the simple overturn south dip, they serve to illustrate the complication of the strata, and the difficulty of disentangling them in endeavoring to follow out the order of superposition. It is, however, in the rocks thus affected that a third division of the group under consideration makes its appearance. This consists at the bottom, of gray splintery sandstones, with very large reddish-yellow weathering calcareous nodules or patches (the separation of them from the rock in which they are embedded being occasionally indistinct,) interstratified with gray slates of an arenaceous-argillaceous quality, which are succeeded by black shales with a few graptolites, interstratified at pretty regular intervals with several one foot beds of black limestone, accompanied by a few thin layers of gray

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calcareous sandstone, the whole surmounted by a collection of gray, coarse-grained sandstones (in which one or two genera of broken bivalve shells and an orthoceras occur,) interstratified with black shales similar in quality to those below.

The thickness to be attached to this division of the group is attended with much uncertainty, but agreeably to the best evidence it has been in my power to collect, the lower part may be estimated at 1100 feet, the middle at 500 feet, and the upper at 400 feet, making 2000 feet together. Below the Gros Mâle, about twelve miles are occupied by the rocks, and the fossiliferous sandstones constituting their summit, are seen on the north side of the anticlinal axis, at the foot of the Bluff, and again on the south side about four miles below the Magdalen river. The sandstones of the base are displayed in the immediate vicinity of the axis on both sides. But the whole band of deposits will probably re-emerge upon the coast to shew a final outcrop on the north side of the sinclinal flexure, so that it will probably compose several miles above the Bluff; but though sandstones and shales are seen nearly the whole way up to the Marsouin River, I am not prepared to point out the precise localities occupied by the different parts.

The useful materials connected with the band are building and flagstones in the upper part, which may be had in abundance four miles below Cape Magdalen, and limestone for burning from the black beds in the middle of the deposit.

4. From the cove where the fossiliferous sandstones plunge beneath the succeeding beds, four miles below Cape Magdalen, to the mouth of the Great Fox River, a distance of about twenty-six miles, the rocks possess a very uniform lithological character. They consist of black bituminous-argillaceous shales, interstratified with thin gray calcareous sandstones, and thin gray, yellowish-weathering limestones. Graptolites are met with in the shales and on some of the limestones, and the surfaces of the more arenaceous layers, when in juxtaposition with the shale, are occasionally very much and very singularly wrinkled, presenting rudely parallel twisted and knotted plications, sometimes leaning a little over one another, with irregular deep and sharp sinuous furrows between. If these were confined to one side of the beds they might become, after ascertaining which it was, a criterion to determine overturn dips. But though they appeared to be generally on the underside, when the strata were considered to be in an uninverted attitude, one instance occurred where there were indications of them on both sides at once.

Many transverse cracks occur in the strata, which when they cross the silicious beds appear to be more frequently filled with carbonate of lime, and when they traverse the calcareous layers often exhibit beautiful transparent, but not very large crystals of quartz, terminating in a pyramid at each extremity of the hexagonal prism, and frequently accompanied by rhomb spar. A multitude of dislocations, usually of small amount, (from a few inches up to twelve feet.) are associated with the cracks; but one is visible near a point a short distance below a brook called the Grande Coupe, four and a half miles lower than the Great Pond River, running across a thicker than usual vertical bed of arenaceous limestone, striking N. 52° W., which throws the measures one hundred and twenty yards northward on the east side.

Undulations in the strata in this part of the coast appear to be as frequent, though perhaps not so important as they are higher up, and instances of them are perceptible wherever points more prominent than the usual run of the shore, or any deep recess, affords a transverse section. Among other places, they may be seen at each of the two points next above Great Pond River; again at the points above and below Little Fox River, and that above Great Fox River; and it is probable that the last three examples, occupying a distance of about six miles, are all on the run of the same flexure, which, in some parts, exhibits an inversion of the beds.

What the thickness of these rocks may be I am not prepared to state; but at the mouth of the Great Pond River there is an exposure of strata, laid bare at the ebb of tide, which measure five hundred yards across, with a S. W. dip, and a very regular slope of 67° to 70°. This alone would give a vertical amount of about 1400 feet. Another exposure of strata, between high and low water-mark, at the mouth of the Great Fox River, measures three hundred yards across the strike, and presents a dip S. 55° W., with an inclination of 65°. This would give a vertical thickness of eight hundred feet. That the latter would pack in before the former as additional strata, if there were no undulations to disturb the calculation, there can be a little doubt, but repetitions are so frequently seen that they are a warning against any very positive assertion on the subject. Indeed, it is even very difficult to say whether undetected short sharp folds may not exist to magnify the volume of the separate amounts above given beyond their due proportions; and that such may sometimes produce a very serious error will be apparent, when it is stated that about five hundred yards above Great Cloridon Point, which is about six miles higher than the Great Pond River, six minute corrugations of this description are seen within the space of twenty yards, by three of which the same one foot bed of arenaceous limestone is six times repeated, being thrice bent over to an inverted dip in such a way as to bring the underside of the bed against itself, and to exhibit no difference in the direction, and very little in the inclination of the slope on the opposite sides of the fold. The crowns of the flexures are visible, but had they been truncated by a perfect horizontal section, and the troughs between them concealed, it would have been impossible, by an inspection of the outcrop merely, to have detected the repetition, and the volume might have been given as six times greater than the truth.

5. Succeeding this division, there is a deposit of very black bituminous shales, with a few beds of black limestone. Graptolites abound in the shales, but they are the only fossils that have been detected. This deposit presents an escarpment at the distance of about six hundred yards across the strike from the strata exposed at the mouth of the Great Fox River; and it can be traced down to L'Ance à Griffon, where a huge black cliff, on the upper side of the cove, affords a good opportunity for its examination. The thickness displayed in connection with the escarpment, is about 1000 feet, the dip being S. 60° W. with an inclination of 54°, while at the end of five hundred yards farther in the direction of the dip, across the continuation of a valley in which the measures are concealed, a set of strata, of much the same character, with a dip in the same direction, but at an inclination of 72° to 74°, exhibits a thickness of four hundred and fifty feet. It is probable that the latter are a part of the former repeated, though there is nothing further to indicate the probability than the greater steepness of the beds.

6. Between L'Ance à Griffon and Cape Rosier, the rocks, which still exhibit many contortions, are black shales, with thin layers of limestone and calcareous sandstone, as far as Ruisseau à la Tierce, where one or two more important beds of gray sandstone are seen not much under fifty feet in thickness, followed further on between L'Ance à la Tierce and L'Ance Louise, with one or two bands of red shale, interstratified with the still prevailing black shales and thin limestones and sandstones, which characterise the whole group.

7. Still to the general apparent dip of the divisions which have been mentioned, is seen, as if superimposed upon them, the series of rocks given in the first or lowest member of the succession of deposits, enumerated as belonging to the eastern portion of the Province, in the Report of Progress for 1843. They properly belong to the group under consideration, exhibiting the same characteristic presence of black shales, with thin interstratified limestones and sandstones, and they occupy the space between the outside of Cape Rosier and the northern base of the mountains, which run out into the promontory, terminating at Cape Gaspé, or Ship Head as it is commonly called. The distance is not more than three miles, but a turn in the coast at Cape Rosier suddenly taking the line of measurement, in a direction more nearly across

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the stratification than anywhere else higher up the river, gives to the band the direct breadth of two miles and a quarter; and if no undulations occurred, the thickness resulting would be very important, as the dip is generally at a very considerable angle. It is difficult, however, to determine the truth. The coast is low and shelving, and the violence of the south eastern storms has heaped upon it a great mass of gray limestone shingle, which covers nearly the whole, with the exception of three points. One of these is Cape Rosier itself, where a breadth of four hundred and fifty yards of the strata, including what are seen between high and low water mark is exposed. They consist of gray limestones, in beds varying from six inches to a foot, with two thicker conglomerate beds, made up of gray limestone pebbles in a calcareous matrix, similar to the conglomerates of Little Ste. Anne Cape, interstratified with black and gray shales. Contortions affect the beds and a dislocation occurs in them, which disturbs the precision of calculation in ascertaining the thickness, but the general dip would bring it out as not much under nine hundred feet. Separated from the cape strata by an interval of one thousand yards across the measures, which are covered by limestone shingle, there occur at the next point of exhibition gray yellow-weathering limestones interstratified with jet black and gray shales, with a bed of conglomerate or brecciated limestone at the bottom. The distance across the strike is about eight hundred yards; but there are intervals of concealment in it making up three hundred yards of the amount, and though the dip is pretty uniform in direction there are variations in the inclination which ranges from 44° to 60° . Another interval of concealment, which may be about one thousand yards in the direction of the dip of the deposits,—a partial exposure of which at the end of the distance shews a continuation of the same alternation of shales, limestones and sandstones,—brings in a new set of strata, consisting of red, purple, black and olive-green shales, associated with light gray sandstones, sometimes fine in grain and close in texture, and sometimes coarse, with transparent quartz, silvery mica, white feldspar, and very minute bright green specks. A few thin layers of black bituminous limestone are interstratified with the shales. Several violent corrugations are visible in a low cliff in which the beds are exposed, and it is next to impossible to state their thickness, but the measurement across the strike is about three hundred and fifty yards, and the dip varies in inclination from 26° to 90° . Between these beds and the base of the hills which limit the group, there is a distance of about eight hundred yards across the strike. But the strata are only obscurely seen at intervals at the beginning and end of the measure. The strike appears to be very uniform, being N. 35° W., and S. 35° E.; but only the very extreme edges of the beds are anywhere seen, and the dip is sometimes to one side, and sometimes to the other, at inclinations varying from 50° to 90° . The strata consist, as before, of black shales and thin limestones, which become very arenaceous towards the top, and at the very summit there is a jet black shale, bruising into a jet black powder, which has induced some of the fishermen of the place erroneously to suppose that coal cannot be far removed from it.

If the rocks which have been described as met with in distinct localities between Cape Chat and the neighbourhood of Cape Rosier, were all taken as distinct members of a series, it would give to the group a very great vertical thickness. When viewed in succession in proceeding along the coast, they appear to possess characteristic mineralogical differences, but it must not be forgotten that the distance between the extremes of the line is so great that it would afford ample opportunity for such changes of condition in contemporaneous beds, as might invest them with very different appearances at the different points; and when this is combined with undulations producing such important inversions of the strata as have been alluded to, I am by no means prepared to say that some of the deposits described may not be modified repetitions of one another. The conglomerate limestones of Cape Rosier, for instance, are not unlike those of Little Ste. Anne Cape, and both are followed by sandstones, associated with red, black, and green shales; and though the interval between the two deposits is greater in one case than in the other, and the sandstones differ in quality, these circumstances are not sufficient to disprove their

equivalency when the distance of the localities is considered; and it may be the case that all the members of the group are comprised between Cape Rosier and the northern base of the Cape Gaspé Mountains.

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The breadth of this group of deposits on the Chat has already been stated to be eighteen miles, but the only part of the section requires notice is the six miles on which the chain of Notre Dame Mountains stands. The red shales, associated with the sandstones at the mouth of the river, cease on the stream at the distance of about five miles across the stratification, in a straight line from Cape Chat, and the remainder of the space to the base of the mountains is occupied by black shales, interstratified with thin layers of limestone and gray sandstone, with occasional thicker beds of the latter, and one of brecciated limestone, which was noticed about two miles and a half to the dip of the red shales. The shales have a cleavage independent of the bedding, and the thin limestones in nearly the whole of the distance possess the peculiarity of a fibrous structure, something similar to that of satin spar, the fibres running at right angles to the plane of the beds.

Although the chain of Notre Dame Mountains runs parallel with the general strike of the strata between them and the St. Lawrence, and the rocks composing them have not been classified separately, I do not recognize them as similar to any mass met with on the coast, notwithstanding the direction they take ought to bring them out obliquely upon it towards the top of the group. Should further investigation prove that they really belong to the group, it will result that their mineral condition must have been greatly changed; but a large number of facts must be collected to authorize any conclusion respecting them. In all the parts visited they present a metamorphic aspect. Their general colour is pale green, very much resembling the green of epidote. They are hard, close textured and silicious, often presenting the appearance of a very fine-grained sandstone, in which the beds would be nearly obliterated were it not for fine lines of discoloration. Such was their general character on the summits of the highest peaks, and at six localities in our progress up the gorge of the Chat; but loose angular fragments in the stream shewed that green is sometimes mottled with red jaspery patches, and that some masses display a fibrous or arbestiform structure, breaking into hard long pointed splinters, while others, possessing something the character of mica schist, split into silicious plates, whose separation is facilitated by the existence of flakes of mica, running in parallel layers.

On the summit of the Old Man Mountain, which consists of the close grained quality of green silicious rock first mentioned, we found the needle of our compass deflected 4° from the ordinary magnetic meridian of the neighbourhood, which is $22^{\circ} 30'$ west of true north. The irregularity may have been occasioned by the vicinity of some vein of the magnetic oxide of iron, but so much of the surface was concealed by moss and trees that our search for it proved unavailing.

2. GASPE LIMESTONES AND CALCAREOUS SHALES.

The next group of rocks to be described are those which occupy the promontory of Cape Gaspé. They repose on the previous band, but I have not been able to satisfy myself whether they do so conformably. Their strike is much the same, but their general slope appears to be much less, and they certainly do not present the same contorted condition. At the bottom they consist of gray limestones, in layers of six to eight inches, which are separated by bands of greenish calcareo-argillaceous shale, gradually increasing in amount towards the upper part. The limestone beds are abundantly supplied with fossils—corals, encrinurans, mollusks, crustaceans—and the thickness of the whole is about seventy feet. Among the crustacea *brontes flabellifer* occurs, and *agnotus granulatus*, of the New York Helderberg series, associated with a considerable collection of pentameri or two species, one (the more abundant) resembling *p. galteatus*, and the other *p. oblongus*.

This is followed by an increased development of the greenish shales, which, becoming interstratified with less

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calcareous layers of several shades of red, give altogether ninety feet; succeeded by one hundred and seventy feet of olive coloured calcareo-argillaceous shales, with occasional large nodules of limestone, and a few layers of the same, some of which are rather arenaceous. The organic remains observed in this part are confined to a few flattened stems of marine plants, replaced by oxide of iron.

Upon these strata rests a set of gray limestones in thin beds, separated by gray limestone shales, of which there are more towards the bottom than the top; and interstratified by three or four bands of the olive coloured shale. The total thickness is not over two hundred feet, and about fifty feet from the bottom there is a seven feet bed, made up of several thin layers of limestone and limestone shale, presenting a singularly wrinkled appearance, from which the beds above and below are free; as if the layers after their deposit had been moved by lateral force into a contorted condition on the stratum giving them support, and then been planed smooth on the top for the deposit of that covering them. But where the inverted arches of the flexures occur, some of the lower layers are occasionally wanting, as if the bed had been ground on the under as well as the upper part. The corrugations are precisely in the direction of the dip, and the peculiarity of the bed is not confined to a small portion of it; for the same irregularity is observed in it at the Petit Portage, and Cape Bon Ami, which are upwards of a mile asunder, and are the only localities where the limestones with which it is associated have been seen. The fossils of this calcareous band are not so numerous as those of the limestones farther down, but trilobites and a few bivalve shells have been met with.

The next superimposed part of the formation consists of shales, in general gray with a slight tinge of green, and sometimes dark gray. Their quality is calcareous, and they are interstratified with a few bands of arenaceous limestone, which are occasionally sufficiently coarse-grained to approach a fine conglomerate. The total thickness of the deposit is about three hundred and eighty feet. Fossils are not scarce in it, and they consist of marine plants, which are chiefly confined to long flattened slender serpululating stems, and shells, the prevailing genera of which are *lingula*, *orbicula*, *leptena*, *atrypa* and *orthocebras*.

To these shales succeed another series of a harder and still more calcareous quality approaching the character of shaly limestones, which are associated, particularly at the top, with good hard but thin beds fit for burning. Among the organic remains of this part, which do not appear to be abundant, are obscure short serpululating fucoids, a conularia very like *quadrisulcata*, and a fossil (of which only a small fragment was found) bearing a strong resemblance to Murchison's *pterygotus problematicus*, fig. 4 and 5, pl. 4, Silurian Researches. The thickness of these shales and limestones may be about three hundred feet.

The deposits thus far detailed composing the group under description, are altogether twelve hundred feet thick, and they are seen very grandly displayed in the stupendous cliffs which present a vertical naked face nearly seven hundred feet in height on the north-east side of Gaspé promontory. The lowest of the limestone bands constitutes the first step in the rise to the mountains, passing from Cape Rosier to Grand Grève. The second hard calcareous band composes another step on the same path; it forms also Cape Bon Ami, from which the gray calcareous shales present a steep slope up to the foot of the gray shaly limestones; and these rise, in a vertical and even overhanging escarpment, up to the edge of the precipice, from which the harder beds which shield the top of the deposit, slope down into a valley, dividing the hills of the promontory into a double range, and maintaining its character with some constancy further into the interior. From this valley the succeeding members of the group are piled on one another in a second escarpment, and constitute the loftier of the two ridges.

These succeeding deposits are first a set of nodular shaly limestone beds, followed by some of a hard gray quality yielding good material for burning. These are again succeeded by nodular beds, on which rest strata

of a more arenaceous quality and of a greenish colour, terminating in a thin layer, which is nearly grass green. These beds are about three hundred feet thick, and a fucoid, much resembling the *fucoides caudagalli* of Mr. Vanuxem of the New York Survey, is a common fossil, with a long tailed trilobite.

The remainder of the group is composed of hard gray limestones of a good quality, in beds varying from six to twelve inches, associated in some parts with chert. At the summit fossils abound, consisting of corals, encrinites, mollusks, crustaceans and fucoids. But it is difficult to state with precision the thickness of the deposit, in consequence of a defalcation in the section at the extremity of Cape Gaspé, where the connexion with the lower beds is well exposed, but where the top is lost beneath the waters of Gaspé Bay, near the remains of an isolated rock called the Old Woman, which was swept from its base about two years ago, while numerous transverse faults, of which it is not easy to estimate the value, obstruct the endeavour to bring the position of the uppermost bed up to the line of section, by means of the strike from a locality where it is known. It appears to me, however, that the thickness cannot be far from five hundred feet.

The whole of this calcareous group may thus attain the thickness of two thousand feet. It occupies the whole of the promontory of Cape Gaspé, where it has a dip S. W. with an inclination of 24° ; and skirting the north-east bank of the north-west Arm and River of Gaspé Bay, it constitutes a range of mountains, some of whose summits are about fifteen hundred feet high, flanked by a strip of the succeeding formation from Little Gaspé, where the junction of the two is seen. About eight miles from Peninsula Point it crosses the North Fork of the North-west Arm, at four thousand yards across the stratification from the mouth of the tributary, on which a partial section of it, straight across the measures, presents a thickness of eighteen hundred feet, at the bottom of which it is interstratified with layers of hornstone.

On our journey from the St. Lawrence to the Bay Chaleur, we crossed a calcareous formation, where this was expected; and although the rocks belonging to it were seen only in three places, namely on the Chat, on the ridge of the water shed, and on the Cascapedia, they were sufficient to enable us to conclude that they there occupy a breadth of about eleven miles, from their base on the southern side of the Notre Dame Mountains, where they hold a conspicuous band of nearly white fine-grained sandstone, to their summit, where they terminate against the trap of the Conical Mountain, which belongs to a mass, running with the strike of the strata on both sides of it, (being interposed between the limestones on the northward and the succeeding formation on the southward,) and bearing for another conical peak called by us the Barn-shaped Mountain, the place of which was determined by triangulation to be eleven miles distant in a direction N. E. and the quality of which, from its form it appears to me probable, will prove to be trap also. The breadth assumed by the limestone in this section may lead to the inference that the general dip of the strata can be but small. They were too much covered up, however, to afford any satisfactory evidence. On the Chat the inclination of the beds was in some parts 16° , to 25° , and in others it did not exceed 1° , to 2° . In the vicinity of the trap of the Conical Hill it was not less than 40° . But on the ridge of the water shed it was under 5° . Fossils were abundant in the lower part. They were found in many loose angular fragments exposed in water courses, or beneath the roots of overblown trees all the way across, and they were obtained in the highest part of the formation on the Cascapedia. But it gives me regret to state that the collections we made and with much trouble transported across the country, were subsequently wrecked on the coast of Labrador, on their passage from the Bay Chaleur to Quebec.

The formation was again crossed on the Matapedia River and Lake, and its base, associated there as on the Chat with a band of white sandstone, forms the southwest side of the larger lake from one extremity to the other, dipping in a direction S. W. at an angle in general under 10° ; but the breadth it may possess I am not prepared to state.

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In the five miles of this formation which constitute Gaspé Promontory, there are two localities in which the sulphuret of lead is met with. One of them occurs in the bight of Little Gaspé Cove. The limestone, denuded of the overlying arenaceous deposit, is there washed clean by the waters of the Bay, and exhibits several small cracks filled with the mineral, associated with calcareous spar. The course of two of them is N. 73° E. and they underlie to the northward. At the thickest part the veins are each about one inch wide, but they thin out both ways in a few yards. Near these cracks there exists a fault or dislocation producing a downthrow on the northward side, and by it the limestone is brought against the sandstone of the succeeding deposit. It is probable the cracks charged with the ore have some relation to this dislocation; but the soil and herbage covering up the fault disabled us from ascertaining the nature of the material with which it may be filled. The other locality of galena is in Indian Cove, close by the fishing stage of Messrs. Pierre and Antoine Simon. A dislocation is plainly discernible at this place; it is a downthrow to the south-eastward of at least thirty fathoms, by which the sandstone of the superior deposit is brought opposite the limestone; and between the calcareous and silicious wall thus situated, there exists a lode of about twelve yards wide where I measured it, composed of the ruins of the two rocks cemented together by calcareous spar. In this there are many small veins of calcareous spar, which appear to be the seat of the galena in cubic crystals. The principal of these subsidiary veins is about two inches wide in the thickest part. It has an underlie or slope N. 50° W. at an inclination of 55°. But the general course of the whole lode in which the small veins occur is about N. 42° E. and the underlie seems to be to the S. W. side. The quantity of rubbish obscuring the face of the cliff rendered it impossible, without delay and expense, to ascertain the quantity of lead ore that might be obtained from a fathom forward of the lode; but without giving any opinion on this point, I may say it is not improbable the lode may hold its course for some distance, as the fault points to a transverse valley or depression in the hills behind, which appears to run across to the opposite side of the promontory. But in a dislocation on the north side which was considered to correspond with it, none of the ore was observed. According to the analysis of my assistant, Mr. de Rottermund, the ore contains more antimony than lead, though the crystalization is that of galena.

Transverse dislocations are of common occurrence in the vicinity. One of them is seen in a recess about a quarter of a mile above Indian Cove, filled with white calcareous spar, which is nine feet thick in one part and one foot in another. The underlie of the vein is S. 41° E. < 76°. The dip of the strata at the spot is S. 79° W. < 22°. On the north side of the promontory seven dislocations may be taken in at one view, in the space of about a mile and a half in the face of the cliff, from a boat placed at a convenient distance in front of it. The displacements in six of them compensate one another, and the slope or underlie of the fault in every instance points in the direction of the downthrow. In connection with the subject of faults it may be mentioned that a trap dyke cutting the strata, without any apparent displacement of them, is seen a little to the north of the Petit Portage in Cape Rosier Bay. Its breadth is eight feet, and it cuts a part of the shale which occupies a position between the two lower hands of limestone. The rock on each side is a little harder than elsewhere, but it is not otherwise altered. The course of the dyke, which is very nearly vertical, is N. 55° W.

3. GASPÉ SANDSTONES.

Succeeding the calcareous series of deposits which have been described, the next in the order of superposition is an important arenaceous group, which, judging from the thickness it displays on Gaspé Bay, will probably present a conspicuous figure in the map of the Eastern Geological Division of Canada. In the accompanying Appendix a detailed vertical section is given of the strata, taken from the locality of their greatest observed development, by which it would appear they do not fall short of seven thousand feet. This section does not reach

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the base of the group, but its termination is probably not far removed from it. The lowest portion of the series consists of gray argillaceous and arenaceous shales, with beds of gray sandstone, only one of which is of much thickness, (75 feet,) holding spherical masses harder than the general quality of the bed. Towards the bottom the beds weather of a rusty brown colour, and contain abundance of fucoid like plants, one of which bears a strong resemblance to the graphic fucoid of Mr. Vanuxem. Many of the surfaces are sprinkled with carbonized comminuted remains of plants, and there is towards the lower part a small seam of coal and carbonaceous shale, together measuring three inches, which appears to hold a regular course, with a bed of clay beneath it, but in too soft a condition to enable it to be determined whether it contains any vegetable remains. This deposit is about five hundred feet thick.

It is followed by a series of drab sandstones, many of them inclining to a reddish tinge with spherical masses harder than the general quality, and exhibiting strong and extensive ferruginous stains. A few scattered pebbles exist in some of the beds, and the whole, in general thick, are separated from one another by layers and partings of gray argillaceous shale. Nodules of argillaceous iron ore are contained in some of the beds, and carbonized comminuted plants are frequently displayed on the divisional surfaces. The thickness of these beds is about nine hundred feet.

They are succeeded by another set of drab sandstones inclining to a reddish tinge at the bottom and to green at the top, with occasional scattered pebbles and large spheres harder than the general quality of the enclosing rock. Ferruginous stains are frequent, and the beds are separated by gray argillo-arenaceous shale layers, which, as well as the sandstones, sometimes contain argillaceous iron ore. In the middle and lower parts are interstratified two conspicuous beds of deep red or claret coloured, green and dark gray argillo-arenaceous shale, in the upper one of which there are two and in the lower eight bands of gray, hard, tough rock, much like fire clay, penetrated vertically by slender root-like impressions, which occasionally bifurcate downwards. The thickness of this part is about four hundred feet.

Next follow a great series of drab sandstones inclining to green, of which some beds contain pebbles, and many parts have large spherical masses, harder than the general quality. The beds are in general very thick, and they are separated by layers of gray argillaceous shale, from which occasional large and abrupt argillaceous lumps protrude into the superincumbent sandstone. Carbonized comminuted remains of plants occur on the surfaces of the beds in the lower part. These sandstones present a thickness of two thousand feet.

Succeeding them there is another series of drab sandstones, (in only a few of which there are pebbles,) interstratified with five conspicuous deep or claretted, green, and gray argillo-arenaceous shale bands, of the aggregate thickness of one hundred and forty, and giving with the sandstones, about four hundred feet.

Upon these rests a set of drab coloured, strong and coarse conglomerate beds, some of one hundred and fifty feet thick, in which the pebbles consist of various coloured quartz, porphyry, blood-red and other coloured jaspers, and among them limestone is occasional, feld-spar not unfrequent, and a conglomerate stone rare. The pebbles are enclosed in a matrix of greenish gray or drab coloured sandstone, and in a large portion of the deposit, they diminish in quantity, leaving a predominance of the arenaceous constituent of the rock, which is then a strong pebbly drab sandstone of a moderately fine grit, with carbonized remains of comminuted plants on the surfaces of the beds, and in their elementary layers. The thickness of these beds is about eight hundred feet; and the whole of the mass, in which drab-coloured sandstones so greatly predominate up to this point, is about five thousand feet.

To these succeeds a series of red sandstones, with green stripes and spots associated with occasional drab beds and infrequent conglomerate layers; but all interstratified with green spotted and striped red argillaceous

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and arenaceous shales. In many cases the sandstones exhibit on the under surfaces highly relieved casts of shrinkage cracks, and on the upper surfaces ripple-mark; and the shales are sometimes penetrated by branching plants in vertical, oblique and prostrate attitudes, while one or two beds occur with root-like fibrous impressions, running at right angles across them. This red deposit is about eleven hundred feet thick.

It is followed by a series of drab sandstones, which in the lower part are clouded or mottled with a reddish tinge, and at the bottom exhibit an interstratification with red shale; but at the summit are inclined to gray. In many parts they hold scattered pebbles consisting of white and greenish quartz and blood-red jasper with some of limestone; but the pebbles do not in any bed become so numerous as to constitute a conglomerate. On the surfaces of many of the beds, and in their elementary layers, which are occasionally oblique, there exist carbonized broken vegetable remains. The thickness is about six hundred feet.

The base of this great collection of arenaceous deposits is to be met with in Little Gaspé Cove, and the inferior portion of it skirts the north-eastward side of Gaspé Bay and the North-west Arm, from that spot as far as the North Fork, which is as far as it has been continuously traced in that direction. It there occupies a breadth of about three thousand yards in a straight line across the measures, giving at the average dip it presents a thickness of four thousand feet. On the south-west side of Gaspé Bay, in the neighbourhood of Gaspé Basin, the same measures rise with an opposite and more precipitous slope, forming a trough under the bay. The thickness there exposed is again about four thousand feet. The same beds then fold over an anticlinal axis, which comes out upon the Bay near Cape Haldiman, and dipping at a very moderate angle on the south side of the axis, beneath the lagoon at the mouth of the River St. John, they re-appear with a nearly opposite dip at the south-eastern end of Douglstown Village, and exactly face the Great Cape Oiseau, (Cape Brulé of Bayfield's chart,) and Little Gaspé side of the bay. Following the coast they exhibit a slight sinuosity in Seal Cove, (Bréhaut Bay, as marked in Bayfield,) and at the extremity of the point between this Cove and the next one farther down, they fold over another anticlinal axis, the position of which is indicated by a trap dyke of a very marked character. It is from this point to the termination of the series in the cove immediately above Pointe Jaune, or Yellow Head, that the measures given in the vertical section are found. The coast cuts them obliquely, but at every step new strata are added in an ascending order of super-position, until Long Cove is reached, where the red sandstones are seen.

In this Cove the measures have a moderate inclination, and a slight protrusion in the line of strike causes the coast section of the cliff to present a gentle arch in the centre, repeating a part of the beds. But further on the section still gains upon the strata in the vicinity of Redhead, and beyond it, until they are suddenly cut off by a fault at the spot already indicated as the termination of the series. In the whole distance the strata are seldom concealed, and though several small faults occur, the allowance to be made for them is seen in the cliff, which is in general bold.

The two flexures which have been noticed appear to run parallel to one another, to the mountain ranges of the neighbourhood, and to the general strike of the calcareous rocks on the north-east side of Gaspé Bay. They may be about three miles asunder in a direct line. The northern one is traceable for seven miles from the vicinity of Haldiman Bluff to the inner basin at Gaspé, which it crosses not far from the Episcopal Chapel, in a line that would strike the rear of Mr. Becharvaise's lot, near whose house its effect has brought to the surface some sandstone strata well stored with fossils, deriving from their presence a calcareous character. The criterion which has been taken as indicating the direction of the southern one is the course of the trap dyke in its vicinity, which, however, has been traced only a short distance, as it soon becomes covered up after striking into the forest. The dips on the north-east sides of both these flexures are more precipitous than those on the south-west. But

the strikes of the anticlinal beds are not precisely parallel. They converge south-eastwardly, from which it would result that the ridges or crowns of the folds would slope in that direction.

Trap dykes were observed cutting through the rocks of this formation in five separate localities. One of them exists about a mile and a quarter above the outside point of Little Gaspé Cove. It is about four yards wide, and its course, as far as displayed on the shore, is S. 65° E. There is, however, a turn in a dyke running for five yards in the direction of S. 55° W. and coinciding with this turn, there is a cross fault, of which the underlie is S. 35° E. < 68°. It is about six to eight inches wide, and it is filled with compact feldspar holding opaque white crystals of feldspar and irregular veins of carbonate of lime. In that part of the main dyke which is near, thin veins of iron pyrites occur, which have an irregular parallelism with the cross fault. The main dyke is composed of greenstone. It is about perpendicular, and the strata, which have been indurated on each side, dip S. 73° W. < 28°.

The second dyke occurs about 300 yards below Little Cape Oiseau (Cape James of Bayfield.) Its course is about S. 70° E. and its underlie, which is to the southward, is 88°. There is an angular turn in it which carries it N. 30° W. for a few yards. Its mineral quality is much the same as that of the former, and it exhibits a tendency to a transverse columnar structure.

The third stands up like a wall at the mouth of a small brook about three hundred yards above Little Cape Oiseau. Its course is S. 87° E.

The fourth occurs on the opposite side of the Bay, in L'Auce Cousin, close by the mill and brook, about a mile and three quarters above the Bluff on the upper side of the entrance to the South-west Arm. Its course is S. 85° W. and its underlie is to the southward 78°. Its breadth is five yards. It is composed of greenstone, and two feet of it on the north side, appearing to possess more hornblende, and weathering of a more rusty colour than the rest, exhibit an imperfect transverse columnar structure. The sandstone on each side of the dyke dipping N. 65° E. < 56° is hardened for a short distance, and displays a more than usual number of joints parallel to the dyke.

The fifth trap dyke is that connected with the southern fold in the strata. It is not situated in the centre of the fold, but about two hundred yards on the north-east or precipitous side of it. Its course is S. 70° E., and it is very nearly vertical. Its breadth is ten to twelve yards. Its colour is dark gray, weathering to a rusty red, and it is a greenstone with probably a large proportion of hornblende. It presents many horizontal and vertical joints or divisions, and these are frequently filled with thin veins or plates of bluish white calcedony. The same mineral lines a multitude of large and small druses, giving botryoidal surfaces and having again in the interior transparent quartz, and occasionally dogtooth and other crystals of calcareous spar. In these druses, and in others, not lined with calcedony, there occurs a black bituminous liquid, which has all the characters of petroleum, but in some of the cavities is hardened into a resinous pitch-like condition. In some parts of the dyke the petroleum druses are so numerous that there is scarcely a fragment the size of the hand that does not contain several of them, and the tar-like smell of the mineral is perceived in walking by the dyke at the distance of fifty yards. Towards the south-west side the dyke is partially amygdaloidal.

In the neighbourhood of Gaspé Bay, four mineral springs exist in the rocks of the formation under description. Two of them are bituminous, and two of them are sulphurous. One of the bituminous springs is situated on the south side of the St. John River, about a mile and a half above Douglstown. The liquid is petroleum, and it oozes from the mud and shingle of the beach. On digging small pits a black earthy deposit two or three inches thick is perceived lying on bluish gray clay, and it is from this black earthy deposit that the liquid was seen to exude, and none of it from the clay; though there can be no doubt there must be some orifice in the clay to allow the communication with the deposit resting on it.

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The liquid collects in the pits in a thin film on the surface of the water entering with it; and from twelve pits, I with difficulty obtained half a pint in four hours. When the beach is covered with water, intermittent black blotches are seen to rise through it in several spots, which, floating on the surface, are carried by the wind or the tide to the first impediment offered by any stick or collection of seaweed rising above its level, and occasionally a small supply of it is found thus embayed. Localities yielding the liquid are said to exist at intervals all the way up to the lower extremity of the first marsh island, a distance of about three-quarters of a mile, but though I examined about half of it, I did not detect any of them.

The position of the other petroleum spring is about two hundred yards up a small fork of the Silver Brook, which is a tributary of the South-west Arm, falling into it about six or seven miles above Gaspé Basin. The exact orifice from which the bituminous liquid issues is not easily determined; but it collects on the surface of the water, wherever impediments cause a quiet pool, in the form of a thick green scum, which can be taken up with a spoon. A copious spring of pure water rises up at the spot, and though none of the petroleum was visible on the surface of the spring at its issue, it is not improbable some connexion may exist between their sources, as no trace of it was found higher up the brook. About a pint of the bituminous liquid was collected in half an hour, but this was from an accumulation found covering a small pool, on reaching the place, the odour of which could be perceived for one hundred yards around.

These two bituminous springs, and the position of the bituminous trap dyke, where seen upon Gaspé Bay, are very nearly in a straight line in relation to one another, the extremes of which would be twenty miles asunder; and the bearing of the line is as near as may be in the direction assumed by the dyke as far as it could be traced. It appears to me not improbable, therefore, that the springs may have some connexion with it. It is to be remarked, however, that the liquid in the druses of the trap is jet black, whereas that of the springs is of a decided but very dark green. It was always found mixed up with a considerable quantity of the leaves of the spruce and balsam fir trees, which exist in the vicinity of both localities, and these may have had some effect on the colour.

The two sulphurous springs are situated more in the immediate vicinity of Gaspé Basin. One of them, the position which was obligingly pointed out to me by Mr. Becharvaise, is found within twenty yards of the upper dividing line of Mr. B. Patterson's lot, at about one thousand yards back from the road along the South-west Arm. Its distance from the Basin is about two miles. The locality of the other is on the right bank of a small brook about three-quarters of a mile from its junction with the North-west Arm just above Point Naveau, four miles and a half from the Basin. It is a short distance removed from the brook, and issues from its source one hundred feet above the brook's level. The water of both these springs has much the same mineral qualities. The specimens sent up to Montreal for analysis have unfortunately never reached their destination; but determined by such tests as could be used on the spot, by Mr. de Rottermund, who accompanied us on our exploration for part of the time, it appears that, in addition to sulphuretted hydrogen gas,—a considerable quantity of which bubbles up, and escapes at the sources,—the waters contain in solution, soda, magnesia, and lime, in the form of muriates and sulphates.

Reference has already been made in the section which has been given of the strata of this group of rocks, to the existence of a small but regular seam of coal found towards the base of the series. It is not, however, to be inferred from this, that the group belongs to what is emphatically called the carboniferous era, or that there is much probability of discovering the mineral associated in sufficient quantity with its strata, to render it profitable to mining enterprise. Though seven thousand feet of vertical thickness, with very little defalcation, have been carefully examined in continuous succession, nothing like a working seam, nor any thing but this one like a regular seam, or like a seam at all, has been met with; and while some of the fossil plants and the lithological

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character of the whole series appear much to resemble what in the New York succession is termed the Chemung and Portage Groups, with perhaps the addition of what the geologists of that State term their old red sandstone, (though I have no distinguishing mark by means of which to establish a division in Gaspé), there is still to be described a set of rocks, which, in Gaspé as in New York, overlie these, and belong to the carboniferous series, though the part resting in Canada appears to be too low down to be associated with the profitable seams of coal.

Another mineral, the presence of which may give to these rocks the semblance of coal measures, is argillaceous iron ore. By a reference to the sections on the south side of Gaspé Bay, given in the Appendix, it will be observed that it is there largely disseminated in nodules both in the shales and sandstones. Specimens analysed by Mr. de Rottermund yielded twenty-six per cent of pure iron, associated with alumina, siliceous matter and lime. But though there is much of the ore, it was not in any observed locality so regularly placed as to render it available to mining enterprise, worked by a level; and the rocks in which it most occurs, are too hard to be attacked by the system of *patching*, as it is termed in Wales, by which is meant the separation of the ore from the bed containing it, by means of a strong and well supplied current of water directed upon it.

On the Cascapedia these rocks appear to occupy a breadth of several miles on the south side of the Conical Mountain; which interposes a trap band of a mile broad between them and the calcareous group below. The lower part leans against the trap, exhibiting a dip of about 50° , for about a mile, as determined by the strata at the two extremes of the distance, while the red sandstones fill a space of about two miles and a half at an angle varying from 7° to 10° , on that south flowing part of the Cascapedia passed on first taking to our spruce bark canoes. The eastward flowing portion of the stream occupies a valley in the strike of the red sandstones, and turning southward the Berry Hill displays gray sandstones corresponding with those overlying the red rocks on Gaspé Bay.

On the Matepédia the relations of the group are more obscure, and the facts which may bear upon them have not been sufficiently arranged to be available on the present occasion.

4. LIMESTONE CONGLOMERATES AND RED SANDSTONES.

The next series of rocks to be considered occupy a position on Gaspé Bay, extending from a small cove immediately on the upper side of Pointe Jaune, which is the next small cape above White Head, as marked on Bayfield's chart, to the extremity of Point Peter. A vertical section, with the details of the measures there displayed, is given in the accompanying Appendix, by which it will be perceived the strata consist of a set of strong coarse calcareous conglomerate beds, interstratified with red sandstones. The chief composing pebbles of the conglomerates are of gray limestone and calcareous sandstone, many of which would weigh seven to fifteen pounds, while some contain organic remains recognized to belong to the upper part of the Gaspé limestone formation. In addition to the calcareous pebbles, the beds hold many silicious ones, which are in general of igneous origin, and among them blood-red jasper strikes the eye, and from its brilliancy of colour attracts attention. It is the jaspers and occasional agates of these conglomerates, and also of the silicious conglomerates in the subjacent group, (from which probably the upper rock has received its supply,) that constitute the Gaspé pebbles, which have some celebrity among Canadian collectors; and they may be seen in great abundance in almost all the coves along the shore, where they have been washed up during storms, after having been weathered out of the rock. The matrix of the calcareous conglomerate is generally a red sandstone, the colour of which, in combination with the light gray of the limestone and other pebbles, gives to the mass a creamy, pinkish hue; but it is probably owing to a pervading mixture of calcareous material, which, where the sand is thin, is occasionally displayed in patches filling up the interstices among the pebbles, in the form of white

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calcareous spar, that the strength of the rock is attributable.

The thickness developed in this section is 2700 feet, but it is very probable this shows by no means the total amount of the deposit, and even in the locality from which the data are derived, there is presumptive evidence that something might be added. The highest part of the section is at the very extremity of Point Peter, where a succession of strong conglomerate beds plunge beneath a rock called Flat Island, lying exactly half a mile out in front of it, and having a dip identical in direction, though less in inclination. The direction of both is S. 59° E. and the Point Peter beds slope at an angle of not less than 15°. Supposing there be no fault or undulation in the intermediate channel, if the angle of the half-mile be assumed at 7° or 8°, it would give about three hundred feet more to be added to the vertical thickness, making the formation at this place three thousand feet; and as in the cove above Pointe Jaune there is some evidence that the formation is let down into its position by a dislocation, the value of which is unknown, it is not improbable there may be something to add to the base as well as the summit. The course of the fault in question seems to be S. W. and N. E. and the older strata, which five hundred yards from it across the measures have a dip not exceeding 10°, and at half that distance not exceeding 20°, are gradually tilted up to 40° and even 60° as they come up to it, while the newer ones slightly bent or brushed up at their extremities just at the junction with the former, abut against the face of them, and present a moderate slope (12° to 18°) maintained with considerable uniformity to the extremity of Point Peter.

In this vicinity all the way from Pointe Jaune to Tickel Inlet, the salient parts of the shore are composed of conglomerate, the re-entering of fine grained sandstone, which being softer than the other more easily yields to the wearing effects of marine and atmospheric influences, and explains the zig-zag structure of the line of coast, the general course of which, on both sides of Point Peter, is oblique to the stratification. At Malbaie Village one of the beds interstratified with the conglomerates is wholly calcareous, and constitutes a limestone which has been used for burning.

COAST SECTION OF THE BAY CHALEUR.

The rocks of the formation which has been last described are seen on many parts of the coast proceeding from Point Peter round into Bay Chaleur, as far as the Ristigouche River, a distance exceeding one hundred and twenty miles; and while they present a few modifications in their lithological character, they give complete evidence of their want of conformity with the deposits on which they rest.

From Tickle Inlet to Beach Corner, near Mr. Mabey's ship yard, they are covered up for about five miles by the barrier of sand and gravel separating the lagoon at the mouth of Malbaie River from Malbaie itself. But one hundred and seventy yards beyond Mabey's Brook, they again make their appearance, not however with the moderate southern dip of the inlet, but bent up to a high angle, with a northern dip, and occasionally presenting a perpendicular face. One of the conglomerate beds shields the cliff, but pursuing the strike it is seen broken through at intervals by transverse landslips, and the red shales and fine-grained sandstones, with which it is associated, become exposed through the loop-holes, which have thus been dashed out, while the intersection of one or two brooks give deeper cuts and exhibit other conglomerate layers. This forms the character of the cliff for a mile to Coin des Roches, and beyond it, but at a gap called the Petite Coupe, or the Little Blow Hole, a limestone belonging to a lower formation makes its appearance. This, however, becomes again covered up, farther on, by conglomerate beds (one of them holding large angular fragments of yellow limestone in a strong calcareous cement) which now present a curved face diminishing in slope at the top; and by these the lower rocks are masked until approaching the Great Blow Hole, where they once more break through their covering and run out, in vertical or highly inclined strata, into Barry Cape, the extremity of a sharp narrow

ridge of rocks between Barry Brook and Malbaie, the highest point of which, called the Peak, (six hundred and sixty-six feet above the water,) is crowned with the conglomerate in a horizontal attitude, staked upon the points of the unconformable beds beneath.

The perforated or split rock from which Percé takes its name, is an isolated, almost inaccessible mass of the older strata, which, standing up like a wall, in continuation of the limestone of Barry Cape, overhang the perpendicular 10° north-eastwardly, with a length of five hundred yards, a breadth of one hundred yards, and a height of two hundred and ninety-nine feet (agreeably to Mr. Moriarty, who has measured it with a plummet,) and present two arches which have been pierced through them by the action of the waves. Mount Jolli and Battery Point are parallel strata of the same formation, underlying the perforated rock geologically, and it is plain from their strike that they run under the Percé Mountains, the whole of the summits of which are composed of the flat conglomerate. The flat top of the Split Rock, and of that part of the Barry Cape Rocks called Les Mirailles, extending to the cone of that portion of them termed the Peak, are probably remains of the ancient surface, on a continuation of which the conglomerate is based; and the height of this surface being about three hundred feet above sea level, and that of the most elevated summit of the Percé Mountains, twelve hundred and thirty feet (according to Bayfield's chart,) it would appear that a vertical thickness of conglomerate, not falling short of nine hundred feet, is present in these mountains. Lofty perpendicular precipices of it are seen on several sides of the Table Roulante and of Mount Ste. Anne; and its base may be traced along the Percé flank of the latter, descending as it proceeds southward; though where it probably reaches the shore in the neighbourhood of Messrs. C. Robin & Co.'s buildings, it is concealed from view by the gravel of the beach. But Percé Reef, which is composed of the rock, marks the direction of its probable submarine connexion with Bonaventure Island, wholly formed of it, where its massive beds rise up at a moderate inclination to the north east side, constituting vertical cliffs six hundred feet in height, giving unapproachable shelter to myriads of gannets, cormorants, gulls, and other sea fowl.

Proceeding southward from Messrs. C. Robin & Co.'s establishment along the main shore, the base of the deposit again makes its appearance near La Festie's Brook, whence it gradually rises up at an angle increasing from 2° to 7°, once more to unveil lower unconformable strata in White Head, which is composed of limestones of excellent quality for burning, tilted up to 70°; and the two formations are seen in juxtaposition for between five and six hundred yards, the lowest member of the upper rocks being a ten feet whitish gray, hard calcareous bed, greenish at the bottom, with many small transverse veins of red and white chert.

In the White Head limestones there are a few fossils; the limestones of the split rock and Barry Cape abound with them, and it is not improbable that these may be of the same epoch as the Gaspé calcareous group.

The Barry Cape limestones are associated at the base of the Peak with a band of white sandstone which would afford a beautiful material for building purposes; and in one of the numerous veins of calcareous spar with which these mural precipices are vertically laced, there are traces of lead ore, having a large proportion of antimony associated with it.

Continuing to trace out the geographical distribution of the upper rocks round the coast, a dislocation occurring about five hundred yards westward of White Head, lets down their terminal edges against the face of the White Head limestones, which are seen in transverse section, with a dip S. 20° W. < 58° shewing the direction of the fault to be N. 20° W. The upper rocks, consisting here chiefly of red sandstone, with only a very few conglomerate layers, slope in towards the limestones, maintaining an eastern dip bringing up lower measures for about a mile, beginning with an inclination of 20°, but diminishing to 4°, and then becoming horizontal on the crown of

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a flat arch, which causes a repetition of some of the beds in ascending order farther on, and brings the general strike of the measures to coincide pretty much with the coast as far as Beaufil's Bay, with a gentle slope to the eastward of south. The red sandstones between the White Head fault and Beaufil's Bay, have an exposure for three miles and seven furlongs, and the cliffs they form, varying from twenty to one hundred feet in height, display no less than twenty-four minor dislocations, the values of nearly the whole of which are at once visible. The following is a list of them exhibiting their courses and underlies, as far as it could be determined by the evidences on the beach and in the cliff, with the amount of upthrow or downthrow, proceeding westwardly along the coast, the compass bearings being given in degrees numbering eastwardly from north as zero.

No	Course. Bearing.	Underlie.		Downthrow. Feet.	Upthrow. Feet.
		Bearing	Inclination.		
1	5°	275°	80°	7	
2	340°	250°	58°	90	
3	310°	40°	65°	6	
4	315°	225°	68°	6	
5	310°	220°	61°	8	
6	325°	235°	56°	1	
7	325°	235°	65°	2	
8	320°	50°	75°		1
9	325°	235°	65°	7	
10	325°	235°	65°	4	
11	335°	245°	65°	2	
12	330°	240°	65°	1	
13	325°	235°	65°	8	
14	325°	235°	65°	+100	
15	350°		90°	1	
16	310°	40°	83°	30	
17	?	?	?		30
18	325°	235°	75°	12	
19	325°	55°	80°	30	
20	325°	235°	75°		+50
21	325°	235°	60°	30	
22	315°	225°	70°	5	
23	310°	40°	75°	10	
24	310°	40°	65°	5	

After an interval of six furlongs covered over by the sandy beach of Beaufil's or Upper Cape Cove fishing village, another mile and a half of red sandstone cliff occurs, presenting another flat arch, showing a general sweep in the strike keeping it with the trend of the coast, which has here more of southing in it; and eleven dislocations of a similar character with the foregoing occur. Another interval of sandy beach, occupied by Lower Cape Cove village, brings us to Cape d'Espoir, where one hundred and ten feet, composed chiefly of conglomerate beds, with a dip S. 10° W. - 4°, are presented in a vertical cliff, and these continue on the strike nearly three miles to Little River, where lower unconformable rocks once more break through.

These consist of hard arenaceous limestone beds, of one to ten inches thick, separated by layers of fine bluish gray argillaceous and slightly calcareous shale, dipping nearly north, at an angle of 73°, which, after peeping out at intervals for half a mile, at the base of the conglomerates, and in contact with them, again become shut up for about three-quarters of a mile, in which the conglomerates alone occupy the cliff. A trap floor then becomes intercalated with these beds at the spot called Les Roches Noires. Its thickness is ten to fifteen feet, and occupying the upper part of the precipice, which varies from one hundred to sixty feet in height, it maintains a constant position for about a mile, in the latter part of which the lower rocks in a contorted attitude, again are seen giving the others support. All are visible at once in the cliff section, which is composed of ten feet of conglomerate at the top, then ten feet of trap, followed by thirty feet of conglomerate, based upon ten feet of the contorted calcareous strata. In the interval between this and the Grand River the cliff is disputed between the horizontal conglomerate and the tilted strata beneath it, each occupying about half the height, and where any brook empties itself into the bay, the conglomerate is wholly removed. Approaching Grand River, after a distance occupied by the conglomerate in a low cliff, there is a space

covered with sand and gravel, but denuded of this another mass of trap—perhaps a continuation of the previous layer—paves the beach at the extremity of Green Point, near Messrs. C. Robin & Co.'s premises, and coming from below it the conglomerate crops out to form a narrow strip of flat surface on the east side of the river's mouth.

It is probable that in the whole distance from Little River, the conglomerate beds, which have a gentle dip south, possess very little breadth, being nothing more than patches of the rim of the formation, saved from the wearing marine action which has carried off other parts, by the presence of the harder tilted strata at high water mark; for it is perceptible that wherever the flat conglomerate wholly occupies the cliff, the waves dashing against its base wear deep horizontal caverns beneath; and deprived of support, great masses cracked vertically off, fall in huge fragments, forming a temporary talus, of which it is possible the ice of winter may assist other causes in effecting a removal. With the exception of the narrow strip at the mouth of the stream, none of the conglomerate is seen on the Grand River for six miles up; the banks being composed of dark gray slate, with a cleavage independent of the bedding, associated with dark gray limestone beds and occasional arenaceous layers. The coast line to the westward, however, with the exception of those parts covered by sand, and particularly of the barrier to the lagoon of Little Pabos is wholly occupied by the newer rock displayed in cliffs varying from ten to forty and not exceeding sixty feet, and belonging to a continuous but narrow belt of the deposit, until reaching a brook about a mile and a quarter eastward of Grand Pabos sand beach, four hundred yards beyond which brook it terminates; and between this termination and the neck of Grand Pabos beach there is only one small thin patch at the Pointe du Portage, extending about half a mile, which is seen resting on the lower rocks now changed in their character from calcareous to arenaceous.

From the neck of Grand Pabos lagoon none of the upper deposit (with the exception of a small patch at a point called Jardin à Naveau) is seen until attaining the south side of Point Macquereau. The interval is thirteen miles along the coast, and it is occupied by a great mass of sandstones most of which are of a gray, or grayish green colour, while some parts, towards the Pabos side, possess a light red tinge or a rusty brown. The sandstone has often glazed or vitreous aspect, and many of the beds are fine, but never coarse conglomerates, with white and transparent quartz pebbles of the size of No. 4 to No. 6 shot. The whole mass is more or less associated with bands of shale or slate, often with glossy or saponaceous surfaces in the direction of the beds, sometimes approaching a micaceous and sometimes a talcose quality, and the colours are various shades of gray, to occasional deep black. Approaching Cape Macquereau, the predominating proportion of sandstones increases, and the crystalline condition of the rock gradually increases also, until in the immediate vicinity of the Cape it assumes quite a metamorphic character. Crystallised feldspar runs through it in reddish sheets in the direction of the beds, and layers of white quartz occasionally run with it, while other layers of a slaty character split into glossy laminae, and a considerable portion of the rock is of a bottle green colour with much the appearance of an imperfect greenstone. The mineral quality and general condition of these rocks more resemble those of the mountains of Notre Dame than any others that have come under my inspection, and they occupy a belt of much the same breadth, being about seven miles in a straight line across the strike. The stratification is in general well indicated in the whole breadth of the formation. The parallelism of the lines of strike on the coast is remarkable, and the courses of the streams coming from the interior as given on Mr. McDonald's survey of the Township of Newport, shews that it is maintained for some distance. The direction is with little variation not many degrees to the north of west, but the dip, which varies in inclination from 45° to 90°, is sometimes on one side of the line and sometimes on the other. In a large portion of the breadth, however, it seldom varies 10° to 20° from the perpendicular. That there are undulations in the strata is very probable; but if they exist they are of

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so sharp a form, and so much of the rock is of a uniform character, that it is very difficult to determine their position notwithstanding there are very few intervals of concealment in the whole distance.

The metamorphic strata of Cape Macquereau are as near as possible vertical, and in that attitude they run along the shore, which is much on the strike from the extremity of the point, towards L'Ance à la Veille, where they are seen unconformably in juxtaposition with an overlying calcareous deposit, which again unconformably supports the conglomerates we have been tracing along the coast. The proofs of this double discordance lie within the space of half a mile. The spot is just under two miles westward of the county line between Gaspé and Bonaventure, and there is no concealment of the strata from one point to the other to render more than ocular inspection necessary. The terminal edges of the metamorphic beds, plained to a smooth level, support an even four feet aggregation of beds of hard, coherent durable, grayish white, silicious and not very fine conglomerate, divisible into layers of two feet and under (which would probably yield very good mill-stones,) with a dip S. 26° W. < 38°, followed by a great collection of limestones and shales having many fossils in common with the calcareous deposits of Gaspé, and exceeding them in thickness. It is upon the basest edges of these, where the beds dip S. 20° W. < 45°, about two hundred and thirty yards along the beach from the millstone layer, in a cliff one hundred to one hundred and twenty feet high, that the upper conglomerate rock is seen to repose with a dip S. 20° E. < 20°; and while the conglomerate stretching two hundred yards along, presents a perpendicular face, the lower formation offers a talus up to it, and occupies sometimes more, and sometimes less than half the cliff. The conglomerate is here of a deep red colour, and it holds many boulders as well as many pebbles of various kinds. Those of red sandstone are the most numerous, and some of them would weigh one hundred weight; others of a silicious conglomerate would not be under seventy pounds; some limestone pebbles containing organic remains might weigh ten pounds, while a few boulders of compact limestone would give two hundred weight, and there was one in particular of this quality which could not fall short of half a ton.

In the next ten miles along shore, there are only two patches of the upper rocks, but the calcareous group which supports them, present a conspicuous figure. As displayed in the coast cliff the base of it is the four feet bed of millstone conglomerate, to which allusion has already been made, and the following is the series of deposits resting on this in an ascending order;

- | | |
|--|-------|
| | Feet. |
| 1. Reddish gray micaceo-arenaceous limestone weathering of a dull ochre yellow, interstratified with six bands of silicious conglomerate, of which the four feet millstone bed is one, and abundantly stored with fossils..... | 140 |
| 2. Greenish calcareous shale with many nodules, and a few beds of yellow weathering limestone, and holding many fossils..... | 200 |

(After this there is a break in the succession, occasioned by a fault which creates a short interval of great confusion; but though the cliff is filled with a beautiful picture of the entangled details of the disruption, it is not high enough to afford evidence of the amount of displacement. Judging, however, by the difference of colour in the strata on the west side, it appears probable a downthrow in that direction is the result, occasioning no repetition to exaggerate the apparent volume of the formation. On the west side of the fault, the following is the succession;)

- | | |
|--|-----|
| 3. Hard gray limestone in beds of six inches to a foot.... | 50 |
| 4. Red micaceo-arenaceous shale, with very few fossils.. | 200 |
| 5. Gray limestone shale inclining to green, with many corals..... | 900 |
| 6. Gray or greenish limestone, partly of a slaty character, full of organic remains, with a band of yellowish gray | |

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|---|-----|
| calcareous sandstone, in the centre, equal to about half the amount, yielding excellent tile and flag stones | 150 |
| 7. Greenish calcareous shale with fucoids..... | 500 |
| 8. Measures concealed, probably of the same quality.... | 500 |
| 9. Gray limestone in beds of six to eight inches with corals, and shells..... | 200 |
| 10. Light gray compact limestone with indistinctly marked divisions into strata, full of corals, broken encrinites and bivalve shells, with trilobites. Here and there a deposit of red arenaceous limestone runs for a short distance in the supposed direction of the strata. These are interrupted by shapeless lumps of compact limestone, and through the red layers white cylindrical corals are observed to pierce or in them white broken encrinital columns to lie enclosed..... | 500 |

Among the fossils at the base of the preceding section *pentamerus oblongus* occurs; and at the summit, associated with *atrypa affinis*, and two other species strongly resembling *a. pugnutus* and *a. lachryma* fragments of a singular trilobite are found, probably belonging to the genus



Brontes? Canadensis.

brontes. The head and tail-plate are represented in the accompanying wood cut. They are not taken from one specimen, but made up from several, namely, two of the head and four of the tail; and although it is not doubted that all the parts of each member are correctly and proportionably given, it is not so certain that an exact proportion is preserved in the relation of the one member to the other. If not previously known, I should propose to give the fossil the specific name of *Canadensis*. Another species accompanies it in considerable abundance, of which the post-abdominal part strongly resembles *brontes flabellifer*, except that the surface

is smooth. With it a head-plate is found in equal abundance, with a surface of so similar a texture, that it appears to me probable both parts belong to one species. The head, however, does not at all resemble that of Goldfuss' figure of *flabellifer*, as given in Lyell's Elements. The head of another trilobite armed with spines occurs.

The lowest members of the above mentioned series of deposits, to the sixth inclusive, form the eastern part of L'Ance à la Veille up to the brook. The seventh and eighth constitute the remainder of that cove, and also L'Ance à Gascon, while the ninth and about seventy feet of the tenth compose Pointe à Douleau, separating these two coves; but the Gros Morbe, between L'Ance à Gascon and L'Ance à la Barbe, displays the whole thickness of both. These constitute also the coast nearly the whole way to Port Daniel by Herrington Cove, and the two conspicuous points on the east side of the bay—of which the northern is called the Devil's Cape—exhibit the upper limestone in a nearly vertical position, with its encrinal character well marked. It is again seen on the front of Mr. Carter's land, between the great and little lagoons, and following up the West river a few miles, it is found to cross it several times, first with a south-west dip, then with a north-west dip, and though I did not trace the stream far enough up to meet with it a third time (not having extended my examination beyond five miles, I am ready to believe it will once more be found with a final south-dipping outcrop higher up.

Following round Port Daniel Bay from the exit of the little lagoon, the strata are covered over by sand and gravel for upwards of a mile, beyond which the green calcareous shales of the lower part of the formation are seen first dipping northwardly, then southwardly; and finally, resting upon them, the upper limestones are again displayed in the South-west Point, whence they run along the coast for two miles to Mr. George McDonnell's lot

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No. 26, not far from Indian Point, where they are once more concealed on the coast by the upper unconformable red sandstone and conglomerate.

The base of the calcareous group in the vicinity of Port Daniel is probably near the junction of the Middle River with the great lagoon, and from beneath it, higher on the stream, a series of black bituminous graptolitic shales comes to the surface, and is seen at intervals for several miles upon its banks. The position of these shales is interposed between the calcareous group and the metamorphic rocks of Point Macquereau; and while their absence in the coast section is easily accounted for in the unconformability of the over-lying formation, their relation to the lower rocks draws closer the analogy between these and the rocks of Notre Dame; and at the same time the discordance on the Bay Chaleur, between the calcareous group and that beneath, tends to excite a suspicion, in the absence of better evidence, that the same discordance may exist on the St. Lawrence.

Some part of the black shales holds a sufficient quantity of bitumen to yield a bright flame when subjected to a strong heat. This property, in combination with their colour, has in this, as in other instances, led to a strong opinion and extensively circulated reports that they are associated with coal-seams. But the view which the facts ascertained in the vicinity lead me to entertain of the age of these rocks, would place them, as will be seen from the sequel, in a much lower geological position than the carboniferous deposit, and render the discovery of profitable coal-seams in them contrary to present geological experience.

The Port Daniel limestone is of excellent quality for burning, and serves well either for masonry or for agricultural purposes. Within the last two seasons several schooner cargoes of it have been shipped to Prince Edward's Island, and as calcareous rocks have not, I believe, been met with in that Province, and are absent from a considerable portion of the Gulph and Bay shores of New Brunswick, it is probable the demand for it will increase.

Not far to the westward of the brook in L'Ance à la Veille, there are some calcareo-arenaceous strata which split readily into large and very even and regular plates of almost any thickness, from a quarter of an inch up to three or four inches, if required, in consequence of a small quantity of mica in the divisional planes. From these very beautiful flag and tile stones might be obtained, and the bed of silicious conglomerate at the base of the coast-section of the calcareous group, as well as others of much the same quality and of greater amount on the West River, would yield very fair mill-stones.

Returning to the upper unconformable rocks, there are between L'Ance à la Veille and Indian Point, two localities, where patches rest on the Port Daniel limestones. One of them is Herrington Cove, where about forty yards breadth of it is seen, and where its enclosed masses are fragmentary, belonging apparently to the underlying strata. The fragments are large, and one protruding from the enclosing red sandstone, could not be much under eight tons in weight. The other patch occupies the banks of a small brook flowing into Port Daniel Bay, a little to the east of the exit of the great lagoon. From the mouth of the brook it runs up the dingle, and crosses the road about a mile east of the sand beach. It is a strip which, occupying a valley in the original surface on which it was deposited, has been protected from destruction by the fences of older rock on each side of it.

From Indian Point a great stretch of this formation, with only such occultation as results from the sand beach of Nouvelle, and that of Paspébiac (to the landward of which latter place, however, there is a precipitous bank clearly marking its presence,) carries us to New Carlisle; and in this distance of twenty miles, in which its prevailing quality is that of a red sandstone with only a few conglomerate layers, the rocks on which it rests are seen at high water mark only in the first part as far as Cape Loup Marin; and again at Point Mashigowech.

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Under a mile and a half from New Carlisle town lot these again appear, presenting at the same time a new feature in the coast section. Proceeding westward the upper rock, consisting chiefly of red sandstone, has a gentle dip eastward, not exceeding one or two degrees, and it reposes upon the truncated extremities of a vast collection of trap dykes, not much under fifty in number, and of various qualities and breadths, from eighteen inches to twenty feet, which cut through the lower formation consisting of red calcareo-arenaceous shale, with a few thin bands of limestone. The trap is often a greenstone porphyry, containing tabular crystals of feldspar, which stand edges upwards, with their flat faces to the walls of the dyke towards the sides, but occasionally across the dyke in the centre. Reaching the town lot, the overlying red sandstones cease, and the trap spreads out under nearly the whole of it. It is of different qualities in different places. A ledge of it, running N. E. and S. W. in one spot consists of greenish white feldspar, with black hornblende, and a small quantity of black mica; but in another, to the south of this, the feldspar assumes, when weathered, a light, flesh coloured tint, and the trap is nearly made up of it. This is on lot 37, the property of Mr. Thompson, and it there seems to hold a small vein of oxidulated iron ore, which, from the decomposed condition of the rock, it was found impossible to trace to a distance; but I was informed that for several scores of yards about the spot, lumps of micaceous iron ore, of which I saw several, were frequently turned up by the plough.

The breadth inland of the upper rocks, in the vicinity of New Carlisle and Paspébiac, is rather over two miles. They extend to the foot of a hill composed of the upper Port Daniel limestones, which rises rather boldly to the height of about three hundred feet, and runs in a direction to join the limestone in the vicinity of Mr. Carter's land. At the base of this hill, there are four or five small lakes, on the bottoms of which, and extending in the valley they occupy, probably even further than their boundaries, there exists a very valuable deposit of fresh water shell marl, varying in thickness from one to six feet, and even more, and consisting of a white mass of comminuted shells, having much the aspect of whitening. The area occupied by the lakes is about three miles in length, by about half a mile in breadth, and while their bottoms shelve so gradually, that when the water is low a considerable rim of the marl is exposed, there is some evidence that it also extends under the peat and vegetable mould accumulated on the margin. There is no doubt, therefore, a vast supply of the material might be obtained. Peat, another material of agricultural importance, is extensively spread in the same locality; and both will afford the Agricultural Society, which has just been so beneficially established in the vicinity, an opportunity of pointing out the well-known advantages to be derived from them as manures, when judiciously applied, and of varying and extending the experiments that have been instituted for the improvement of the district, with seaweed and marsh mud, which also abound in the bay.

It may be here mentioned that another deposit of fresh water shell marl exists at all the village of Malbaie, a few miles from Point Peter. It is six feet thick, and it is covered by about eighteen inches of peat. Its extent, however, is very limited. It is confined to the eastern side of the brook there, and it is not likely that it occupies more than two hundred and fifty yards square, being merely the remnant of some more extensive area, now broken and worn away by the gradual destruction of the coast. It is now in contact with the salt water of the bay, which is gradually making inroads upon it.

From New Carlisle to Red Cape, and a little beyond it, in New Richmond Township, a distance of about twenty-three miles, the coast line displays the upper red sandstone, with the exception of about five miles at the mouth of the Bonaventure or Wagamet River, where it is covered over by tertiary clay, holding *mya*, *saxicava*, and other genera of marine shells. But it was noticed five miles up the Bonaventure, by Mr. Murray, and it is probable it has a breadth of four in the Township of Hamilton.

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At Capeling River the deposit has the character of a conglomerate, with limestone pebbles, and the beds lie nearly flat; but at Red Cape they dip south at an angle of twenty degrees, and about five furlongs further, suddenly turning down to a dip S. 55° W., with an inclination of 55°, they abut against a great mass of trap, which extends about a mile along the coast and constitutes Black Cape at its termination. The direction of the dislocation is N. 35° W. and at the junction of the rocks the conglomerate is composed of boulders, and great fragments of trap in the usual matrix of red sandstone, and large calcareous pebbles holding organic remains, which correspond with those of the upper limestones of Port Daniel.

In the coast section the trap is of a more homogeneous quality on the east than on the west side, being in the former of a uniform olive green colour, with many exterior stains of red oxide of iron. On the west side it is interstratified with several beds of reddish white of limestone, identical in quality with the upper rock of Port Daniel, which run up into a cliff of fifty feet, with a south dip, at an angle of 64° to 68°, and it consists of a very heterogeneous mixture. With a general purplish rusty exterior much of it is of an interior dingy bottle-green. It includes large irregular fragments, much of its own colour with a faint dash of red, which appear to have been intruded into it when it was soft; these fragments are harder than other parts. They resist the weather better, and they stand out in bold relief, sometimes with smooth faces resembling great chrystals. Associated with these are large enclosed apparent fragments of amygdaloidal trap holding carbonate of lime, and these also occasionally start out in bold relief. Fragments of red indurated shale are not unfrequent, and fragments of limestone of the same quality with that of the beds near are very common. These retain their original reddish white colour, and many of them have organic remains, which are beautifully weathered out, being all corals and encrinites. Where the limestone has not been acted upon by the weather, the organic remains cannot be detected. The hard trap fragments contain none of the organic limestone; the amygdaloidal ones hold occasional pieces, but the chief part is in what may be called the general paste of the mass. This lower part of the trap has much the aspect of having resulted from a flow of viscid matter which had rolled over on its own crust, enclosing fragments of it, and of every thing met with in its progress. In another part, which seems to be disposed in beds, it consists of a collection of trap boulders or pebbles and fragments, held together in a trap cement. All these characters accord with the position the trap bears to the strata to the west. It rests upon them, and it is not an improbable supposition, that it was poured out over them at successive epochs, when they were in a horizontal position. If this be correct the thickness of the mass, resulting from the data displayed on the coast, including the limestone beds interstratified, would be six hundred and fifty feet.

The strata to the west possess generally the same qualities as those of Port Daniel; they have limestone of the same character at the top as the upper rock there, and another at the base much resembling that of L'Ance à la Veille; while the intermediate mass, as a whole, is very similar to that of L'Ance à la Veille and L'Ance à Gascon. But the total amount in this vicinity, as developed between Black Cape and Mr. W. Cruger's lot, No. 37, more than doubles the other, wholly from an augmentation of the central part of the deposit.

From Mr. Cruger's lime rocks which are just one mile east of the cove at the mouth of the Little Cascapedia River, and run inland with a general strike S. 75° E. the whole coast to the mouth of the Great Cascapedia, is occupied by tertiary clays, with their usual accompaniment of marine shells. In a section of the cliff on Mr. Brown's land, lot No. 27, the genera mya and saxicava occur in clay bed over clay bed, up to the height of seventeen feet above high water mark, in the position they occupied when in life, each bed being separated from the one below by a thin layer of sand, from which the pipe by which the inhabitant of the shell had communication with the surface is filled up.

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From the clays between the Little and Great Cascapedia Rivers, it is probable very good common bricks might be made, notwithstanding it is said that a rude attempt at the manufacture of them some time ago did not prove successful.

On the west side of the Great Cascapedia the unconformable conglomerate again makes its appearance. It is seen in a conspicuous hill, in which the strata gradually rise from Indian Point, attaining an elevation of 378 feet on Mr. M'Kay's land. It composes not only the hill but the flat valley beyond, which holds a very thriving settlement upon it, much incommoded by the want of a road, and comes out on the river higher up. From Indian Point its stretch up the river may be four miles, and reaching the base of the mountains which present a flank running for the Peak of Tracadigash, it skirts the Bay up to the dividing line between the Townships of Maria and Carleton, with the breadth of a mile and upwards, though it is not seen on the coast, being there covered over from Indian Point with the tertiary deposit.

Judging from the journeys made across the Gaspé and Bonaventure Peninsula by the Chât and Cascapedia, and back again by the Matapedia, the mountain flank alluded to, which continues up the Bay as far as my examinations extended, is the southern boundary of what may be considered a table land extending across to the St. Lawrence, on which the mountains of Notre Dame are a conspicuous range of highlands, while the river courses are deep and narrow excavations cut out of the block. That part of the flank, which reaches from the Cascapedia to the Peak of Tracadigash, appears to be composed of a coarse silicious conglomerate, standing in a vertical attitude, and to run southwest in the strike of the measures which present several remarkable precipices. But between it and the upper, or flat calcareous conglomerate in front, there stand a few successive isolated trap hills with conical summits, occasionally half resting on the flank, and the breadth these occupy indicates that the trap range, with which they are connected, is of some importance.

From Tracadigash Peak the border of the table land changes its direction, running parallel with the coast a little to the north of west, and makes a partial section obliquely across the measures, exhibiting in succession dark coloured slates, several masses of trap, and finally a great calcareous deposit, which seems to run inland to the north of the silicious conglomerate. It is probable, however, that the strike and the mountain flank again coincide further on, for there is trap at the foot of it associated with limestone beds at Nouvelle bridge, five miles up from the mouth; again at the bridge over the Scaumenac, a mile from its mouth; and finally trap comes upon the Ristigonche on the land of Mr. John Adams, at the junction of the Little River with the main stream, from which stream it is separated, between the Scaumenac and the Little River, by a margin of silicious conglomerate, very like that of Tracadigash, seen in vertical or highly tilted south-dipping strata below Mungo's Brook, at Point La Garde, and at Point Bordeau.

The valley of the Little River makes a section across the trap mountains, and proceeding up the Kempt or Metis Road which runs in it, the breadth of the igneous range is found to extend to the bridge across the stream, a distance of two miles. On Mr. Neilson's land, lot 17, close by the bridge, fossiliferous limestone crops out, succeeded further back by calcareo-argillaceous and arenaceous shales, followed still further on, beyond Mr. Dickson's, by thin bedded limestones and dark coloured shales. Near the Little River bridge, a tributary coming from the west, joins the stream. Following up the valley of this, it is found to head with another brook which flows in a contrary direction in the same depression, and comes out on the Ristigonche, just below Bracket's Point; and the fossiliferous limestone, no doubt following the valleys all the way, comes out with it. The trap mountains occupy the whole of the triangle between the valleys and the main river, and just at the termination of the Mountains at the apex of the triangle, the igneous rocks are seen interstratified with the limestones. On Andrew's Brook near the mill, are exposed some of the fossilife-

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rous strata, and again below the mouth of Seller's Brook; and the thin bedded limestones, (in which I could perceive no fossils,) come upon the Ristigouche at and below the mouth of the Matapedia River.

Returning down the Ristigouche on the opposite side, the trap range is again found there. The Sugar Loaf Mountain near Campbelltown, judged of by what is seen on its northern side, is a mass of trap, and so is the chief part of the rocks which occupy a position between the brook at its northern base and the Ristigouche. On the margin of the river, however, the silicious conglomerate is seen; and at Mission Point just in front, greenish gray sandstone of the same formation is displayed. The strata in both localities dip northward. Lower down between Shaw's Brook, and Point La Lime, igneous rocks are again visible; they are here composed of red feldspar, and black mica, and are interstratified with the conglomerate (composed altogether of igneous pebbles) which runs along the beach for some distance down to Pointe La Lime. A little below the point there occurs, associated with the conglomerate, a thin seam of carbonaceous shale, with a bed of clay below it, which has induced hopes of coal in the minds of the inhabitants; but it does not appear to me to promise more than the thin seam which has been noticed on the Gaspé Bay. The same seam is again seen at Pointe Pin Sec, where, resting on its subjacent argillaceous bed, it is covered by a roof of trap, the contact of which has altered its condition to a hard black stone. A conglomerate bed again occurs further on, from beneath which, between the spot where it is seen and Pointe Peuplier, there comes a red shale, altered to a condition, which the Indians find favorable for the manufacture of their calumets, which they carve from it with their knives. The rocks seen along shore between this and Dalhousie are nearly all trap, and in the beautiful transverse section of the trap series (exceeding a mile,) which occurs in the vicinity of Cape Bon Ami, the igneous layers are found to be interstratified with limestones and calcareous shales, having several of the fossils of the Cape Gaspé formation and present a northern dip.

The inference to be drawn from these details is, that the lower rocks of the valley of the Ristigouche, from the mouth of the Matapedia downwards, constitute a trough, in which, without referring to the relations of what may be farther down in the series, are displayed a calcareous and a silicious deposit, (probably contemporaneous with the Gaspé limestones, and their superincumbent conglomerates and sandstones,) with the interposed products of a volcanic era, whose influence, it is not unlikely, has been powerful in this district of America; for the facts observed on the Ristigouche River, accord with those of Black Cape, and those of the Conical Mountain on the Cascapedia, and will probably, in the end, be found to have a relation to those of New Carlisle.

On this trough of lower rocks unconformably reposes the upper calcareous conglomerate. Its northward limit is the mountain flank of the Gaspé and Bonaventure table land, which it follows in the line which has been described, turning sharp up to a nearly vertical position, for a short distance, as it approaches the trap range, and always leaving between its visible basset edge and the mountain flank, a geographical depression, a part of which has been very conveniently and judiciously used for the line of new road between the Nouvelle and the Scaumenac. Between Tracadigash and the Nouvelle River, the strip the upper conglomerate occupies on the coast is flat and narrow, the width not being a mile. But between the Nouvelle and the Scaumenac though its dip is gentle, it rises into a hilly surface, occupies a breadth of about four miles, and constitutes the coast from Maguasha Point to High Cape, where it terminates westwardly in the district which has come under my examination.

On the New Brunswick side of the Ristigouche a small patch of it, lying unconformably on the trap and lower conglomerate of Pointe La Lime, is seen on the south side of the Campbelltown road, just in the rear of the point. None of it was observed at Dalhousie, and not having examined the coast between that and Jacket

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River, I am not acquainted with its distribution there. But I believe Heron Island belongs to the formation; and between Jacket River and Bathurst it is in many places displayed in juxtaposition with fossiliferous limestones, trap, and silicious conglomerates which are repeated several times in the distance, through the influence of undulations, and on which it rests unconformably in a flat position.

The flat red rocks in the vicinity of Bathurst belong to the formation, and at the Victoria mines situated on the left bank of the Nipisiguit, one mile up from the town, they are found to contain vegetable organic remains partly converted into coal, and partly replaced by gray sulphuret of copper, in a manner similar to these observed in the rocks of the Nova Scotia coal-field at the Joggins, on the Bay of Fundy.

At this spot on the Nipisiguit an attempt was made by the Gloucester Mining Company, established through the enterprise of Mr. W. Stephens of Bathurst, to work the deposit for copper ore; but the irregular distribution of the organic remains rendered their operations uncertain, and induced the abandonment of them. Mines of this character have, however, occasionally been successful, and a locality, which I had occasion to visit in 1834, in the Spanish Pyrenees near Marc Anton and Hechos, to the west of the Urdax and Canfranc road, presented a combination of coal and gray sulphuret of copper occupying the forms of vegetable remains, in a regular eighteen inch bed, seen to crop out all around a considerable mountain, and promised a profitable return. On the Nipisiguit the bed in which the cupriferous remains are disseminated is about two feet thick, but in one direction it appeared to thin away to nothing in the space of thirty yards. The following is a section of the measures at the place.

Section of Measures displayed in the left bank of the Nipisiguit River at the Victoria mines, one mile above Bathurst, in descending order. The dip of the strata at the place is S. W. < 2° but higher up the river it is reversed to N. E., shewing a gentle undulation, authorizing the assertion that the measures are on the whole nearly horizontal.

- Chocolate-red micaceo-arenaceous shale, with crack casts 30 0
- White quartzose conglomerate, irregular in its thickness. At the thickest part it is two feet, and it tapers to two inches in the space of fifteen yards. The bottom is very white, consisting of white feldspar imbedding white quartz pebbles, some of which are as large as pigeon's eggs..... 1
- Whitish-red argillo-arenaceous shale, being a passage to the next bed below..... 0 6
- Bluish gray argillo-arenaceous shale in parallel layers. It thins out in about thirty yards up the stream. It is charged with the remains of broken plants, some of which are replaced by gray sulphuret of copper, coated with a thin covering of green carbonate; some are partly replaced by the copper ore, and partly converted into coal, while others are wholly converted into coal. Small nodules of gray sulphuret of copper occur, chiefly in the lower part, and nickel (it is said) has been found in some of the nodules. The greatest thickness of the bed is four feet..... 2
- White quartzose conglomerate, similar to the roof. This does not thin out as far as examined, namely about fifty yards..... 4
- Red conglomerate, white with quartz pebbles, of which some would weigh three ounces..... 6
- Red shale..... 6
- Red conglomerate with quartz pebbles, some weighing five ounces and some one and a half pounds..... 10

At the Rough Waters, three miles up the Nipisiguit from Bathurst Harbour, these red rocks are found lying horizontally on granite and filling up the inequalities of the granitic surface. The granite is fine grained, and it is composed of white feldspar, colourless transparent quartz, and black mica, and has a speckled appearance.

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At the immediate junction of the two rocks, the red beds seem slightly harder than in other parts, and the granite softer than elsewhere. The feldspar is very white and opaque, the quartz still colourless and transparent, but there is less of the mica; and two or three feet of the surface has a shaly character, as if it had been in a loose state when it became covered up, and had assumed an imperfect stratification. In some places the lowest of the red strata are abruptly terminated against a vertical granite ledge, and present the semblance of a dislocation at the spot; but the even continuity of the overlying beds plainly shews this to be the result of original deposit on an uneven surface. Where the junction of the red rocks and the granite is first seen the former are thirty feet thick, but as the surface of the latter gradually rises up the river, while the red strata maintain their horizontality, these gradually thin out and terminate. Mr. Stevens informed me that the granite subsequently extends sixteen miles up the river continuously, beyond which mica slate makes its appearance, and alternates with clay slate for four miles. At the Rough Waters there is an elvan course, consisting of reddish compact feldspar inclosing red crystals of feldspar, with an underlie, S.S. W. $< 60^\circ$; and granite of the same quality as that of the Rough Waters is seen two hundred and fifty yards up the Middle River from its junction with Bathurst Harbour.

Proceeding along the coast below Bathurst, after an interval of sand, red sandstones again occur at Salmon Beach, four miles from the entrance to the Harbour. They are exposed for one hundred and fifty-six yards across the measures, and their dip appears to be N. 60° E. $< 9^\circ$. Five miles further, after another interval of sand, a succession of greenish gray sandstones, no doubt overlying the former, make their appearance, dipping N. 40° E. at an angle not exceeding one or two degrees. These commence at Upper Ellis Brook, west of Cranberry Cape, and the measures to the eastward are not again concealed for a very considerable distance along the coast. My examinations extended to Point Dumai, twelve miles from Cranberry Cape; and the continuous succession of beds which could be seen and followed in

cliffs varying from twenty to one hundred feet in height, amounted to within a trifle of 400 feet. The section is given in descending order in the Appendix, and by reference to this it will be seen that two regular coal seams occur, (too thin however to be workable,) of which the upper one is overlaid by a top-stone, filled with a variety of ferns and other coal plants; and both rest upon argillaceous beds, holding the *stigmara ficoides*, the most common plant of the carboniferous series of rocks.

In thus tracing the upper conglomerates and sandstones round the Bay Chaleur to Bathurst, their relation to the nearest coal seams of the New Brunswick carboniferous area is made out with a considerable degree of certainty. The general dip of the Canadian part of the deposit accords with its relation; its slope towards the bay would carry it beneath the coal-bearing strata on the south side, while no rock of a similar quality is there seen to overlie the coal measures. The direct evidence of organic remains has not yet been made available, seeing that the only fossils the Canada beds have yielded are certain large plants converted into coal, and while the external markings of these give nothing characteristic, there is no lapidary in the City to effect sections of them for the microscopic examination of their structure. These plants occur in the vertical beds near to Maby's Brook, in Malbaie, and though there is little doubt they will be found to corroborate stratigraphical evidence, they do not afford any hope of coal seams in the vicinity.

The conglomerate rocks with which they are associated appear to be the very base of the coal series, in so far as Gaspé is concerned, and their distribution in Canada is just sufficient to shew that a very narrow margin on the north shore of the Bay Chaleur may be considered the limit in that direction of the great eastern coal-field of North America.

I have the honor to be,
Your Excellency's most obedient servant,
W. E. LOGAN,
Provincial Geologist.

REPORT

OF

ALEXANDER MURRAY, ESQ., ASSISTANT PROVINCIAL GEOLOGIST.

ADDRESSED TO

W. E. LOGAN, ESQ., PROVINCIAL GEOLOGIST.

Woodstock, 20th April, 1845.

SIR,

Pursuant to the instructions I had the honor of receiving from you, at Paspébiac, I proceeded on the 17th September last, with four Indians and two canoes, to make an examination of the Wagamet or Bonaventure River.

On reaching its mouth, we found the river so low, in consequence of the drought which had prevailed for some weeks previously, that apprehensions were entertained, it might not be practicable to ascend it with our canoes, so heavily loaded as they necessarily were. It was, therefore, thought expedient to hire a third canoe and two more Indians, who were sent in advance with a portion of the provisions, being directed to deposit them in security about thirty miles up the stream.

An examination of the mouth being completed, on the 18th we ascended the river, measuring our distances as we proceeded, by the micrometer telescope, determining our bearings by means of a prismatic compass, and registering with these a description of the rocks exposed on the banks, and the character of the country through which the stream flowed, as well as barometrical observations for the determination of heights. Specimens of rocks and fossils were collected, but the scanty room afforded by our canoes for transporting them, necessarily rendered the number limited.

Having by the 2nd of October completed the survey of about fifty-three miles, we found our further progress obstructed by a solid jam of drift timber, which blocked up the river for nearly a mile; and a fear that increasing difficulty above the jam would be encountered, as it had been below it, through the shallowness of the stream, particu-

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larly in the rapids, (no rain having yet fallen,) induced me to avoid the delay of a portage, and to resolve upon a pedestrian attempt to reach a lake, said by the Indians to form the head waters within two or three days journey.

Leaving our canoes in security, we took a northerly course, and determining, as we proceeded, several elevated stations on the high land over which we crossed, by bearings taken from the tops of lofty trees, on prominent points previously fixed on our survey lower down, we again struck the river about five miles above the jam. But the breadth it here displayed, was not under thirty-five yards, and the body of water flowing, notwithstanding its shallowness in the rapids, convinced me we were much further from its sources than my Indians had supposed; and ascending the summit of a mountain which rose abruptly from the river, after having followed the course of this a few miles farther up, we could plainly see the main valley extending for at least ten miles to the northward, and conjectured from the aspect of the country still further on, that we might be at least twice that distance from its head waters. Under these circumstances, convinced great difficulty would have arisen in carrying the necessary quantity of provisions for the time a proper examination of the country would have required, without the aid of canoes, and fearful our stock might not prove sufficient, it appeared to me prudent to relinquish the attempt. We, in consequence, retraced our steps to our canoes, and descending the river, returned to Paspebiac, which we reached on the 10th October.

Crossing to the New Brunswick side of the Bay, I had an opportunity of making a collection of fossil plants associated with its coal beds, and proceeding thence to Pictou, I returned by the Unicorn steamer to Quebec.

Since my arrival here a plan of the river has been plotted, on the scale of an inch to a mile, on which are detailed the position of the various rocks as they occur; with an indication of their dip; the elevation of particular spots as measured by barometer, over high water mark; and a sketch of such prominent points as we approached near enough for observation.

CHARACTER OF THE RIVER.

The Bonaventure falls into the Bay Chaleur, about seven miles above New Carlisle, in the District which bears the name of the river. The entrance to it from the Bay is between two long narrow bars of gravel, one extending from a high bank on the south side, and the other from the flat on which the village of Bonaventure stands, on the north. Inside these barriers there is an extensive basin, measuring from north to south one mile and a half, and from east to west three quarters of a mile, of which space several low alluvial islands occupy a considerable part, and a large proportion on the south side is dry at low tides. The main channel of the river, north of all the islands, is seventy to one hundred yards wide, and is bounded on its north bank by low marshy plains extending towards the village.

From the mouth of the river to the highest part we reached, the general direction is nearly true north, and the distance in a straight line is about thirty-nine miles; but following the various bends of the stream it would exceed sixty miles. The portion actually measured was fifty-three miles and forty-nine chains, but this includes a small part of an eastern branch just above the junction of which the main stream is blocked up with drift timber.

In the distance of about eighteen miles from the mouth, the river passes through a level or gently undulating country, producing white pine, balsam fir, spruce, black and white birch, cedar, and varieties of the ash and elm, but the two latter are not abundant. This part constitutes nearly the whole depth of the Township of Hamilton, and in a straight line to the nearest part of the coast may possess a breadth of ten miles. The soil of a large portion, judging from the settlements at New Richmond and New Carlisle, is very probably capable of advantage-

ous cultivation, and an ample supply of water passes through it by various tributaries to the main stream. Two considerable branches flow in from the eastward, one about four and the other about eleven miles from the mouth, and several brooks join on either side. The breadth of the river in the distance varies from three hundred to one hundred feet, and it is bounded by banks in some instances rising to the height of more than one hundred feet, in others not exceeding ten to twelve feet.

Above these eighteen miles the country becomes more broken and less accessible. Three small hills called the "Three Brothers," rising abruptly from the river to the height of five hundred and five feet above high water mark, are the first indication of an approach to a mountainous region, and the character of one gradually increases proceeding further up. The pine timber, although still abundant, diminishes in quantity, and is of smaller dimensions than lower down, while spruce and fir, though more plentiful, are also of inferior growth.

At the distance of about twenty-five miles and a half from the mouth, a third branch, coming from the northward, joins on the right bank, and at the junction the upward direction of the main valley takes a sudden bend to the eastward, a short distance below which there are strong rapids, called "The Falls" by the lumbermen, though the name is scarcely applicable, as they can at all times be ascended by light canoes. At this point the hills rise to the height of five to six hundred feet above the bed of the river; pine trees become still more scarce, and the inferior order of spruce and fir constitute the prevailing timber, though white cedars of the finest description abound in the low grounds.

The river continues its easterly direction for about six miles, keeping in the strike of the stratification, when it again bends to the northward, and is joined at the turn by a fourth branch from the south. In this distance its breadth frequently contracts into about seventy feet from bank to bank, while occasionally it opens to two hundred or even to upwards of three hundred feet across.

Two branches join the main stream above this; the first, at a distance of about thirty-four miles from the mouth, falls in on the east, and the second, about two and a half miles higher up, on the west side. Hills from five hundred to six hundred feet high occasionally rise abruptly from the river and again recede to some distance, leaving extensive flats along the banks, which, were they in a state of cultivation, I should suppose capable of growing excellent meadow grass, a material that would be of considerable value to the lumbermen as fodder for their cattle. The limit to the operations of this enterprising class of persons is to be found a short distance below the sixth branch, and from this downwards a considerable supply of timber is annually driven to the mouth of the river. But above the sixth branch, pine almost wholly disappears, or at any rate it is either too scarce or too small to attract attention.

Above the junction of the sixth branch, the upward course of the river again bends to the eastward, and continues in that direction for about three miles, presenting frequent rapids, where the width contracts to a space occasionally not exceeding forty feet, with high mountains rising precipitously from the banks; but turning northward, it keeps this bearing to the highest part we attained. The water becomes smooth, the hills open out, and flats bearing heavy spruce and cedar timber extend over a large surface to their base.

The jam which blocks up the main stream, as already stated, is nearly a mile in extent. The water above, dammed back by it, has inundated the flats on either bank, and wearing a multitude of small channels in them, has formed a labyrinth of little islands. Threading our way among these, it was not until we ascended a hill to reconnoitre, 785 feet over the bed of the river, or 1392 feet over high water mark by barometrical measurement, that we discovered we had left the main channel and pro-

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ceeded a short distance up a tributary falling in from the east. This branch was seldom more than twenty-five to thirty feet across, and the frequent interruptions it presented, resulting from fallen trees and drift timber, rendered our progress so tedious and difficult that a farther ascent seemed impracticable.

The country over which we walked, lies between this east branch and the main stream, and consists of a high table land, reaching the altitude of 1453 feet over the level of the sea, and producing birch, fir, spruce, and a species of larch, known in the country by the several names of tamarack, hacmatack and juniper. The growth of these, among which no pine whatever was seen, was in many places so thick and close, while at the same time the trees were small, that it became necessary to cut a way through for the passage of the party.

With the exception of the timber jam upon the main stream, there appeared no formidable impediment to its ascent by canoes to the highest point we reached, and it seems to me probable that when there is a full supply of water, it might be navigated for a considerable distance beyond.

The Bonaventure is remarkable for the peculiar transparency of its waters, a circumstance observable from its mouth upwards, and one originating the name given it by the Indians, who call it the Wagamet, signifying the Clear Water. Unlike the Chat and the Cascapedia, it appears to be almost destitute of fish, for, with the exception of a very few salmon, tide trout and eels, which latter do not appear to ascend higher than the first fork, we saw none the whole distance we surveyed; water fowl are likewise scarce, probably in consequence of the absence of fish. The great Merganser duck was the only species met with. Ruffed and spotted grouse frequent the woods: and the wild quadrupeds we saw were the marten, and in great and serviceable abundance the porcupine, while the recent work of the beaver, and fresh tracks of the caraboo, indicated their presence also in the remote regions near the junction of the last tributary.

CHARACTER AND DISTRIBUTION OF THE ROCKS.

The barrier at the mouth of the river, the islands in the basin, and the banks around it, which, on the south side of it and for some distance up the stream, are generally forty to fifty feet high, but sometimes do not exceed ten or twelve feet, are all composed of coarse gravel, having a common origin. It consists principally of limestone pebbles, occasionally holding organic remains, with some of trap similar to that of New Carlisle, and some of a calcareous conglomerate, of which rounded fragments of a reddish-tinged limestone are the predominating constituent. This gravel prevails for about two miles up the river, and at this distance the first section of the older strata is seen, composed of fine-grained green-spotted red sandstone, in which the spots vary from the diameter of one eighth of an inch to that of one foot, and the beds are so nearly horizontal that their inclination is inappreciable. For four miles above this first exposure the banks present sections of the same description of rocks, varied with occasional green layers of the sandstone and interstratified with red shales; and finally reddish limestone conglomerate beds become predominant among them with a gentle inclination to the south west. Where the red colour prevails the sandstones yield easily to the influence of the weather and crumble to pieces; the green variety seems more durable, but the thinness of the beds renders them unserviceable for any useful purpose. The conglomerate is composed chiefly of rounded pebbles of limestone, displaying on fracture a gray colour in the centre, and gradually assuming a pinkish hue towards the exterior, at which they are red, being probably tinged by the material cementing the aggregate together.

At the highest point on the river where the conglomerate beds are exposed, they are seen at the top of a bank one hundred feet in height, the base of which is covered up by a mass of detritus derived from them, concealing the stratification; but a short distance down the stream there

is evidence that they rest unconformably on a set of calcareous and silicious rocks, the superposition of which at the spot in a descending order, is as follows:

	Feet.
1. Gray thin and regular-bedded calcareous and arenaceous slates or slaty sandstones, splitting into laminae of one quarter of an inch thick.....	114
2. Dark gray slightly twisted slates with an uneven fracture.....	513
3. Gray slightly calcareous sandstones of which the lower beds approach to a gray or greenish coloured arenaceous shale.....	96

Above the final outcrop of the overlying conglomerates and as far as the second fork or tributary, frequent sections of the subjacent rocks are presented. These constitute a second series underlying the foregoing section, and they consist of gray or greenish gray silicious limestones; green hard and compact silicious sandstones; beds of fine grained conglomerate composed of small pebbles of quartz and feldspar; and greenish gray calcareous and arenaceous shales. In these deposits, which are given in their apparent descending order, no fossils were detected, though from evidence collected higher up the stream, it is not improbable some may exist. But in the third and sequent set of rocks, consisting of greenish gray calcareous slates interstratified with thin beds of gray limestone, seen dipping uniformly southward on the south side of the second fork, at an inclination varying from 25° to 35°, fossils are abundant. From the base of these slates, which are affected by a double system of cleavage joints,—one plane running in the direction of the strike and dipping 178° < 75°, while the other dips 28° < 64°,—to the summit of the strata seen supporting the unconformable conglomerate, the total thickness of the deposit, should there be no fault or inversion, and there is no evidence of any, cannot be far short of six thousand feet, and the whole rests upon a set of thick bedded silicious limestones holding organic remains, among which one peculiar species of bivalve shell is found in great abundance. Where these limestones are first met with, their dip is 274° < 9°, and gradually veering round to a more northerly slope, they exhibit the axis of an anticlinal arch, at the same time displaying a section giving 413 feet in thickness, beyond which the slates overlying them measuring eight hundred and eighty-five feet thick, are repeated, as well as the superior deposits, the dip becoming more and more northward advancing up the stream, and at last pointing in the direction 344°, with a slope of 30°.

On the north as on the south side of the anticlinal axis, fossils abound in the slates, consisting of corals and shells, among which the genera leptena and atrypa prevail. The fossils being generally deposited in distinct layers are the best if not the only means of distinguishing the bedding; but affected by the molecular action from which the cleavage has resulted, they are frequently distorted, and then becoming obscure and indistinct they are difficult to procure entire.

The slates split into thin laminae, which, however, are too rough and irregular on the surface to be of any value for roofing purposes, and the limestones which support them are too silicious for burning, though they would make good building stone.

Succeeding the slates, superior rocks, similar in character to the second series seen below the fork, occur, consisting of green or greenish gray calcareous and micaceous sandstones, generally very hard and compact; beds of fine conglomerate, composed of quartz and red feldspar pebbles, and brownish gray calcareous and arenaceous shales; above the whole of which are a set of fossiliferous limestones which probably belong to the second series, though fossiliferous strata were not observed in this position on the south side of the anticlinal axis. On the north side of the axis, however, fossils are occasionally detected through the whole series, the shell found in the intermediate parts in the greatest abundance being a small bivalve similar to

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the one occurring in the lower limestones at the second fork. The upper limestones, which are met with about halfway between this tributary and the Three Brothers, contain numerous univalves, several bivalves, and a variety of corals, among which the genus *catenipora* was seen. Their thickness was estimated at about five hundred feet, and as in the case of the inferior limestones, though they might serve the purpose of a building material, it is doubtful if they are of a quality fit for conversion into lime by the kiln.

About three-quarters of a mile above the Three Brothers there is a supposed repetition of these upper limestones, with a southerly dip, forming a trough between the two points of their display; and the following section in ascending order occurs at the spot:

	Feet.
1. Greenish-gray and greenish thin limestones, which contain numerous fossils, chiefly small bivalve shells, a few encrinal columns and corals.....	57
2. Green compact sandstones: the lower beds parted by green arenaceous and micaceous shales; the upper beds micaceous and calcareous	26
3. Red and green fine-grained conglomerate beds, composed chiefly of pebbles of white quartz and feldspar, and black hornblende; the upper beds coarser than those below.....	15
4. Green micaceous and calcareous sandstones.....	8
	— 49

The sandstones which here follow the limestones are represented by rocks of a similar lithological character on the south side of the trough, and other sandstones succeed on both sides to the foot of the Three Brothers Mountain; while the mountain itself is composed of additional strata standing in the centre of the trough. They consist of green calcareous sandstones, in thick massive beds, seen at the base; which are surmounted by granular red and compact greenish-coloured sandstones, with carbonized comminuted plants and indistinct shells, exposed on the sides; while at the summit are obscurely displayed, succeeding beds approaching a conglomerate in character.

Affected by the undulation producing the trough, the slates which have been mentioned as occupying a space at the Second Fork, sweep round in their relative position, and appear with a southerly dip at the Falls, four miles above the Three Brothers. But they are seen a little way farther on at the mouth of the Third Fork with a northerly dip, distinguished by obscure fossils, which there mark the bedding, and they occupy the valley of the river, which is worn out in their strike in an eastwardly direction, as far as the Fourth Fork. The general depression in which this part of the river flows is about parallel to the valley of the Second Fork, and the analogy between the geological and geographical relations of the two cases is carried still farther in the fact that the same slates are affected by an east and west anticlinal axis in each. In the more northerly instance, however, the lower limestones, which are displayed on the Second Fork, do not come to the surface.

Above the Fourth Fork, where the valley of the river again assumes a north and south course, sandstones, slates, and limestones occupy about seven miles, and from the geographical position they hold, with relation to the slates folding over the higher anticlinal axis, they are supposed to be equivalent to the second series of rocks, described as existing lower down, between the upper and lower fossiliferous limestones. As displayed at different points between

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the Fourth and Sixth Forks, there is a general resemblance between them in a lithological character, but no fossils were detected to confirm this opinion; and the difficulty of the case is enhanced by the very disturbed condition of the strata. In many cases the measures are so confused by contortions as to defy every attempt to ascertain the general inclination, and in others they are tilted up to a vertical attitude, or to a very high angle, in general sloping to the north. This was the prevailing direction of almost every dip decidedly displayed, but it can scarcely be doubted that these dips are counterbalanced by others, with an opposite bearing, concealed probably amid the contortions, and that the width the series occupies is due to important undulations, and not to the great thickness it must otherwise be supposed to attain.

Ascending from the Sixth Fork, where the river makes another bend to the eastward, it flows in the strike of a set of gray calcareous slates, interstratified with thin beds of blueish-gray limestones, which are overlaid by other gray limestones, and gray hard calcareous sandstones, containing numerous crystals of iron pyrites. Their dip is $340^\circ < 70^\circ$, and coinciding with it the cleavage of the slates is smooth and regular, facilitating their division into firm slabs of large size and of various thicknesses to less than a quarter of an inch, which would constitute a material well fitted for roofing purposes. The great strength and durability of the overlying sandstones are remarkably displayed among the argillaceous layers, with which they are here associated, from which they stand out in bold and sharp relief, running up with their steep inclination to form the crest of the hills upon the banks, while they occasion rapids in the river, where their outcropping edges run across it.

From the ultimate bend which the valley of the river takes to the northward about two miles above the Sixth Fork, the strata are altogether concealed for upwards of four miles, until reaching the junction of the last branch below the timber-jam. Here a new set of rocks present themselves, differing in character from any seen below. They consist of gray micaceous and silicious sandstones, generally slaty in structure, and impressed with carbonized comminuted remains of plants on their surfaces. So far as the examination of the east river extended, their dip was $166^\circ < 60^\circ$. The same rocks were exposed on the main river from the point where we struck it after crossing the mountain up to the farthest we attained, and an occasional outcrop of them was seen on the mountain sides, sometimes in vertical strata, and always at a high angle of inclination. In their mineral and fossil conditions, these rocks bear a strong resemblance to some of the Gaspé sandstones, and they are most probably an equivalent of part of the series.

From the mouth of the river to the highest part we reached, its gravel was marked by the presence of trap pebbles and boulders; but as no volcanic rocks were seen in situ, I am led to infer that their parent source will be found near the head waters of the stream, and may be possibly ascertained to have some relation to the range of trap so prominently displayed in the Conical and Barn-shaped Mountains of the valley of the Cascapedia.

I have the honor to be,

Sir,

Your most obedient servant,

(Signed,) A. MURRAY,

Assistant Provincial Geologist.

APPENDIX.

I.

Section of Coal Measures displayed in the cliffs between Cranberry Cape and Point Dumai, on the New Brunswick coast, south side of the Bay Chaleur. The beds are given in descending order.

	Ft. In.
Greenish-gray sandstone, much of it fit for grindstones. This composes Dumai Point and Pokeshaw Point, and approaching Grindstone Point, it becomes interstratified with occasional layers of red shale,.....	50 0
Red arenaceous shale, becoming occasionally red sandstone,.....	15 0
Greenish-gray sandstone,.....	5 0
Red argillo-arenaceous shale,.....	15 0
Greenish-gray sandstone of an excellent quality for grindstones. This constitutes Grindstone Point, where grindstones are quarried out of it,.....	45 0
Red argillo-arenaceous shale,.....	8 0
Greenish-gray arenaceous shale, in some places along the cliff becoming a sandstone sufficiently hard to resist the effects of weather,.....	6 0
Red argillo-arenaceous shale,.....	17 0
Greenish-gray arenaceous shale, sometimes a sandstone,.....	3 0
Red argillo-arenaceous shale,.....	11 0
Greenish-gray arenaceous shale,.....	3 0
Red argillo-arenaceous shale,.....	12 0
Green arenaceous shale,.....	2 0
Red argillo-arenaceous shale,.....	12 0
Gray arenaceous shale,.....	2 0
Red argillo-arenaceous shale,.....	3 0
Greenish-gray arenaceous shale, sometimes becoming a sandstone,.....	4 0
Red argillo-arenaceous shale,.....	5 0
Greenish-gray sandstone,.....	5 0
Dark-gray argillaceous shale, with argillaceous iron ore in nodules,.....	2 0
Red argillo-arenaceous shale,.....	5 0
Gray argillaceous shale,.....	1 0
Greenish-gray arenaceous shale, in some places becoming a sandstone,.....	4 0
Gray argillaceous shale, with ironstone balls,.....	2 0
Greenish-gray arenaceous shale, in some places becoming a sandstone,.....	6 0
Green argillaceous shale,.....	3 0
Greenish-gray arenaceous shale,.....	3 0
Gray argillaceous shale, with nodules of argillaceous iron ore,.....	2 0
Greenish-gray arenaceous shale, in many places along the cliff assuming the hardness and consistency of a sandstone fit for building. In it stigmara branches occur, and it is said, that some time ago, there used to be two upright columns, half imbedded in the rock, and at right angles to the stratification, well displayed. They were probably upright sigillariae. The action of the frost and tide, however, has recently broken them down and carried them away,.....	5 0
Dark-bluish-gray argillaceous shale, stored with abundance of impressions of ferns and other plants, among which was observable the branch of a stigmara nine feet long without leaves. On many of the plants, a very minute convoluted shell is seen, and in the shale a small bivalve. In the distance of a mile along the face of the cliff this shale is sometimes six feet thick, and sometimes only one foot, and occasionally it is absent altogether, leaving the overlying sandstone in contact with the coal beneath,.....	5 0
Coal of a bituminous quality, with a thin seam of iron pyrites (a quarter to half an inch) occasionally on the top,.....	0 8
Gray argillo-arenaceous shale of a tough crumbling quality, much resembling fire clay, abundantly filled with the branches and leaves of the stigmara ficoides, and having nodules of argillaceous iron ore,.....	3 0
Green argillaceous shale,.....	12 0
Greenish-gray arenaceous shale,.....	3 0
Red argillo-arenaceous shale,.....	10 0

	Ft. In.
Green and red shale, with nodules of yellow limestone (with stigmarae?).....	2 0
Greenish-gray arenaceous shale and sandstone,.....	13 0
Red argillo-arenaceous shale,.....	3 0
Red sandstone and red shale,.....	9 0
Red argillo-arenaceous shale,.....	35 0
Red sandstone,.....	1 0
Red argillo-arenaceous shale,.....	5 0
Gray argillo-arenaceous shale, of a crumbly quality, much resembling fire-clay, with nodules of limestone and remains of stigmarae,.....	3 0
Red argillo-arenaceous shale,.....	22 0
Greenish-gray arenaceous shale, sometimes sufficiently consistent to be called a sandstone,.....	11 0
Coal said to be of this thickness where bored to in the vicinity,.....	0 6
Greenish-gray argillo-arenaceous shale, with stigmarae (underclay), the thickness is not determined, the whole bed not being visible, say,.....	3 0
Feet.....	397 2

2.

Section of Measures exposed in the cliffs between Point Peter, opposite Flat Island, and the bight of the cove on the north side of Pointe Jaune, or Yellow Head. The dip is constant in direction, but varies a little in inclination, being 121° to 122° < 120° to 22°.

Whitish-red coarse conglomerate. It is composed of pebbles of various descriptions in a matrix of red sand. The pebbles consist chiefly of limestone, with which are associated many of various coloured quartz, slate, and blood-red jasper, several also of sandstone; some of the limestone and sandstone pebbles contain organic remains. The weight of some of the largest of the pebbles is as follows:

White quartz.....	4 lbs
Blood-red jasper.....	2 "
Yellow jasper.....	1 "
Red shale.....	2 1/4 "
Red feldspar.....	2 "
Greenish quartz rock.....	2 "
Gray, light-drab, and reddish-drab limestone.....	12 "
Sandstone composed of red feldspar and white quartz.....	14 "
Calcareous sandstone, with incrinites and atrypae.....	8 "
Measures not well seen, being much covered up by sand and shingle, but supposed to be red sandstone.....	90 0
Light or whitish-red limestone conglomerate.....	142 0
Measures concealed by the sand and shingle of Point Peter Cove, supposed to be red sandstone, and softer than the conglomerate.....	218 0
Light-red coarse conglomerate, as before.....	19 0
Measures covered by sand and shingle.....	19 0
Light-red coarse limestone conglomerate.....	22 0
Measures covered up by sand and shingle.....	35 0
Light-red coarse limestone conglomerate.....	187 0
Red sandstone, with a few thin beds of conglomerate.....	33 0
Light-red coarse limestone conglomerate.....	3 0
Red sandstone, with thin beds of conglomerate.....	36 0
Red sandstone, with some layers of conglomerate.....	19 0
Red sandstone.....	6 0
Light-red coarse limestone conglomerate.....	1 0
Red sandstone.....	34 0
Measures not seen, being covered up by sand and shingle in Little Point Peter Cove.....	103 0
Light-red coarse limestone conglomerate.....	1 0
Red sandstone, with thin conglomerate beds.....	8 0
Light-red coarse limestone conglomerate.....	112 0
Red sandstone.....	73 0
Light-red limestone conglomerate.....	6 0
Red sandstone.....	38 0

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	Ft.	In.
Light-red coarse limestone conglomerate. This forms the point south of Whale Head.....	39	0
Red sandstone, with some fine argillaceous shale beds parting the layers.....	351	0
Pale-red sandstone.....	43	0
Light-red limestone conglomerate. Some of the pebbles weigh 8 lbs. They consist of red, green, and yellow jasper, jasper porphyry, syenite, white quartz, and quartz rock; and in the limestone pebbles, which predominate greatly over the others, there are sometimes organic remains. This constitutes Whale Head.....	11	0
Reddish-drab sandstone, with patches of conglomerate, and of scattered pebbles at the bottom of the beds, near the shale partings which divide them.....	435	0
Reddish and drab sandstone, with scattered pebbles in occasional patches, chiefly of quartz.....	109	0
Reddish and drab sandstone, with carbonized comminuted plants on the surface of some of the beds.....	21	0
Reddish and drab sandstone, with some patches of conglomerate, as before.....	33	0
Reddish and drab sandstone, with a bed of conglomerate at the top.....	93	0
Reddish sandstone with a bed of the conglomerate at the top, and another at the bottom.....	21	0
Reddish and drab sandstone with uneven shale partings between the beds, and near the partings fragments of shale are imbedded in the sandstone.....	142	0
Reddish and drab sandstone.....	22	0
Reddish and drab sandstone with a few partings of red argillaceous shale. There are casts of shrinkage cracks on the under surfaces of some of the sandstone beds, and on some of the divisional planes are carbonized remains of comminuted plants.....	35	0
Reddish sandstone with red arenaceous shale on the top; ripple-mark on the surface.....	5	0
Indian-red arenaceous shale with remains of plants, not carbonized; some of them penetrate the bed at right angles and some oblique to it. Small nodules of calcareous sandstone are seen, and some of the plants and nodules are tinged with green.....	16	0
Red sandstone. The full thickness of this bed is uncertain, there being a small fault which brings it in by an upthrow. The underlie of the fault is 200° > 85° say.....	5	0
Light-red coarse limestone conglomerate; the pebbles are chiefly limestone, with some of quartz of various colours, this constitutes Yellow Head or Pointe Jaune.....	14	0
Red sandstone, with a bed of conglomerate at the bottom two feet thick, with abundance of gray and yellow limestone pebbles, with some of white calcareous spar, various coloured quartz, blood red jasper, and other silicious kinds; some of the limestone pebbles would weigh about half a pound.....	56	0
Indian-red sandstone, with drab streaks in the elementary layers, which are slightly oblique to the plane of the bed. At the bottom there is a bed of conglomerate with limestone pebbles.....	10	0
Light-brown fine grained strongly calcareous sandstone, with layers of chocolate-red argillaceous shale, with ripple mark and casts of shrinkage cracks in the sandstone, and remains of plants (casts without any carbonaceous coating) in the shale and sandstone; some of them cross the bed obliquely.....	42	0
	2766	0

3.

Section of Measures exposed in the cliffs reaching from Pointe Jaune to the Trap Dyke at the point between Bréhaut Bay of Bayfield's Chart, and the cove to the south of it. The dip varies both in direction and inclination.

Drab sandstones inclining to gray, with partings of reddish-gray shale. The sandstone is composed of quartz and feldspar, but not much mica appears, and it holds a few calcareous pebbles; on the surface of some of the beds appear carbonized remains of plants, a few of them replaced by iron pyrites... 44 0

	Ft.	In.
Drab sandstone which has something the aspect of a quality fit for grindstones; perhaps it may be too hard.....	64	0
Drab and red sandstones, with some few scattered pebbles.....	124	0
Drab and red sandstone, with some few scattered pebbles consisting of white and green quartz, blood-red jasper, and some of limestone.....	52	0
Drab and red sandstone.....	33	0
Drab and red sandstone, slightly calcareous, with some few scattered white quartz pebbles.....	90	0
Drab sandstone with some red in it. It is micaceous and holds balls of shale.....	15	0
Measures concealed, being covered over with red earth and clay. This is in the bight of Chien Blanc cove.....	80	0
Drab and red sandstone, with a few darker red streaks.....	57	0
Red shale with a few thin bands of drab sandstone.....	22	0
Drab and red sandstone, more drab than red, the colours running in the elementary layers of the bed, which are slightly oblique. There are four small beds of red shale interstratified.....	34	0
Drab and red sandstone, chiefly drab.....	48	0
	6630	
Red sandstone with green stripes, slightly calcareous.....	21	0
Red sandstone with green stripes.....	94	0
Red sandstone with drab stripes.....	58	0
Red and drab sandstone, chiefly red.....	24	0
Pale-red and gray sandstone.....	1	0
Red sandstone and shale.....	11	0
Measures not very well seen. The upper part, say one half, probably consists of drab and red sandstone, the lower half is red shale.....	55	0
Drab and pale-red sandstone, with red and green shale partings.....	63	0
Drab sandstone inclining to green, with red shale beds.....	66	0
Drab and red sandstone with some bands of conglomerate.....	29	0
Green and red sandstone.....	11	0
Greenish coarse pebblish sandstone.....	2	0
Red sandstone.....	18	0
Red shale and palish-red sandstone.....	41	0
Red sandstone, a strong bed.....	3	0
Red sandstone and red shale.....	19	0
Red sandstone and red shale with plants, some of which cross the beds; they are not coated with coal.....	54	0
Red sandstone and red shale; some of the beds have root-like impressions crossing them.....	25	0
Red sandstone, a strong bed.....	23	0
Red sandstone and red shale.....	12	0
Red shale and red sandstone.....	7	0
Green and red sandstone with red shale below.....	10	0
Red and green sandstone with shale partings.....	8	0
Red sandstone conglomerate bed.....	7	0
Red and green sandstone with shale partings, a bed of conglomerate at the bottom with pebbles of quartz, jasper, and limestone.....	6	0
Green and red sandstone and red and green shale.....	7	0
Red and green sandstone and red shale.....	1	0
Red shale and sandstone.....	3	0
Red and green sandstone with shale balls and fragments.....	7	0
Red and green sandstone.....	5	0
Red shale and sandstone, more sandstone than shale, with a conglomerate bed in the middle, having limestone pebbles among others.....	11	0
Red sandstone.....	16	0
Red sandstone and some red shale.....	9	0
Red and green sandstone and red shale. The red sandstone is micaceous and coarse at the bottom.....	30	0
Red and green sandstone and shale, of a coarse grit at the bottom.....	3	0
Red shale with thin bands of green and red sandstone.....	9	0

Appendix
(G. G. G.)
9th June.

Appendix
(G. G. G.)

9th June.

	Ft.	In.
Green sandstone.....	3	0
Red shale and red and green sandstone, more red than green in the sandstone..	3	0
Red shale and red and green sandstone; at the bottom is a band of conglomerate about a foot thick, with pebbles of limestone, quartz, blood-red jasper, and lydian stone.....	17	0
Red shale and green sandstone.....	17	0
Red sandstone and red shale.....	4	0
Red shale and green sandstone, with ripple mark and casts of shrinkage cracks....	6	0
Green sandstone and red shale; the sandstone is most abundant towards the bottom, and exhibits very beautiful ripple mark, and casts of shrinking cracks....	48	0
Green sandstone.....	5	0
Green sandstone and red shale.....	18	0
Green sandstone and red shale in alternate beds of one to two feet; casts of shrinkage cracks occur.....	11	0
Green sandstone and red shale.....	14	0
Green shale and green sandstone with iron pyrites disseminated in aggregated cubic crystals; casts of shrinkage cracks occur; they are highly relieved and the pannels they surround are each slightly raised or swelled towards the centre.....	22	0
Green sandstone.....	2	0
Red argillaceous shale with green spots and streaks and red sandstone.....	31	0
Red and green sandstone and shale, with casts of shrinkage cracks.....	31	0
Red and green shale and sandstone.....	9	0
Red and green sandstone and shale, with highly relieved casts of shrinkage cracks	18	0
Red and green sandstone and shale, with fragments of shale imbedded in the sandstone; the lines of colour often run in the elementary layers of the sandstone, which are occasionally oblique to the bed.....	9	0
Red and green sandstone, some of the green inclining to drab, with red shale dividing the beds; some of the beds exhibit raised casts of shrinkage cracks, of which some are very delicate and fine lined.....	29	0
Red and green sandstone and shale, in alternate layers of six inches to one foot. The sandstone predominates.....	7	0
Red and green sandstone and shale in alternate thin layers.....	9	0
Green and red sandstone, with a few bands of red argillaceous shale; some of the surfaces exhibit beautiful instances of raised casts of shrinkage cracks, and one a tessellated surface, in which the lines of division are green and rather depressed. The other parts of the surface are red, but the red colour does not sink deep. The interior is green and the compartments are each slightly swelled in the centre.....	8	0
Red and green sandstone.....	7	0
Red argillaceous shale and red sandstone...	8	0
Green and red calcareous sandstone.....	4	0
Indian-red sandstone with red argillaceous shale at the bottom.....	10	0
Indian-red sandstone, green at the top, and green streaks at the bottom, with raised crack casts on the under surfaces next the shale; the sandstone is slightly calcareous.....	6	0
Red argillaceous shale, with some thin bands of green and red sandstone which are slightly calcareous.....	2	0
Red and green slightly calcareous sandstone, with a few beds of red argillaceous shale; some of the sandstone beds have red shale pebbles enclosed in them, and on the bottom of one bed are raised casts of shrinkage cracks. The sandstone is of a moderately fine grit; quartz and feldspar are visible, but not mica.....	16	0
Red argillaceous shale with a few green spots; a thin bed of red and green sandstone lies towards the bottom, the green prevailing. It has ripple mark:		

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	Ft.	In.
some small gray shale pebbles are enclosed in the lower part. The sandstone is slightly calcareous.....	8	0
	1151	0
Coarse conglomerate; the matrix is a sandstone, inclining to red; the pebbles consist of yellow, green, and reddish jasper, and jasper porphyry.....	29	0
Strong drab pebbly sandstone, inclining to red, with some calcareous pebbles amongst the rest.....	58	0
Strong drab pebbly sandstone; among the pebbles are some large calcareous nodules like septaria.....	28	0
Coarse conglomerate with pebbles of quartz, jasper, porphyry, and some of limestone; the matrix is generally silicious sand, but there are considerable patches of it which consist of white crystalized calcareous spar. Some of the pebbles would weigh three pounds, and there are some shale balls in the rock.....	13	0
Drab pebbly sandstone of a durable quality	23	0
Drab pebbly sandstone of the same kind with a bed of arenaceous limestone, at the top two feet thick. (Here occurs Bois Brulé Brook, as laid down in Bayfield's chart of Gaspé and Mal Bays).....	89	0
Drab pebbly sandstone of a durable quality	96	0
Coarse conglomerate, composed of red, green, and yellow jasper, white quartz, and black hornstone pebbles, in a matrix of drab sandstone.....	27	0
Drab pebbly sandstone, with a bed of conglomerate at the top.....	74	0
Drab pebbly sandstone.....	222	0
Coarse conglomerate, as before, with some slaty fine-grained beds, interstratified at the top, the surfaces of which are covered with carbonized comminuted plants.....	33	0
Coarse conglomerate, composed of red, and yellow jasper, white quartz, yellow feldspar and other pebbles, among which is one of a conglomerate character consisting chiefly of white quartz pebbles.....	156	0
Coarse conglomerate, as before. This constitutes Bois Brulé Head.....	8	0
	856	0
Drab sandstone, of a strong durable quality	117	0
Green argillo-arenaceous shale.....	16	0
Drab sandstone.....	29	0
Claret-red and green shale.....	22	0
Drab sandstone, with a few pebbles. The under surface of this sandstone is very peculiarly marked, there being a number of deep holes in it, half surrounded by a raised rim, opposite to which there flow out a number of twisted rope-like impressions, converging to a point, to which point the holes or pits gradually shallow. These converging or conical tails are all one way, and the surface has much the appearance of a mould, resulting from the application of the sand, when in a soft condition, to a form occasioned by the rapid flow of water, over impeding lumps projecting from the bottom on which it moved....	95	0
Claret-red and green argillo-arenaceous shale.....	34	0
Drab pebbly sandstone, of a strong durable quality.....	34	0
Gray argillaceous shale, with a bed of sandstone.....	17	0
Drab pebbly sandstone, of a strong durable quality.....	27	0
Claret-red, green, and dark gray argillaceous shale.....	51	0
	442	0
Drab pebbly sandstone; the pebbles not numerous.....	63	0
Drab pebbly sandstone, inclining to greenish, with shale partings and nodules of shale. At the top there is a shale parting, with two large lumps of shale protruding into the sandstone.....	133	0

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	Ft.	In.
Drab sandstone, with spherical masses of a harder quality enclosed in it.....	74	0
Drab sandstone of a slaty character; at the top much of the mass exhibits a conoidal surface in the fracture. There is probably a considerable quantity of argillaceous mixture with the sand....	35	0
Drab sandstone, inclining to greenish, with an argillaceous shale bed at the top....	21	0
Drab sandstone, inclining to greenish, with scattered pebbles and some clay balls..	141	0
Drab sandstone, inclining to greenish, with a bed of gray argillaceous shale at the top.....	29	0
Drab sandstone, inclining to greenish, with scattered pebbles, shale balls, and spherical masses of a harder quality than the general mass.....	16	0
Drab sandstone, inclining to greenish, with shale partings; between the beds argillaceous nodules occur.....	42	0
Drab sandstone, inclining to greenish. There are some small cracks filled with a greener material than the rock, but exhibiting no other difference in quality; accompanying the cracks are minute dislocations. The brook, in the bight of Sailor's Cove, falls over the perpendicular face of the rock, and just under the cascade, the rock swells out a little from the general course of the cliff, as if it were of harder quality than the rest.....	31	0
Drab coloured sandstone, inclining to greenish, with a bed of gray shale at the top	152	0
Drab sandstone, inclining to greenish, with a bed of gray shale at the top.....	162	0
Drab sandstone, with an irregular bed of shale at the top.....	89	0
Drab sandstone, with a bed of shale of three feet at the top.....	267	0
Drab sandstone.....	230	0
Drab sandstone, alternating with shale for nine feet at the top.....	126	0
Drab sandstone, with ferruginous stains; pebbly beds exist in the bottom part... Measures not well seen, supposed to be shale.....	144	0
Drab sandstone.....	11	0
Drab sandstone.....	45	0
Drab sandstone, with some scattered pebbles; carbonized comminuted plants are more or less seen on the surfaces of almost every divisional plane.....	61	0
Drab sandstone, with a very few thin shale partings: there is a very irregular one at the top with great lumps of an argillaceous quality protruding into the sandstone above; some of these lumps are three feet high and as many broad	180	0
	2052	0
Drab sandstone, with ferruginous stains, clay ironstone nodules exist at the bottom.....	30	0
Drab shaly even bedded sandstone, with alternate beds of argillaceous shale at the top.....	7	0
Drab sandstone, with ferruginous stains and hard spherical masses. There is a thin shale bed at the top.....	16	0
Drab sandstone, with an argillaceous parting at the top.....	15	0
Drab sandstone, with some scattered white quartz pebbles and a few clay ironstone balls at the bottom, a red argillaceous shale parting at the top.....	15	0
Dark-gray argillo-arenaceous shale, with some nodules of clay ironstone.....	4	0
Drab sandstone, inclining to greenish at the top, with hard spherical masses displayed in it.....	30	0
Drab sandstone, with some pebbles and ferruginous stains.....	12	0
Drab sandstone, with some pebbly beds, and at the top a layer of argillo-arenaceous shale.....	36	0
Drab sandstone inclining to red, with disseminated nodules of clay ironstone particularly near the bottom.....	4	0

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	Ft.	In.
Claret-red and green and dark-gray argillo-arenaceous shale, with two layers of tough gray fire-clay-looking rock about one foot thick each, which are both crossed by root-like fibrous impressions, some of which bifurcate downwards. These two beds are very even and regular for a considerable distance	18	0
Drab sandstone inclining to a reddish at the top.....	61	0
Drab sandstone, with some scattered pebbles.....	18	0
Drab sandstone, with some patches in it inclining to red. There is an irregular bed of gray shale on the top.....	16	0
Drab sandstone, very slightly inclining to red, with an argillaceous parting at the top.....	21	0
Drab sandstone, inclining to a pale-red or pink (something like the colour of common red blotting paper) with large hard spherical masses in it. Ferruginous stains prevail, and there is an argillaceous parting at the top.....	91	0
Claret-red and dark-gray and green argillaceous shale, with eight beds of a foot each at pretty regular intervals of four feet, which consist of a tough argillo-arenaceous rock very like fire-clay, and are penetrated at right angles to their surfaces by a multitude of slender impressions resembling roots, some of which bifurcate downwards...	39	0
	428	0
Drab sandstone, inclining to red.....	140	0
Drab sandstone.....	39	0
Drab sandstone, with an argillaceous parting.....	11	0
Drab sandstone, with some large irregular lumps of argillaceous quality three feet in diameter.....	11	0
Drab sandstone, with a shale parting at the top.....	74	0
Drab sandstone, with hard spherical masses and disseminated nodules of ironstone; a bed of argillo-arenaceous shale rests on the top.....	133	0
Drab sandstone, with a pebbly bed at the top.....	13	0
Drab sandstone, inclining to pale-red, with some pebbly beds at the top.....	30	0
Drab sandstone, inclining to pale-red.....	42	0
Drab sandstone.....	12	0
Drab sandstone and shale in alternating beds.....	11	0
Drab sandstone, with a few scattered pebbles; hard spherical masses exist in the beds, and the divisional surfaces are sprinkled with carbonized remains of comminuted plants.....	58	0
Drab sandstone, with a shale bed at the top	45	0
Drab sandstone, with a shale bed at the top	8	0
Drab sandstone, with a bed of arenaceous shale at the top.....	42	0
Drab sandstone, with some scattered white quartz pebbles.....	50	0
Drab sandstone, with ferruginous stains; a bed of shale on the top.....	6	0
Drab sandstone, with ferruginous stains, hard spherical masses, and at the top a bed of shaly sandstone, with ironstone nodules, and carbonized comminuted remains of plants.....	20	0
Measures not seen, being covered with shingle, but supposed to be sandstone..	57	0
Drab sandstone, with a very few scattered pebbles, and having a bed of shale at the top, and another in the middle. The sandstone weathers rusty-red, bright orange, and ochre. In the general colors of the mass, there is in some parts a tendency to a pale-red, and carbonized comminuted remains of plants are displayed in the planes of division	64	0
Drab sandstone, with some few scattered pebbles and some iron-stained streaks; a few clay ironstone nodules exist in the beds.....	50	0
	916	0

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	Ft.	In.
Measures not well seen, being covered over by sand and gravel in horizontal layers. The measures are probably soft, and a brook flows in a valley in the strike of them.....	102	0
Drab sandstone.....	1	0
Gray arenaceous shale.....	9	0
Dark gray argillaceous shale, with a band of argillaceous iron ore three inches thick at the bottom.....	7	0
Dark gray argillaceous shale.....	7	0
Gray arenaceous shale.....	7	0
Dark gray argillaceous shale.....	2	0
Gray arenaceous shale inclining to sandstone at the top, and argillaceous shale at the bottom.....	4	0
Dark gray argillaceous shale.....	26	0
Greenish arenaceous shale, inclining to sandstone, with a band of argillaceous shale in the middle; carbonized comminuted remains of plants are seen on the divisional planes.....	4	0
Gray argillaceous shale.....	11	0
Gray arenaceous shale.....	2	0
Greenish argillaceous shale, with two bands of arenaceous shale, having carbonized comminuted remains of plants on the surfaces of the beds.....	34	0
Gray argillaceous shale.....	7	0
Greenish-gray sandstone, consisting of quartz and feldspar grains, with little or no mica. Hard spherical masses exist in the rock, with a rusty-stained exterior, looking very like rusty cannon balls planted in the face of the cliff. Irregular patches, pieces, and balls of an argillaceous quality are seen at intervals, with a very few scattered white quartz pebbles; and carbonized comminuted remains of plants are powdered on some of the divisional surfaces.....	75	0
Gray argillaceous shale, with a bed of red argillaceous shale ten inches thick on the top.....	2	0
Gray arenaceous shale.....	1	0
Gray and red argillaceous shale, with a band of arenaceous shale in the middle	4	0
Gray argillaceous shale, with a bed of nodules at the bottom which have scarcely enough of iron in them to deserve the name of ironstone.....	4	0
Gray argillaceous shale.....	8	0
Gray shaly sandstone, with bands of argillaceous shale in the middle, and arenaceous and argillaceous shale at the bottom. Carbonized comminuted remains of plants powder the surfaces of the beds.....	20	0
Gray arenaceous shale, with a few bands of sandstone; near the top is a bed of very rusty iron-brown color.....	24	0
Gray arenaceous shale, with a bed of hard gray sandstone at the top, with fucoids and ripple-mark.....	9	0
Gray hard sandstone, weathering of a rusty brown, with a bed of argillo-arenaceous shale, having ripple-mark on it.....	10	0
Gray arenaceous shale. In the middle is a hard tough gray bed looking like fire-clay, with fibrous impressions penetrating it at right angles to the plane of the bed..	8	0
Gray hard sandstone, weathering into a rusty colour, with fucoids running through it.....	4	0
Gray argillo-arenaceous shale, with one or two small hard rusty bands.....	11	0
Gray hard rusty-weathering bed with fucoids.....	4	0
Gray hard rusty-weathering bed with fucoids.....	15	0
Gray arenaceous and argillaceous shale, with a fucoid bed at the bottom.....	10	0
Gray arenaceous shale, with ripple-mark, and at the bottom a fucoid bed.....	14	0
Gray arenaceous shale, with a fucoid bed at the bottom.....	3	0
Gray arenaceous shale, with a fucoid bed below.....	10	0
Gray arenaceous shale, being nearly all fucoid beds.....	11	0
Gray arenaceous shale.....	3	0

	Ft.	In.
Gray arenaceous shale, being a fucoid bed.	4	0
Gray hard rusty-weathering shaly sandstone, with ripple-mark on every surface, and carbonized comminuted remains of plants.....	7	0
Gray arenaceous shale, with fucoids and a layer of sandstone on the top.....	12	0
Gray sandstone and arenaceous shale, with carbonized impressions of broken plants powdering the surfaces of the sandstone	20	0
Drab fine-grained sandstone.....	0	8
Gray argillaceous shale.....	1	8
Drab fine-grained sandstone.....	1	3
Gray argillo-arenaceous shale.....	0	8
Coal, a regular seal.....	0	7
Carbonaceous shale.....	2	7
	—	0 8
Gray argillaceous shale, in such a state of decay, being reduced to soft clay, that vegetable remains, if any exist, cannot be distinguished.....	1	6
Greenish-gray sandstone.....	2	0
Gray argillaceous shale.....	0	9
Greenish-gray sandstone.....	0	8
Red and green argillaceous shale.....	1	6
Gray argillaceous shale, with fucoids, beneath which is a surface of sandstone, with ripple-mark.....	1	6
		12 0
		528 0
		7036 0

Appendix
(G. G. G.)
9th June.

4.
Section of Measures exposed in the cliffs between Douglas-town and Seal Cove, (Bréhaut Bay, as marked on Bayfield's Map,) commencing at the point of rock which bounds the cove on the north, and proceeding northward in descending order. The dip varies, both in direction and inclination, from 70° < 16° to 50° < 23° to 30°.

Greenish-gray, or drab sandstone, penetrated by vertical root-like impressions in abundance.....	6	0
Greenish-gray, or drab sandstone, with some arenaceous shale of the same colour interstratified with it. The fracture of the sandstone is at right angles to the beds, and parallel to the face of the cliff. The cliff it forms is quite vertical. Some parts of the sandstone give a conoidal fracture under the hammer, to which it yields with difficulty, being tough and hard. Yet it is doubtful whether it would make a building stone, as it appears to crumble away under the influence of the weather, on the beach, where the fragments recently fallen present very splintery forms. Quartz, feldspar, and mica constitute the elements of the rock, and it encloses occasional small crystals of calcareous spar. The beds are by no means thin, and both those of the sandstone and the arenaceous shale are separated by thin laminae of very argillaceous material, and the surfaces of these laminae occasionally exhibit what must originally have been shrinkage cracks.....	21	0
Greenish-gray or drab sandstone, containing calcareous nodules of a gray colour, some of which are six to eight inches in diameter and even larger.....	2	0
Greenish-gray or drab sandstone of a crumbly quality, interstratified with beds of arenaceous shale, with thin laminae of fine argillaceous shale as before.....	39	0
Greenish-gray or drab pebbly sandstone; the pebbles consist of quartz feldspar and jasper of various colours, but they are not sufficient to constitute a conglomerate.....	233	0
Greenish-gray or drab pebbly sandstone, with a bed of conglomerate towards the bottom which, in addition to the description of pebbles above mentioned, has some of a calcareous quality and some of a green argillaceous shale.....	40	0

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(G. G. G.)
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	Ft. In.
Greenish-gray or drab sandstone, having at the top a strong bed of conglomerate, which with the usual quartz feldspar and jasper pebbles has many sandstone pebbles and fragments of a rather finer grit than that of the rock, and certainly much finer than the matrix of the conglomerate. The sandstone of the bed is much discoloured, being in many parts of an inky hue.....	12 0
Greenish-gray sandstone, containing a multitude of large argillo-calcareous nodules and large spherical masses of an arenaceous quality, and of a harder nature than the enclosing rock; some of the former are eighteen inches in diameter, and of the latter not much less.....	2 0
Greenish-gray or drab coloured pebbly sandstone.....	14 0
Greenish-gray or drab coloured pebbly sandstone; some of the pebbles are argillaceous.....	16 0
Greenish-gray or drab coloured pebbly sandstone.....	36 0
Greenish-gray or drab coloured pebbly sandstone, with some spherical arenaceous masses, with an inky exterior....	6 0
Greenish-gray or drab coloured pebbly sandstone.....	14 0
Greenish-gray or drab coloured pebbly sandstone; the pebbles are of quartz, feldspar, and jasper, and some of the surfaces of the beds present carbonized comminuted remains of plants.....	14 0
Greenish-gray or drab coloured pebbly sandstone.....	28 0
	488

RECAPITULATION.

Greenish-gray sandstones and shales, without pebbles, but exhibiting occasional calcareous nodules, and having at the top a bed with vertical root-like impressions.....	68 0
Greenish-gray, strong pebbly sandstones, frequently becoming conglomerates, and shewing calcareous nodules and large spherical arenaceous masses.....	415 0
	483

5.

Section of Measures exposed in the cliffs going southward from Seal Cove (or Bréhaut Bay, as marked in Bayfield's Chart of Gaspé and Mal Bays) commencing near the brook in the centre of the cove. The dip varies in direction and inclination,

Greenish-gray or drab pebbly sandstone; the pebbles consist of quartz, feldspar, jasper, &c.....	108 0
Greenish-gray or drab pebbly sandstone. Carbonized comminuted plants are seen on the surface of some of the beds....	201 0
Greenish-gray, or drab coloured pebbly sandstone.....	283 0
Greenish-gray or drab pebbly sandstone, with hard arenaceous spherical masses	180 0
Greenish-gray or drab sandstone of a pebbly character; the pebbles frequently so abundant as to form a conglomerate...	103 0
Greenish-gray or drab pebbly sandstone, with spherical masses of a harder quality, possessed of a blackish exterior	29 0
Greenish-gray or drab coloured pebbly sandstone, with many beds of conglomerate; dark red shale balls exist in some beds, yielding to the weather and the beating of the sea, and leaving large holes in the cliff. The conglomerate beds are harder and more resistant to these influences, and the irregularity in the wear of the rock (the dip being at an angle of 60°) produces recesses and arches, and gives the precipice the appearance of a piece of	

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(G. G. G.)
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	Ft. In.
Gothic architecture. There are laminae of black material dividing beds for short distances. These thin out and cease irregularly. Some flaggy sandstone beds are powdered on the surface, with carbonized comminuted plants, and there are occasional beds of sandstone without pebbles, in which arenaceous spheres occur.....	100 0
Greenish-gray or drab sandstone conglomerate as before. At the bottom of this is an uneven bed of argillaceous shale, dark-gray in colour, filling up the inequalities of the under part of the incumbent sandstone.....	106 0
Greenish-gray or drab sandstone of a finer grit, with fewer pebbles.....	55 0
Dark-red and green arenaceous shale.....	22 0
Green and red sandstone in alternate layers	37 0
Green arenaceous shale and claret-red arenaceous shale, the red more argillaceous than the other and below it.....	10 0
Greenish and drab sandstones of a pebbly quality.....	126 0
Red and green argillo-arenaceous shale....	18 0
Gray shaly sandstone, greenish and pebbly at the bottom.....	36 0
Red and greenish-gray arenaceous shale....	4 0
Gray shaly sandstone, with a band of dark-gray argillaceous shale at the bottom, and a few pebbles in the lower part of it.....	20 0
Gray sandstone, with carbonized comminuted plants; a few pebbly bands occur and some thin ones of argillaceous shale; pebbles or fragments of shale or clay are occasionally enclosed in the sandstone.....	106 0
Gray argillaceous shale.....	31 0
Gray sandstone, with much feldspar and no mica; some few spherical masses occur; carbonized comminuted plants are seen, and nodules of inferior clay ironstone exist at the bottom.....	20 0
Gray argillaceous shale with small nodules of argillaceous iron ore.....	8 0
Grayish-drab sandstone, with many carbonized comminuted plants. There are one or two thin beds of argillaceous shale and a band of argillaceous iron ore nodules at the bottom.....	83 0
Drab sandstone, with ripple-mark and a band of argillaceous shale at the bottom, having flat nodules of argillaceous iron ore.....	14 0
Drab sandstone with many argillaceous iron ore nodules, and some occasional shale beds. At the bottom of this appears a very even bed of sandstone, with regular parallel grooves or furrows, running diagonally to the dip. They are sharp and angular in the bottom, and the space between each two is flat and even	84 0
Drab sandstone, with arenaceous shale.....	15 0
Gray sandstone, with reddish iron-stain streaks in the direction of the beds. The stained parts are rather harder than the rest of the rock.....	38 0
Gray shaly sandstone in thin layers, each covered with carbonized comminuted plants.....	9 0
Light-drab sandstone, with red iron-stain streaks, and carbonized comminuted plants. There are nodules of argillaceous iron ore at the top, and a bed of gray argillaceous shale below.....	28 0
Gray sandstone, with iron-stain as before, and carbonized comminuted plants.....	24 0
Gray sandstone, with iron-stain as before, and a band of argillaceous iron ore nodules at the bottom.....	9 0
Gray sandstone as before, with huge nodules at the bottom, more like arenaceous concretions than iron stone, though there appears to be some iron in them.	7 0
Gray sandstone of the same character as the above, with nodules of argillaceous iron ore at the bottom.....	103 0
Gray sandstone, with carbonized comminuted plants, and some beds of argillaceous shale.....	23 0

Appendix
(G. G. G.)
9th June.

	Ft. In.
Light-drabsandstone, with iron-stain streaks and occasional shale beds, few and far between, with carbonized comminuted plants.....	178 0
Light-drab sandstone, as above, with three layers of argillaceous iron ore nodules	30 0
Light-drab sandstone, with iron-stained streaks.....	30 0
Light-drab sandstone, in smooth regular beds of various thicknesses, from three inches to two feet, separated by thin beds of arenaceous and argillaceous shale. The sandstone would make good flagging and good building stone, provided it does not receive iron-stain from the action of the weather, of which there is some indication, not however in streaks, but in general colour. On many of the upper surfaces of the beds, indeed on almost every one, there are serpulating impressions deeply grooved into the stone, and marked by transverse furrows, small and parallel, and about a quarter of an inch apart. These are probably worn tracks. Associated with them are a few bivalve shells of the genus <i>strypa</i> , and there appear to be three, or at least two species.....	22 0
Gray argillaceous shale, with many thin bands of argillaceous iron ore. There are no less than seventy-five of these in the bed, and most of them do not exceed a quarter to half an inch. There are carbonized comminuted plants on the shale, which is more arenaceous towards the top.....	26 0
Light-drab sandstone, with some thin bands of argillaceous shale and disseminated argillaceous iron ore nodules. At the bottom is a bed very much iron-stained, and having irregular brown nodules, or concretions.....	62 0
Light-drab sandstone, with argillaceous shale below.....	68 0
Leadon-gray argillo-arenaceous shale.....	4 0
Light-drab sandstone, with a bed of argillaceous shale below.....	20 0
Light-drab sandstone, with a bed of argillaceous shale below.....	24 0
Dark-gray argillaceous shale, with a thin band of sandstone, having a very rugose under surface. In the shale above it are five thin bands of argillaceous iron ore, and in that below there are two bands and many disseminated nodules of the same.....	20 0
Light-drab sandstone, with iron-stain streaks, and some nodules of argillaceous iron ore. There is a bed of argillaceous shale at the bottom.....	40 0
Light-drab sandstone, with iron-stain streaks, and a bed of argillaceous shale at the bottom.....	44 0
Light-drab sandstone, with iron-stain streaks, and a bed of argillaceous shale at the bottom.....	33 0
Light-drab sandstone, with a thin bed of shale at the bottom.....	39 0
Light-drab sandstone, with a thin bed of shale below.....	160 0
Light-drab sandstone, with iron-stain streaks, weathering red.....	64 0
Light-drab sandstone, with iron-stain streaks and red-coloured beds. There are a few scattered pebbles in the mass	81 0
Light-drab sandstone of the same character	29 0
Light-drab sandstone of the same character; ripple-mark at the top, and a bed of argillaceous shale at the bottom.....	23 0
Light-drab sandstone of the same character	116 0
Light-drab sandstone of the same character	63 0
Light-drab sandstone of the same character. It has a bed of a dark brown colour, between burnt-umber and bistre, the result apparently of iron-stain. A plant four feet long and two inches wide, with a pellicle of coal on the exterior lay on the bed; but it showed no markings to determine species, being a mere strip, with a slight sinuosity...	10 0

Appendix
(G. G. G.)
9th June.

	Ft. In.
Light-drab sandstone of the same character, with ripple-mark on a surface at the bottom.....	19 0
Light-drab sandstone of the same character	23 0
Light-drab sandstone, with a few scattered pebbles. Some impressions of <i>fucoides graphica</i> are seen in the lower part of the strata.....	31 0
	<hr/> 3297 0

6.

Section up a deep narrow ravine on the south side of the Northwest Arm, about three miles above Gaspé, and one mile higher up than the second sandy beach above the Basin. The dip of the measures is $45^\circ < 90^\circ$. The strata occasionally hang 10° over the perpendicular.

Red arenaceous shale and red sandstone; the colour is a deep Indian-red or chocolate-red.....	18 0
Red sandstone of the same tinge.....	6 0
Greenish-gray sandstone.....	24 0
Red or chocolate coloured shale.....	1 0
Greenish-gray sandstone, with occasional pebbly beds.....	600 0
	<hr/> 649 0

7.

Section of the same measures collected lower down, just above the Saw Mill. The dip of the measures is constant in direction, but varies in inclination, being $55^\circ < 41^\circ$ to 60° .

Deep-red sandstone, presenting ripple-mark	20 0
Greenish-gray sandstone.....	33 0
Greenish-gray sandstone of a coarse grit, with ripple-mark, and raised casts of shrinkage cracks on the upper surface..	9 0
Greenish-gray sandstone, with a few clay or shale balls, and a few scattered pebbles of dirty pale yellow quartz.....	9 0
Greenish-gray sandstone, with a few green shale balls or pebbles, with a thin band of red shale in the mass.....	8 0
Green and reddish crumbly arenaceous bed with a multitude of root-like fibrous impressions; they are very slender, say about a quarter of an inch broad in the direction of the strike, but they are squeezed flat in the direction of the dip. They are coated with a thin shining pellicle of what appears to be argillaceous matter, which is red or green as the impression happens to be in the reddish or green part of the rock. The bed is quite full of the impressions, which can be traced in many places one to two feet down in it. They do not radiate, but all penetrate the bed vertically. On the surface of the bed there are about two inches of red clay, a little below which there are laminae with a bright streaky appearance, as if they had been impressed with long thin leaves of some kind....	2 0
Greenish-gray sandstone, with green spotty arenaceous shale beds.....	33 0
Greenish-gray sandstone, with green, spotty arenaceous shale beds; at the bottom of this is a layer of irregular gray calcareous nodules and patches, in which I can detect no organic remains, though the appearance of the bed leads to the expectation of such.....	11 0
Greenish-gray sandstone of a much more consistent character. The stone is of a coarse grit, but might possibly be fit for grindstones. It has a few scattered pebbles in it, which deteriorate its quality much. They are of green, white, and brown quartz, and are about half an inch in diameter. There are some red and green clay or shale pebbles also.....	15 0

Appendix
(G. G. G.)
9th June.

	Ft. In.
Greenish-gray sandstones; the pebbles are rather more numerous at the bottom and a little larger: some are curiously worn.....	11 0
Greenish-gray sandstone of the same quality; some of the pebbles are of a blood-red jasper. At the bottom is a thin bed of conglomerate; one of the pebbles in it is a brownish gray limestone, another is a limestone septarium with a drusy cavity, lined with calcareous spar, weighing a pound. Some are of flesh coloured feldspar, some of black silicious stone, and there are a few large brown argillaceous nodules or boulders weighing three pounds.....	15 0
Greenish gray sandstone. At the bottom of this is a pebbly bed containing large angular fragments of dark-gray soft argillaceous shale, some of them partly calcareous, with remains of plants. The plants are long slender stalks, which bifurcate, and they are all coated with a thin pellicle of carbonaceous matter; some of the fragments measured eighteen inches by twelve, and were two to three inches thick; some were externally rounded and transversely divided into layers, having a smooth glossy surface.....	31 0
Greenish-gray sandstone, with some scattered pebbles; the upper part has many small fragments of shale with stalks. The surfaces of some of the beds exhibit carbonized comminuted plants. The species are not distinguishable, but they appear more like grasses than any thing else.....	20 0
Greenish-gray sandstone, with some silicious pebbles and fragments of gray shale. At the bottom of this there are considerable patches of what may be called shale breccia. But reddish green and white quartz pebbles are not wanting in the breccia, and some of limestone are present. The bed is in some places twelve inches thick.....	108 0
Greenish-gray sandstone, with pebbles and shale fragments at the bottom.....	6 0
Greenish-gray sandstone with casts of shrinkage cracks on the top, cutting into half an inch of shale	0 3
Greenish-gray sandstone, with casts of shrinkage cracks embossed on it, cutting into half an inch of shale, which separates this from the previous bed. This has casts of shrinkage cracks embossed on the under surface also, associated with a few highly relieved casts apparently of the stems of some plant. They are curved, but possess no distinctive marks.....	3 0
Reddish and green crumbly sandstone	0 8
Reddish and green crumbly arenaceous shale.....	0 8
Reddish and green sandstone, with root-like fibrous impressions running vertically across.....	0 6
Red and green shale.....	0 3
Reddish and green sandstone, with root-like impressions, as before	1 0
Reddish and green arenaceous bed, with small irregular calcareous nodules. Root-like impressions cross the bed, and belt-like impressions run in it, standing on edge and undulating horizontally, of which the surface is glossy.....	0 5
Red and green shale; the surface of the bed below is a glossy red, and it is waved by ripple-mark	1 3
	8 0
Greenish-gray sandstone.....	34 0
Greenish conglomerate composed of shale or clay pebbles and fragments, with a matrix of greenish-gray sandstone.....	6 0

Appendix
(G. G. G.)
9th June.

	Ft. In.
Greenish-gray sandstone, all peppered with pebbles. It can scarcely be called a conglomerate, however, except at the bottom where the pebbles are pretty thick, and consist of black, red, brown, white and green silicious stones, of which some weigh half a pound. Some are of blood-red jasper, and some of limestone.....	42 0
Greenish-gray sandstone.....	68 0
Measures not seen, being covered by soil...	4 0
Greenish-gray sandstone, with some shale pebbles in the bottom.....	17 0
Greenish-gray sandstone.....	21 0
Gray shale breccia with some quartz pebbles, and a matrix of greenish-gray sandstone.....	4 0
Greenish-gray sandstone.....	8 0
Light-red shaly sandstone, with green streaks and clouds.....	4 0
Light-red sandstone, with root-like impressions crossing it.....	2 0
Light-red shaly sandstone, with green streaks.....	6 0
Greenish-gray sandstone.....	12 0
Light-red shaly sandstone, with green streaks.....	23 0
Light-red arenaceous shale, with green streaks.....	14 0
Light-red arenaceous shale, with root-like impressions, as before.....	4 0
Light-red crumbly arenaceous shale, with root-like impressions, as before.....	2 0
Greenish-gray sandstone.....	6 0
Light-red sandstone, with green streaks...	12 0
Greenish-gray sandstone.....	12 0
Light-red sandstone, with some shaly bands	10 0
Light-red sandstone.....	6 0
Measures not seen, being concealed by soil, but supposed to be red sandstone and shale.....	19 0
Light-red sandstone, with greenish streaks and clouds.....	4 0
Light-red tough crumbly arenaceous bed, with a multitude of root-like impressions crossing it.....	2 0
Light-red sandstone of rather a shaly character.....	14 0
Light-red sandstone, with root-like impressions crossing the lower half.....	4 0
Red sandstone of a deeper colour.....	14 0
Red sandstone and shale, with vertical root-like impressions on the bottom.....	31 0
Deep-red sandstone.....	114 0
Reddish-gray sandstone, with some pebbles in it at the top, becoming sufficiently numerous lower down to give the character of a conglomerate.....	20 0
Reddish-gray, and greenish-gray sandstone, the colours clouded into one another; scattered pebbles exist in it.....	31 0
Reddish and greenish-gray sandstone.....	50 0
Reddish and greenish-gray sandstone, with verticle root-like impressions.....	4 0
Reddish and greenish-gray shaly sandstone	38 0
Greenish-gray and reddish arenaceous shale, splitting into irregular lumps and penetrated vertically by root-like impressions	25 0
Greenish-gray and reddish-gray sandstone	21 0
Greenish-gray sandstone, with reddish clouds and streaks, with an occasional bed of a coarse grit containing pebbles.....	45 0
Greenish-gray sandstone, with reddish clouds and streaks, as above.....	16 0
Greenish-gray sandstone, with reddish clouds and streaks; the upper part is a conglomerate, with various coloured silicious pebbles.....	58 0
Greenish-gray sandstone, with fewer reddish clouds and streaks in it.....	42 0

(Here the section is interrupted by a trap-dyke which occurs close by the brook which drives the mill.)

Appendix
(G. G. G.)

9th June.

RECAPITULATION.		Ft. In.
Deep-red sandstones, with ripple-mark.....		20 0
Greenish-gray sandstones of a more or less fine grit, and always of a free texture, with many scattered silicious pebbles of various colours, white, red, green, yellow, gray, and black, with some of blood-red jasper among them, some of feldspar, and a few of limestone. The pebbles occasionally become so numerous as to constitute a conglomerate, in which balls and fragments of clay or shale, sometimes with vegetable impressions on them, are often present. The shale fragments occasionally make a breccia. Ripple-mark and casts of shrinkage cracks are met with, and beds containing verticle root-like impressions occur; of these there are two.....		518 0
Red sandstones and shales without pebbles, being at the top of a light colour, with streaks of green, and of a deep red at the bottom; root-like impressions occur, and of these there are four beds		315 0
Clouded reddish-gray and greenish-gray sandstones, with scattered pebbles and occasional conglomerate beds. Root-like impressions occur in two beds.....		143 0
Clouded greenish-gray and reddish-gray sandstones, with scattered pebbles and occasional conglomerate beds.....		202 0
		<u>1198 0</u>

8.

Section on the lower side of the trap dyke, between the Saw Mill and the sandy beach, the general dip of the measures being 65° < 56°.

Deep-red sandstone.....	50 0
Greenish-gray sandstone of a coarse grit....	49 0
Greenish-gray sandstone, with some few scattered pebbles.....	14 0
Greenish-gray sandstone, with more pebbles	12 0
Greenish-gray sandstone, with many pebbles	9 0
Greenish-gray sandstone, with pebbles enough to constitute a conglomerate...	5 0
Greenish-gray sandstone of a coarse grit, with pebbles.....	14 0
Greenish-gray sandstone, with spots and clouds of reddish, with scattered pebbles and carbonized remains of plants (grasses?) in one or two places.....	14 0
Greenish-gray sandstone, with a few scattered pebbles.....	9 0
Greenish-gray and reddish sandstone of a strong quality.....	12 0
Greenish-gray sandstone of a consistent quality, clouded and streaked with red	12 0
Greenish-gray sandstone, with more red streaks and clouds.....	14 0
Greenish-gray sandstone, with fewer red streaks and clouds.....	9 0
Greenish-gray sandstone, with spots and clouds of reddish.....	14 0
Greenish-gray arenaceous beds of a splintery character, not consistent enough for building, and it perhaps should be called an arenaceous shale. There are vertical root-like impressions in the top, some of them carbonized, and there are reddish spots in the bed.....	22 0
Greenish-gray sandstone. The top is of a splintery crumbly character, with root-like vertical impressions. There is little or no mica in the bed.....	14 0
Greenish-gray sandstone.....	7 0
Greenish-gray sandstone, with some fragments of green shale.....	12 0
Greenish-gray sandstone.....	21 0
Greenish-gray sandstone, with a considerable number of scattered silicious pebbles.....	24 0
Greenish-gray sandstone, with pebbles near the top.....	9 0
Greenish-gray sandstone, with a very slight reddish cast. The grit is coarse, and there are white, red, green, and black silicious pebbles scattered through the mass.....	48 0
	<u>394 0</u>

Appendix
(G. G. G.)

9th June.

RECAPITULATION.		Ft. In.
Red sandstone.....		50 0
Clouded greenish-gray and reddish sandstones, with scattered pebbles and occasional conglomerates; vertical root-like impressions occur in two beds.....		344 0
		<u>394 0</u>

9.

Section on the North-west side of Gaspé Harbour, from the neighbourhood of the Bluff, across the measures South-westward. The dip is constant in direction, but varies in inclination, being 50° < 56° to 90°.

Deep-red sandstones, with green patches...	29 0
Red tough crumbly arenaceous beds, with vertical root-like impressions, and limestone nodules at the bottom. On the face of the bed are some small oval marks, with a small dot in the centre. They appear to be the terminations of calcareous replacements of the vertical fibres.....	17 0
Red arenaceous shale, with vertical root-like fibres; some of the roots are replaced by carbonate of lime. I counted two hundred of these in a square of six inches.....	5 0
Greenish-gray sandstones of a pebbly character.....	24 0
Greenish-gray sandstone, with pebbles; some of them are fortification agate, with blood-red jasper, and syenite with red felspar and black hornblende.....	18 0
Greenish-gray sandstone; a pebbly bed at the bottom; red, white, greenish and yellow quartz, black hornstone, blood-red jasper, red syenite and gray limestone are among the pebbles.....	26 0
Greenish-gray sandstone of a conglomerate character; with the silicious pebbles are associated some of red, gray and green shale.....	30 0
Greenish-gray and red sandstone of a crumbly yet tough quality: a bed with vertical root-like impressions exists at the top.....	8 0
Green and red soft splintery sandstone, or perhaps it should be called arenaceous shale, with a band of red shale at the bottom.....	20 0
Greenish and red shale.....	3 0
Reddish and greenish, tough, splintery sandstone, with a thin band of red shale at the bottom, having calcareous nodules and exhibiting casts of shrinkage cracks on the under side.....	25 0
Greenish and reddish tough splintery sandstone, with a bed of red shale at the bottom.....	10 0
Greenish and reddish tough splintery sandstone, of a more shaly character than the preceding.....	12 0
Greenish and reddish tough splintery sandstone, with three bands of shale.....	2 0
Greenish-gray sandstone, of a more consistent quality.....	31 0
Greenish-gray sandstone, with scattered pebbles pretty numerous at the top....	14 0
Greenish-gray sandstone, with scattered pebbles: this forms the <i>Bluff</i> point turning into Gaspé harbour.....	28 0
Greenish-gray sandstone, with a considerable number of pebbles.....	43 0
Greenish-gray arenaceous shale.....	14 0
Greenish-gray sandstone, with a little shale	8 0
Greenish-gray sandstone, with a few pebbly beds; a thin bed of red shale at the bottom.....	47 0
Greenish-gray sandstone.....	45 0
Greenish-gray sandstone, more tough and splintery.....	26 0
Greenish-gray sandstone of a shaly quality	13 0
Greenish-gray sandstone of a more durable quality, with scattered pebbles of various colours. This forms the second point approaching the harbour.....	70 0

Appendix
(G. G. G.)

9th June.

	Ft. In.
Greenish-gray sandstone; when free from pebbles it is probable that the sandstone at this point would in parts be fit for grindstones.....	8 0
Greenish-gray strong arenaceous shale or splintery soft sandstone.....	62 0
Greenish-gray splintery sandstone.....	3 0
Greenish-gray strong arenaceous shale, with a thin band of red shale at the bottom	51 0
Greenish-gray strong arenaceous shale.....	5 0
Red and green arenaceo-argillaceous shale.	5 0
Dark-gray arenaceo-argillaceous shale, (the bluestone of the Welsh coal miners)...	3 0
Gray tough splintery arenaceous bed, very like fire-clay, with a great abundance of straight vertical root-like impressions	5 0
Gray arenaceo-argillaceous shale, with a band of red shale at the top and another at the bottom.....	5 0
Gray argillaceous shale.....	3 0
Gray argillo-arenaceous shale.....	2 0
Dark-gray argillaceous shale.....	2 0
Gray tough splintery argillo-arenaceous bed, very like fire-clay, with vertical root-like impressions.....	3 0
Greenish-gray arenaceous shale.....	2 0
Gray argillaceous shale.....	3 0
Gray tough splintery arenaceous shale, with argillaceous shale at the bottom; the whole penetrated by vertical root-like impressions.....	2 0
Greenish-gray arenaceous shale.....	3 0
Gray argillaceous shale.....	5 0
Greenish-gray arenaceous shale.....	3 0
Greenish-gray sandstone, with oblique root-like impressions penetrating the bottom part.....	5 0
Gray tough arenaceous bed, with vertical root-like impressions.....	3 0
Greenish-gray arenaceous shale, with nodular sandy concretions.....	3 0
Greenish-gray splintery sandstone.....	28 0
Greenish-gray sandstone, of a more even, consistent and durable quality.....	3 0
Greenish-gray splintery sandstone.....	28 0
Greenish-gray sandstone, with a parting of clay below.....	5 0
Greenish-gray strong arenaceous shale.....	8 0
Greenish-gray sandstone, of good, useful quality, with some few scattered pebbles.....	50 0
Greenish-gray splintery sandstone.....	47 0
Greenish-gray hard slaty sandstone.....	2 0
Greenish-gray splintery sandstone.....	49 0
Greenish-gray arenaceous and argillaceous shale.....	5 0

Appendix
(G. G. G.)

9th June.

	Ft. In.
Greenish-gray sandstone, pebbly towards the bottom.....	76 0
Greenish-gray strong arenaceous shale.....	8 0
Greenish-gray sandstone.....	8 0
Greenish-gray strong arenaceous shale.....	5 0
Greenish-gray sandstone, with some scattered pebbles.....	149 0
Measures not well seen, been covered by debacle.....	46 0
Greenish-gray sandstone, with some pebbly beds.....	80 0
Measures not well seen, being covered with soil.....	31 0
Measures not perfectly seen, but supposed to be shaly.....	20 0
Greenish-gray sandstone, with some pebbly beds.....	200 0
Measures not seen, being covered up by the herbage and soil of a valley.....	54 0
Measures not seen, the face of the bank being covered by sand.....	270 0
Measures not perfectly seen, the upper part supposed to be sandstone.....	54 0
Measures not seen, being covered up by trees and soil in the bank and mud on the shore.....	826 0
Greenish-gray sandstone.....	18 0
Measures not seen, being covered up by mud and soil.....	80 0
Greenish-gray sandstone.....	80 0
Dark-green argillo-arenaceous shale.....	13 0
Measures not seen perfectly, but supposed to be shale.....	53 0
Greenish-gray sandstone.....	10 0
Measures not seen, being covered up by trees and soil.....	189 0
Greenish-gray sandstone.....	3 0
Measures not seen, covered by soil and herbage.....	300 0
Greenish-gray sandstone.....	27 0
Measures not seen, covered by soil and herbage.....	44 0
Greenish-gray sandstone.....	5 0
Measures not seen.....	5 0
Greenish-gray sandstone.....	22 0
Greenish-gray arenaceous shale, with vertical root-like impressions.....	6 0
Greenish-gray sandstone.....	204 0
Measures not seen, being covered by soil and herbage.....	189 0
Greenish-gray sandstone.....	8 0
Measures not seen, being covered by soil and herbage.....	69 0
Greenish-gray sandstone.....	193 0
	4333 0

REPORT.

THE SELECT COMMITTEE appointed to enquire into the state of the Administration of Justice in the District of Montreal, in the Superior Courts thereof, with a view of providing for the more efficient Administration of Justice therein, have the honor to REPORT:—

That they have not been able finally to report on the matters submitted to them by Your Honorable House, on account of the advanced state of the Session; and beg leave to express a hope that this matter may be resumed at a succeeding Session of Parliament.

The whole nevertheless humbly submitted.

J. SMITH,
Chairman.

9th June, 1846.

MINUTES OF EVIDENCE.

The Honorable Mr. Attorney General SMITH in the Chair.

Monday, 11th May, 1846.

The Honorable *Jean Roch Rolland*, one of the Justices of Her Majesty's Court of Queen's Bench for the District of Montreal, called in; and examined:—

1. Are you the Author of the several Letters purporting to be written by you in the Correspondence, (Appendix A.) relative to the Administration of Justice in the District of Montreal, now shewn to you?—I am.

2. Have you any thing to say to the Committee in relation to the state of the Administration of Justice in the District of Montreal, in respect of the organization of the Court of Queen's Bench, or of its present efficiency?—Nothing more than what I have already stated in the Correspondence above alluded to.

3. Is there any, and what arrears of business in the Court of Queen's Bench, and if there is any, what is the cause of such arrears?—There are now under consideration about twenty Causes argued in January last, and about thirty Causes that have been argued during the last Term. In the Term of January, when the Causes were heard, the Chief Justice presided over the Court. He also presided the first day of the March Term, when two or three of the thirty cases now under consideration were heard. In addition to those two or three, there are a number of cases which could not be heard for want of time, and stood over to the first day of next Term.

4. What was the reason of these fifty-Causes remaining over for future consideration?—As to the twenty cases which remained over from the January Term, no decision was had on these, as the Judges had no opportunity of conferring with the Chief Justice during the last Term, or the preceding vacation. This also applies to the two or three cases of the March Term heard on the first day, when the Chief

Justice also presided;—as to the others, they were of such a nature that they would have stood over under any circumstances till the next vacation, from the importance of the cases themselves and the extent of evidence therein; these cases were not of a nature to be examined in Term.

5. During the year 1845, was there any and what accumulation of business in arrears, and if there was, from what cause did it arise?—There was no accumulation of arrears of business during the year 1845, except occasionally from Causes remaining from one Term to another.

6. What is the reason of your complaint that the Bench in Montreal is in an inefficient state?—I have stated in my letter, that the inefficiency of the Bench in Montreal has arisen from the continued absence of the Chief Justice, and his infirm state of health.

7. Has the absence and infirm state of health of the Chief Justice thrown extraordinary labor on the other Judges?—Undoubtedly it has. This extra duty falls chiefly on the elder Puisné Judge, whose duty in the absence of the Chief Justice is to preside in the Court.

8. Has the absence of the Chief Justice extended to the vacations as well as to the Term, and on general ministerial business?—It has. I believe he has never attended Chambers during the last two years; he may have attended once or twice without my knowledge. During the vacation there are Jury Trials, Sessions of Enquête, and Trials in cases of Ejectment; and I have no recollection of his having attended at any of these; nor has he, to my knowledge, attended any of the Circuits of Three Rivers or Sherbrooke. I speak more particularly as to the last two or three years.

9. Does this absence of the Chief Justice interfere with the deliberation of cases over which he has presided, and, if so, how?—Necessarily it does, so far as relates to a conference between us. In some cases, when we have seen a note of his opinion on the Record, we have given judgment in the case.

10. Can the business of the Court be satisfactorily performed by three Judges alone?—The business of the District requires four Judges, to be satisfactorily attended to; the reason why the business of the Court presses heavily on three Judges, is principally because of the succession of Terms without intervals, for instance, from the 15th to the 29th of January is the Superior Term; from the 1st to the 15th of February is the Criminal Court; from the 12th to the 23rd, there is a Circuit to Three Rivers; from the 1st to 10th March there is a Court of Appeals; from the 17th to the 31st is the Superior Term. There is another time of the year when there is that close succession of Terms: from 1st to 10th July is the Court of Appeals; from 15th to 29th is the Superior Term; from 1st to 15th August there is the Criminal Term.

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11. Have you presided over the Court of Appeals in the absence of the Chief Justice, and how often?—I have. In 1844, in February and July Terms. In 1845, in March Term, in July Term, and November Term.

12. Do you consider that the annual business done in the District of Montreal absolutely requires four Judges on the Bench?—I do.

13. Have you presided over the Criminal Courts in the absence of the Chief Justice, and when?—I have; the whole of 1844 and 1845, I have presided during those Courts, except on the first day of the two last Terms of 1845, when the Chief Justice was present at the opening of the Court.

14. Have any of the other Judges of the District of Montreal been occasionally absent from the discharge of their duties?—In 1842, when the present Chief Justice was appointed, after an interval of upwards of three years without any appointment of a successor to Mr. Chief Justice O'Sullivan, I applied for leave of absence to go to England, and was absent three months during the vacation from June to October Term. On another occasion, in March last, I obtained leave of absence, as may be seen by Mr. Daly's letter of the 16th of April last. I believe Mr. Justice Gale obtained leave of absence for one month, and was absent about that time, his health being then in a precarious state.

15. Has this absence materially interfered with the proper discharge of the duties of the Court?—It has not, that I am aware of.

16. Has the business of the District of Montreal of late years greatly increased?—It has.

17. In what year were you appointed a Justice of the Court of King's Bench for the District of Montreal, and who were at that time the Justices of that Court?—I was appointed in January, 1830. The other Judges were, Mr. Chief Justice Reid, Mr. Justice Pyke, and Mr. Justice Uniacke.

18. Did Mr. Chief Justice Reid hold the Superior Term, and did he preside at Enquêtes?—No.

19. Has it not been the custom, during a great number of years, before and after your appointment, for the Puisné Judges only to hold the Inferior Terms, and preside at Enquêtes?—Yes.

20. Was not Mr. Justice Uniacke infirm?—Yes, having but one leg.

21. Did he not, after his appointment, obtain leave of absence, and did he not consequently absent himself for more than a year?—I believe so; but my recollection is not sufficient to speak as to the time.

22. Was he not absent during as long a period after 1830?—I believe he was in 1833 and part of 1834.

23. Did not Mr. Justice Uniacke replace, during a long time at Three Rivers, Mr. Justice Bedard, who had obtained leave of absence on account of ill-health?—Yes; but I cannot say for what time.

24. Did you not yourself replace Mr. Justice Vallières at Three Rivers during several months, that is, during his suspension in 1838 or 1839?—Yes, from December, 1838, till May, 1839.

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25. Was not Mr. Chief Justice Monk, predecessor of Mr. Chief Justice Reid, absent during several years, and can you say for what number of years?—Yes, he has been, to my knowledge; but I cannot say for what length of time.

26. Who succeeded Mr. Justice Reid as Chief Justice, and did his successor remain long in office as Chief Justice?—It was Mr. Chief Justice O'Sullivan, who was appointed in October, 1838, and died the February or March following; he sat but one Term.

27. How long after Mr. O'Sullivan's death did the office of Chief Justice remain vacant?—Till June, 1842, when Mr. Chief Justice Vallières was appointed.

28. During the periods mentioned in the preceding questions, what was the number of Judges then on the Montreal Bench?—During the absence of Mr. Justice Monk, the Puisné Judges were, I believe, Mr. Reid, Mr. Pyke, and Mr. Foucher. During the first absence of Mr. Justice Uniacke, the Judges were, Mr. Chief Justice Reid, Judge Pyke and Judge Foucher; during his second absence, the Judges were, Chief Justice Reid, Judge Pyke, and myself; during my absence as Assistant Judge at Three Rivers, they were Chief Justice O'Sullivan, Judge Pyke, and Judge Gale.

29. Was not Mr. Justice Pyke infirm of health for several years before retiring from the Bench, and was he not often obliged through illness to absent himself from the Bench?—Yes.

30. Did he not also, on account of ill health, obtain leave of absence several times?—It appears to me he did for a short time, but I am not positive.

31. When did Mr. Justice Pyke retire; and have you not since that time been the senior Puisné Justice?—It was in June, 1842. Since that time I have been the oldest Puisné Judge.

32. Before the appointment of Mr. Chief Justice Vallières to the Montreal Bench, did it not very often happen that a great number of cases remained *en délibéré* during several Terms, and some even during more?—Yes, during that time there were occasionally Causes remained over for a length of time, but I cannot say that any remained over for a year.

33. Were any representations then made by any of the Justices on that subject?—Not that I am aware of.

34. Does it not often happen that on motion of Council, the hearing of cases inscribed on the Roll is put off from one Term to another?—Yes.

35. Since the establishment of the Bankrupt Court, have not the number of actions usually brought before the Court of Queen's Bench, and the proceedings relative thereto, considerably decreased?—I cannot say; taking the whole year together, there are now six Terms instead of four, as was before the last Judicature Act.

36. Is it not true that since the appointment of Mr. Justice Vallières to the office of Chief Justice, there have never been so many cases remaining *en délibéré*, from one Term to another, as there were during the two years preceding his appointment?—I do not believe that that is the case.

37. Is not Mr. Justice Gale infirm of health, and has he not more than once been under the necessity of absenting himself during a considerable space of time on account of ill health?—Mr. Justice Gale is not a

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man in vigorous health; he has been absent occasionally, owing to indisposition, but not for any considerable length of time.

38. At what hour is the Court of Queen's Bench for the District of Montreal opened, and at what time does the Court generally rise?—It opens at ten o'clock, A. M., or a short time after; and generally rises at 4 o'clock, P. M., and sometimes later.

39. You are aware that in England, the Judges sit in Chambers during the evenings to transact business,—is there any such practice in Canada?—There is not.

40. You are aware that the Judges in England attend the House of Lords, and are obliged to assist that House in several important portions of its business;—is there any corresponding duty performed by the Judges in Canada?—Not that I am aware of.

41. Has it not been the custom, and is it not still the practice, for the Judges to divide the work among themselves, each one taking a certain number of Causes for examination, especially in default cases,—and is it not the custom for the Presiding Judge on such occasions to pronounce Judgment on the report and decision of the Judge who has examined the Record?—To the first part of the question I answer, yes, in respect to default cases only. As to the latter part, Judgments in cases by default, are pronounced by the Prothonotary under the authority of the Court; in general they are examined only by one Judge, who in cases of difficulty invariably takes the opinion of his brother Judges before Judgment is given.

42. Is it not true that Mr. Justice Vallières, even when he does not come to the Court House, applies himself to the examination of important cases which remain *en délibéré*, and on such occasions does he not communicate to the other Judges his notes on each Cause?—Yes, the Chief Justice does examine cases in his own house, and returns the Records with his notes on the same to the Judges' Chambers.

43. Does he not also transact ministerial business for the examination whereof the Prothonotaries send the parties and documents relative thereto to his place of residence?—I believe it, though I have no particular knowledge of it, nor can I say to what extent. I believe he does all that he can.

44. During the sittings of the Court, is it the custom to allow Advocates to present themselves to the Judges' Chamber for the transaction of ministerial business?—Certainly. Such a thing never was refused that I am aware of, when such business required immediate attention.

45. Although the practice in the District of Montreal before the passage of the Judicature Bill of 1844 was, that the Chief Justice did not attend the Enquêtes, or the Inferior Term; has not the law of 1842 imposed on him these duties, and does not the Chief Justice of Quebec attend to these duties?—I believe so.

46. Do you think that in the present circumstances, the appointment of an Assistant Judge, or of a fifth Judge to act temporarily as such, would be a sufficient remedy for the inconveniences you have mentioned, or have you any other remedy to suggest?—If by the appointment of an Assistant Judge, or a fifth Judge, is meant that of a Puisné Judge to be the Junior on the Bench, I will say this will not remedy the evil in so far as regards the present Puisné Judges, their position being materially altered, as the duty of

presiding would thus devolve on them, and more particularly on the elder of them. I consider the Judicature Act does not justify the appointment of an Assistant Judge, except for temporary absence of a Judge on leave by reason of sickness or otherwise. There is this also to be observed, that a temporary appointment is not likely to be accepted by any Advocate of high standing at the Bar.

Tuesday, 12th May, 1846.

The Honorable Charles D. Day, one of the Justices of Her Majesty's Court of Queen's Bench for the District of Montreal, called in; and examined:—

47. Are you aware of the correspondence which has taken place between some of the Judges of the Queen's Bench and the Government, touching the efficiency of the Bench in the District of Montreal?—I am aware there has been a correspondence of that nature.

48. Has any portion of that correspondence been communicated to you, and have you concurred in any way in any part of its contents, and in what part?—Some portion of that correspondence has been communicated to me, and I concurred in the facts stated in the last paragraph of Mr. Justice Rolland's letter of 27th April, 1846.

49. Have you any thing to say touching the efficiency of the Queen's Bench in the District of Montreal?—I am not desirous of saying anything upon the subject.

50. Is the Bench in the Superior Courts in the District of Montreal, in your opinion, in an efficient state?—I cannot answer that question without casting an imputation either upon my brother Judges, or upon myself; and it seems to me unfitting that, as a Judge, I should be placed in such a position.

51. What was your reason for concurring in the latter part of Mr. Justice Rolland's letter, dated 27th April, 1846, which tended to represent to the Government the inefficiency of the Bench in Montreal, and to seek for a remedy for that inefficiency?—Because I believed, and still believe, the facts to be as therein stated.

52. Is it then your opinion that the Bench in the District of Montreal is in an inefficient state?—If the question be insisted upon, I cannot but say my opinion is, that the Bench in the District of Montreal is in an inefficient state.

53. From what cause does this inefficiency proceed; and can you point out a remedy?—I consider that the chief cause is that stated in the letter of Mr. Justice Rolland, to which I have already alluded. I am not prepared to suggest any remedy.

54. Has the absence and infirm state of health of the Chief Justice thrown any extraordinary duty and labor on the other Judges of the Bench?—It has undoubtedly upon Mr. Justice Rolland, who has presided at the Court; it has also increased in a less degree the labor of the other Judges.

55. Are you aware of any and what arrears of business have accumulated by reason of this absence and infirmity?—There has not been as yet any great accumulation of arrears of business; there are some forty to fifty cases before the Judges, of which perhaps one

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half have been before them since the January Term; and the other half since the Term of March. I cannot speak with precision as to the number, not having counted them.

56. Do you consider that the amount and importance of the business of the Courts of Montreal require the presence of four Judges on the Bench?—I do most certainly.

57. Has this delay or accumulation of business been occasioned in whole or in part by the absence of the Chief Justice from the Bench?—It has, I think, in part been occasioned by his absence.

58. Are you aware that any complaints have been made by suitors, by reason of this absence?—I may have heard observations made in conversation upon the subject alluded to in this question, but none sufficiently specific to recollect.

59. Has the absence of the Chief Justice extended to vacations, and from the general ministerial business transacted during the vacation?—It has.

60. On whom has the duty of presiding over the Court devolved in the absence of the Chief Justice?—Mr. Justice Rolland.

61. Has the absence of the Chief Justice materially interfered with the deliberations of the Judges on the cases had *en délibéré*?—His absence has interfered with the conclusive settlement of Judgments in those cases that were heard by him.

62. What do you mean by conclusive settlement?—I mean the final settlement of the Judgment in Chambers.

63. When were you appointed a Justice of the Queen's Bench for the District of Montreal, and who were then the Judges of the said Court; and were you not appointed on the retirement of Mr. Justice Pyke?—I was appointed Judge in 1842, upon the retirement of Mr. Justice Pyke; the Bench was then composed of the same members as at present.

64. Did Mr. Chief Justice Reid ever preside, to your knowledge, during the Inferior Term, and at Enquêtes, after his appointment to that office?—He might occasionally have done so, but it was not customary.

65. Has it not always been the custom for the Puisné Judges only to preside at the Inferior Terms, and at the Enquêtes of the Superior Terms?—I think it was customary in the time of Chief Justice Reid.

66. Is it not generally the duty of the Chief Justice to make an extract of, and examine, the important cases brought in Superior Term; and does he not afterwards submit his notes to the other Judges?—The contested Causes are indiscriminately distributed among the Judges. I am not aware that it is customary for the Chief Justice to take any larger share of them than the Puisné Judges.

67. Is it not to your knowledge, that before the appointment of Mr. Chief Justice Vallières, in 1842, a number of Causes brought in the Superior Term remained *en délibéré* through several Terms, and several even during a longer period?—There was an accumulation of arrears of business before the nomination of the present Chief Justice to the Bench.

68. Has not the number of cases usually brought before the Court of Queen's Bench considerably diminished since the Bankrupt and Circuit Courts

were established?—Cases growing out of Commercial transactions are less numerous, but the general business of the Courts I think has not diminished.

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69. Was not Mr. Justice Pyke infirm of health, and was he not so during several years before his retirement; and was he not obliged, on account of ill health, to absent himself very often from the Bench?—Judge Pyke, I believe, was an invalid for many years before his retirement, but I do not think he was often absent from his place in Court.

70. Is it not to your knowledge that he often obtained leave of absence on account of ill health?—I cannot say that it is within my recollection, but it is quite likely he did.

71. Were any representations made on that subject by any one of the other Judges?—Not that I know of.

72. Is not Mr. Justice Gale infirm of health, and has he not more than once been under the necessity of absenting himself during a considerable space of time, on account of ill health?—Judge Gale's health is occasionally bad, and, in consequence, is sometimes, but not often, absent from his place in Court.

73. Were any representations made to Government on that subject by any one of the other Judges?—Not that I know of.

74. Is not Mr. Justice Rolland proprietor of the Seignior of Monnoir, situate on the South of the River Chambly, and has he not occasion to absent himself from Town for the purpose of transacting business relating to that Seignior?—I believe Judge Rolland is proprietor of the Seignior, mentioned which I believe he occasionally visits, but is scarcely ever absent from his place in Court or in Chambers.

75. After the death of Mr. Chief Justice O'Sullivan, in 1839, did not that office remain vacant for several years?—Yes, until the appointment of the present Chief Justice.

76. Were representations made on that subject by any of the Judges?—Not that I know of.

77. Do you think that in the present circumstances, the appointment of an Assistant Judge, or of a fifth Judge to act temporarily as such, would be sufficient to remedy the evils mentioned by Mr. Justice Rolland in his letter?—I think that four efficient Judges, by whatever name they might be called, could discharge the business of the Court, at least for a time; but I doubt whether any Judges under the present system, can for a long period dispose of the growing business of the country.

78. Is it not the custom for the Montreal Judges to divide the work during Term, by taking each a certain number of cases, principally default cases, and examining them alone; and is not Judgment pronounced on the report or notes of the Judge who has examined the case?—Default cases are usually examined by but one Judge, unless some difficulty occurs; contested cases are examined by all the Judges.

79. If in default cases so examined and adjudged upon, the Plaintiff's Attorney makes any observation, or if, for instance, he asks or request to be allowed to correct a clerical error which the Judge may have discovered, is it not the Judge who examined the case who decides upon such request; or if it is the presiding Judge, does he not invariably found his decision on the representations of the Judge who has examined the record and discovered the error?—

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When any point of difficulty is suggested by any of the Judges in a default case, it is examined by one or more of the other Judges, and no formal decision is ever given without the knowledge of the Bench generally; it may, of course, sometimes occur that points not of a very difficult nature are explained by one Judge to his brother Judges, and decided upon without all of them having examined the record, but this never occurs when there is any difference of opinion.

APPENDIX A.

Correspondence on the subject of the Administration of Justice in the District of Montreal, laid before the Legislative Assembly, by command of His Excellency the Governor General, on the 8th May, 1846, and referred to this Committee on the same day.

- No. 1.—Letter from Mr. Chief Justice Vallières de St. Réal, to the Provincial Secretary, dated 23rd January, 1844.
- No. 2.—Letter from the Provincial Secretary, to Mr. Chief Justice Vallières de St. Réal, dated 31st January, 1844.
- No. 3.—Letter from Mr. Chief Justice Vallières de St. Réal, to the Provincial Secretary, dated 3rd May, 1844.
- No. 4.—Letter from the Provincial Secretary, to Mr. Chief Justice Vallières de St. Réal, dated 7th June, 1844.
- No. 5.—Letter from Mr. Justice Rolland, to the Provincial Secretary, dated 24th February, 1845.
- No. 6.—Letter from the Provincial Secretary, to Mr. Justice Rolland, dated 1st March, 1845.
- No. 7.—Letter from Mr. Justice Rolland, to the Provincial Secretary, dated 4th March, 1845.
- No. 8.—Report of a Committee of the Executive Council, dated 31st March, 1845, on the application of Mr. Justice Rolland respecting the present state of the Court of Queen's Bench in Montreal, and his proposed retirement on a Pension.
- No. 9.—Letter from Mr. Justice Rolland, to the Provincial Secretary, dated 20th March, 1845.
- No. 10.—Letter from the same to the same, dated 25th March, 1845.
- No. 11.—Letter from the same to the same, dated 31st March, 1845.
- No. 12.—Letter from the Provincial Secretary, to Mr. Chief Justice Vallières de St. Réal, dated 2nd April, 1845.
- No. 13.—Letter from Mr. Chief Justice Vallières de St. Réal, to the Provincial Secretary, dated 5th April, 1845.
- No. 14.—Letter from the Provincial Secretary, to Mr. Justice Rolland, dated 7th April, 1845.
- No. 15.—Letter from Mr. Justice Day, to the Provincial Secretary, dated 8th April, 1845.

No. 16.—Letter from Mr. Justice Rolland, to the Provincial Secretary, dated 14th April, 1845.

No. 17.—Letter from the Provincial Secretary, to Mr. Chief Justice Vallières de St. Réal, dated 15th April, 1845.

No. 18.—Letter from the Provincial Secretary, to Mr. Justice Rolland, dated 15th April, 1845.

No. 19.—Letter from Mr. Justice Rolland, to the Provincial Secretary, dated 16th April, 1845.

No. 20.—Letter from the Provincial Secretary, to Mr. Justice Rolland, dated 16th April, 1845.

No. 21.—Letter from Mr. Chief Justice Vallières de St. Réal, to the Provincial Secretary, dated 18th April, 1845.

No. 22.—Letter from Mr. Justice Rolland, to the Provincial Secretary, dated 27th April, 1846.

No. 23.—Letter from the Provincial Secretary, to Mr. Chief Justice Vallières de St. Réal, dated 29th April, 1846.

No. 24.—Letter from Mr. Chief Justice Vallières de St. Réal, to the Provincial Secretary, dated 30th April, 1846.

No. 25.—Letter from the Provincial Secretary, to Mr. Chief Justice Vallières de St. Réal, dated 1st May, 1846.

No. 26.—Letter from Mr. Chief Justice Vallières de St. Réal, to the Provincial Secretary, dated 2nd May, 1846.

No. 27.—Letter from the Provincial Secretary, to the Prothonotary of the Court of Queen's Bench for the District of Montreal, dated 2nd May, 1846.

No. 28.—Letter from the same to the Clerk of the Court of Appeals, dated 2nd May, 1846.

No. 29.—Letter from the Prothonotary of the Court of Queen's Bench, Montreal, with one enclosure, dated 4th May, 1846.

No. 1.—Letter from Mr. Chief Justice Vallières de St. Réal, to the Provincial Secretary.

(Copy.)

Montreal, 23rd January, 1844.

Sir,

I respectfully beg leave to inform His Excellency the Governor General, that suffering from what has been called *fistula lachrimatis*, I have lately been compelled to place myself under medical and surgical treatment which requires to be continued, and during the continuance of that treatment as well as for some time afterwards, I have reason to fear it will not be in my power to discharge the very arduous and important duties of my office as Chief Justice of the Court of King's Bench for the District of Montreal, and, therefore, I very humbly pray that it may please His Excellency to dispense with my judicial services

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for and during the term of four months, during which I shall nevertheless cheerfully afford my learned Colleagues every co-operation and assistance in my power. And as the labors of the Court of King's Bench in this District, are extremely arduous and daily increasing, I would respectfully submit to His Excellency the propriety, and I may say the absolute necessity, of appointing some proper person, such as Mr. Hypolite Guy, to the office of Assistant Judge, under the provisions of the Provincial Ordinances 2 Vic., ch. 13, and 3 Vic., ch. 24.

I have, &c.
(Signed,) VALLIERES DE ST. REAL.

Honble. D. DALY,
Secretary, &c. &c. &c.

No. 2.—*Letter from the Provincial Secretary, to Mr. Chief Justice Vallières de St. Réal.*

Secretary's Office,
Kingston, 31st January, 1844.

Sir,

Having laid before the Governor General, your letter of the 23rd inst., I have the honor, by His Excellency's command, to inform you that he is pleased to comply with the request you therein prefer for four months leave of absence from the discharge of your Judicial functions, for the recovery of your health. And I am to add, that the representation you make of the necessity for the appointment of an Assistant Judge, to relieve the Court of King's Bench for the District of Montreal of some portion of its arduous and increasing labors, will engage His Excellency's further attention.

I have, &c.
(Signed,) D. DALY,
Secretary.

Honble. J. R. Vallières de St. Réal,
Chief Justice, &c. &c. &c.
Montreal.

No. 3. *Letter from Mr. Chief Justice Vallières de St. Réal, to the Provincial Secretary.*

Montreal, 3rd May, 1844.

Sir,

I gratefully acknowledge the great condescension of His Excellency the Governor General, in acceding to my prayer for leave of absence in January last, owing to my ill state of health.

I have availed myself of His Excellency's gracious leave in reposing myself from the arduous labors of my office, and have benefitted from that relaxation, as much as circumstances permitted, but the season was unpropitious, as it confined me to my house, and I would now require the benefit of the country air as a means of recovering my strength.

I therefore most respectfully pray that it may please His Excellency to grant me such further indulgence as will enable me to pass some time in the country during the fine season, as a means of confirming my recovery.

I have, &c.
(Signed,) VALLIERES DE ST. REAL.

Honorable D. DALY,
Secretary, &c. &c. &c.

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No. 4. *Letter from the Provincial Secretary, to Mr. Chief Justice Vallières de St. Réal.*

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Secretary's Office,
Kingston, 7th June, 1844.

Sir,

I have had the honor to receive and to lay before the Governor General your letter of the 3rd instant, and in reply am commanded by His Excellency to inform you that he is pleased to accord you the leave of absence you request, and most earnestly hopes that the relaxation and change of air you seek may prove the means of your entire restoration to health.

I have, &c.
(Signed,) D. DALY,
Secretary.

Honorable Mr. Chief Justice
Vallières de St. Réal,
&c. &c. &c.
Montreal.

No. 5. *Letter from Mr. Justice Rolland, to the Provincial Secretary.*

Montreal, 24th February, 1845.

Sir,

I can no longer view with indifference the consequences of continuing in the position in which I have been placed of late years. I owe it to myself and to my family not to persevere in what might be considered an acquiescence on my part.

It is a delicate subject and I approach it with much repugnance, but it would be weakness to delay the calling of His Excellency the Governor General's attention to the state of things on the Montreal Bench, and to the arduous duties of the Judges. I have, as senior Puisné Judge, had more than my share; and I am not without apprehension of the consequences. It may yet, however, be time to void sinking under the weight by discontinuing the labor.

I beg to assure His Excellency, that although arrived at the age of sixty, and having been fifteen years an active Member of the Bench, I am not wanting in courage or energy, and that so long as I can do justice to my situation, I am disposed to remain in office. But I cannot be expected any longer to hold office under circumstances such as the present. And if I did, I would not long retain that vigor of body and mind which is so much required in a Judge of the District of Montreal, particularly in the one who presides the Court, and on whom a greater responsibility must necessarily lie; that burthen and responsibility I have had occasion to feel. I know its weight.

I have for some time past intended to ask for an interview with His Excellency, but a day is not left to me. On Saturday I closed the Inferior Term, this day and to-morrow I will have to sit on Jury Trials; and on Wednesday morning I must leave for Quebec, there to preside the Court of Appeals,—a duty which I have almost exclusively performed for the last six years.

I hope His Excellency will not disapprove of the mode I have adopted to give the information I meant to convey, and I will await with humble submission the determination as regards myself.

I have, &c.
(Signed,) J. R. ROLLAND.

Honorable D. DALY,
Secretary, &c. &c. &c.

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No. 6. *Letter from the Provincial Secretary, to Mr. Justice Rolland.*Secretary's Office,
Montreal, 1st March, 1845.

Sir,

I have had the honor to receive and to lay before the Governor General your letter of the 24th ultimo, in reference to the position generally of the Judges of the Court of Queen's Bench for the District of Montreal, and your own position in particular, as the senior Puisné Judge of the Court.

His Excellency commands me, in reply, to assure you that he much regrets the necessity under which you have felt yourself placed, of bringing the subject under his consideration, and that he would gladly take any proper means of remedying the inconveniences of which you complain, so far as it may be in his power to remedy them. Your letter, however, does not so specify them as to establish how far it is competent to the Executive Government to interfere, or desirable that it should take to interfere this end. And I am, therefore, to invite from you any further suggestions as to the course you would recommend, or any further information on the subject, which you may feel prepared to offer.

I have, &c.
(Signed,)D. DALY,
Secretary.Hon. Mr. Justice Rolland,
&c. &c. &c.No. 7. *Letter from Mr. Justice Rolland, to the Provincial Secretary.*

Quebec, 4th March, 1845.

Sir,

I have had the honor of receiving your letter of the 1st of this month, containing the expression of His Excellency the Governor General's regret that I should have felt myself placed under the necessity of bringing under his consideration, and his disposition to take all proper means of remedying the inconvenience of which I complained in my representations of the 24th day of February last, and also the invitation to make such further suggestions as to the course I would recommend, or to give such other information on the subject, that I may feel prepared to offer, inasmuch as my letter did not so specify the inconveniences in question as to establish how far it is or is not competent to the Executive Government to interfere, or desirable that it should undertake to interfere, to the end of remedying the same.

It was from a motive of delicacy that I did not more specifically mention in my letter the cause of my coming to the determination of retiring from the Bench, rather than continue in office under circumstances such as I have represented.

I do not know that I can in clearer terms express the pressure on the three Puisné Judges, and in particular on myself, as senior. I wished to avoid the invidiousness of personal observations.

I did not intend to make out a case or to establish how far it is or is not competent to the Executive Government to interfere or desirable that it should do so; nor did I presume nor ought I now to presume, to recommend any course or make any suggestions on the subject. As to giving His Excellency

further information, as I have represented a state of things which is notorious, as well as the cause, I beg to be excused from entering further into particulars.

I can only persevere in my representation. If it is not such as to enable the Executive Government to take some action upon it; I must yield to the necessity of circumstances and respectfully request His Excellency will accept of my resignation of office, on receiving a retiring pension, such as my services may entitle me to.

I regret being compelled to adopt this course. In my former communications I expressed my disposition to remain in office so long as I could do justice to my situation. This assurance I do now renew, at the same time that I am called upon to act in duty to and with proper regard for myself and my family, as I cannot view with indifference my declining health under a pressure of duty.

I have, &c.
(Signed,) J. R. ROLLAND.The Honorable D. DALY,
&c. &c. &c.No. 8. *Copy of a Report of a Committee of the Executive Council, dated 31st March, 1845, approved by His Excellency the Governor in Council on the same day.*

On the application of Mr. Justice Rolland respecting the present state of the Court of Queen's Bench in Montreal, and his proposed retirement on a pension.

The Committee have to remark that in the present state of the Pension List, it is not in Your Excellency's power to comply with Mr. Justice Rolland's application as far as it relates to his being allowed to retire from the Bench on his receiving a pension.

Certified,

(Signed,) E. PARENT.

To the Provincial Secretary.

No. 9. *Letter from Mr. Justice Rolland, to the Provincial Secretary.*

Montreal, 20th March, 1845.

Sir,

As the Session of Parliament is drawing to a close, and that, if I am to resign my office, not wishing to continue as expressed in my humble representations of the 24th of February and 4th of March, I will have to lay before His Excellency the Governor General a formal memorial containing my resignation, on being allowed the retiring pension which my services may entitle me to, and that His Excellency might deem it expedient to submit to the vote of the Assembly my claim in that respect, I hope I may be excused if to meet that occurrence, I now respectfully request to be informed, as soon as can conveniently be done, of the determination of the Executive Government in respect to myself on the subject of my representations.

I have, &c.
(Signed,) J. R. ROLLAND.Honorable D. DALY,
Secretary, &c. &c. &c.Appendix
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No. 10. *Letter from Mr. Justice Rolland, to the Provincial Secretary.*

25th March, 1845.

My dear Sir,

On referring to the Ordinance, 2 Vic. cap. 6, (1838, under Lord Durham,) I find that the enactment is, "That out of the unappropriated monies that now are or hereafter may be in the hands of the Receiver General, there shall by Warrant, &c., be paid annually to, &c. from and after the retirement from office of Chief Justice Reid, during his natural life, the sum of £733 6s. 8d., sterling money, &c."

I thought that this might be a model for a Resolution.

Excuse the liberty, but it may be considered a case in point if, as I believe, no resignation had then been made or accepted of,—nothing of it is stated in the Preamble.

I remain, &c.,
(Signed,) J. R. ROLLAND.

Honorable D. DALY,
Secretary, &c. &c. &c.

No. 11. *Letter from Mr. Justice Rolland, to the Provincial Secretary.*

(Copy.)

Montreal, 31st March, 1845.

Sir,

As I am to conclude from not receiving an answer to my letter of the 4th of this month, that the Executive Government has come to no determination on the subject of it, and that His Excellency is not prepared now to accept of my resignation of office by granting me the usual pension allowed to a Judge retiring after a service of fifteen years; not to press the matter, and to afford full time for consideration, I will for the present confine myself to request leave of absence for a period of four months, in hopes that I may in the mean time be relieved from my present state of suspense and anxiety.

My health being somewhat impaired, I find it absolutely necessary to abstain from the continuance of my Judicial duties under circumstances such as I have before represented, and this recess with leisure will enable me to recruit myself.

I have, therefore, to request that you will be so good as to lay before His Excellency this my present application, and I will, with humble submission, await his pleasure.

I have, &c.
(Signed,) J. R. ROLLAND.

Honorable D. DALY,
Provincial Secretary,
&c. &c. &c.

No. 12. *Letter from the Provincial Secretary, to Mr. Chief Justice Vallières de St. Réal.*

Secretary's Office,
Montreal, 2nd April, 1845.

Sir,

Mr. Justice Rolland having applied for leave of absence for the term of four months, I have the honor, by command of the Governor General, to re-

quest that you will, in conjunction with your brother Judges, report for His Excellency's information, at as early a day as your own and their convenience may allow, whether the due and efficient administration of Justice in the Court over which you preside, will admit of such leave being granted.

I have, &c.
(Signed,) D. DALY,
Secretary.

Honorable Chief Justice
Vallières de St. Réal, &c. &c. &c.

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No. 13. *Letter from Mr. Chief Justice Vallières de St. Réal, to the Provincial Secretary.*

Montreal, 5th April, 1845.

Sir,

Having considered the subject referred to my learned Colleagues and myself, in your letter of the 2nd instant, and had a conference upon the subject with Mr. Justice Gale and Mr. Justice Day, we have agreed respectfully to report to His Lordship the Governor General, that, considering the great pressure of business in the Court of Queen's Bench, and that the Inferior Terms of that Court have been superadded by the present Judicature Law to our already heavy load of labor; and our attendance and services being also required in the Court of Appeals, the presence and services of all the Justices cannot, in our opinion, be dispensed with for any considerable length of time, except in case of illness or other absolute necessity.

I deeply regret that my long continued indisposition has necessarily increased the responsibility and labors of my learned Colleagues.

I have, &c.,
(Signed,) VALLIERES DE ST. REAL.

Honorable D. DALY,
Secretary, &c. &c. &c.

No. 14. *Letter from the Provincial Secretary, to Mr. Justice Rolland.*

Secretary's Office,
Montreal, 7th April, 1845.

Sir,

I have had the honor to receive and to lay before the Governor General your letter of the 31st ultimo, and in reply am commanded by His Excellency to inform you, that he felt it necessary to call upon Mr. Chief Justice Vallières to report thereon, in conjunction with the Puisné Judges of the Court of Queen's Bench for the District of Montréal; and that he regrets to learn from Mr. Vallières' report, that the pressure of the business before the Court is such as not to admit of his granting you the leave of absence which you therein request, unless the state of your health absolutely requires it.

I have, &c.
(Signed,) D. DALY,
Secretary.

Honorable Mr. Justice ROLLAND,
&c. &c. &c.

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No. 15. *Letter from Mr. Justice Day, to the Provincial Secretary.*

Montreal, 8th April, 1845.

Sir,

A letter addressed by you to the Chief Justice of this District, by command of the Governor General, on the subject of Mr. Justice Rolland's application for leave of absence, was a few days since communicated to me through Mr. Justice Gale. I then expressed to Mr. Justice Gale my opinion, that the administration of Justice would be likely to suffer from Mr. Justice Rolland's absence, in consequence of the infirm state of the health of the Chief Justice which unfortunately prevents him from rendering efficient aid to the business of the Courts. I am told that an answer has been returned to your letter, but as I am not informed of its precise tenor, and have reason to believe that it does not precisely accord with my views, I have deemed it right in order to avoid misapprehension, to communicate to you directly for His Excellency's information my opinion on the subject.

I have, &c.,
(Signed,) C. D. DAY.

Honorable D. DALY,
Secretary, &c. &c. &c.

No. 16. *Letter from Mr. Justice Rolland, to the Provincial Secretary.*

Montreal, 14th April, 1845.

Sir,

I have had the honor to receive your letter of the 7th inst., by which I am informed in reply to my letter of the 31st March, that His Excellency felt it necessary to call upon Mr. Chief Justice Vallières to report thereon, in conjunction with the Puisné Judges, and that he regrets to learn from Mr. Vallières' report, that the pressure of business before the Court is such as not to admit of his granting me the leave of absence which I required. Having reason to know that the opinion expressed in the above report, as being that of all the Judges, was most incorrectly represented, and that it was not made in conjunction or after a conference with the Puisné Judges, or agreed to by them; and it being a well known fact, that since the passing of the late Judicature Act, the business of the Court has been done by three Judges, so that the pressure of business cannot be assigned as a cause why the presence and service of none of the Judges can be dispensed with (as it is said in the report) for any considerable length of time. The opinion of the Chief Justice on the subject, who had less opportunity of being informed, being unsupported by that of the other Judges, and formally contradicted by Mr. Justice Day, in a letter addressed to you, of which he has given me communication; it has occurred to me that an absence of a short duration might not, even from the widest construction of Mr. Chief Justice Vallières' report, be deemed inadmissible,—and under that impression, I would be willing to limit my request to a shorter period,—the leave not to extend beyond the latter end of June.

It may, perhaps, be considered as justice to me, who am waiting for a decision on my representations of the 4th and 31st March, which are now remaining under consideration of the Executive, to allow me to suspend the exercise of my judicial functions for a short time, and until I receive an answer, which I

am anxiously expecting. For, at the same time that this would enable me to carry into execution my determined purpose of not again presiding the Court, under the same circumstances, as I have hitherto done. It will afford the Executive Government time to come to a determination on my application for an acceptance by His Excellency of my resignation of office, as I have tendered it in my letters above referred to; on which I would again respectfully solicit an answer as soon as it can conveniently be given, and before the expiration of the leave of absence that may be granted to me.

I would regret extremely to be under the necessity of retiring without the approbation of His Excellency.

I have, &c.
(Signed,) J. R. ROLLAND.

Hon. D. DALY,
Secretary, &c. &c. &c.

No. 17. *Letter from the Provincial Secretary, to Mr. Chief Justice Vallières de St. Réal.*

Secretary's Office,
Montreal, 15th April, 1845.

Sir,

I have the honor, by command of the Governor General, to acknowledge the receipt of your letter of the 5th inst., in reply to mine of the 2nd, in which you state that, having had a conference with Mr. Justice Gale and Mr. Justice Day, those gentlemen had agreed with you to report, that from the great pressure of the business devolving upon the Judges of the Court of Queen's Bench, the presence and services of all the Judges could not, in your opinion, be dispensed with for any considerable length of time, except from illness or other absolute necessity, and express your regret that your long continued indisposition has necessarily increased the responsibility and labors of your learned Colleagues.

I regret to be under the necessity of adding, that His Excellency has been informed by a letter from Mr. Justice Day, of the 8th inst., that having received communication of my letter to you of the 2nd, through Mr. Justice Gale, his reply was merely an expression to that gentleman, of his opinion, that the administration of Justice would be likely to suffer from Mr. Justice Rolland's absence, in consequence of the infirm state of your health unfortunately preventing you from rendering efficient aid in the business of the Court.

His Excellency has, however, felt it necessary to adhere to his refusal of Mr. Justice Rolland's request for a leave of absence. But he cannot thus insist upon that gentleman's continuance in the discharge of duties so much more laborious and responsible than his official position would, under other circumstances require of him, without at the same time impressing upon you the necessity there is for your resuming your active participation in the duties of the Bench.

I have, &c.
(Signed,) D. DALY,
Secretary.

Hon. Chief Justice
Vallières de St. Réal,
&c. &c. &c.

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No. 18. *Letter from the Provincial Secretary, to Mr. Justice Rolland.*

Secretary's Office,
Montreal, 15th April, 1845.

Sir,

I have had the honor to receive and to bring under the consideration of the Governor General, your letter of the 14th instant.

His Excellency commands me, in reply, to express to you his regret that, after the most mature reflection, he finds it altogether impossible in the present position of the Court of Queen's Bench for the District of Montreal, to grant leave of absence to any of the members of the Court, unless upon the ground of ill health. His Excellency particularly regrets being unable to grant you an indulgence to which your laborious and efficient services would, under other circumstances, have entitled you, and which His Excellency is sensible confer on you strong claims to consideration.

With reference to your contingent application to be allowed to retire on a pension, I am to add that, taking into view the present state of the Pension List and the efficient services which your age and health allow of your rendering as a member of the Court, His Excellency is under the necessity of stating that it is wholly out of his power to entertain favorably such a request on your part.

I have, &c.
(Signed,) D. DALY,
Secretary.

Honorable Mr. Justice Rolland,
&c. &c. &c.

No. 19. *Letter from Mr. Justice Rolland, to the Provincial Secretary.*

Montreal, 16th April, 1845.

Sir,

From my interview with you yesterday, I am led to believe that I may not have been sufficiently explicit in my last letter, as to the state of my health, to justify the request I make of a leave of absence.

I would only beg to refer to my former communication, in which I mentioned specifically that my health being impaired I found it necessary to abstain from my Judicial duties for a time, in expectation that I might thus recruit myself after the fatigue I have undergone—not of an ordinary nature. This was the motive and the ground of my request of leave of absence for a few months, which I humbly conceive I have a just claim to.

I have, &c.
(Signod,) J. R. ROLLAND.

Hon. D. Daly,
&c. &c. &c.

No. 20. *Letter from the Provincial Secretary, to Mr. Justice Rolland.*

Secretary's Office,
Montreal, 16th April, 1845.

Sir,

I have the honor to acknowledge the receipt of your letter of this day's date, and in reply am commanded by the Governor General to inform you that

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His Excellency is happy to understand from it that your application for leave of absence is made on a ground which places it in his power to entertain it favorably. And I am accordingly to convey to you His Excellency's permission to absent yourself from your Judicial duties, for the re-establishment of your health, till the latter part of the month of June next.

I have, &c.
(Signed,) D. DALY.

Honorable Mr. Justice Rolland.
&c. &c. &c.

No. 21. *Letter from Mr. Chief Justice Vallières de St. Réal, to the Provincial Secretary.*

Montreal, 18th April, 1845.

Sir,

I have the honor to acknowledge the receipt of your letter of the 15th instant, referring to my letter of the 5th in answer to your's of the 2d of this month.

You inform me that His Excellency the Governor General has felt it necessary to adhere to his refusal of Mr. Justice Rolland's request for a leave of absence.

You refer to a letter from Mr. Justice Day of the 8th instant, by which that learned Judge has informed His Excellency that having received communication of your letter to me of the 2d, through Mr. Justice Gale, his reply was merely an expression to that gentleman of his opinion that the administration of Justice would be likely to suffer from Mr. Justice Rolland's absence, in consequence of the infirm state of my health unfortunately preventing me from rendering efficient aid in the business of the Court.

I regret that Mr. Justice Day, instead of applying to me for the correction of an involuntary and immaterial error in my letter of the 5th instant, has so far yielded to the unfriendly feelings of Mr. Justice Rolland towards me, as to make that error the subject-matter of his letter to you of the 8th instant.

As early as the 6th instant, I was informed by Mr. Justice Gale, that Mr. Justice Rolland had charged me with the very grievous wrong of misrepresenting the opinions of my Colleagues to His Excellency the Governor-General, and urged upon those learned Judges the necessity of refuting my misrepresentation.

I then learned from Mr. Justice Gale, that when he communicated to Mr. Justice Day the original draft of my letter to you of the 5th instant, that learned Judge had objected to the reasons assigned therein, and had expressed his opinion that if any reason were assigned, my own illness ought to be the only reason. Mr. Justice Gale had also now stated that he had verbally communicated to me this opinion of Mr. Justice Day when he had returned me the draft of my letter to you of the 5th instant, and I have no doubt of the perfect correctness of Mr. Justice Gale's statement; but his verbal explanation having escaped me, owing to my difficulty of hearing, I wrote my letter to you of the 5th instant, conformably to the original draft, adding my illness as another reason, agreeably to a note in pencil which I found had been written by Mr. Justice Gale on that draft.

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On discovering my error, I requested Mr. Justice Gale, on the 6th instant, to inform Mr. Justice Day of my anxious desire to correct it in any manner he might suggest; but Mr. Justice Gale could not see Mr. Justice Day until after he had written and sent you his letter of the 8th instant.

Such are the facts of the case. My letter expresses the unanimous opinions of my learned Colleagues, Messrs. Gale and Day, and myself. I did err in supposing that we were equally unanimous in the reasons upon which that opinion was grounded, but I could not, and I did not, wilfully misrepresent the opinions of my colleagues to the Representative of my Sovereign.

The precarious state of my health was made known by me to the late Governor General, Sir Charles Bagot, when I accepted the office I now hold, and it was not deemed a sufficient reason to prevent my appointment.

I think that, infirm as I am, I have done good service and given general satisfaction; and deeply impressed as I am with the necessity of resuming my active participation in the duties of the Bench, I imploringly look up to Almighty God for health and strength so to do; and in the meantime I respectfully submit to the disposal and commands of His Excellency the Governor General.

I have, &c.
(Signed,) VALLIERES DE ST. REAL.

Hon. D. DALY,
Secretary, &c. &c. &c.

No. 22. Letter from Mr. Justice Rolland, to the Provincial Secretary.

Montreal, 27th April, 1846.

Sir,

Referring to the correspondence of last April between the Government and myself, which ended in a letter from you, in which you informed me, that in regard of my application to be allowed to retire on a pension, taking into view the state of the Pension List, and the efficient service which my age and health allowed of my rendering as a member of the Court, His Excellency the Governor General was under the necessity of stating that it was wholly out of his power to entertain favorably such a request on my part.

I beg respectfully to submit to His Excellency the Governor General, that after the lapse of one year, and the consequence declining health from advanced age, I find no change in my circumstances except for the worse, and that constant exertions in the performance of my duty as the older Puisné Judge must sooner or later have a baneful effect.

I am thus compelled to renew the request made in my letter of the 4th of March, 1845, as the only relief under circumstances which it is not in my power to control, and for the understanding of which I would humbly solicit His Excellency's perusal of my letter to you of the 24th of February, 1845, as containing an exposition of facts.

If His Excellency in his wisdom should take the same view of my case now, which his predecessor did a year ago; it will remain for me to do one of

two things—either to tender my resignation of office unconditionally, submitting my claim to a pension for further consideration,—or to relax my efforts, as I ought not any longer to exert myself beyond what may be expected of me as one of four Judges on the Bench.

In connexion with the above, I would also mention, that the Puisné Judges have had it in contemplation to address His Excellency by a representation of the state of the Bench, and of its inefficiency, owing to the continued absence and infirm state of health of the Chief Justice. But, as Mr. Justice Gale declines joining in the address, although agreed as to the fact, it falls to my lot, as the elder Judge, to make the statement, for the information of His Excellency, which I do now, with the concurrence of Mr. Justice Day, that we may not be reproached with silence, in a matter of this importance to the public.

I have the honor to be,
Sir,
Your most obedient servant,
(Signed,) J. R. ROLLAND.

The Hon. D. DALY,
Provincial Secretary,
&c. &c. &c.

No. 23. Letter from the Provincial Secretary, to Mr. Chief Justice Vallières de St. Réal.

Secretary's Office,
Montreal, 29th April, 1846.

Sir,

I have the honor, by command of the Governor General, to inform you, with reference to my communications to you of last year, that the subject of the position of the Bench of the District of Montreal has been again brought under His Excellency's consideration, in such a manner as to force on him the conviction that some early action must be taken in regard to it. Assuming from the tenor of the communication made to His Excellency, that the continued indisposition under which you labor precludes the possibility of your discharging with satisfaction to yourself or advantage to the country, the duties which at present devolve on you as the President of the Court, I am commanded by His Excellency to intimate to you his anxious desire to award to you that consideration which your position and long services demand, by offering you a retiring pension suitable to the dignity of your office. As the pension fund at the present disposal of His Excellency is exhausted, he is accordingly prepared, in the event of your giving him your authority so to do, to bring the subject at once before Parliament, with a view of facilitating the settlement of a question which, in the opinion of His Excellency, admits of no longer delay.

I am to add that His Excellency awaits a reply at your earliest convenience.

I have, &c.
(Signed,) D. DALY.
Secretary.

Honorable J. R. VALLIERES DE ST. REAL,
Chief Justice, &c. &c. &c.
Montreal.

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No. 24. Letter from Mr. Chief Justice Vallières de St. Réal, to the Provincial Secretary.

Montreal, 30th April, 1846.

Sir,

I have the honor to acknowledge the receipt of your letter of the 29th instant, intimating to me the anxious desire of His Excellency the Governor General, to award me that consideration which my position and long services demand, by offering a retiring pension suitable to the dignity of my office.

I respectfully offer my grateful thanks to His Excellency for the gracious terms of your communication, and beg leave to inform His Excellency that his excellent and deeply lamented predecessor, the late Sir Charles Bagot, was well aware of my delicate and precarious state of health when he was pleased to call me from the District of Three Rivers to the Chief Justiceship of Montreal. This will appear in the letter which I presume is to be found in your office, by which I made known to Sir Charles Bagot my entire submission to his expressed desire of conferring upon me that very responsible office.

I have labored hard, and, I believe, successfully and satisfactorily to the public, on the Judicial Bench of this District, and though I have been more than once, and am now prevented by illness from presiding in Court, I nevertheless perform daily a variety of Judicial acts which may be dispatched at my rooms, and I believe that my removal from the Bench is sincerely deprecated, as well by the suitors as by their representatives at the Bar.

Having said thus much, I hope His Excellency the Governor General will excuse my hesitating to retire from public life by a voluntary resignation of my office; but as I rely on the unanimity and honor of Her Majesty's Government, I do most cheerfully submit to His Excellency's commands.

I have, &c.
(Signed,) VALLIERES DE ST. REAL.

The Hon. D. Daly,
Secretary.

No. 25. Letter from the Provincial Secretary, to Mr. Chief Justice Vallières de St. Réal.

Secretary's Office,
Montreal, 1st May, 1846.

Sir,

I have the honor, by command of the Governor General, to acknowledge the receipt of your letter of yesterday's date, in reply to mine of the day previous, on the subject of your retirement from the Bench.

While His Excellency fully acknowledges your long and valuable services on the Bench, he still feels compelled to look upon your frequent and continued absence from the discharge of your official duties, which he regrets to know arise from your delicate and precarious state of health, as extremely detrimental to the public service. This fact has been so forcibly brought under the consideration of His Excellency, as to leave him no alternative but to endeavour to remedy the great evil complained of. His Excellency cannot but regard the efficiency of the Bench as of a paramount importance to the pub-

lic interests; and that efficiency he must feel to be in no small degree impeded by the very frequent absence of one holding the distinguished position which you occupy as the President of the Court. And although it is a matter of deep regret to His Excellency, that this frequent absence is attributable to a cause which, as he is advised, there is no reason to think likely to prove temporary, he is not therefore the less under the necessity of taking such steps as are in his power, with a view of relieving you from duties, the performance of which has become incompatible with your precarious state of health.

Under these circumstances, His Excellency commands me to request from you an explicit declaration of your intentions; as in the event of your not placing it in His Excellency's power, by your voluntary resignation of the office of Chief Justice, to call on Parliament for the means of securing you a pension; His Excellency will have no choice, but to submit the whole case to the consideration of Parliament, to obtain the assistance of that body in the settlement of this important matter.

I have, &c.
(Signed,) D. DALY,
Secretary.

Hon. J. R. Vallières de St. Réal,
Chief Justice, &c. &c. &c.
Montreal.

No. 26. Letter from Mr. Chief Justice Vallières de St. Réal, to the Provincial Secretary.

Montreal, 2nd May, 1846.

Sir,

I have your letter of the first instant, conveying the request of His Excellency the Governor General of an explicit declaration from me, of my intention in reference to the proposal made to me in your letter of the 29th April, to resign my office of Chief Justice.

I would that it were in my power to resign my office consistently with the sense of the duty I owe to the public, my family, and myself. If the law permitted it, I would appeal without hesitation to His Excellency's wisdom and justice for a final award on the subject, but I am most happy in being informed by you that it is the intention of His Excellency to submit the whole case to the consideration of Parliament; and I look forward with unbounded confidence to the settlement of this important matter by the highest tribunal of my country.

I have, &c.
(Signed,) VALLIERES DE ST. REAL.

Honorable D. DALY,
Secretary.

No. 27. Letter from the Provincial Secretary, to the Prothonotary of the Court of Queen's Bench, Montreal.

Secretary's Office,
Montreal, 2nd May, 1846.

Gentlemen,

I have the honor, by command of the Governor General, to request that you will prepare and transmit to me, for His Excellency's information, and

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with the least possible delay, a Return shewing the several periods of the attendance and absence of Mr. Chief Justice Vallières during each Term of the Court of Queen's Bench, from the date of his appointment as Chief Justice for the District of Montreal to the present time.

I am also to request that you will at the same time furnish His Excellency with any information which it may be in your power to render, as to his attendance or absence during the vacations of the Court for the same period.

I have, &c.
(Signed,) D. DALY,
Secretary.

Messrs. Monk, Coffin and Papineau,
Prothonotary, &c. &c. &c.

No. 28. Letter from the Provincial Secretary, to the Clerk of the Court of Appeals.

Secretary's Office,
Montreal, 2nd May, 1846.

Sir,

I have the honor, by command of the Governor General, to request that you will prepare and transmit to me for His Excellency's information, and with the least possible delay, a Return shewing the several periods of the attendance and absence of Mr. Chief Justice Vallières during each term of the Court of Appeals for Lower Canada, from the date of his appointment as Chief Justice for the District of Montreal to the present time.

I have, &c.
(Signed,) D. DALY,
Secretary.

A. S. SCOTT, Esq.
Clerk of the Court of Appeals,
&c. &c. &c. Quebec.

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No. 29. Letter from the Prothonotary of the Court of Queen's Bench, Montreal, to the Provincial Secretary, with one Enclosure.

Prothonotary's Office,
Montreal, 4th May, 1846.

Sir,

In obedience to the commands of His Excellency the Governor General, we enclose a Return shewing the several periods of the attendance of Mr. Chief Justice Vallières during each Superior Term of the Court of Queen's Bench, from the date of his appointment to the present time.

Mr. Vallières has not presided on any occasion in the Inferior Terms of the Queen's Bench; nor has he attended the days appointed by the Court to take evidence in the vacations—Enquête days. It is not in our power to give the reason for his not doing so; but we consider it our duty to state that the former Chief Justices of this District never took upon themselves that share of the duties of the Judges.

Chief Justice Vallières has not attended at Chambers but very seldom during the vacations of the Court; nor is it in our power to furnish the Governor General any information as to the cause of his non-attendance. We would, however, most respectfully state he has at all times willingly and cheerfully transacted such ministerial business at his own house as we thought it our duty to request of him.

We have the honor to be,
Sir,

Your most obedient humble servants,
(Signed,) MONK, COFFIN, & PAPINEAU,
Prothonotary.

The Honorable D. Daly, Esquire,
Secretary, Montreal.

District of } Prothonotary's Office. (Enclosure.)
Montreal. }

RETURN shewing the several periods of the attendance and absence of Mr. Chief Justice Vallières during each Term of the Court of Queen's Bench, from the date of his appointment as Chief Justice of the District of Montreal, to the 2d May, 1846.

Year.	Term.	Duration of Term.	Chief Justice Vallières was		Total number of days in Term.
			Present.	Absent.	
1842	October	17 days	17 days	...	17 days
1843	February	17 do	17 do	...	17 do
do	April	16 do	6 do	10 days	16 do
do	June	16 do	16 do	...	16 do
do	October	17 do	17 do	...	17 do
1844	February	17 do	2 do	15 do	17 do
do	April	17 do	...	17 do	17 do
do	May	12 do	...	12 do	12 do
do	July	13 do	...	13 do	13 do
do	September	13 do	...	13 do	13 do
do	November	13 do	5 do	8 do	13 do
1845	January	13 do	13 do	...	13 do
do	March	11 do	3 do	8 do	11 do
do	May	11 do	10 do	1 do	11 do
do	July	13 do	9 do	4 do	13 do
do	September	13 do	9 do	4 do	13 do
do	November	12 do	1 do	11 do	12 do
1846	January	13 do	12 do	1 do	13 do
do	March	12 do	1 do	11 do	12 do
19 Terms.		266 days	138 days	128 days	266 days

(Signed,) MONK, COFFIN, & PAPINEAU,
Prothonotary.

Montreal, 4th May, 1846.

Appendix
(I. I. I.)
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GENERAL STATEMENT of Baptisms, Marriages and Burials, in the District of Quebec, for the year 1845.

COUNTIES.	PARISHES.	Religious Denominations.	Baptisms.		Marriages.	Burials.		Increase.	Decrease.	Total Increase.	Total Decrease.	Remarks.
			Males.	Females.		Males.	Females.					
QUEBEC	Notre Dame de Québec	Catholic	535	470	292	318	287	409	47			
	Hôtel Dieu	do	372	391	...	225	21	...	7			
	St. Roch de Québec	do	...	...	...	...	...	...	...
	Hôpital Général	do	...	...	...	...	...	...	...
	Metropolitan Church	English Protestant Church	69	50	46	52	36	35	...	...
	St. Andrew's Church	Church of Scotland	44	41	15	31	10	13	...	...
	St. John's Church	Protestant Episcopal	14	10	13	9	8	7	...	...
	St. Paul's Chapel	do	21	14	13	10	12	...	...	
	St. Peter's Church	do	18	19	1	34	17	...	...	...
	Military Congregation	do	28	24	12	31	13	...	...	...
	Congregational Church	Protestant, 2 Registers	1	2	1	1	...	...	...	...
	Wesleyan Methodists	Methodists	5	...	22	7	10	...	...	...
	St. Foy	Catholic	29	24	13	52	30	11	...	...
	Anciens Lorette	do	32	41	15	38	32	13	...	...
	St. Ambroise	do	55	42	14	20	17	66	...	...
	St. Gabriel de Valcartier	do	57	52	14	6	5	29	...	...
	Valcartier, Lake Beauport and Stoullam	do	17	14	10	...	...	...	...	...		No Return.
	Charlesbourg	Presbyterian Mission	...	...	...	...	...	...	...	...
	Beauport and Mission de Laval	Catholic	58	37	10	20	27	28	...	...
	St. Dunstan	do	62	60	22	28	34	60	...	...
	Desdites Settlements	do	2	4	1	1	1	4	...	...
		Trav. Miss. Ch. of England	21	21	15	13	1	28	...	...
			1395	1397	630	612	782	1111	...	73	1038	
FORTNEUF	Grondines	Catholic	52	49	14	15	10	52				
	Deschambault	do	54	57	29	16	23	70				
	Cap Sante	do	72	79	30	28	30	77				
	Ecurault	do	8	9	7	4	11	...				
	St. Raimond	do	34	34	6	13	11	44				
	Pointe aux Trembles	do	53	42	20	27	22	46				
	St. Augustin	do	39	35	10	12	17	45				
	St. Catherine	do	36	33	10	7	6	56				
	Bourg Louis	Protestant Episcopal	...	...	...	...	...	...				No Return.
			328	316	122	131	122	391	...	...	391	

GENERAL STATEMENT of Baptisms, Marriages and Burials, in the District of Quebec, for the year 1845.—(Continued.)

COUNTIES.	PARISHES.	Religious Denominations.	Baptisms.		Marriages.		Burials.		Increase.	Decrease.	Total Increase.	Total Decrease.	Remarks.	
			Males.	Females.	Males.	Females.	Males.	Females.						
MONTMORENCY	L'Ange Gardien	Catholic	16	28	5	13	15	14	17					
	Chateau Richer	do	17	23	10	4	15	10	15					
	Ste. Anne du Nord	do	25	20	4	8	8	14	23					
	St. Farsol	do	18	12	3	8	6	6	14					
	St. Joachim	do	11	22	8	3	11	6	19					
	St. Laurent, Isle d'Orleans	do	21	21	3	3	6	12	24					
	St. Jean	do	21	21	12	12	12	16	14					
	St. Francois	do	8	10	4	4	4	4	8					
	St. Pierre	do	19	16	10	10	10	8	17					
	Ste. Famille	do	19	11	6	6	7	4	19					
			173	184	68	94	95	108	168					
SAGUENAY	Petite Rivière St. Francois Xavier	Catholic	11	7	3	3	4	4	10					
	Bas St. Paul	do	80	61	23	7	41	26	65					
	Ste. Agnes	do	16	20	7	4	7	10	28					
	St. Urbain	do	15	20	4	16	14	19	57					
	Eboulements	do	46	44	8	14	1	5	26					
	St. Irenes	do	14	20	6	7	3	5	16					
	Isle aux Coudres	do	14	10	7	7	3	24	120					
	Malbaie	do	92	66	52	52	34	24	...				No Return.	
	Chateaufort	do	...	...	...	...	...	...	...				Do.
	St. Alexis	do	...	...	...	...	...	...	...				...
			288	277	125	111	109	345	...			345		
LOUREVILLE	St. Jean Deschillons	Catholic	44	38	6	6	30	12	50					
	Lebimere	do	88	82	22	22	40	40	91					
	Ste. Croix	do	66	64	16	16	28	25	77					
	St. Antoine	do	66	63	19	19	27	23	79					
	St. Gilles	do	89	70	18	18	22	27	89					
	St. Sylvestre	do	74	78	10	10	27	25	95					
	St. Gilles Mission	do	11	10	...	...	2	...	25				
				417	407	90	166	182	506	...			506	

COUNTIES.	PARISHES.	Religious Denominations.	Baptisms.		Marriages.		Burials.		Increase.	Decrease.	Total Increase.	Total Decrease.	Remarks.	
			Males.	Females.	Males.	Females.	Males.	Females.						
MEGANTIC	Leeds and adjacent parts	Church of England Mission	10	11	7	5	5	5	11					
	Leeds and St. Sylvester	Church of Scotland	...	...	...	...	...	...	...
	New Ireland	Wesleyan Methodists	51	14	6	7	...	...	32				
	Upper Ireland	Church of England Mission	41	25	13	12	11	11	43					
	St. Nicholas	Catholic	59	46	18	27	27	28	55					
	St. Jean Baptiste	do	62	67	27	14	14	18	102					
	Pointe Levy	do	117	133	54	53	53	59	187					
	Pointe Levy and adjacent parts	Church of England Mission	2	8	2	3	3	3	4					
	St. Henry	Catholic	70	78	23	23	23	27	98					
	St. Anselme	do	61	65	22	17	17	14	94					
St. Clairs	do	90	62	16	16	17	14	121						
St. Idore	do	73	58	11	10	10	14	107						
St. Marie Nouvelle Beauce	do	146	142	46	45	45	45	198						
St. Francois	do	112	89	17	20	16	16	157						
St. Joseph	do	85	74	26	17	15	15	127						
St. Marguerite	do	43	47	15	9	11	11	69						
St. Bernard	do	33	43	5	10	10	9	57						
St. George Aubert Gallion	do	32	22	12	10	10	10	84						
Frankton	do	35	31	10	7	7	5	9						
Kennebec Settlement	Presbyterian Congregation	3	5	2	1	1	5	2						
Frankton and Standon	Protestant Congregation	17	11	4	2	2	...	26						
St. Calixte de Somerset, &c.	Catholic	79	60	17	20	20	...	117						
			1118	1054	322	303	311	1538	...			1558		
BELLECHASSE	Beaumont	Catholic	20	22	10	13	10	10	10					
	St. Charles	do	43	42	20	25	20	20	40					
	St. Germain	do	119	148	37	55	38	38	174					
	St. Michel	do	56	51	25	29	21	21	57					
	St. Yalher	do	56	34	13	20	18	18	42					
	Barbice	do	26	16	3	6	4	4	30					
	St. Francois Riviere du Sud	do	57	34	16	14	12	12	65					
				377	347	109	164	123	497	...			497	
	L'ISLET	St. Pierre Riviere du Sud	Catholic	36	29	13	13	13	4	48				
		St. Thomas	do	91	94	30	30	30	32	128				
Cap. St. Ignace		do	73	72	22	20	20	27	102					
L'Islet		do	92	77	26	41	27	27	101					
St. Jean Port Joly		do	75	89	29	46	46	66	66					
St. Roch des Anctes		do	60	74	27	38	46	50	50					
L'Isle aux Grues		do	12	14	2	2	2	2	20					
Grasse Isle		do	2	6	6	2	2	8	...				8	
				441	454	155	202	186	510	...			507	

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GENERAL STATEMENT of Baptisms, Marriages and Burials, in the District of Quebec, for the year 1845.—(Continued.)

COUNTIES.	PARISHES.	Religious Denominations.	Baptisms.		Marriages.	Burials.		Increase.	Decrease.	Total Increase.	Total Decrease.	Remarks.
			Males.	Females.		Males.	Females.					
KAMOURASKA	Stc. Anne La Pocatière	Catholic	86	88	20	32	28	114				
	River Ouelle	do	68	73	21	21	34	89				
	St. Denis	do	43	42	14	15	14	56				
	Kamouraska	do	46	48	14	26	21	27				
	St. Paschal	do	93	93	18	42	37	107				
	St. André	do	71	62	27	26	24	83				
			407	409	114	172	168	476	...	476		
RIMOUDI	Rivière du Loup	Catholic	75	75	20	37	20	84				
	Church of England Mission	Church of England Mission	2	2	1	...	...	4				
	Kakoua	Catholic	77	76	20	...	...	110				
	Isle Verte	do	67	68	23	33	31	71				
	Trois Pistoles	do	77	75	24	35	27	90				
	St. Simon and St. Fabien	do	49	52	6	10	11	80				
	St. Germain	do	105	98	35	20	12	171				
	St. Luce	do	64	67	31	20	19	92				
	St. Jerome de Matane and Stc. Anne des Monts.	do	43	28	15	9	7	55				
	Metis	Presbyterian Congregation.	8	13	3	...	1	20				
				567	554	178	187	157	777	...	777	

RECAPITULATION.

COUNTIES.	Baptisms.		Marriages.	Burials.		Increase.
	Males.	Females.		Males.	Females.	
Quebec ...	2782	1088	630	1694	1088	
Portneuf ...	04	391	122	253	391	
Montmorency ...	357	168	68	189	168	
Saguenay ...	565	346	125	220	346	
Lebinière ...	824	506	90	318	506	
Megantic ...	66	43	13	23	43	
Dorchester ...	2172	1558	322	614	1558	
Bellechasse ...	724	437	109	287	437	
L'Islet ...	895	507	155	388	507	
Kamouraska ...	816	476	114	340	476	
Rimouski ...	1121	777	179	344	777	
	10916	6246	1926	4670	6246	
	4670					
	76246		Increase of Population.			

BURROUGHS & HUOT, P. Q. B.

OFFICE OF THE PROTHONOTARY,
Quebec, 28th February, 1846.

THE RETURNS for the following places, for 1844, which were not returned when the Report for that year was made in March, 1845, having since been returned, the undersigned consider it their duty to make a Return thereof, so that that same Return may be completed, viz.:

	Baptisms.		Marriages.	Burials.		Increase.
	Males.	Females.		Males.	Females.	
St. Alexis of Saguenay ...	66	61	39	17	13	97
Bourg Louis ...	14	12	3	3	2	21
	80	73	33	20	15	118

BURROUGHS & HUOT, P. Q. B.

GENERAL STATEMENT of Baptisms, Marriages and Burials made in the District of Montreal, during the year 1845.

COUNTIES.	PARISHES.	Baptisms.		Marriages.	Burials.		Increase.	Decrease.	Total Increase.	Total Decrease.	Remarks.
		Males.	Females.		Males.	Females.					
MONTREAL.	Parish Church, Catholic	1277	1364	505	750	720	1071	929	..	..	No Return.
	Hôpital General, Secours Grises	5	..	..	118	116	..	..	..	..	No Return.
	Christ Church, Protestant Episcopal	62	56	41	35	44	39	..	..	..	No Return.
	Montreal Garrison	20	16	4	23	10	3	..	..	..	No Return.
	St. George's Chapel	22	19	22	7	7	27	..	..	..	No Return.
	Trinity Chapel, Protestant Episcopal	27	35	31	30	25	7	..	..	..	No Return.
	St. Thomas' Church, do	38	26	21	10	10	44	..	..	..	No Return.
	do	..	..	..	..	..	..	..	..	..	No Return.
	Griffintown Church, do	4	3	..	2	2	3	..	..	..	No Return.
	St. Mary's Chapel, Current St. Mary	5	6	..	..	..	11	..	..	..	No Return.
	Episcopal Church Society for Montreal	3	..	..	..	..	3	..	..	..	No Return.
	St. Paul's Church, Presbyterian, St. Helen Street	..	..	..	..	..	..	..	..	..	No Return.
	Scottish Church, St. Gabriel Street	..	..	..	..	..	..	..	..	..	No Return.
	St. Andrew's Church, Presbyterian	..	..	..	..	..	..	..	..	..	No Return.
	American Presbyterian Church, Great St. James Street	61	46	33	50	26	31	..	..	..	No Return.
	French Presbyterian Church, ..	11	4	1	8	8	..	..	..	..	No Return.
	Wesleyan Congregation, Great St. James Street	1	1	..	..	..	2	..	..	..	No Return.
	Eglise Evangelique Francaise	..	..	..	..	..	..	..	..	..	No Return.
	Wesleyan Methodist Congregations	62	37	31	26	18	55	..	..	..	No Return.
	Methodist New Connexion Church	2	2	..	2	..	..	..	..	..	No Return.
	First Congregational Church, St. Maurice Street	14	14	18	10	8	10	..	..	..	No Return.
	Second do, Gosford Street	9	8	15	..	..	17	..	..	..	No Return.
	United Associate Church, LaGauchetière Street	6	6	4	3	2	7	..	..	..	No Return.
	Baptist Church, St. Helen Street	..	..	..	..	..	..	..	..	..	No Return.
	Jewish Church, ..	..	..	..	..	..	..	..	..	..	No Return.
	Unitarian Church	..	..	..	..	..	..	..	..	..	No Return.
	Lachine Catholic Church	8	12	1	3	..	17	..	..	..	No Return.
	Do Church of England	70	85	20	40	36	79	..	..	..	No Return.
	Do Church of Scotland	6	3	1	4	4	4	..	..	..	No Return.
	St. Joachim de la Pointe Claire	15	6	5	2	2	19	..	..	..	No Return.
	St. Anne du Bout de l'Isle	35	28	17	12	8	43	..	..	..	No Return.
	St. Geneviève	30	21	8	10	6	35	..	..	..	No Return.
St. Laurent	53	48	12	16	19	66	..	..	..	No Return.	
Sault au Recollet	78	55	28	23	24	76	..	..	..	No Return.	
St. Joseph de la Rivière des Prairies	51	43	29	23	18	53	..	..	..	No Return.	
Pointe aux Trembles	93	20	9	19	17	7	..	..	..	No Return.	
Longue Pointe	16	31	5	18	14	15	..	..	..	No Return.	
..	24	12	5	15	5	16	..	..	..	No Return.	
	2039	1905	864	1269	1143	1763	230	1532			

COUNTIES.	PARISHES.	Baptisms.		Marriages.	Burials.		Increase.	Decrease.	Total Increase.	Total Decrease.	Remarks.
		Males.	Females.		Males.	Females.					
OTTAWA	Petite Nation	74	51	33	17	10	98	..	..	..	No Return.
	St. Anne du Grand Calumet, &c.	22	21	2	6	1	36	..	..	..	No Return.
	Notre Dame de l'Île de Grenville	..	..	..	..	..	..	..	..	..	No Return.
	Missions de St. Paul d'Aylmer, &c., Catholic	12	7	8	1	3	18	..	..	..	No Return.
	Hull, Aylmer, Church of England	52	52	54	3	3	98	..	..	..	No Return.
	Grenville and Clitham, Presbyterian	..	..	..	..	..	..	..	..	..	No Return.
	Gore Settlement, Church of England	13	6	5	2	..	17	..	..	..	No Return.
	Township of Buckingham and Lechaber, P. ..yterian	..	..	..	..	..	..	..	..	..	No Return.
	Episcopal Congregation of Clarendon, &c.	..	..	..	..	..	..	..	..	..	No Return.
		173	137	102	29	14	267	..	267	..	
VAUDREUIL	Vaudreuil, Catholic	73	77	22	22	20	106	..	..	..	No Return.
	Île Perrot	12	17	4	5	8	16	..	..	..	No Return.
	Rigault	187	137	41	25	22	277	..	..	..	No Return.
	Sourlanges	46	51	19	16	21	60	..	..	..	No Return.
	St. Ignace du Coteau du Lac, Catholic	94	85	19	21	19	139	..	..	..	No Return.
	St. Polycarpe	64	68	19	19	19	94	..	..	..	No Return.
	St. Marie	10	8	..	7	5	6	..	..	..	No Return.
	Coteau du Lac, Episcopal Congregation	9	5	4	2	1	11	..	..	..	No Return.
	Vaudreuil, Protestant	7	5	6	3	1	8	..	..	..	No Return.
		502	453	184	120	116	719	..	719	..	
LAC DES DEUX MONTAGNES	Lac des Deux Montagnes	21	31	7	8	17	27	..	..	..	No Return.
	St. Eustache, Catholic	66	100	43	24	32	130	..	..	..	No Return.
	St. André d'Argenteuil	70	73	19	26	22	95	..	..	..	No Return.
	St. Renoit	69	70	32	28	30	107	..	..	..	No Return.
	St. Hermas	69	71	18	17	10	113	..	..	..	No Return.
	St. Scholastique	116	128	35	29	39	176	..	..	..	No Return.
	St. Raphael	28	24	15	5	7	40	..	..	..	No Return.
	St. Eustache, Scotch Presbyterian	23	14	6	3	1	33	..	..	..	No Return.
	Lacute do	..	1	1	..	..	..	..	..	..	No Return.
	St. Andrew's do	2	1	1	..	..	..	..	..	..	No Return.
Associate Synod of the Secession Church, St. Eustache	..	1	1	No Return.	
Presbyterian Church of Canada	No Return.	
	504	519	177	145	160	721	3	718			

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GENERAL STATEMENT of Baptisms, Marriages and Burials made in the District of Montreal, during the year 1845.—(Continued.)

COUNTIES.	PARISHES.	Baptisms.		Marriages.	Burials.		Increase.	Decrease.	Total Increase.	Total Decrease.	Remarks.
		Males.	Females.		Males.	Females.					
TERREBONNE	St. Colomban	16	18	2	4	6	24				
	St. Jerome	140	120	41	40	36	184				
	Terrebonne	86	67	25	19	21	113				
	St. Ross	67	55	22	36	26	60				
	St. Vincent de Paul	68	62	17	26	26	87				
	St. Martin	98	106	33	85	42	127				
	St. Anne des Plaines	58	35	13	24	15	49				
	St. Thérèse de Blainville, Catholic	102	94	18	33	27	136				
	St. Augustin	50	62	14	18	31	63				
	St. Thérèse, Scotch Presbyterian	14	4	5	2	3	9				
	St. Thérèse de Blainville, Eglise Evangelique	3	3	...	...	...	7				
	United Associate Congregation of New Glasgow	2	...	...	...	...	3				No Return.
	St. Martin, Church of England	...	...	...	...	...	...			802	...
	...	...	699	626	201	228	235	862	...	...	...
LEINSTER	St. Jacques	150	179	47	51	58	230				
	L'Assomption	76	91	28	32	46	89				
	St. Sulpice	19	23	6	13	12	17				
	Repentigny	37	27	18	23	16	25				
	Lachenaie	24	15	3	7	12	20				
	St. Henry de Mascouche	54	61	28	31	25	59				
	St. Roch	86	86	27	26	33	113				
	St. Lin	90	84	19	29	37	108				
	St. Esprit	48	57	17	17	28	60				No Return.
	St. Gregoire de Rawdon	...	...	...	...	...	...			...	...
	La Conception de Rawdon	42	38	11	14	20	46			...	No Return.
	St. Alphonse Rodrigue	...	...	...	...	...	...			...	No Return.
	Church of England, Rawdon	...	...	...	...	...	...			...	No Return.
	Westeyan Methodist, Rawdon Chronit...	7	5	...	...	...	12			...	No Return.
Episcopal Congregation of Mascouche	...	...	...	...	...	...			...	No Return.	
Bienheureux Alphonse de Liguori	17	16	7	6	7	20			...	No Return.	
...	...	650	682	211	249	294	789	...	789	...	

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BERTHIER ...	Berthier ...	128	120	42	68	55	127	No Return.
	St. Antoine de Lavaltrie...	30	22	14	14	11	27	No Return.
	St. Paul de Lavaltrie	67	44	17	33	33	45	...	...	No Return.
	Lanoraie	47	33	9	24	23	38	...	...	No Return.
	St. Cuthbert	...	...	...	...	...	...	...	...	No Return.
	St. Elizabeth ...	84	79	31	45	30	88	...	...	No Return.
	St. Thomas	39	32	8	16	6	47	...	...	No Return.
	St. Barthelemi...	54	43	15	20	22	55	...	...	No Return.
	St. Gabriel du Lac Maskinongé	39	29	5	10	9	49	...	...	No Return.
	St. Ambrose de Kildare...	34	29	13	25	20	18	...	...	No Return.
	Ile du Pads	14	12	5	11	14	1	...	...	No Return.
	St. Melanie de Daillibout	37	55	8	12	15	65	...	...	No Return.
	St. Charles du Village de l'Industrie	66	49	19	28	32	55	...	...	No Return.
	St. Felix de Valois	66	65	13	15	21	95	...	...	No Return.
St. Gabriel de Rawdon	...	...	...	...	...	...	...	...	No Return.	
705	612	199	323	289	705	...	705	...	No Return.	
RICHELIEU ...	St. Ours ...	82	74	33	37	39	80	...	...	...
	St. Denis	74	70	37	45	34	65	...	...	...
	St. Charles	34	36	10	23	21	26	...	...	...
	Sorel, Catholic...	160	163	76	89	87	147	...	...	...
	St. Victoire desservie de Sorel	24	19	8	15	9	19	...	...	...
	William Henry, Protestant	14	13	4	12	4	11	...	...	...
	Congregational Church, Sorel	8	3	4	...	...	11	...	...	...
	...	896	378	162	221	194	359	...	...	399

ST. HYACINTHE	St. Aimé ...	95	84	37	52	57	70	...	...	...
	St. Hyacinthe ...	157	153	46	60	57	193	...	...	...
	St. Jude ...	43	32	7	12	13	50	...	...	...
	St. Damase	59	70	24	26	31	72	...	...	...
	St. Hugues	48	64	12	13	13	87	...	...	...
	St. Cesaire	148	141	84	60	54	175	...	...	...
	St. Pie	112	134	60	43	52	151	...	...	...
	St. Rosalie	39	44	8	8	14	61	...	...	...
	St. Simon...	40	44	7	9	8	67	...	...	...
	St. Dominique...	34	37	8	6	10	55	...	...	...
	St. Bernabé	27	28	15	14	11	25	...	...	...
	Eglise Evangelique ou Congregationnelle de St. Pie...	8	8	3	1	1	15	...	...	...
	...	810	835	262	303	321	1021	...	...	1021

...	

GENERAL STATEMENT of Baptisms, Marriages and Burials made in the District of Montreal, during the year 1845.—(Continued.)

COUNTIES.	PARISHES.	Baptisms.		Marriages.	Burials.		Increase.	Decrease.	Total Increase.	Total Decrease.	Remarks.
		Males.	Females.		Males.	Females.					
VERCHERES ...	St. Marie de Monnoir ...	130	114	40	40	27	171	...	...	...	No Return.
	St. Jean Baptiste ...	54	57	23	16	12	89	...	...	...
	St. Athanase ...	120	130	34	46	48	186	...	...	...
	Presentation ...	40	30	18	14	17	39	...	...	...
	St. Hilarie de Rouville ...	27	32	10	14	9	36	...	...	...
	St. Brigitte ...	28	25	6	9	4	40	...	...	...
	St. Gregoire Le Grand ...	60	62	24	13	5	130	...	...	...
	St. Mathias, Pointe Olivier ...	47	33	29	25	19	36	...	...	...
	Caldwell & Christie Manors ...	28	25	9	6	14	33	...	...	...
	Missisquoi Bay, Scotch Church ...	10	6	1	2	...	14	...	...	...
	Episcopal Congregation of Christville ...	8	4	1	4	...	6	...	...	...
	Wesleyan Methodist, Clareville and parts adjacent	558	588	194	195	157	744	...	...	744	
	CHAMBLY ...	Verchères ...	73	70	16	80	21	92
St. Antoine ...		44	30	17	25	29	20	...	...	...
Varenes ...		110	83	27	27	24	142	...	...	...
Contrecoeur ...		68	57	23	29	23	92	...	...	...
Belœil ...		63	57	12	19	25	76	...	...	...
St. Marc ...		35	30	11	10	12	49	...	...	...
Chambly, Catholic ...		973	912	101	140	134	411	...	...	411	
Bonsecours ...		115	122	28	42	47	148	...	...	...
Boucherville ...		88	104	39	20	31	136	...	...	...
St. Luc ...		26	34	11	6	12	42	...	...	...
HUNTINGDON ...	St. Jean, Catholic ...	94	106	23	30	35	129	...	...	...
	Chambly, Church of England ...	7	13	9	11	6	3	...	...	...
	St. John's, Church of England ...	22	10	9	0	0	17	...	...	...
	St. John's, Wesleyan Methodists ...	4	9	3	2	...	5	...	...	...
	St. Bruno ...	20	9	6	5	...	20	...	...	...
	Chambly, Catholic ...	493	469	149	156	160	580	...	...	580	
	St. Constant ...	80	70	16	84	28	88	...	...	...
	Laprairie, Catholic ...	102	112	36	58	56	100	...	...	...
	Sault St. Louis ...	49	34	12	23	22	36	...	...	...
	St. George ...	8	11	6	6	...	12	...	...	...

St. Philomène ...	63	58	12	6	14	101	...	...	...	...	No Return.
Chateaugay ...	60	45	10	16	19	70	...	...	...	...	No Return.
St. Philippe ...	55	63	17	24	22	72	...	...	...	...	No Return.
St. Regis ...	...	...	...	...	...	...	...	...	...	...	No Return.
Blairford ...	86	49	18	26	15	94	...	...	...	...	No Return.
St. Edouard ...	115	97	23	43	38	181	...	...	...	...	No Return.
St. Cyprien ...	103	87	26	25	29	136	...	...	...	...	No Return.
St. Valentin ...	76	67	25	20	15	109	...	...	...	...	No Return.
St. Remi ...	101	113	22	28	35	151	...	...	...	...	No Return.
St. George ...	190	185	46	28	36	311	...	...	...	...	No Return.
St. Jacques le Mineur ...	8	11	6	6	1	12	...	...	...	...	No Return.
Laprairie, Church of Scotland ...	11	5	1	6	1	9	...	...	...	...	No Return.
Laprairie, Church of England ...	8	14	8	4	4	14	...	...	...	...	No Return.
Oulashow, Wesleyan Methodists ...	...	...	...	...	...	...	...	...	...	...	No Return.
French Protestant Congregational Church, Grand Ligne ...	...	...	...	...	...	...	...	...	...	...	No Return.
Henrysburgh Circuit, Methodists ...	5	6	2	...	...	11	...	...	...	...	No Return.
Episcopal Congregation, Lacote and parts adjacent	...	...	...	...	...	...	...	...	...	...	No Return.
Second Presbyterian Church, Huntingdon ...	...	...	...	...	...	...	...	...	...	...	No Return.
Episcopal Congregation, Huntingdon ...	...	...	...	...	...	...	...	...	...	...	No Return.
Methodist New Connexion, Lacote	...	...	...	...	...	...	...	...	...	...	No Return.
Do do Henrysburgh	5	3	1	...	...	8	...	...	...	...	No Return.
Protestante Grande Ligne de Lacadie	6	2	...	...	...	7	...	...	...	...	No Return.
Congregational Church, Chateaugay...	1122	1021	281	349	395	1459	...	...	1159	...	
BEAUHARNOIS ...	Eastern Townships ...	...	...	...	...	...	...	...	...	...	No Return.
	St. Isidore ...	54	45	20	19	14	60	...	...	...	No Return.
	St. Martin ...	125	110	30	57	40	139	...	...	...	No Return.
	St. Jean Christostome, &c. ...	94	82	25	15	7	154	...	...	...	No Return.
	Hinchinbrooke, Church of England	...	...	...	...	...	...	...	...	...	No Return.
	Beauharnois, Church of Scotland	20	7	5	5	7	15	...	...	...	No Return.
	Ornstown, do do	15	23	0	4	1	33	...	...	...	No Return.
	Protestant Episcopal Church, Chateaugay, Ornstown, &c.	9	10	2	1	2	16	...	...	...	No Return.
	Scotch Presbyterian Church, North and South Georgetown	14	20	17	2	1	31	...	...	...	No Return.
	Episcopal Congregation, Hommingford, Sherrington, &c.	17	15	5	3	2	27	...	...	...	No Return.
	Presbyterian Church, Hemmingford	31	27	8	5	2	51	...	...	...	No Return.
	Do do Beach Ridge	...	...	...	...	...	...	...	...	...	No Return.
	Scotch Church, Dundee...	19	12	2	2	...	23	...	...	...	No Return.
Congregational Church, Seigneurie of Beauharnois	...	...	...	...	...	...	...	...	...	No Return.	
Episcopal Congregation, Russelltown	20	16	2	7	1	28	...	...	...	No Return.	
Methodist Congregation, Russelltown Circuit	19	27	7	2	2	42	...	...	...	No Return.	
Huntingdon, Church of Scotland...	6	12	4	...	...	18	...	...	...	No Return.	
Wesleyan Methodist, Duriam and parts adjacent	10	7	15	4	...	8	...	...	...	No Return.	
St. Clement ...	134	123	34	63	40	152	...	...	...	No Return.	
St. Timothé ...	98	96	35	32	44	118	...	...	...	No Return.	
Mission de St. Regis ...	32	36	2	8	10	50	No Return.	
St. Anicet...	47	46	6	10	5	78	No Return.	
St. Anicet...	758	714	231	241	183	1048	1048	...	

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GENERAL STATEMENT of Baptisms, Marriages and Burials, made in the District of Montreal, during the year 1845.—(Continued.)

COUNTIES.	PARISHES.	Baptisms.		Marriages.	Burials.		Increase.	Decrease.	Total Increase.	Total Decrease.	Remarks.	
		Males.	Females.		Males.	Females.						
MISSISQUOI ...	... St. Bernard de Lacole ...	73	59	17	13	13	106				
	... St. Armand East, Church of England...	17	7	9	4	5	15					
	... Do West, do	6	4	4	3	3	4					
	... Dunham North, do	4	7	...	...	...	11				
	... Dunham South, do	5	7	...	...	...	11				
	... Dunham Circuit, Methodist New Connexion	9	6	...	...	...	6				
	... Stanbridge, Baptist Church	1	...	15	5	4	...					
	... Granby, Congregational Church	6	6	19	4	3	...	6				
	... Stanbridge, Church of England	14	10	4	6	2	...	4				
	... Granby and Milton, Episcopal Church	7	6	6	5	8	11					
	... St. Armand Circuit, Wesleyan Methodists	19	15	8	2	3	8					
	... Dunham Circuit do	2	1	...	...	1	39				No Return.
	... Phillipsburg, Congregational Church	...	...	...	...	...	3				No Return.
		163	129	84	43	41	212	5	207			
STANSTEAD ...	... Stanstead, Methodist New Connexion...	...	...	8	2	1	...	3	...	...	No Return.
	... Do Scotch Circuit Wesleyan Methodist	...	...	...	...	...	...	...	...	...	No Return.
	... Hatley, Church of England	...	...	...	...	...	...	...	...	...	No Return.
	... Potton Circuit, Methodist New Connexion	...	...	6	4	2	...	6	...	...	No Return.
	... Wesleyan Methodist Congregation, Circuit of Stanstead	...	...	8	6	3	...	...	...	...	No Return.
	... Bolton Circuit, Methodist Congregation	...	...	5	1	1	...	2	...	...	No Return.
	... Methodist Protestant Church, Jarnston	...	...	...	...	...	...	...	...	...	No Return.
	... Baptist Church, Potton Circuit	...	...	1	2	1	...	...	...	...	No Return.
			6	6	23	15	9	...	11	...	11	
			18	10	9	9	7	14				No Return.
SHEFFORD ...	... Sheffield, Church of England	7	10	7	4	2	11				No Return.
	... Do Circuit, Wesleyan Methodist	...	...	...	...	...	...	...	...	...	No Return.
	... Methodist New Connexion, Shefford	...	...	...	...	...	...	...	...	...	No Return.
	... Brome, Episcopal Congregation	4	1	2	3	1	1				No Return.	
	... Do Congregational Church	3	2	2	1	...	4				No Return.	
	... Alibotsford, Episcopal Congregation	5	5	2	5	4	1				No Return.	
	... Protestant Episcopal Congregation for the Society for propagating the Gospel	No Return.	
	... Stukely, Methodist New Connexion	4	...	2	10				No Return.	
		40	33	23	16	16	41		41			

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RECAPITULATION of STATEMENT for the year 1845.

COUNTIES.	Baptisms.		Marriages.		Burials.		Increase.	Decrease.	Total Increase.	Total Decrease.	Remarks.
	Males.	Females.	Males.	Females.	Males.	Females.					
Montreal	2039	1905	864	1143	1260	1143	1762	230	1532		
Ottawa	173	137	102	14	29	14	267	...	267		
Vaudreuil	502	453	134	116	120	160	719	...	719		
Lac des deux Montagnes	504	519	177	160	145	177	721	3	718		
Terrebonne	650	626	201	228	228	235	862	...	862		
Leinster	650	682	311	304	240	289	780	...	780		
Berthier...	705	612	199	323	323	289	705	...	705		
Richelieu	396	378	162	321	221	194	359	...	359		
St. Hyacinthe	810	835	262	303	303	321	1021	...	1021		
Rouville	558	538	194	105	105	157	744	...	744		
Verchères	373	312	701	140	140	134	411	...	411		
Chambly	433	469	149	156	156	160	580	...	580		
Huntingdon	1122	1021	281	349	349	335	1459	...	1459		
Beauharnois	758	714	231	183	241	183	1048	...	1048		
Missisquoi	163	128	84	41	49	41	212	5	207		11
Stamstead	6	6	23	8	15	8	...	...	...
Shefford...	40	33	25	16	16	16	41	...	41		
	9331	9368	3400	4042	3806	3806	11700	238	11462		

PROVINCE OF CANADA, DISTRICT OF MONTREAL.

Area in Square Miles.	COUNTY AND DISTRICT.		Births.	Marriages.	Deaths.
	County of Montreal	...	3944	864	2412
	do Ottawa	...	310	102	43
	do Vaudreuil	...	955	184	236
	do Two Mountains	...	1023	177	305
	do Terrebonne	...	1325	201	463
	Carried over	...	7557	1478	3459

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DISTRICT OF MONTREAL.—(Continued.)

Area in Square Miles.	COUNTY AND DISTRICT.				Births.	Marriages.	Deaths.
	County of Leinster ...	...	...	...	7557	1478	9459
	do Berthier ...	...	...	...	1332	211	549
	do Richelieu ...	...	...	...	1317	199	612
	do St. Hyacinthe ...	...	...	...	774	162	415
	do Rouville ...	...	...	...	1645	262	624
	do Verchères ...	...	...	...	1096	194	352
	do Chambly ...	...	...	...	685	101	274
	do Huntingdon ...	...	...	...	902	149	322
	do Beauharnois ...	...	...	...	2143	281	684
	do Missisquoi ...	...	...	...	1473	231	424
	do Stanstead ...	...	...	...	291	84	84
	do Shefford ...	...	...	...	12	23	23
					73	25	32
					19200	3100	7848

MONK, COFFIN & PAPINEAU,
Prothonotary.

PROTHONOTARY'S OFFICE,
Montreal, 3rd March, 1845.

SUPPLEMENTARY STATEMENT of Baptisms, Marriages and Burials, in the District of Montreal, for the years 1840, 1841, 1842, 1843 and 1844, taken from the Registers deposited in the Prothonotary's Office since the last Return made for the year 1844.

COUNTIES.	PARISHES.	Baptisms.		Marriages.	Burials.		Increase.	Decrease.	Total Increase.	Total Decrease.	Remarks.
		Males.	Females.		Males.	Females.					
MONTREAL ...	Scotch Church, St. Gabriel Street, for the year 1840	47	97	56	82	80	22				
	do do do 1841	45	84	98	85	23	21				
	do do do 1842	40	35	39	36	27	12				
	do do do 1844	29	45	20	12	6	56				
	Trinity Chapel,	161	151	123	115	86	111	...	111		

OTTAWA	...	Missions de St. Gregoire de Naziance, for the year 1844	47	50	18	8	11	78				
		St. Liguori des Allumettes, &c.	62	48	19	9	7	91				
		Episcopal Congregation of Clarendou,	35	27	16	0	2	54				
			144	125	53	3	20	226	...	...	226	
VAUDREUIL	...	St. Polycarpe, for the year 1842	107	85	28	51	53	88				
		do do 1843	82	72	31	24	23	103				
		do do 1844	102	72	13	26	30	118				
			291	229	72	105	100	309	...	...	309	
LAC DES DEUX MON-TAGNES	...	Presbyterian Congregation, Lachute, for the year 1844	8	3	3	2	...	9	...	...	9	
LEINSTER	...	Episcopal Congregation of Mascouche, for the year 1844	11	4	1	6	1	8	...	...	8	
ROUVILLE	...	Caldwell and Christie Manors, for the year 1844	21	22	6	9	6	28	...	...	28	
RICHELIEU	...	William Henry, Protestant, for the year 1844	21	11	7	15	6	11	...	...	11	
HUNTINGDON	...	Huntingdon, Church of England, for the year 1844	52	35	9	8	4	75	...	...	75	
BEAUIHARNOIS	...	Eastern Townships, for the years 1843 and 1844	264	221	72	22	21	442				
		Sherrington, for the year 1844	30	34	3	3	7	60				
		Presbyterian Church, Hemmingford, for the year 1844	8	6	5	..	2	12				
		Russelltown Circuit, Wesleyan Methodist, do 1844	28	20	5	..	...	48				
			336	281	85	25	30	562	...	...	562	
MISSISQUOI	...	Dunham Circuit, Methodist New Connexion, for the year 1844	4	4	1	..	..	8				
		St. Armand, Wesleyan Methodist, do 1844	27	37	11	4	2	58				
			31	41	12	4	2	66	...	...	66	

MONK, COFFIN & PAPINEAU,
Prothonotary.

PROTHONOTARY'S OFFICE,
Montreal, 3rd March, 1845.

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GENERAL STATEMENT AND RETURN of the Baptisms, Marriages and Burials in the District of Three Rivers, for the year 1845.

COUNTIES.	PARISHES, SEIGNORIES, TOWNSHIPS or CITIES.	Baptisms.		Marriages.	Burials.		Increase of Population, ascertained by the difference between the Baptisms and Burials.	Total Increase of Population per County.	Remarks.
		Males.	Females.		Males.	Females.			
ST. MAURICE	... Three Rivers, Catholic...	101	106	42	49	51	107	...	B. The Burials exceed the Births by three.
	Do Protestant Episcopal ...	6	2	2	7	4	8		
	Do Methodists ...	5	3	1	...	...	8
	Pointe du Lac ...	30	28	13	17	17	24		
	Ste. Anne d'Yamachiche ...	97	79	19	31	27	118		
	St. Bernabé ...	31	26	5	19	7	31		
	St. Léon Le Grand ...	78	55	17	30	26	77		
	St. Antoine de la Rivière du Loup, Catholic ...	70	66	28	26	26	84		
	Do do Protestant ...	4	2	5	2	1	3		
	Ste. Ursule ...	62	35	14	15	17	65		
St. Joseph de Maskinongé ...	77	71	37	32	24	92			
CHAMPLAIN Cap La Magdeleine ...	8	10	6	4	4	10
	St. Maurice ...	24	21	2	4	2	39		
	Champlain ...	26	32	9	8	8	42		
	St. François Xavier de Batiscan... do	27	25	6	7	3	42		
	Ste. Geneviève do do	41	53	14	15	13	66		
	St. Stanislas do do	57	47	18	22	11	71		
	Ste. Anne de Lapérade ...	82	79	23	55	35	71		
NICOLET St. Pierre les Becquets...	55	60	15	30	17	68
	St. Edouard de Gentilly ...	53	48	27	11	9	81		
	Township of Arthabaska and neighbourhood	41	43	16	0	11	64		
	Becancour ...	67	72	29	20	17	102		
	St. Gregoire Le Grand ...	97	77	33	58	36	110		
	St. Jean Baptiste de Nicolet, Catholic ...	63	65	30	32	24	82		
	Do do Protestant	1	2	1		
Ste. Monique ...	41	45	25	21	10	75			
								606	
								341	
								583	

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YAMASKA	St. Antoine de la Baie ...	St. Francois sur la Lac St. Pierre ...	Presbyterian Congregational Church of St. Francis	St. Michel d'Yamaska ...	St. Guillaume ...	St. David ...	110	94	22	25	25	154	A. The Burials exceed the Births by one.
				2	33	4	86	63	15	2	23	A	
				29	4	4	29	20	11	4	41		
				72	17	22	72	67	10	22	100		500
DRUMMOND	Catholic Mission of Drummondville	...	...	34	8	10	34	42	15	2	59		
	Protestant Congregation of Drummondville	...	...	13	2	2	13	10	3	19	77		
				1696	594	522	1696	1527	549	594	2107		2107

EDW. BARNARD, P. Q. B.

THREE RIVERS, 3rd March, 1846.

GENERAL STATEMENT AND RETURN of Baptisms, Marriages and Burials in the District of Gaspé, for the year 1845.

Year.	COUNTIES.	PARISHES, SEIGNORIES, TOWNSHIPS or CITIES.	Baptisms.		Marriages.	Burials.		Increase of Population.	Total per Counties. Increase of Population.	Remarks.
			Males.	Females.		Males.	Females.			
1845	BONAVENTURE	Risigonche, Church of Scotland	18	20	5	...	1	37	337	Not received.
		Do Roman Catholic	47	31	15	11	10	57		
		Carleton, do	53	43	15	6	9	81		
		New Richmond, do	11	15	1	4	2	20		
		Hamilton do	23	23	11	3	6	37		
		Cox, Protestant Episcopal	24	24	18	4	7	37		
		Cox, Roman Catholic	49	34	13	7	8	68		
		Capo Cove, &c., Protestant Episcopal Church	...	...	...	...	...	...
		Percé, &c., Roman Catholic	97	87	37	13	7	164		
		Douglas Town, &c.	11	5	1	7	...	9		
Gaspé Basin, Protestant Episcopal Church	16	11	5	3	...	24				
			349	298	116	58	50	594	197	
								534		

WILKIE & TREMBLAY, P. Q. B.

NEW CARLISLE, 25th March, 1846.

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PORT OF ST. JOHN'S.

WILLIAM MACRAE, Esquire, Collector.

RETURN exhibiting the aggregate numbers, quantities and values of the various Articles imported at the Port of St. John's during the year ended 5th day of January, 1846, and shewing the amount of Duties collected thereon.

ARTICLES IMPORTED.	Number or Quantity.	Value at place of Importation. Currency.			Amount of all Duties. Currency.			Remarks.
		£	s.	d.	£	s.	d.	
Animals, Cows and Heifers	No. 4	45	0	0	4	17	4	
" Calves	do 1	5	0	0	0	6	1	
" Horses, Mares, Geldings, Colts, Fillies, and Foals	do 42	929	0	0	76	13	0	
" Oxen, Bulls, and Steers...	do 2	31	11	0	3	13	0	
" Pigs (Sucking)	do 12	4	0	6	0	7	4	
" Swine and Hogs	do 100	380	1	0	30	8	4	
" Sheep	do 33	16	5	0	4	0	4	
Anchovies and Sardines preserved in Oil ... ..	...	0	13	2	0	1	9	
Ashes	Barrels 12	49	10	0	2	8	7	
Berries, Nuts, and Vegetables used in dying ... ..	...	204	0	6	10	0	3	
Biscuit and Crackers ... ..	...	1211	18	9	117	12	3	
Books ... ..	...	3361	5	0	374	9	11	
Burr Stones, unwrought	No. 819	199	18	6	9	16	4	
Candles, Sperm	lbs. 2184 1/2	1612	4	9	463	5	8	
" other kinds	do 1210	46	5	11	9	7	7	
Carriages and Vehicles	No. 68	1136	6	0	148	15	0	
Clocks and Watches ... ..	...	4279	6	11	688	11	8	
Coals	Tons 520	321	1	3	15	15	2	
Cocoa	Cwt. 82.1	24	3	4	2	18	6	
Chocolate Paste	lbs. 263	15	16	10	3	6	0	
Coffee, Green	Cwt. 2901.0.24	6020	11	1	2520	14	0	
" Roasted	do 138.0.4	267	2	9	198	14	7	
Coin and Bullion ... ..	...	180192	5	0	...	...	...
Cordage	Cwt. 289.1.4	589	6	3	68	0	9	
Corks	Gross 15062	1124	17	9	129	17	4	
Cotton Manufactures ... ..	...	6464	14	11	746	7	7	
Cotton Wool ... ..	...	2085	12	0	19	17	7	
Drugs ... ..	...	3500	1	5	170	6	0	
Extracts, Essences, and Perfumery ... ..	...	408	18	10	53	10	10	Free, per Special license.
Fire Engines	No. 1	175	0	0	...	...	...
Fanning and Bark Mills	do 2	11	11	0	1	10	3	Free.
Fish, Fresh, not described ... ..	...	2	0	9	...	...	...
" Oysters, Lobsters, and Turtles ... ..	...	973	5	7	9	2	3	
" Salted or Dried	Cwt. 352.1.11	186	3	9	44	14	7	
" Pickled	Brls. 5 1/2	17	6	8	1	11	5	
Flour, Wheat	Brls. of 196 lbs. 622 1/2	746	10	3	94	17	5	
Fruit, Almonds	lbs. 2544.2	586	10	2	152	8	9	
" Apples	Bushels 12606 1/2	1650	19	3	383	8	11	
" do Dried	do 296 1/2	44	13	11	19	16	3	
" Currants	Cwt. 92.1.7	193	1	2	85	16	0	
" Figs	do 235.2.8	321	6	6	84	10	3	
" Nuts	lbs. 3294.5	313	2	9	96	0	8	
" Pears	Bushels 800 1/2	155	8	0	45	19	2	
" Prunes	do 9583	206	7	7	56	16	8	
" Raisins in boxes	lbs. 40537	779	13	6	236	13	7	
" do otherwise than in boxes	lbs. 24534	188	17	3	69	14	10	
" do unenumerated ... ..	...	2149	5	7	212	9	3	
Fur Skins or Peltries, undressed or unmanufactured ... ..	...	458	10	8	22	10	2	
Glass Manufactures ... ..	...	4194	10	5	819	16	9	
Grain, Barley	Quarters 121	206	2	6	22	1	8	
" Maize or Indian Corn	Quarters of 480 lbs. 1	1	2	0	0	0	5	
" Beans	Quarters 1	1	0	6	0	1	9	
" Meal of the above Grains and of Wheat not bolted, per 196 lbs.	50 1/2	35	9	9	6	3	11	
" Wheat	Quarters 2	3	18	6	0	7	4	
" Bran and Shorts	Cwt. 41	6	3	0	0	12	5	
Gums and Resins ... ..	...	2	1	3	0	2	1	
Garden Seeds ... ..	...	335	8	4	30	9	10	
Hardware ... ..	...	13018	14	8	1496	6	7	
Hemp, Flax, and Tow	Cwt. 1055.0.21	1712	9	7	16	14	6	
Hides, Raw	No. 67201	19440	15	9	185	4	1	
Hops	lbs. 10119	389	0	7	167	9	2	
India Rubber Boots and Shoes	Pairs 34260	3373	4	4	1177	0	0	
Leather, Goat Skins, tanned, tawed, or in any way dressed	Dozen 185 1/2	473	17	10	75	8	7	
" Lamb and Sheep Skins, do	do 972 1/2	835	0	0	181	4	8	
" Calf Skins	lbs. 8189 1/2	1153	13	7	295	4	10	
" Kip Skins	do 1468	79	7	10	25	10	1	
" Harness Leather	do 2534	104	7	6	29	17	4	
" Upper Leather	do 95875	1343	17	7	412	8	4	
" Sole Leather	do 162498	5334	9	11	1440	0	8	
" Cut into Shapes	do 6 1/2	1	11	8	0	5	2	
" Not described ... ..	...	639	11	8	54	13	2	
Carried forward ... ..	...	£276126	11	6	13897	6	6	

IMPORTS AT THE PORT OF ST. JOHN'S.—(Continued)

1846.

1846.

ARTICLES IMPORTED.	Number or Quantity.	Value at place of Importation.			Amount of all Duties.			Remarks.	
		£	s.	d.	£	s.	d.		
<i>Brought forward</i>									
Leather Manufactures, viz., Boots, Shoes, and Calashes.	Women's Boots, Shoes, and Calashes, of Leather, doz. prs.	53 ¹ / ₂	276	126	11	6	19897	6	6
	do do do of Silk, Satin, Jean or other stuff, Kid or Morocco	28 ¹ / ₂	71	8	7	17	19	5	0
	do do do of Satin	1 ¹ / ₂	1	13	0	0	8	0	0
	Girls' do do do under 7 inches in length, of Leather	12 ¹ / ₂	13	2	10	2	16	5	0
	Girls' do do do of Silk, Satin, Jean or other Stuff, Kid or Morocco	7 ¹ / ₂	6	0	9	1	14	7	0
	Men's Boots of Leather	165	82	14	4	30	17	9	0
	“ Shoes do	149	24	17	8	10	16	1	0
	Boys' Boots under 8 inches in length	17	4	14	11	1	12	6	0
	Leather Manufactures, not described		2108	8	8	245	8	7	0
	Linen Manufactures		34	16	0	4	0	5	0
Liquids, Ale and Beer	Galls. 585	28	1	0	10	0	4	0	
“ Cider and Perry	do 25134	224	6	7	141	9	0	0	
“ Vinegar	do 1020	37	16	10	17	0	6	0	
Maccaroni and Vermicelli	lbs. 6304	84	15	3	35	7	0	0	
Machinery		2859	6	7	464	18	3	0	
Mahogany and Hardwood, unmanufactured, for Furniture		2212	8	3	21	6	0	0	
Medicines		2043	5	2	174	12	2	0	
Molasses and Treacle	Cwt. 2000 2 8	1409	12	4	486	15	1	0	
Oakum	do 6 3 4	4	13	6	0	6	6	0	
Oils, Olive, in Jars and Bottles	Galls. 316 ¹ / ₂	139	4	4	24	16	5	0	
“ Lard	do 96	23	2	2	2	17	5	0	
“ Linseed, Raw or Boiled	do 1	0	11	0	0	0	8	0	
“ Vegetable, Volatile, Chemical, and Essential	do	990	6	7	96	4	2	0	
“ Palm	do	270	16	3	13	5	10	0	
“ The produce of Fish and creatures living in the sea	do 16396 ¹ / ₂	2211	11	9	351	16	11	0	
“ Unenumerated	do	19	16	3	1	13	10	0	
Paper Manufactures, other than Books and Playing Cards		3213	6	6	370	13	6	0	
Pickles and Sauces		21	6	3	2	15	9	0	
Playing Cards	Packs. 1188	22	11	0	3	12	7	0	
Potatoes	Bushels 124	16	0	6	1	17	8	0	
Poultry and Game, Dead		1	2	0	0	3	1	0	
Provisions, Butter	Cwt. 12 1 6	36	0	0	7	9	8	0	
“ Cheese	do 114 0 11	225	17	3	52	1	4	0	
“ Lard	do 71 0 1	169	5	11	8	9	8	0	
“ Meats { Bacon and Hams...	do 111 3 25	233	1	2	54	9	11	0	
“ { Other Meats Salted or Cured	do 7667 1 0	14727	16	0	2382	2	5	0	
“ { Fresh	do 12 1 12	16	2	5	8	0	1	0	
Rice	do 3421 0 6	3468	12	3	171	8	0	0	
Rum, not exceeding Proof	Galls. 282	41	15	0	17	3	2	0	
“ over Proof	do 104	...	...	...	6	6	7	0
Salt	Brls. of 280 lbs. 2	0	16	6	0	6	1	0	
Seeds		927	3	11	121	6	0	0	
Silk Manufactures		2465	18	5	481	19	6	0	
Soap	Cwt. 110 2 13	303	3	11	35	0	1	0	
Soda Ash		1	19	4	0	1	11	0	
Spices, Cassia	lbs. 42	1	18	10	0	10	2	0	
“ Cinnamon	do 218	12	4	2	2	13	11	0	
“ Cloves	do 2	0	2	4	0	0	6	0	
“ Nutmegs	do 10	3	4	11	0	6	8	0	
“ Pimento	do 12102	178	13	11	37	16	5	0	
“ Pepper of all kinds	do 10088	224	1	1	34	10	7	0	
Spirits and Cordials { Not exceeding Proof	Galls. 77	16	16	9	10	18	1	0	
“ { Over Proof	do 29	...	...	...	3	19	4	0
Sugar, Refined	lbs. 95709 ¹ / ₂	1912	8	3	1353	5	5	0	
“ Unrefined and Bastard	Cwt. 42 2 16	53	16	7	37	3	10	0	
Syrups	Galls. 30 ¹ / ₂	58	11	6	16	4	3	0	
Tallow	Cwt. 5877 1 15	11115	0	7	104	13	4	0	
Tea	lbs. 732592	63238	12	9	7427	13	5	0	
Tobacco, Unmanufactured	do 294971	2265	5	2	1585	18	11	0	
“ Manufactured	do 1168656	17619	2	0	7153	6	4	0	
“ Segars	do 4704 ¹ / ₂	1646	13	6	687	12	10	0	
“ Snuff	do 608	29	4	10	14	7	6	0	
Trees, Shrubs, Plants, Bulbs, and Roots		239	7	0	11	11	6	0	
Vegetables, except Potatoes, Fresh		5	8	0	0	10	10	0	
Wines	doz. galls. 971	300	18	5	87	15	11	0	
Wood, Ash, Elm, Tamarack, and other Woods	Feet. 232	26	6	0	0	7	1	0	
“ Planks, Boards, and other Sawed Lumber	do 11000	11	0	0	5	0	5	0	
Woollen Manufactures		5938	15	3	685	13	2	0	
All other articles not enumerated or included under any of the foregoing heads		25081	8	3	2142	14	10	0	
Totals	Currency, £	447137	11	2	41165	8	3	0	

W. MACRAE,
Collector of Customs, Port of St. John's.

CUSTOM HOUSE, PORT OF ST. JOHN'S,
5th January, 1846.

PORT OF ST. JOHN'S.

AN ACCOUNT of Goods exported in Foreign Vessels, Boats, Carriages, &c., in the year ended 5th January, 1846, distinguishing the Exports to the United States from those to Upper Canada, exhibiting the aggregate quantities and values of the various Articles exported to each.

ARTICLES EXPORTED.	NUMBER OR QUANTITY.		Value at the place of Exportation, Currency.		
	TO THE UNITED STATES.		£	s.	d.
Ashes	180	barrels...	670	0	0
Butter	185	kegs	422	10	0
Canada Balsam	39	barrels...	229	15	3
Coals	2	tons	4	10	0
Cranberries	188	bushels	44	10	0
Carriages	2	... ..	17	0	0
Copper	8	cases	183	15	0
Cheese	15	casks	69	6	3
Eggs	23280	dozens... ..	84	15	0
Flax Seed... ..	15009½	bushels	3781	12	6
Fish, White	10	half barrels	7	10	0
Glass, Broken	9	casks	7	10	0
Hay Seed	3	bushels	1	0	0
Horses	801	... ..	6743	10	0
Hops	37	bales	479	18	0
Iron, Bars... ..	94	... ..	8	0	0
“ Sheet	408	boxes	428	17	6
“ Scrap	211	tons	569	15	0
“ Castings... ..	14	tons	166	0	0
“ Boiler Plate	15	sheets	15	2	0
“ Pig	112½	tons	703	15	0
Lead	6 tons 11	cwt. 2 qrs.	107	3	9
Merchandise valued at ... ..	...	... ..	1698	6	3
Mules	1	... ..	10	0	0
Nutmegs	3675	pounds... ..	685	14	6
Oatmeal	2	barrels	2	10	0
Potatoes	2	bushels	0	5	0
Pine Plank	119635	pieces	2788	2	0
“ Boards	26904	pieces	558	17	6
Spruce do	200	feet	2	10	0
Porter	50	casks	62	10	0
Rags	305	bales	653	12	6
Salt	13576	bushels	683	6	8
Salmon	24	tierces	104	0	0
Salmon	208	barrels... ..	525	0	0
Specie ... ..	...	... ..	1250	0	0
Segars	6 Cases and	57 quarter boxes	71	18	4
Types	42	pounds	2	5	6
Tin	28	boxes	84	0	0
Tea	35	half chests	160	0	0
Tobacco Manufactured	44	half boxes	129	1	0
Wool	3625	pounds	63	8	9
Beaver Skins	318	pounds... ..	304	10	0
Deer do	240	skins	15	0	0
Fox do	11	do	2	1	3
Fisher do	3	do	0	15	0
Lynx do	126	do	52	10	0
Musk Rat do	300	do	11	17	1
Martin do	664	do	108	5	0
			£24925	1	7

W. MACRAE,
Collector, Port of St. John's.

CUSTOM HOUSE, ST. JOHN'S,
5th January, 1846.

Appendix
(K. K. K.)

18th May.

RETURN to an Address from the Legislative Assembly to His Excellency the Governor General, dated the 14th instant, praying that His Excellency would be pleased to lay before them, "Copies of all Correspondence between the Commissioners of the "Toronto Lunatic Asylum, and the Executive Government, respecting the claim of "Dr. Rees for further remuneration of his services."

By Command,

D. DALY,

Secretary.

Provincial Secretary's Office,
Montreal, 18th May, 1846.

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(K. K. K.)

18th May.

To His Excellency the Right Honorable CHARLES THEOPHILUS METCALFE, of Fernhill, in the County of Berks, G. C. B., one of Her Majesty's Most Honourable Privy Council, Governor General of British North America, &c. &c. &c.

The humble Memorial of William Rees,

Respectfully sheweth:—

That having during the course of his professional life applied much of his time to the study of insanity, and having from his first arrival in this Province been most painfully impressed with the condition in which patients laboring under that malady were of necessity kept, being distributed among the cells of the several District Goals, without any adequate medical treatment, he devoted all his energy for many years, by public applications and private representation, to induce the Legislature to provide the requisite means for their reception, and, if possible, their cure.

That in the year 1836 an Act was passed to effect this great object, and a small tax directed to be levied to produce the necessary funds; but, as your Memorialist saw that many years must elapse before those funds would accumulate to an adequate amount, while the evil complained of was daily on the increase, he again strenuously urged upon the Legislature the expediency of devoting funds for the support of a temporary Asylum, until the main Institution should be available.

That in this your Memorialist succeeded, and the present establishment was formed under the sanction of Their Excellencies Sir George Arthur and Lord Sydenham; and to your Memorialist was entrusted the office of Medical Superintendent, with an allowance of only £200 currency, per annum, though the salary sanctioned by the Act of Parliament was £300, together with a residence.

That notwithstanding the smallness of his remuneration, your Memorialist has, at the sacrifice of his private practise, devoted himself with unceasing attention to the painful duties of his office,—almost entirely without assistance, even in the most offensive details of it.

That in the course of his medical superintendence, the Institution has been constantly visited by the most respectable members of the community,—and together with several Grand Juries, and scientific and professional travellers, have openly borne testimony to the zeal and ability with which his duties have been discharged.

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That Your Excellency has recently been pleased to dispense with your Memorialist's services, on account of a disagreement between your Memorialist and part of the Commissioners,—a difference arising out of a conflict of opinion respecting the internal polity of the Institution. That much of that disagreement sprung from the anxiety on the part of your Memorialist, perhaps too pertinaciously expressed, to carry into effect certain rules for the internal management of the Institution, made by Your Excellency in Council, but not yet acted upon; and no imputations have ever been cast upon his professional skill and conduct.

While respectfully submitting to Your Excellency's judgment, your Memorialist earnestly prays that you will be pleased to take into consideration your Memorialist's long services; that he is now thrown back, with impaired health and personal embarrassments, originating in his quitting his general profession to dedicate himself exclusively to that part which had been his particular study, to re-establish himself in life with every disadvantage to obstruct his advancement.

And he humbly hopes that Your Excellency will give your powerful aid in producing for your Memorialist some adequate remuneration, in such form as to Your Excellency shall seem good.

WM. REES.

Toronto, 29th November, 1845.

We, the undersigned, respectfully certify that we have long known Dr. William Rees, and willingly bear testimony to the active zeal and humanity with which he has for several years devoted his able professional skill to the service of the Lunatic Asylum; and humbly recommend him to the favor of His Excellency the Governor General.

W. B. JARVIS, Sheriff, H. D., and one of the Commissioners, Lunatic Asylum.

ALLAN N. MACNAB,

JOHN TORONTO,

ROBERT S. JAMESON, V. C.,

J. B. MACAULAY,

A. M'LEAN,

C. A. HAGERMAN.

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I have always heard Dr. Rees' services, in the care of Lunatics confined in the Asylum, spoken of as being very zealous and successful; but I have no knowledge of the grounds on which those services have been discontinued,

JNO. B. ROBINSON.

(Copy.)

To His Excellency the Right Honorable Sir CHARLES THEOPHILUS METCALFE, Baronet, G. C. B., Governor General of British North America, &c. &c. &c.

The Petition of William Rees, of the City of Toronto, Medical Superintendent of the Provincial Lunatic Asylum,

Humbly sheweth:

That your Petitioner, in the year 1840, was called upon by the Commissioners, (consisting of the Vice Chancellor, Mr. Sheriff Jarvis, and Dr. Gwynne, appointed by His Excellency Lord Sydenham to put in operation the temporary Lunatic Asylum,) to organize the Institution, and to take charge of the Patients.

That since that time the entire medical management and direction of the establishment devolved upon your Petitioner, who, without any professional assistance, has, up to the present period, discharged the functions of Medical Superintendent to the Asylum.

That in compliance with a letter of appointment, dated February, 1842, certain Commissioners were named by the Government to assist in the management of the Institution, to frame rules and regulations, appoint the salaries of the officers and servants, and who reported on the same for the approbation of the Government. But that in so far as related to the salary of the Medical Superintendent, the Commissioners referred your Petitioner, as to what he was to receive, to the Act of 1839, which your Petitioner having pointed out as inapplicable, there being no accommodation for residence on the present establishment. The Commissioners thereupon, at the suggestion of your Petitioner, left the Government to affix such sum as they may deem equivalent to what the Act had provided, and who afterwards reported as follows: "The Commissioners considering the arduous and responsible duties which devolve on the Medical Superintendent, forbear estimating the value of his services, satisfied that they will be duly appreciated by the Government," which not being decided, they subsequently, in their Report to the Legislature, remarked that in closing their Report, they beg leave to express their approbation of the unvarying attention which has been given by the Medical Superintendent, and their satisfaction at the success which has attended his efforts, and also to recommend him to the favorable consideration of His Excellency the Governor General, for such permanent salary as may seem to His Excellency adequate to the remuneration of an experienced medical practitioner, now devoting his time and labors exclusively to this Institution.

That by the Act of 1839, the Legislature of Upper Canada, to which your Petitioner was referred, provided for the payment of a salary to the resident Medical Superintendent of the Lunatic Asylum, to

the extent of Three hundred pounds per annum; but that he has received only from the commencement a temporary allowance of £180, (except in July last, when a small addition of £50 was made,) per annum.

Your Petitioner therefore humbly prays that the salary due to him according to the stipulations of the Commissioners, and the Act above referred to, may be granted retrospectively, and that the sum he has temporarily received may be considered as an allowance for the residence, and for the increased labor consequent upon a new Institution,—the entire duties of which he has performed without an Apothecary, or any other medical assistance whatever:

Your Petitioner cannot omit farther to observe, that his abandonment of private practice has left him wholly dependent upon his present arduous situation, and that the delay which has taken place has necessarily subjected him to accumulated pecuniary embarrassment. Your Petitioner therefore requests that Your Excellency will be pleased to take these circumstances into your early consideration, and as in duty bound he will ever pray.

(Signed,) WM. REES.

Toronto, 20th January, 1845.

We humbly and respectfully recommend the above Memorial and prayer to the favorable consideration of His Excellency the Governor General.

(Signed,) ROBERT S. JAMESON, V. C.
W. B. JARVIS.
WM. C. GWYNNE.

Members of the Commission for the original organization of the Temporary Lunatic Asylum.

At a Meeting of the Commissioners for superintending the Temporary Lunatic Asylum at Toronto,

Present:—

THE VICE CHANCELLOR, in the Chair.

Mr. Sheriff JARVIS,
JOHN EWART, Esquire,
Rev. H. J. GRASETT,
J. O'BEIRNE, Esquire,
DOCTOR BEAUMONT,
J. EASTWOOD, Esquire,
The Rev. Mr. HAY.

Messrs. Grasett and Eastwood reported that the statement of Dr. Rees, in his Memorial to the Government, of injuries received from some of the Patients, while in the discharge of his duty, was inquired into by the Committee, consisting of Dr. Gwynne, Mr. Eastwood, and Mr. Grasett.

Resolved, That after a full investigation of the facts alleged by Dr. Rees in support of his Memorial to His Excellency the Governor General, with a view of obtaining some permanent relief, in consideration of impaired health from injuries received while in the discharge of his duties as Medical Superintendent of the Lunatic Asylum, we are unanimously of opinion that the statement submitted to them in his intended Memorial is well founded, and most res-

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pectfully recommend the same to the generous consideration of His Excellency.

ROBERT S. JAMESON,
Chairman.

Extracts from Minutes of Commissioners of Temporary Lunatic Asylum.

Saturday, January 24th, 1846.

A Special Meeting of the Commissioners called by the Chairman.

Present:—

THE VICE CHANCELLOR,
THE SHERIFF,
The Rev. H. J. GRASETT,
Dr. GWYNNE,
Dr. BEAUMONT,
Messrs. EWART,
EASTWOOD,
CAWTHRA, and
O'BEIRNE.

The Vice Chancellor in the Chair.

It was moved by Dr. Gwynne and seconded by Dr. Beaumont, and Resolved, That a Committee, consisting of The Rev. H. J. Grasett, Dr. Gwynne, and Mr. Eastwood, be appointed by the Board for the purpose of examining into the circumstance under which the injuries said to be sustained by Dr. Rees in the discharge of his duties as Medical Superintendent of the Asylum were inflicted, with a view to some future representation of his case to the Government.

Thursday, January 29th, 1846.

Commissioners met. Present:—

The Vice Chancellor, The Rev. H. J. Grasett, Rev. Mr. Hay, Mr. Sheriff Jarvis, Messrs. Ewart, Eastwood and O'Beirne, and Dr. Beaumont.

The Committee appointed by a Resolution of the Board of Commissioners of the Temporary Lunatic Asylum, at their Meeting held on the 24th day of January, 1846, to investigate the circumstances under which certain injuries sustained by Dr. Rees were inflicted, met.

Present:—

The Rev. Mr. Grasett, Mr. Eastwood, and Dr. Gwynne.

The Committee beg leave to report, that after a minute and careful examination of such of the officers and servants of the Institution as were from their positions, in the opinion of the Committee, likely to be cognizant of the circumstance under which the severe injuries sustained by Dr. Rees, and described in the medical certificates of Professor Beaumont and Dr. Grasett, were inflicted, they are unanimously of opinion that these injuries were sustained by that gentleman when in the discharge of his official duties as Medical Superintendent of the Temporary Lunatic Asylum.

For the information of the Board, the Committee hereunto append the names of the individuals examined by them, together with an abstract of the evidence given by each severally, in order that the Board may comprehend the grounds upon which the foregoing conclusion is arrived at.

The persons examined by the Committee were the Steward, John Cronyn, Bernard Martin, Wm. Nicholson, and Mark Craig, Keepers. The Steward states that he was not present upon either of the occasions when Dr. Rees was injured; but that about half a year ago, and immediately after the injury in the groin was inflicted, he was informed by several of the Keepers, that a patient, of the name of Fitch, had kicked the Doctor severely in the groin; and he recollects perfectly that at that time, Dr. Rees was confined to his house for several days in consequence of the injury, and both at the time and subsequently complained much of the effects of that injury, and likewise shewed him several lumps in the groin which were consequent on the blows received from the patient, Fitch. He thinks that John Cronyn, Martin, Craig, and Nicholson, were present at the time, and can give the Committee information upon the subject.

John Cronyn states that he was not present at the time when Dr. Rees was kicked by the patient, Fitch; but he recollects that the Doctor, upon coming down to the Surgery after having paid his usual visit to the ward, complained much of its effects; he also recollects that upon another occasion the Doctor complained much of a severe blow received by him on the head from a patient of the name of Dempsey, at the time he was very violent. The keeper Barney Martin was present when Dempsey struck the Doctor. These injuries were inflicted about six months ago.

Bernard Martin states that he was present when the patient Dempsey struck the Doctor a severe blow on the head, which staggered him, and that he has since frequently heard the Doctor complain of the effects of that injury. He did not see any of the Lunatics kick the Doctor, but he believes that Nicholson was present when he was kicked; the injury of the head was inflicted about five months ago. Recollects that the Doctor was confined to his house for several days after the report was prevalent in the Asylum that he was kicked by Fitch.

Dr. Beaumont states that about six or seven weeks ago Dr. Rees complained to him of the effects of an injury on the head consequent on a blow received from a Lunatic.

Wm. Nicholson was present when Dempsey struck the Doctor; the latter was staggered by the blow, and complained of being very much hurt, and subsequently at different times complained of the effects of the injury. Was not present when he was kicked in the groin, but recollects seeing the part which was then injured in a few days after it was known in the Institution that Fitch had kicked him; that the Doctor was confined to his house several days, and from time to time up to the period of his relinquishing his duties continued to complain of the effects of that kick. The Keeper Craig was present at the time.

Keeper Craig states that he was present when Dempsey struck the Doctor a blow on the head, of which he complained much at the time and subsequently; the blow appeared to be a severe one, and staggered him. Was also present when he was kicked by Fitch in the groin; the Doctor was in consequence obliged to sit down and complained much; he appeared very faint and pale, and was in consequence confined for several days to his house. The kick in the groin was subsequent to the blow on the head; thinks that perhaps five or six weeks intervened between the two injuries; thinks that the last injury was about four or six weeks prior to his leaving the

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Asylum; has lately seen the place which was injured and which still appears much discoloured.

(Signed,) W. C. GWYNNE, Chairman.
H. J. GRASETT,
J. EASTWOOD.

A true copy.

R. CRONYN.

I hereby certify that Dr. Rees's health is considerably impaired. I have been attending him for about a month past on account of a fracture of one of the bones of the leg, (the fibula,) attended with partial dislocation of the ankle-joint, (the tibia thrown forwards) which will necessarily for a long time render the ankle-joint weak; Dr. Rees has also several enlarged and indurated glands in the groin which shew no disposition to yield to medical treatment, but are now beginning slowly to suppurate, and may prove for a long time very troublesome, and render him incapable (until they disappear,) of much bodily exertion. These glands, I understand, became enlarged about three months ago, immediately after and in consequence of a kick on the groin from a Lunatic in the Asylum. Dr. Rees has also frequently complained to me of uncasiness and giddiness in the head, resulting from a blow received on the head from a patient in the Lunatic Asylum about five months ago, and of which uncasiness and giddiness he still complains as much of. I am of opinion that this severe blow on the head may be, and is likely to be, a cause of Dr. Rees's impaired health and strength.

(Signed,) W. R. BEAUMONT,
Fellow of the Royal College of Surgeons of England.

Toronto, January 4th, 1846.

I beg to certify, that about the 20th of September last, I was requested to visit, professionally, Dr. Wm. Rees, Medical Superintendent of the Provincial Lunatic Asylum. One of the maniac patients had kicked him with great violence in the right inguinal region, causing excessive pain and faintness at the moment, followed sometime afterwards by chilliness and fever. The part which had been struck presented a discoloured appearance, and several of the inguinal glands became inflamed and enlarged, although from the observance of a strictly antiphlogestic treatment with perfect rest some amendment took place, the glands have continued more or less in a state of disease since the period of the infliction of the injury, and they have latterly assumed an appearance indicative of approaching suppuration. The exercise of walking cannot be performed without pain, nor is it desirable that bodily exertion should be used until the present symptoms shall have undergone some amelioration. I beg to add, that during the period of Dr. Rees's confinement to bed, the medical duties of the Asylum were discharged by me at his request.

(Signed,) G. R. GRASETT,
Physician and Surgeon.

Toronto, December 30th, 1845.

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(Copy.)

To His Excellency the Right Honorable Lieutenant General Earl CATHCART, Governor General of British North America, &c. &c. &c.

The Memorial of William Rees, late Medical Superintendent of the Provincial Lunatic Asylum,

Humbly sheweth:

That having certain arrears due to him for professional services performed while Medical Superintendent of the Provincial Lunatic Asylum, he applied to the Board of Management for a settlement of the same. The Board having referred the application of your Memorialist to a Select Committee, composed of the Reverend H. Grasett, Drs. Beaumont and Gwynne, these gentlemen reported, (3rd February, 1845,) on his claim, as follows:

"The Committee beg leave to report that they have examined attentively the several Resolutions entered upon the Minutes relative to this subject, together with such other documents as appeared to them to bear upon the matter, and they are of opinion that under the Resolution of the 27th June, 1843, a reasonable expectation was held forth to the Medical Superintendent, that he should receive fees, according to a scale therein specified, from a certain class of patients. That this Resolution has not been since rescinded by any formal act of the Board. The Committee therefore are of opinion that the Medical Superintendent has a claim on the Commissioners, and they recommend that that claim be discharged as soon as convenient out of the Funds of the Institution."

Your Memorialist did not receive the compensation recommended by this Report; but another Select Committee was subsequently appointed, consisting of Messrs. J. O'Beirne, J. Eastwood, and J. Ewart, who made their Report, the concluding paragraph of which was as follows:—

"They would conclude by recommending that a copy of the Scale of Fees, and all the necessary documents connected with the Medical Superintendent's application, be submitted to the consideration of the Government."

Your Memorialist, aware of the repugnance expressed by the Government to engage in matters strictly appertaining to the duty of the Board of Management, regrets being driven to this his only alternative. He deems it proper, however, to explain that the Commissioners at the period alluded to by the Committee, enacted that the better class, denominated pay patients, who were admitted to the benefits of the Asylum, having no claim on the services of the Medical Superintendent, and considering the smallness of the salary of that officer, should be subject to a moderate scale of fees, which having entered upon their Minutes and communicated to the Government, were ordered to be adopted.

The friends of the patients having for the most part resisted the charge, declaring that they already paid more than was customary in other Institutions, it was proposed by the Board to your Memorialist, that if he would relinquish his claim they would recommend compensation to be made either out of the Funds accruing from this class, or by other means, which they in their last Annual Report to the Government (December, 1844,) accordingly did, upon which no action was ever taken.

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The Government having since been pleased to dispense with the services of your Memorialist, he humbly prays that his just claim, recognized by the Committee, may be ordered to be discharged by the Commissioners up to the period of his being connected with the Asylum.

His application to the Government would have been made at an earlier period but for serious illness occasioned in the discharge of his official duties at the Asylum.

And your Memorialist will ever pray

(Signed,) WM. REES.

Toronto, C.W., 5th February, 1846.

(Copy.)

Secretary's Office,
Montreal, 2d March, 1846.

Gentlemen,

I am commanded by the Administrator of the Government to transmit to you, herewith, a copy of a Memorial from Dr. Rees, late Medical Superintendent of the Temporary Lunatic Asylum at Toronto, claiming payment of certain fees which he states to have been due to him in that capacity; and I am to request that you will furnish me, for His Excellency's information, with a Report on the circumstances of the case.

I have, &c.
(Signed,) D. DALY.

To the Commissioners of the
Temporary Lunatic Asylum,
Toronto.

(Copy.)

Toronto, 26th March, 1846.

Sir,

I have the honor to acknowledge your letter enclosing Dr. Rees's Memorial to His Excellency the Governor General, respecting certain arrears of fees due to him for attendance upon a class of patients in the Lunatic Asylum, who, from their condition in life, were not considered entitled to the gratuitous benefits of the Institution, and commonly called "Pay Patients."

The Memorial was submitted to and discussed at a full meeting of the Commissioners, and the subject referred to a Committee, whose Report thereupon, and the proceedings of the Commissioners at their next Session, are recorded, as follows:

"The Committee to whom was referred the Memorial of Dr. Rees to the Governor General, referred to in Mr. Secretary Daly's letter of the 2nd March instant, beg leave to Report:—

"That on the 27th June, 1843, a scale of fees was agreed to by the Commissioners first appointed to the Asylum, which fees the then Medical Superintendent was allowed to charge, and the Steward was directed to collect from the Pay Patients for the Medical Superintendent, and that these charges were made and allowed in conse-

quence of the extra duties which devolved upon the the Medical Superintendent from the admission of Pay Patients.

"That from the establishment of the Asylum, in January, 1842, to October, 1845, the sum of £536 6s. 4d. has been received from Pay Patients, which amount has been carried to the credit of the funds, for maintaining the expense of the Institution.

"That from the 27th day of June, 1843, to the 20th day of October, 1845, according to the scale laid down, the Medical Superintendent would have been entitled to receive the sum of £193 15s., of which amount only £26 10s. has been paid to him, in consequence of the impossibility of collecting the several sums from the different patients; the difference in the amount due the Medical Superintendent was therefore lost to him.

"That in the Annual Report, dated 31st December, 1844, the Commissioners recommended that the system of fees be abolished, and that the Government be requested to increase the allowance of the Medical Superintendent in lieu of such fees.

"Your Committee therefore respectfully recommend that a Report be made to the Government in answer to Mr. Secretary Daly's letter on the subject of Dr. Rees's Memorial, and suggest that a sum, amounting to £167 5s. be included in the estimates for the current quarter, in order that the claim of Dr. Rees be satisfied.

"In coming to this conclusion, the Committee cannot but recollect the zeal displayed by Dr. Rees in bringing about the establishment of the Asylum,—the arduous duties which devolved upon him for four years, during which he performed the duties of Medical Superintendent,—and the great loss and inconvenience to which he has been reduced by the loss of his situation.

(Signed,) "W. B. JARVIS,
"J. ROAF,
"W. CAWTHRA.

"Mr. Jarvis moves, seconded by Mr. Grasett, and carried unanimously, that the Report be received, and that a communication embodying the substance thereof, be sent by the Chairman to the Government."

In compliance with the wishes of the Commissioners, I have transcribed the above portion of this day's proceedings for the information of His Excellency the Administrator of the Government.

I have, &c.
(Signed,) R. S. JAMESON.

The Hon. D. DALY,
&c. &c. &c.

(Copy.)

Secretary's Office,
Montreal, 1st May, 1846.

Sir,

I am commanded by the Governor General to inform you, that His Excellency in Council has had under consideration your Memorial praying for compensation for having relinquished your claim to certain fees on Pay Patients, as Medical Superintendent of the Temporary Lunatic Asylum at Toronto, and to state that His Excellency is of opinion that

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you have no claim against the Government for payment of those fees.

18th May.

I have, &c.
(Signed,)

D. DALY.

W. REES, Esquire.

We, the undersigned, Members of the Corporation of the City of Toronto, having been acquainted with Dr. Rees as a professional man for many years, and having witnessed the talent and zeal which he has manifested in the conduct and management of the Temporary Lunatic Asylum in this City, during the many years which he has been engaged in the medical superintendence of that Institution, most respectfully recommend him to the favorable consideration of His Excellency the Governor General.

WM. H. BOULTON, Mayor.
HENRY SHERWOOD, Alderman.
GEO. GURNETT, Alderman.
WM. WAKEFIELD, Alderman.
JAMES BEATY, Alderman.
ANGUS BETHUNE, Alderman.
J. HILLYARD CAMERON, Alderman.
ROBERT BEARD, Alderman.
—— DENISON, Jr., Alderman.
JOHN CRAIG, C. C.
JAMES TROTTER, C. C.
GEO. PLATT, C. C.
J. G. BEARD.
SAML. PLATT.
JOHN RITCHEY.
THOMAS J. PRESTON.
JONATHAN DUNN.
SAMUEL MITCHELL.

City Hall,
Toronto, 13th March, 1846.

Montreal, 6th May, 1846.

Dear Sir,

Your letter of yesterday has just been handed to me, and I have but a few minutes previous to leaving for Toronto to answer it. In reply to your inquiries respecting Dr. Rees, I beg leave to state, as follows:

Many years ago being then, as now, Sheriff of the Home District, and finding in the Gaol of that District several insane persons, whose deplorable cases could not have that attention which they required, and having at that time a seat in the Upper Canada House of Assembly, I brought forward a measure for their relief.

Subsequently the Government authorized the old Gaol at Toronto to be used as a Temporary Asylum, and appointed Dr. Rees to Superintend the Medical Department. Under the difficulties of establishing an Institution for the relief of patients of this descrip-

tion Dr. Rees labored unceasingly, and from the returns to the Legislature, and the reports of several Grand Juries and medical practitioners, most successfully.

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(K. K. K.)

18th May.

In apportioning the scale of remuneration to be paid to this officer, the Commissioners intended to be guided by the Statute and recommend that the Medical Superintendent should have £300 per annum, and so informed him; but as the temporary building afforded no accommodation for a residence for the Medical Superintendent, which the Statute contemplated in the new Asylum, he requested to have the amount of his salary settled by the Government; and to our regret it was fixed as low as £200 per annum.

In consequence of having thrown open the advantages of the Asylum to persons from whom a sum equal to the expense of supporting them was demanded, and thereby throwing upon the Medical Superintendent a duty not contemplated, as his services were supposed to be engaged for pauper patients only, a scale of fees small in amount individually, but of importance to the Superintendent in the aggregate, was allowed; and the sums so charged were for a short time collected and paid to the Medical Superintendent, but the difficulties arising in collecting such charges compelled the Commissioners to abandon the charge for medical aid,—and the Superintendent was informed that an effort would be made to remunerate him for the loss of those fees.

In the management of the Asylum, the Commissioners felt that the responsibility was too great for one person to bear, and they frequently recommended the appointment of a consulting Physician to assist in the medical department of the Asylum. Had this recommendation been granted, I have little doubt but that Dr. Rees would now be in the discharge of the duties from which he has been lately relieved. Misunderstandings arose between the Superintendent and the Commissioners, which to the regret of the latter ended in his removal, and they unanimously joined in a Memorial for some remuneration to Dr. Rees for the loss of his situation and for injuries which he had received from contusions and blows from the Patients.

In conclusion I beg to state that Dr. Rees' labors have been unceasing; that his success, (judging from the Returns made to the Legislature, from the Reports of medical men who have visited the Asylum, and from the satisfaction expressed by several Members of the Upper Canada Legislature who have had an opportunity of witnessing the benefits resulting from the Institution,) has been under all the circumstances great.

I remain, dear Sir,
In great haste,
Truly yours,
W. B. JARVIS.

GEO. DUGGAN, Esquire, M. P.

FINIS.

